

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE COUNTY  
BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

WHEREAS, this Board of Commissioners of Genesee County recognizes that individuals with a criminal conviction have a more difficult time obtaining employment due to the reluctance of employers to hire these individuals; and

WHEREAS, unlike many employers that have a policy of excluding all individuals with a criminal record from consideration for jobs, Genesee County does not have a policy of excluding individuals with a criminal history from consideration for employment with the County; and

WHEREAS, removing inquiries into prior criminal history from the face of an application for employment may reduce the introduction of bias into the hiring process, and is identified as a best practice by the Equal Employment Opportunity Commission; and

WHEREAS, this Board recognizes that many states, municipalities, and employers have adopted “ban the box” policies that prohibit excluding individuals with a criminal history from consideration without giving the individual an opportunity to explain his or her history; and

WHEREAS, Genesee County, as an employer, can set an example for other employers in the community by clearly stating its non-exclusionary policy, by adopting other “ban the box” policies, and by requiring its departments to engage in fair employment practices with respect to individuals with criminal records when hiring.

NOW THEREFORE, BE IT RESOLVED, that this Board of Commissioners

of Genesee County, Michigan, adopts the following policy regarding County department hiring practices, said policy to be effective June 1, 2014, and disseminated to all County departments:

1. No individual shall be excluded from consideration of employment based on his or her criminal history, unless otherwise required by state or federal law, without being given the opportunity to explain the circumstances of the criminal conviction.
2. County departments, offices and agents of the County involved with hiring shall not inquire into or consider an individual's prior conviction until the individual is determined to be a candidate to whom a conditional offer is to be made.
3. County departments, offices and agents of the County involved with hiring shall advise applicants on the initial application for employment that a criminal history will be required for all candidates for County employment to whom a conditional offer of employment is made.
4. Upon the determination that a conditional offer of employment is to be made, a written consent form shall be provided by the candidate authorizing a criminal background check to be conducted on behalf of the hiring department. The decision whether or not to hire an individual with a criminal history remains with the hiring department. Unless employment is precluded based on state or federal law to the contrary, the hiring determination shall not be made without offering the candidate the opportunity to discuss the circumstances of his or her criminal conviction.
5. This policy does not limit the right of the County:
  - a. To conduct criminal background checks on applicants for positions where there is a statutory duty to do so, including inquiring on County employment applications whether there is a criminal conviction for those positions only;
  - b. To otherwise take into consideration during the hiring process a potential employee's criminal conviction; or
  - c. To notify applicants that laws and County policies will disqualify an individual with a particular criminal conviction from obtaining employment for particular positions based on the requirements of those positions.
6. Nothing in this policy will require the County to hire an individual with a criminal conviction, particularly an individual with a criminal conviction that involved an

offense relating to child abuse or sexual conduct involving a minor.

7. This policy applies to all County departments, the 7<sup>th</sup> Judicial Circuit Court of Michigan, the Genesee County, Michigan Probate Court, and the 67<sup>th</sup> Judicial District Court of Michigan. Applicability to a Court, however, is subject to the Court having concurred in this Policy.

#### GOVERNMENTAL OPERATIONS COMMITTEE

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