

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, IN SUPPORT OF THE “BAN THE BOX” INITIATIVE AND REQUIRING THAT, SUBJECT TO CERTAIN EXCEPTIONS, ANY QUESTION REGARDING PRIOR CRIMINAL CONVICTIONS BE REMOVED FROM PRINTED AND ONLINE CITY OF RIVIERA BEACH EMPLOYMENT APPLICATION FORMS; AUTHORIZING THE IMPLEMENTATION OF A “BAN THE BOX” HUMAN RESOURCES DEPARTMENT POLICY; AUTHORIZING THE MAYOR TO EXECUTE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the ability of individuals with criminal records to successfully reintegrate into their communities contributes to reduced recidivism, strengthens families, and leads to safer communities; and

WHEREAS, many individuals with criminal records suffer from challenges in many areas of life, including employment, housing, education, and eligibility for many forms of social service benefits; and

WHEREAS, people of color are arrested, convicted, and incarcerated in numbers disproportionate to their representation in the population as a whole; and

WHEREAS, many individuals with criminal records in the City are likely to be unemployed or underemployed; and

WHEREAS, many individuals with criminal records represent a workforce that has skills to contribute, as well as a desire to add value to their community; and

WHEREAS, the City seeks to assist in the rehabilitation of individuals with criminal records in order to promote healthier, safer, and more economically productive communities; and

WHEREAS, studies indicate that stable employment is one of the predictors of post-conviction success; and

WHEREAS, states and cities across the country have adopted “ban the box” statutes and ordinances to help reduce the challenges to employment of individuals with criminal records; and

WHEREAS, the U.S. Equal Employment Opportunity Commission, as a best practice, recommends that employers not ask about convictions on job applications and

RESOLUTION NO. _____
PAGE 2

that, if and when they make such inquiries, the inquiries be related to convictions for which exclusion would be job-related for the position in question and consistent with a business necessity;

WHEREAS, it is the public policy of the City to encourage the employment of qualified individuals with conviction records who have been successfully rehabilitated;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORDIA THAT:

SECTION 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being accurate, and the same are hereby made a specific part of this Resolution.

SECTION 2. The City Council of the City of Riviera Beach hereby establishes a Human Resources Department policy relating to inquiring into criminal conviction history (see Exhibit A attached), and requiring that, subject to certain exceptions, any question regarding prior criminal convictions be removed from printed and online City of Riviera Beach initial employment application forms. This resolution also authorizes the City Manager to take all necessary and expedient action to carry out the aims of this Resolution.

SECTION 3. This Resolution shall take effect upon its passage and approval by the City Council.

PASSED AND APPROVED THIS _____ DAY OF _____, 2016.

RESOLUTION NO. _____
PAGE 3

APPROVED:

THOMAS A. MASTERS
MAYOR

TERENCE D. DAVIS
CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK

KASHAMBA MILLER-ANDERSON
CHAIR PRO TEM

LYNNE L. HUBBARD
COUNCILPERSON

TONYA DAVIS JOHNSON
COUNCILPERSON

DAWN S. PARDO
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

L. HUBBARD _____

K. MILLER-ANDERSON _____

T. DAVIS JOHNSON _____

D. PARDO _____

T. DAVIS _____

REVIEWED AS TO LEGAL SUFFICIENCY

-
ANDREW DEGRAFFENREIDT
CITY ATTORNEY