

INTRODUCED: March 25, 2013

Expedited Consideration

A RESOLUTION No. 2013-R **87 - 85**

To determine that certain positions should not be subject to the prohibitions imposed by City Code § 2-1119 on the inclusion of questions pertaining to an applicant's criminal conviction history on initial applications for City employment.

\_\_\_\_\_  
Patron – Ms. Mosby

\_\_\_\_\_  
Approved as to form and legality  
by the City Attorney

\_\_\_\_\_  
PUBLIC HEARING: **MAR 25 2013** AT 6 P.M.

WHEREAS, section 2-1119 of the Code of the City of Richmond (2004), as amended, prohibits the inclusion of questions pertaining to an applicant's criminal conviction history on initial applications for City employment, except to the extent required by federal or state law or for positions that the City Council, by resolution, has determined should not be subject to this prohibition;

NOW, THEREFORE,

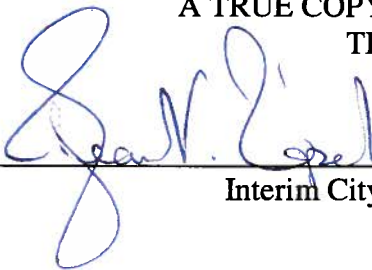
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RICHMOND:

AYES:     9     NOES:     0     ABSTAIN: \_\_\_\_\_

ADOPTED:     MAR 25 2013     REJECTED: \_\_\_\_\_ STRICKEN: \_\_\_\_\_

That the Council determines that the positions set forth on the four-page attachment to this resolution entitled "Positions with Background Restrictions by Department" should not be subject to the prohibitions imposed by section 2-1119 of the Code of the City of Richmond (2004), as amended.

A TRUE COPY:  
TESTE:



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Interim City Clerk



# Richmond City Council

The Voice of the People

Richmond, Virginia

Ed. 2

## Office of the Council Chief of Staff

### Ordinance/Resolution Request

**TO** Allen Jackson, Richmond City Attorney  
Richmond Office of the City Attorney

**THROUGH** Lou Ali  
Council Chief of Staff *V. Jones for Lou Ali*

**FROM** Joyce L. Davis, Policy Analyst  
Richmond City Council  
Office of the Council Chief of Staff

**COPY** Michelle Mosby, Councilmember, 9th District  
Vincent Jones, Deputy Chief of Council of Staff *V. Jones*  
Haskell Brown, Deputy City Attorney  
Jennifer Jackson, Senior Legal Secretary  
Sharol Burton, Senior Legal Secretary  
John Westbrook, 9th District  
Marianne Pitts, Council Policy Analyst

**RECEIVED**  
MAR 18 2013

**DATE** March 15, 2013

OFFICE OF CITY ATTORNEY

**PAGE/s** 1 of 6

**TITLE** RESOLUTION TO DELINEATE THE EXCLUDED POSITIONS FROM CRIMINAL CONVICTION HISTORY AS AN INITIAL EMPLOYMENT QUESTION

This is a request for the drafting of an  Ordinance  Resolution

**REQUESTING COUNCILMEMBER/PATRON**

Council member Michelle Mosby

**SUGGESTED STANDING COMMITTEE**

Governmental Operations

**ORDINANCE/RESOLUTION SUMMARY**

Resolution to delineated excluded positions from criminal conviction history as an initial employment question

**BACKGROUND**

In accordance with Ordinance No. 2013-40, Sec. 2-1119, the criminal conviction history on the initial application for City employment would be prohibited, except to the extent required by federal or state law or for positions that the Council, by Resolution, has determined should not be subject to this prohibition. This Resolution request is submitted to delineate the positions excluded from the requirements in accordance with Ordinance No. 2013-40, which prohibits the inclusion of questions pertaining to an applicant's criminal conviction history on initial applications for City employment. The recommended positions as determined by the Human Resources Department are attached on pages 3-6.

**FISCAL IMPACT STATEMENT**

Fiscal Impact	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Budget Amendment Required	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Estimated Cost or Revenue Impact	\$	
Fiscal Summary		

**Attachment/s**      Yes  No

Richmond City Council Ordinance/Resolution Request Form/updated 10.5.2012 /rs

**Positions with Background Restrictions by Department**

<b>Parks and Recreation-Child Day program</b>	<b>Social Services-Child Welfare Agency</b>
<b>63.2-1720, 63.2-1721, 63.2-1724, 63.2-1725</b>	<b>VA Code section 63.2-1720</b>
Head Lifeguard & Lifeguard	Benefit Programs Specialist
Swimming Pool Manager	Benefit Programs Supervisor
Recreation Trainee	Deputy Director II
Recreation Aide	Director of Social Services
Recreation Instructor I&II	Early Childhood Development Manager
Trails Manager	Family Manager I&II
Recreation Center Supervisor	Human Services Administrator
Recreation Program Specialist I&II	Human Services Coordinator I&II
Recreation Program Supervisor	Human Services Manager
Recreation Program Coordinator	Intensive Case Manager
Community Services Representative	Intensive Case Manager Supervisor
Theater Manager	Social Services Case Manager
Operations Manager	Social Services Case Manager Supervisor
	Social Work Specialist
	Social Worker
<b>Police-Law Enforcement</b>	Social Worker Supervisor
<b>VA Code section 15.2 1705</b>	Welfare Case Aide
Chief of Police	
Deputy Chief of Police	
Police Major	<b>Library-Child Day Program</b>
Police Recruit	<b>VA Code section 63.2-1717, 3.2-1719,</b>
Police Officer I - IV	<b>63.2-1720, 63.2-1721, 63.2-1724, 63.2-1725</b>
Master Police Officer	Library Assistant I-III
Police Sargeant	Library Associate I&II
Police Lieutenant	Librarian I
Police Captain	
Communication Officer I&II	<b>Fire-Law Enforcement</b>
Assistant Communications Officer Supervisor	<b>VA Code section 15.2 1705</b>
Communications Officer Supervisor	Fire Recruit
Police Support Specialist	Fire Fighter I - IV
Assistant Chief of Police	Master Fire Fighter
	Fire Lieutenant
<b>Animal Care and Control-Animal Shelters</b>	Fire Captain
<b>VA Code section 3.2-6548 B</b>	Fire Battalion Chief
Administrative Program Support Assistant	Staff Battalion Chief
Administrative Services Manager	Deputy Fire Chief
Animal Control Officer I&II	Fire Chief
Animal Control Supervisor	
Animal Shelter Supervisor	
Kennel Assistant	
Kennel Master	
Office Support Specialist I&II	
Operations Manager	

<b>Justice Services-Child Welfare Agency</b>	<b>Planning-Law Enforcement</b>
<b>VA Code section 63.2-1720</b>	<b>VA Code section 15.2 1706</b>
Administrative Program Support Assistant	Code Enforcement Inspector I-III
Administrative Services Manager	Code Enforcement Inspector Supervisor
Assistant Superintendent II	
Classification Specialist/Juvenile Detention	
Detention Home Superintendent	
Food Service Manager	<b>Office of the Registrar</b>
	<b>VA Code section 24.2-112; Article II, section 1 of the Constitution of VA</b>
Food Service Worker I&II	
Human Services Administrator	
Human Services Coordinator I&II	Assistant Registrar
Juvenile Home Registered Nurse	Deputy General Registrar
Licensed Practical Nurse	
Office Support Specialist I&II	
Outreach Case Manager I&II	
Outreach Counselor/Juvenile Detention	
Security Control Specialist	
Senior Services Coordinator	
Support Services Manager	
Youth Assistant	
Youth Counselor	
Youth Counselor Supervisor I&II	

**Agency Heads, Deputies, and highly technical/hard to recruit positions**

Positions that are (1) typically have access to confidential and sensitive information and (2) are recruited on a national basis. The recruitment costs are high and in many cases candidates are flown in for a series of interviews. It is not efficient to go to this expense only to find that they are not qualified based information that could be self reported (experience, education, convictions, etc). We do not perform full scale background investigations until we are ready to make a job offer. Below is the current list, however, others may be added at a later date based on responsibilities.

Chief Administrative Officer

Deputy Chief Administrative Officer

Department Directors

Deputy Directors I & II

Assistant City Attorney II

Assistant Controller

Budget Manager

Chief Capital Projects Manager

Chief of Revenue Administration

City Traffic Engineer

Commissioner Of Buildings

Controller

Engineer IV

Information Services Manager

Investment and Debt Portfolio Manager

Press Secretary

Senior Assistant City Attorney

Senior Assistant to the Chief Administrative Officer

Senior Assistant to the Mayor

Senior Policy Advisor

Utilities Comptroller

Utility Financial Planning Manager

Utility Financial Reporting Manager

Positions in the Department of Finance which either collect funds/taxes/fees, have direct access to confidential citizen/tax payer information, or have direct access to confidential employee personal or financial information. These are staff positions which typically produce a large number of applicants but it is necessary for a screening of criminal background. It is more efficient to screen for experience, education, convictions, etc based on self report. Below is the current list, however, others may be added at a later date based on responsibilities.

Payroll Manager

Administrative Project Analyst--in payroll only

Customer Service Representative--in collections only

Positions in the Department of Information Technology which have access to sensitive financial and personnel records and are extremely difficult to recruit. These are positions where certain convictions will bar employment. Below is the current list, however, others may be added at a later date based on responsibilities

Information Technology Manager

Database Manager

Information Technology Specialist I-III

Network Engineer

Systems Developer

Systems Developer Lead

Systems Engineer