

RESOLUTION NO. 20150521-025

WHEREAS, the ability of people with criminal records to access employment reduces recidivism, strengthens families, and leads to safer communities; and

WHEREAS, people with criminal records face barriers in many areas of life, including employment, housing, education, and eligibility for many forms of social service benefits; and

WHEREAS, “fair chance” policies require employers to remove the criminal history question on job applications and to delay any background check inquiries until later in the hiring process when feasible; and

WHEREAS, “fair chance” policies encourage employers to consider fully a job candidate’s qualifications; and

WHEREAS, people of color are arrested, convicted, and incarcerated in numbers disproportionate to their representation in the population as a whole; and

WHEREAS, people with criminal records represent a workforce that have skills to contribute and a desire to add value to their community; and

WHEREAS, according to the U.S. Department of Justice Bureau of Justice Statistics there are up to 12 million people residing in Texas with criminal histories; and

WHEREAS, the City Council adopted Resolution 20081016-012 to declare a commitment to increase job opportunities for individuals with previous criminal convictions and to amend the City's employment application to no longer require disclosure of past criminal history during the initial job application process for certain job positions within the city; and

WHEREAS, studies indicate that stable employment is one of the best predictors of post-conviction success; and

WHEREAS, six states, 25 cities and counties and the District of Columbia have adopted policies to remove the conviction history question on job applications for private employers; and

WHEREAS, to maximize compliance with federal anti-discrimination law, the U.S. Equal Employment Opportunity Commission recommends that employers delay inquiry of a job applicant's conviction history and consider the job-relatedness of the conviction, taking into account length of time since conviction, and provide an individualized assessment affording the opportunity to correct any inaccuracies and to submit evidence of mitigation or rehabilitation; and

WHEREAS, the National Employment Law Project has published research highlighting workers' issues for more than 45 years and provides resources for local governments in adopting fair chance policies; and

WHEREAS, the Council desires to further create fair opportunities for employment for all Austinites and is interested in studying policies that could potentially advance that goal; **NOW, THEREFORE**,

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

The City Manager is directed to provide staff support for a stakeholder process to develop language for potential policies to promote delaying inquiry into conviction history until later in the employment hiring process for private-sector employers. The stakeholder group should consider the National Employment Law Project recommended ordinance language as a baseline draft for a citywide fair chance policy. The stakeholder group should also consider policy options for employers contracting with the City and employers participating under a Chapter 380 Economic Development Agreement.

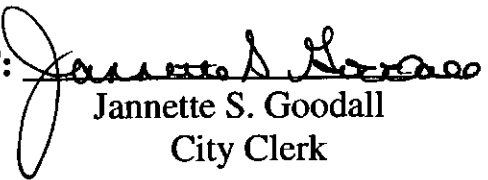
BE IT FURTHER RESOLVED:

Invitations for the stakeholder meetings should be sent to representatives in the small business community, all Austin area chambers of commerce, the Minority Trade Alliance, and to the following community groups, in addition to any other community members who are interested: Austin Area Urban League, Texas Advocates for Justice, Texas Criminal Justice Coalition, Minorities for Equality in Employment, Education, Liberty and Justice, Mt. Zion Criminal Justice Ministries, Austin/Travis County Re-entry Round Table, Central Texas Building and Construction Trades Council, African American Youth Harvest Foundation, Austin Interfaith, and Texas Civil Rights Project.

BE IT FURTHER RESOLVED:

The City Manager shall present those options to the Council Economic Opportunity Committee no later than September 14, 2015.

ADOPTED: May 21, 2015

ATTEST: 
Jannette S. Goodall
City Clerk