


**CITY OF SAN ANTONIO
OFFICE OF THE CITY MANAGER**

TO: Mayor and City Council

FROM: Sheryl Sculley, City Manager 

COPY: Executive Leadership Team; Lori Steward, Human Resources Director

DATE: December 7, 2016

SUBJECT: City Continues Commitment to Fair Chance Hiring by Removing Criminal History Questions from Civilian Job Application

The City Council Governance Committee today supported a staff recommendation to remove all questions about criminal history from the civilian job application. Inquiries into criminal history will be delayed until after a conditional job offer has been made; however, criminal background reviews will continue to be processed for every civilian hired. The recommendation came as the result of a Council Consideration Request to create a Fair Chance Hiring Ordinance submitted by Councilman Rey Saldaña.

The City of San Antonio has been a supporter of fair chance hiring policies and transitioned all criminal history questions on the standard civilian job application to “confidential” status approximately two years ago. This change was made to ensure a job candidate’s qualifications were evaluated prior to any consideration of criminal history.

A two-step criminal background check is conducted on all prospective civilian employees as part of pre-employment processing. Step one involves a review of results from a local fingerprint search conducted by the San Antonio Police Department. This review includes results for any violations within the City of San Antonio jurisdiction as well as a warrant check. The second step is a nationwide criminal background database search performed by a third-party vendor based on personal identifying information such as name, date of birth and social security number. This process will not change with the action adopted today.

Upon receiving all background check results, an individualized assessment is given to each candidate by Human Resources staff utilizing the U.S. Equal Employment Opportunity Commission’s guidance on the use of arrest and conviction records in employment decisions. These guidelines consider the job-relatedness of any conviction, the level of the offense, the length of time that has passed, and mitigating circumstances or rehabilitation evidence. Human Resources staff consults with the City Attorney’s Office if there are questions about how the background check relates to the requirements of the job.

It should be noted that the action adopted today applies only to the civilian job application. Criminal history questions are asked as part of the uniform Fire and Police Academy applications, which include certain automatic disqualifiers based upon how the applicant responds. These disqualifiers are based on the Fire and Police Commission Civil Service Rules.

Please contact Lori Steward, Human Resources Director, with any questions.