

BOARD BILL NUMBER 120AA

PRIMARY SPONSOR: Alderman John Collins-Muhammad

DATE OF INTRODUCTION: October 4, 2019

BOARD BILL SUMMARY:

The proposed bill would prohibit employers in the City from basing job hiring and promotion decisions on an applicant's criminal history unless the employer can demonstrate its relevance to the job-related decision, and inquiring about an applicant's criminal history until after it has been determined the applicant is otherwise qualified for the position, unless the applicant is part of a final pool of applicants for the job position and all of the applicants are asked. The forgoing would not apply where the employer is required by law or regulation to exclude applicants with certain criminal convictions.

The proposed bill's impact on the community is unknown at this time.

**BOARD BILL NO. 120AA INTRODUCED BY: ALDERMAN JOHN COLLINS-
MUHAMMAD/ALDERWOMAN MARLENE DAVIS**

1 An ordinance prohibiting employers in the City of St. Louis from basing job hiring or
2 promotion decisions on an applicant's criminal history unless the employer can demonstrate its
3 relevance to the employment related decision, or where employers are required to exclude
4 applicants with certain criminal convictions due to local, state, or federal law or regulation; and
5 prohibiting employers from inquiring about a job applicant's criminal history until after it has
6 been determined that the job applicant is otherwise qualified for the job position, or the job
7 applicant is a part of the final pool of candidates from which the job position will be filled and
8 all of the applicants in the pool are asked.

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10 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

11

12 **SECTION ONE.**

13 A. Except as provided in subsection B of this Section it shall be unlawful:

14 (1.) For an employer to base a hiring or promotional decision on a job applicant's
15 criminal history or sentence related thereto, unless the employer can demonstrate that
16 the employment-related decision was based on all information available including
17 consideration of the frequency, recentness and severity of a criminal record and that
18 the record was reasonably related to or bears upon the duties and responsibilities of the
19 job position; and

1 (2.) For an employer to inquire about a job applicant's criminal history until after it
2 has been determined that the job applicant is otherwise qualified for the job position,
3 and only after the job applicant has been interviewed for the job position provided;
4 however, such an inquiry may be made of all job applicants who are in the final
5 selection pool from which the job position will be filled.

6 B. The requirements set forth in subsection A of this section do not apply to job positions where
7 employers are required to exclude applicants with certain criminal convictions from
8 employment due to local, state or federal law or regulation.

9 **SECTION TWO.**

10 In the event of an alleged violation of this Ordinance such allegation shall be investigated by
11 the Office of the License Collector. The Office of the License Collector is charged with
12 enforcing the requirements of this Ordinance and may issue warnings and orders of compliance
13 for violations and, for second or subsequent violations, impose civil penalties. The Office of
14 the License Collector is directed to adopt rules regarding procedures for handling complaints
15 against employers for violations of this Ordinance. Should it be determined by the Office of
16 the License Collector that an employer is in violation of this Ordinance, they will be subject to
17 investigation, penalty, penalty, under the regulations of the Office of the License Collector,
18 including revocation of such employer's business license.