

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF SUPPORTING A) RESOLUTION NO. 15-4608
POLICY TO "BAN THE BOX" FROM METRO'S)
JOB APPLICATION INITIAL SCREENING) Introduced by Councilor Sam Chase
PROCESS

WHEREAS, in September 2014, Metro created the Diversity, Equity and Inclusion Program, which amongst other things directs Metro to better coordinate its efforts to cultivate diversity, advance equity and practice inclusion; and

WHEREAS, one of the purposes of Metro's Affirmative Action Program is to establish policies to encourage, enhance and provide equal employment opportunities, and to prevent discrimination in employment and personnel practices; and

WHEREAS, currently the agency's job application form requires all applicants to answer a question regarding criminal convictions on the initial job application; and

WHEREAS, the "Ban the Box" policy would remove the question regarding criminal history from the initial job application, while allowing the agency to still conduct criminal background checks later in the hiring process; and

WHEREAS, policies such as "Ban the Box" allows employers to widen the reach of qualified candidates for first round interviews and contributes to more fair and equitable hiring practices; now therefore,


BE IT RESOLVED that the Metro Council supports the "Ban the Box" policy for future employment applications at Metro.

ADOPTED by the Metro Council this 12th day of March, 2015.


Tom Hughes, Council President



Approved as to Form:


Alison R. Kean, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 15-4608, FOR THE PURPOSE OF SUPPORTING A POLICY TO “BAN THE BOX” FROM METRO’S JOB APPLICATION INITIAL SCREENING PROCESS

Date: March 12, 2015

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BACKGROUND

In 2010, the Metro Council adopted equity as one of the region’s six desired outcomes. The Equity Strategy Program, an organizing framework initiated by the Metro Council in November 2012, works to incorporate and apply equity more consistently across Metro’s programs, policies, and services, in collaboration with community partners. The Program is advised by the Equity Strategy Advisory Committee (ESAC), which first convened in July 2013. The Equity Baseline Workgroup, made up of representatives from six community-based nonprofit partners, was formed in late 2013 to complete the Equity Baseline Report, Part 1. The Workgroup was tasked with identifying and selecting key equity indicators applicable to each of the region’s desired outcomes.

At the January 2015 ESAC meeting, the Metro-wide adoption of a “Ban the Box” fair chance hiring policy was identified as a “short-term equity win” by the Equity Baseline Workgroup in their Equity Framework Report presentation. In addition to recommendations by the Equity Baseline Workgroup and ESAC, Metro’s Diversity Action Plan (originally approved by the Metro Council in August 2006, and adopted in its current form in November 2012) identifies employee recruitment and retention as a core diversity functional area, through which the agency can support and promote diversity in accordance with the adopted Metro value of Respect. Given that racial minority populations are incarcerated at disproportionately high rates, Metro Human Resources has been working to implement a fair chance hiring policy to address Metro’s equity and diversity goals.

The national campaign to “Ban the Box” seeks to remove questions regarding criminal history from job applications (so named because of the checkbox that applicants are expected to mark if they have a criminal conviction). In doing so, government agencies and other employers promote fair competition for jobs by easing hiring barriers, thus allowing hiring managers to focus on an applicant’s qualifications before their criminal record. Such a policy does not prevent an agency from continuing to conduct criminal background checks later in the hiring process. However, by eliminating blanket exclusions, employers are encouraged to thoughtfully consider the relevance of conviction histories to employment, assessing the age of the applicant’s crime, as well as any positive reforms the individual has achieved since their conviction. The so-called “box” discourages diverse and equitable recruitments, artificially narrowing the applicant pool without regard to a conviction’s relevance to the position sought. In contrast, banning the “box” is shown to reduce recidivism, and promotes the successful reintegration of convicted persons back into society.

Since the “Ban the Box” campaign began over 15 years ago, more than 100 jurisdictions have enacted fair chance hiring policies. These include local governments like Multnomah County (2007) and the City of Portland (2014), in addition to 13 states, 20 counties, and 75 cities nationwide. While the campaign has

initially placed focus on the public sector, a number of jurisdictions have also expanded the requirement to their private contractors.

By adopting this resolution to “Ban the Box,” the Metro Council supports the effort of Metro Human Resources to remove questions relating to criminal history from Metro’s job application initial screening process.

ANALYSIS/INFORMATION

1. **Known Opposition** None known.
2. **Legal Antecedents**
 - Ordinance No. 10-1244B, For the Purpose of Making the Greatest Place and Providing Capacity for Housing and Employment to the Year 2030; Amending the Regional Framework Plan and the Metro Code; and Declaring an Emergency
 - Resolution No. 10-4188, For the Purpose of the Metro Council Formally Adopting Stated Metro Values
 - Ordinance No. 12-1293, For the Purpose of Amending the FY 2012-13 Budget and Appropriations Schedule for Creation of an Agency Equity Strategy
 - Resolution No. 12-4375, For the Purpose of Adopting the Metro Diversity Action Plan
3. **Anticipated Effects** Questions regarding criminal history will be removed from Metro’s job application initial screening process.
4. **Budget Impacts** None.

RECOMMENDED ACTION

Staff recommends the adoption of Resolution No. 15-4608.