



CITY OF BETHLEHEM

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Robert J. Donchez
Mayor

From: Robert J. Donchez, Mayor
To: Human Resources and Department Heads
Date: March 1, 2016
Re: Employment Application Procedures

The City of Bethlehem will incorporate the following into the City's application for employment and hiring practices and procedures effective March 14, 2016.

1. General Hiring Policy

It is the general hiring policy of the City of Bethlehem (hereinafter "City") to hire the most capable candidates for positions within the City. Further it has been the policy to try to attract the broadest group of applicants for positions within the City.

2. Past Application Practices

The past practice of the City of Bethlehem has been to request applicants to check a box on an employment application indicating that they have a prior criminal record at the time of applying. This question on an application can discourage those with criminal convictions from applying. There are times when the conviction is no longer relevant due to elapsed time from the occurrence to application, the nature of the offense, or the age of the applicant when the conviction occurred. The unintentional effect of this practice has been the discouragement of otherwise suitable applicants from applying for positions for which they would be qualified, reducing the number of candidates from which the City may select.

3. New Application Procedure

- a. Applicants for all other available positions with the City will not be asked about their criminal history.
- b. The following procedure shall not apply to applicants for a position as a Firefighter, Paramedic, Police Officer, or Communication Center Dispatcher. Each applicant for an above noted position will be asked, at the time of making application, to provide any prior criminal record information. Applicants for the position of Firefighter and Police will be required to sign an authorization permitting the City to conduct a criminal background check. The application shall clearly state:

“Criminal background checks will only be performed for those applicants being considered finalists for a position with the City. The discovery of a criminal conviction will not automatically disqualify an applicant from employment. The City will consider the nature of the conviction in accordance with the law and how it relates to the requirements and duties of the position applied for.”

4. Evaluation of a Finalist Candidate with a Criminal Conviction

- a. After the City determines that a candidate is qualified for the position applied for and the candidate is a finalist for the position, a criminal background check shall be performed. The goal in the performance of the background check is to mitigate risk to employees, residents, visitors, children and the elderly and to exercise due diligence in safeguarding personal and financial information.
- b. If it is determined that a finalist for a position has a criminal record, Human Resources, in coordination with the Solicitor’s Office, shall evaluate the record based on the position applied for and in accordance with the EEOC guidelines on individualized assessments. The evaluation shall consider the following:
 - The nature of the offense and how it relates to the requirements and duties of the position applied for.
 - The time elapsed since the offense.
 - The age of the applicant at the time of the offense.
 - The facts surrounding the offense.

5. Final Affirmation

Whether a background check shows a criminal record or none, all applicants other than those applying for the position of Police Officer or Firefighter, upon receipt of a conditional offer of employment, will be required, at their sole expense, to provide the City the following prior to hire:

- A Pennsylvania Child Abuse History Clearance
- A Federal Criminal History Background Check
- A Pennsylvania State Police Clearance