



TO: Stephanie Cutter, City Manager

FROM: Beth Robinson, Human Resources Director, *Beth Robinson*

DATE: February 27, 2015


SUBJECT: Fair Hiring Ordinance

On February 4, 2015, you provided me with information from Shannan Reaze, Organizer, 9to5 Atlanta, who requested the City of Savannah pass a Fair Hiring ordinance to remove the criminal history question from City of Savannah employment applications. As stated in the information provided, job applicants may be blocked from employment when they are asked about their criminal history on a job application. A movement to “Ban the Box” (remove the checkbox from applications) came about as a response to discrimination faced by people with criminal records.

In 2007, the City of Savannah moved to an online application system. With the introduction of a new system, Human Resources staff reviewed all application questions. We determined that any question regarding criminal history did not need to be in the early stages of the application process. We knew that applicants with criminal histories may be discouraged from applying for jobs. Removing questions about criminal history from the initial phase allowed us to focus on an applicant’s education and experience.

In addition, criminal background checks are used in a fair manner. It is not until an applicant is a tentative selection to fill a position that we complete a background check of the individual. Past convictions are considered if they are substantially related to circumstances of the particular position. When considering the application from an individual with a criminal record, and in making the decision to hire such an individual, the following are considered:

- the kind of position for which the individual has applied
- the circumstances surrounding the conviction
- whether such an appointment could be detrimental to the public’s interest and welfare
- whether the criminal record of the individual, because of public criticism, would make it difficult for the person to effectively perform the job
- whether the individual may be employed in a position that offers inducement to repeat previous offenses
- whether information about the offense was provided in full in a timely and truthful manner by the applicant

- 
- the absence or presence of rehabilitation or efforts toward rehabilitation
 - the pattern or lack of pattern of offenses

In summary, delaying the criminal background check provides the City of Savannah with the ability to make individualized assessments about the relevance of the criminal record, rather than making blanket exclusions at the outset of the employment process.

I am confident that we meet the spirit and the intent of the *Ban the Box* initiative and have for nearly ten years.

Please let me know if you need further information.

c c : Sean Brandon, Management Services Bureau Chief