

**CB 117796 Job Assistance Ordinance
Councilmember Bagshaws Five Proposed Amendments**

Note: these amendments can be voted on separately or as a package.
V5 track changes Bagshaw Amendments show these amendments in the ordinance.

1. I move to amend the 4th Whereas clause on page 1, line 13 as follows:

WHEREAS in addition to the increased incarceration rate, the PEW Center (PEW Center) on the States reports an increased number of individuals on probation and parole resulting in ~~an astonishing~~ 1 in 31 or 3.2% of the nation's population under criminal justice supervision in 2007; and

PSCRT Committee Vote

2. I move to amend the 10th Whereas clause on page 2, lines 1 to 3 as follows:

WHEREAS, ~~employers sometimes have a good faith, legitimate basis for not hiring someone with a specific criminal record, but often~~ the hiring standards that some employers use bar the employment of ex-offenders who present no risk in the specific employment setting; and

PSCRT Committee Vote

3. I move to amend **14.17.010** page 4 lines 19 to 21 to change the definition of "legitimate business reason" as follows:

A "legitimate business reason" shall exist where, based on information known to the employer at the time the employment decision is made, the employer believes in good faith that the nature of the criminal conduct underlying the conviction or the pending criminal charge either:

1. ~~Will have~~May have a negative impact on the employee's or applicant's fitness or ability to perform the position sought or held, or

2. ~~Will harm~~May harm or cause injury to people, property, ~~or~~ business assets, or
business reputation.

PSCRT Committee Vote

4. I move to amend **14.17.040 Regulations** page 7 lines 22,23 as follows:

A. The Agency shall be authorized to coordinate implementation and enforcement of this chapter and shall promulgate appropriate guidelines or regulations for such purposes. The Agency shall convene a panel of stakeholders with a balance of perspectives on the issue of reentry including members of the employer, social service, legal community and the Seattle Human Rights Commission to help develop the appropriate guidelines and regulations to implement this ordinance.

PSCRT Committee Vote

5. I move to amend 14.17.060 Enforcement, page 8 lines 16 to 18 as follows:

14.17.060 Enforcement

A. The same complaint, investigation, and enforcement procedures set forth in SMC 14.16.080 apply under this chapter, except that when there is a determination that a respondent has violated this chapter, the exclusive remedy available under this chapter for one year from the effective date of this ordinance is a notice of infraction and offer of Agency assistance ~~for the first violation;~~ thereafter, the Agency may an issue an order requiring the respondent to pay a monetary penalty of up to \$250,750, payable to the charging party, for the second violation; and a monetary penalty of up to \$500, 1000, payable to the charging party, for each subsequent violation. ~~In the event the Hearing~~

~~Examiner (or panel majority) determines that a respondent has committed a violation of this chapter, the Hearing Examiner (or panel majority) may order the respondent to pay the Agency's attorney's fees in addition to a monetary penalty.~~ No other remedies, damages, or affirmative action may be ordered by the Agency, Commission, or Hearing Examiner.

PSCRT Committee Vote

5. I move to amend **14.17.060** Enforcement page 9 lines 1 to 3 as follows:

B. The Agency has the authority to initiate investigation and enforcement ~~procedures on its own, without a complaint from a Charging Party,~~ procedures after a complaint has been received either from an applicant who feels unjustly treated, or from the applicant's representative, or when the Agency has reasonable cause based on substantial and verifiable information, to believe that an employer has violated subsection SMC 14.17.020.A of this chapter.

PSCRT Committee Vote