

SEATTLE OFFICE FOR
 **CIVIL RIGHTS**

JOB ASSISTANCE ORDINANCE

SMC 14.17

Use of Criminal Records in Employment Decisions

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fairness



opportunity



a second chance

JOB ASSISTANCE ORDINANCE (JAO)

■ **Three Objectives**

- Increase public safety by reducing criminal recidivism;
- Address inequities caused by racial disproportionality in the criminal justice system; and
- Provide a fair chance for employment to people who have paid their debts to society

JOB ASSISTANCE ORDINANCE (JAO)

■ Legislation

- Job Assistance Ordinance (SMC 14.17) passed in June 2013 and went into effect on November 1, 2013.
- JAO sets limits on use of criminal history records in employment decisions for jobs in Seattle
 - Employers may still conduct background checks
 - Ordinance affects timing & requires follow-up

IMPLEMENTATION & ENFORCEMENT

- **SEATTLE OFFICE FOR CIVIL RIGHTS (SOCR)**
- **Advancing civil rights & removing barriers to equity**
 - Enforcement of Discrimination laws & Labor Standards
 - Policy
 - Race & Social Justice Initiative
 - Gender Equity in Pay



STAKEHOLDER PANEL

- Formal Advisory Group

- 15 members
- Collaborative
- Balance of perspectives
- Quarterly meetings(3x before Nov, 1st)
- Guidance on rules, FAQs, outreach, enforcement model, etc.

RULE DRAFTING AND FAQs

- Internal SOCR team of 6 staff members
- Two public meetings with over 200 participants
- Input from public and stakeholder panel
- Draft rules, August 30, 2013
- Final rules and FAQ, October 25, 2013

MEDIA CAMPAIGN

- Four minute Video
- 50 Second PSA (5 languages)
- Bus Ads (12 weeks)
- Radio PSAs (4 weeks)
- Television PSAs – Seattle Channel
- News Ads and articles
 - *International Examiner, Seattle Chinese Post, NW Asian Weekly, Seattle Gay News, The Facts, Real Change* (ads and articles ran October – January), Rules posted at *Daily Journal of Commerce*

OUTREACH TO GENERAL EMPLOYERS

- Business Liaison worked with over 100 employers
- Collaboration with over 30 organizations
- Nationally televised feature on Al Jazeera
- Over 10 JAO presentations
 - Over 90 people signed-up for most recent training

OUTREACH TO IMMIGRANT BUSINESS

- Partnership with GreenShoots, Inc.
- Fact sheets, newspaper ads and PSAs
- 21 meetings with immigrant business & organizations
- Door-to-Door networking
- Community briefings and informational fairs
 - Chinese Lunar New Year
 - Vietnamese Tet Festival

OUTREACH TO APPLICANTS & EMPLOYEES

- Re-entry groups, social service providers & job placement programs, legal aid and community advocates
- 10 trainings & 9 community Events
- Distribution of Applicant/Employee Brochures (updated March 2014)
 - All neighborhood services centers
 - All community centers
 - All libraries
 - Customer Service Bureau in City Hall

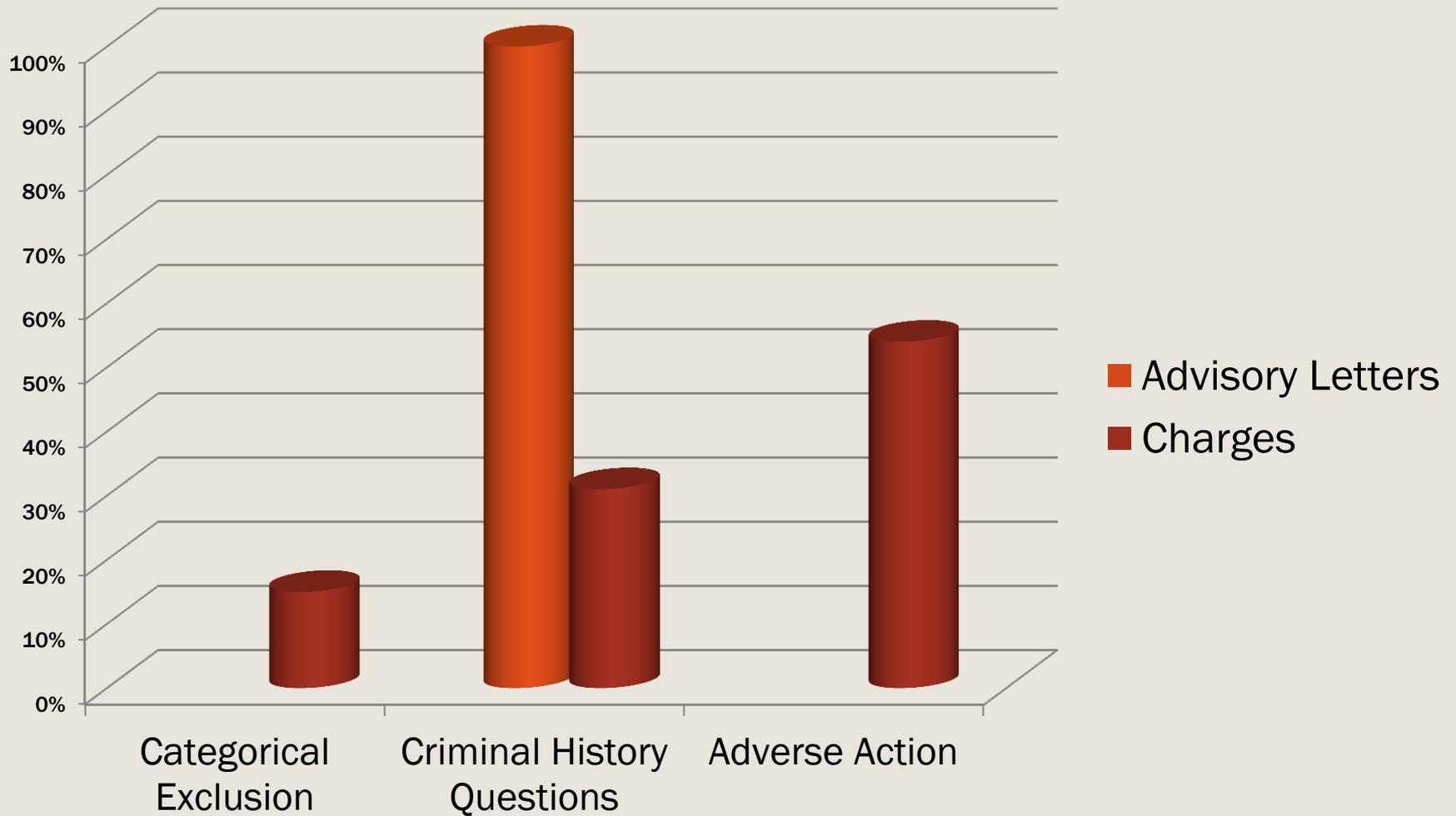
ENFORCEMENT OPTIONS

- **GOAL = COMPLIANCE**
- **Technical Assistance to Employers**
- **Advisory Letter**
 - Anonymous report of non-compliance
 - Contact SOCR within 30 days for early resolution
- **Individual Charge**
- **Director's Charge**

ENFORCEMENT ACTIONS – 6 MONTHS

Action	Outcome
Employee Inquiries	36
Enforcement Actions	18 (11 advisory letters & 7 charges)
Closures	8 (6 advisory letters & 2 charges)
\$ Recovered by Charging Parties	\$18,500 through settlement

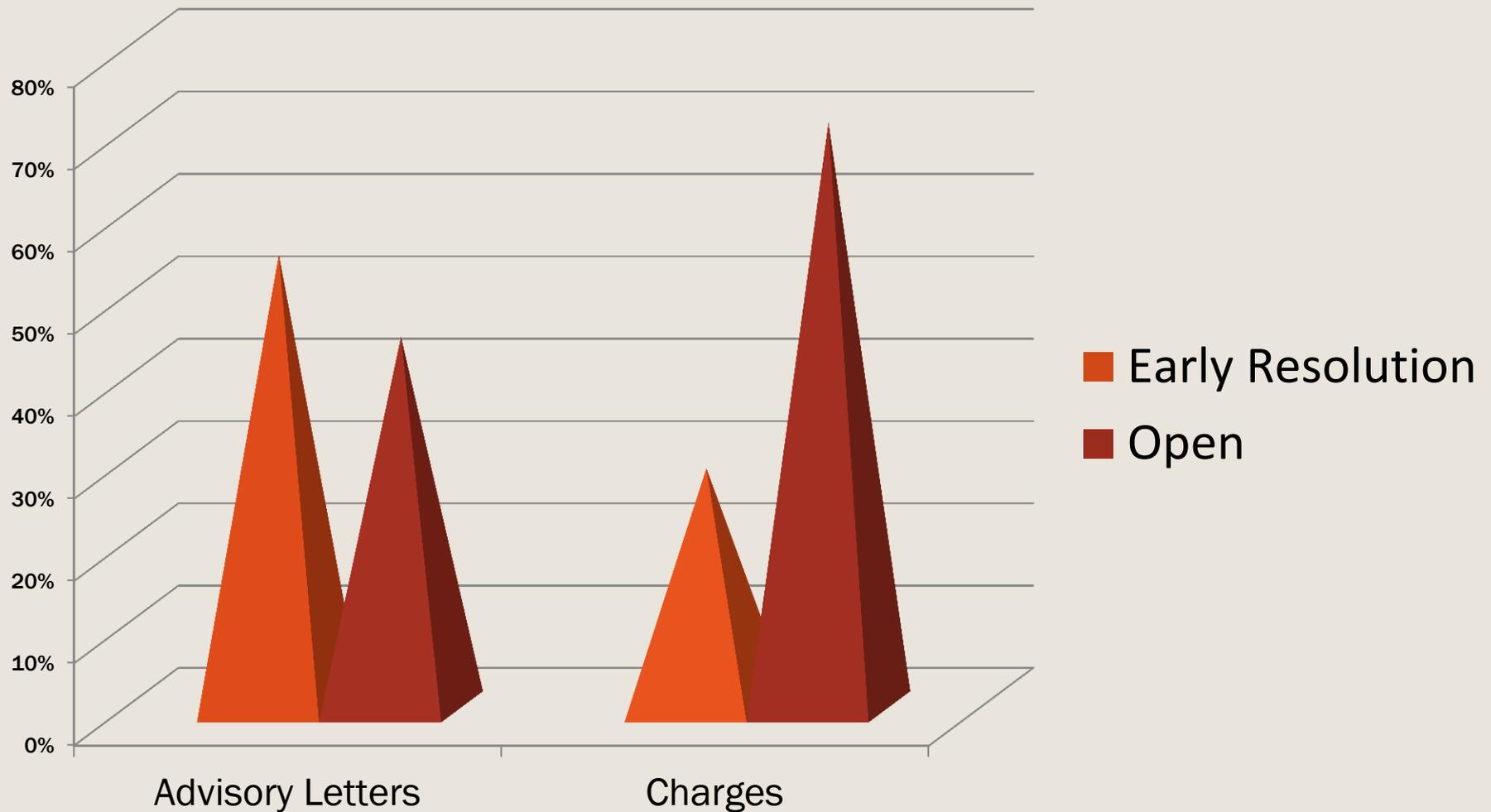
JAO ENFORCEMENT – COMPLAINTS



JAO ENFORCEMENT – CLOSURES

- 6 Advisory Letters & 2 Charges
- 100% early resolution of the complaint
- Most employers (75%) modified their policies and/or practices to achieve compliance; balance of employers had no apparent violation
- Employees recovered \$18,500 through settlement (no penalties imposed)

JAO ENFORCEMENT - CLOSURES



RESOLUTION



A national chain bakery fired a longtime employee who had a 25-year old criminal conviction. The company terminated her immediately, rather than follow the procedures in the law that would have given the employee a chance to explain her situation. After the employee filed a complaint with SOCR, the company offered her a financial settlement and revised its policies to comply with the Job Assistance Ordinance.

RESOLUTION



SOCR received an anonymous tip about a job application with criminal history questions. SOCR sent the business an advisory letter, explained the problem and the business promptly removed the question from the application.

DEMOGRAPHIC INFORMATION

Demographic	Three Charging Parties
Race	African American, White, White
Gender	Male, Female, Female
Age	27, 29, 44
Born in U.S.	Yes, No, Yes
Primary Language	English
Location of Incident	Green Lake, West Seattle, West Seattle
Referral to SOCR	Friend, SOCR web site, DSHS

NEXT STEPS

- Increased compliance
 - Targeted outreach
 - Greater partnerships with community organizations
 - Increasing ways people can contact our office
 - Expand enforcement options for anonymous complaints
 - Director's charges
- Increased collection of demographic information
- Continued stakeholder guidance