

**CITY OF MIRAMAR
PROPOSED CITY COMMISSION AGENDA ITEM**

Meeting Date: April 20, 2017

Presenter's Name and Title: Melanie McLean, HR Director, Sponsored by Mayor Wayne M. Messam

Temp. Reso. Number: 6426

Item Description: Temp. Reso. No. 6426 ADOPTING A FAIR CHANCE HIRING PRACTICE BY IMPLEMENTING THE "BAN THE BOX" INITIATIVE (Human Resource Director Melanie McLean and sponsored by Mayor Wayne M. Messam)

Consent Resolution Ordinance Quasi-Judicial Public Hearing

Instructions for the Office of the City Clerk:

Public Notice – As Required by the Sec. _____ of the City Code and/or Sec. _____, Florida Statutes, public notice for this item was provided as follows: on _____, in a _____ ad in the _____; by the posting the property on _____ and/or by sending mailed notice to property owners within _____ feet of the property on _____. (Fill in all that apply)

Special Voting Requirement – As required by Sec. _____, of the City Code and/or Sec. _____ Florida Statutes, approval of this item requires a _____ (unanimous 4/5ths etc. vote of the City Commission).

Fiscal Impact: Yes No

REMARKS: No fiscal impact.

Content:

- Agenda Item Memo from the City Manager to City Commission
- Resolution TR 6426



**CITY OF MIRAMAR
INTEROFFICE MEMORANDUM**

TO: Mayor, Vice Mayor, & City Commissioners
FROM: Kathleen Woods-Richardson, City Manager *Kathleen Woods Richardson*
BY: Melanie McLean, Human Resource Director
DATE: March 23, 2017
RE: Temp. Reso. No. 6426, adopting a fair chance hiring practice

RECOMMENDATION: The City Manager recommends approval of Temp. Reso. No. 6426, adopting a fair chance hiring practice, by implementing the “Ban-the-box” initiative (“the Initiative”).

ISSUE: City Commission approval is required for this resolution which implements the Initiative.

BACKGROUND: “Ban the Box” is a national initiative with the goal of increasing employment opportunities for people with a past criminal history from which they have been rehabilitated, by removing questions from the employment application regarding past criminal history, thereby eliminating consideration of past criminal history at the application stage. This does not include job vacancies within the Police Department or Fire Department whose application forms will continue to inquire into criminal history. Consideration of criminal history at later stages of employment will be relevant to legitimate business necessity while continuing to assure workplace safety and avoid negligent hiring. Many other cities and counties throughout the United States, have adopted new employment application practices in support of the Initiative.

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**CITY OF MIRAMAR
MIRAMAR, FLORIDA**

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
MIRAMAR, FLORIDA, ADOPTING A FAIR CHANCE HIRING PRACTICE
BY IMPLEMENTING THE “BAN THE BOX” INITIATIVE; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, “Ban the Box” is a national initiative with the goal of increasing employment opportunities for people with a criminal past from which they have been rehabilitated, by removing questions from the employment application regarding past criminal history, thereby eliminating consideration of past criminal history at the application stage; and

WHEREAS, many other cities and counties throughout the United States, have adopted new employment application practices in support of the “Ban the Box” initiative (the “Initiative”); and

WHEREAS, the City of Miramar is committed to ensuring that all qualified individuals seeking employment at the City should be given an equal opportunity to apply for available positions; and

WHEREAS, it is the intent and purpose of this Resolution to ensure that the City of Miramar implement just and fair measures and practices when screening and identifying persons eligible for employment, while balancing the need to ensure workplace safety and avoid negligent hiring; and

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WHEREAS, the City encourages Miramar private sector businesses to adopt similar policies to provide fair employment opportunities for their applicants; and

WHEREAS, in furtherance of the foregoing, the City Commission deems it to be in the best interests of the citizens and residents of the City of Miramar to adopt new employment application practices in support of the Initiative.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA AS FOLLOWS:

Section 1: That the foregoing “**WHEREAS**” clauses are ratified and confirmed as being true and correct and are made a specific part of this Resolution.

Section 2: That the City of Miramar’s job applications, with the exception of job positions within the Police Department and Fire Department, shall not inquire about an applicant’s criminal history.

Section 3: That the review of prior arrests and convictions at later stages of the hiring process for all positions will be relevant to legitimate business necessity while continuing to ensure workplace safety and avoid negligent hiring.

Section 4: That the appropriate City officials are authorized to do all things necessary and expedient in order to carry out the aims of this Resolution.

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Section 5: That this Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this _____ day of _____, _____.

Mayor, Wayne M. Messam

Vice Mayor, Maxwell B. Chambers

ATTEST:

City Clerk, Denise A. Gibbs

I HEREBY CERTIFY that I have
approved this RESOLUTION
as to form:

City Attorney
Weiss Serota Helfman
Cole & Bierman, P.L.

<u>Requested by Mayor Wayne M. Messam</u>	<u>Voted</u>
Commissioner Winston F. Barnes	_____
Vice Mayor Maxwell B. Chambers	_____
Commissioner Yvette Colbourne	_____
Commissioner Darline B. Riggs	_____
Mayor Wayne M. Messam	_____