

**BOARD OF ALDERMEN**

**ITEM NO.D(1)**

**AGENDA ITEM ABSTRACT  
MEETING DATE: October 16, 2012**

**TITLE: Request to Consider the Proposal from the Orange County Partnership to End Homelessness to “Ban the Box” from the Town Employment Application**

<b>DEPARTMENT: Human Resources</b>	<b>PUBLIC HEARING: NO</b>
<b>ATTACHMENTS: N/A</b>	<b>FOR INFORMATION CONTACT: Desiree White, (919) 918-7321</b>

**PURPOSE**

The purpose of this item is for the Board of Aldermen to consider a request made by the Orange County Partnership to End Homelessness to remove the question on prior convictions from the initial employment application (termed “ban the box”) and delay that question to a later stage in the employment process.

**INFORMATION**

Staff has reviewed the proposal to “ban the box” made by the Orange County Partnership to End Homelessness and would like to share the following information:

The question regarding a felony or misdemeanor is present on the initial application for Town employment. However, if an applicant has a conviction, before being denied consideration of employment a number of factors are considered which include:

- The nature and gravity of the offense;
- The date of the offense;
- The age of the applicant at the time of the conviction;
- The circumstances surrounding the commission of the offense, if known
- The nexus between the criminal conduct of the applicant and the job responsibilities of the position to be filled;
- The rehabilitation and the employment records of the applicant since the date the crime was committed.

For example, an applicant convicted of embezzlement would not be considered for a position in Finance, but may be able to work in another department. However, before an applicant is denied employment based upon a criminal offense, a discussion takes place between the hiring department and Human Resources. It is important to note that the Town has hired applicants who have checked “yes” to the conviction question.

All applicants for employment are subject to a background check prior to a formal offer of employment being made. This check does inquire about the criminal history and/or conviction record of an applicant. Staff has concluded that removing the box could delay a department’s ability to make a hiring decision if the Town receives information that would exclude an applicant later than sooner. This is particularly significant if the hiring process includes the use of an assessment center process, which requires more time and resources than a standard interview. Ultimately, however it would not prevent the Human

Resources Department from receiving the information regarding the criminal background of an applicant and making a decision on an applicant's employment suitability for a particular job.

It should be noted that applicants for the position of Police Officer will be requested to complete supplemental application materials that do ask a question regarding an applicant's conviction during the early stages of the employment process. This supplemental application is mandatory and part of the certification process for all law enforcement personnel.

**FISCAL AND STAFF IMPACT**

N/A

**RECOMMENDATION**

Staff recommends that the Board considers the proposal recommended by the Orange Partnership to End Homelessness and direct staff as to how to proceed.