

*COMPARISON OF ORDINANCE PROVISIONS FOR BENCHMARK CITIES

City	Definitions	Ban the Box	When to ask about criminal background	Evaluation Criteria	Employer Exceptions	Notify of Adverse Action	Defined Dispute period	Hold Job open	Timeframe to reconsider	Track/report complaints	Penalties for non-compliance	Retaliation clauses
Seattle, WA	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
Buffalo, NY	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	NO
San Francisco, CA	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
Baltimore, MD	YES	YES	YES	NO	YES	NO	NO	NO	NO	NO	YES	YES
Columbia, MO	NO	YES	YES	YES	YES	NO	YES	NO	NO	NO	YES	NO
Newark, NJ	YES	YES	YES	YES	YES	YES	YES	YES	NO	NO	YES	NO
New York, NY	NO	YES	YES	YES	YES	YES	YES	YES	NO	NO	NO	NO
Washington D.C.	YES	YES	YES	YES	YES	YES	YES	NO	YES	YES	YES	YES
Total #: Total %:	6/8 75%	8/8 100%	8/8 100%	7/8 88%	8/8 100%	5/8 63%	6/8 75%	4/8 50%	3/8 38%	3/8 38%	7/8 88%	4/8 50%

Note: Cities above in PURPLE are in states that already have Fair Chance Hiring/Ban-the-Box Laws for the Public Sector: New York, California, Maryland

Note: The city above in ORANGE is in a state that already has Fair Chance Hiring/Ban-the-Box Laws for both Private and Public sector: New Jersey

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*Explanation of Ordinance Provisions	
1. Definitions	The ordinance contained clear and specific definitions for key words. For example: Arrest/Conviction Record, Employee, Employer, Criminal Background Check, etc.
2. Ban the box	The ordinance explicitly bans the inquiry into an applicant's criminal history on the job application.
3. When to ask about criminal background	The ordinance specifically defines the when during the employment process the employer may make an inquiry into an applicant's criminal history.
4. Evaluation criteria	The ordinance defines the criteria for evaluating the relevancy of the applicant's criminal history.
5. Employer Exceptions	The ordinance contains certain specific language on jobs that are exempt from the provisions of the ordinance. For example: Jobs that fall under state or federal laws to conduct criminal background checks, jobs involving public safety, vulnerable populations, financial responsibilities, etc.
6. Notify of adverse action	The ordinance requires the employer to provide the applicant, generally in writing, of a denial or notice before an adverse action is taken to not move the applicant forward in the hiring process.
7. Defined Dispute period	The ordinance clearly defines a certain amount of time the applicant has to dispute the adverse action or for non-applicants to file a claim alleging a violation.
8. Hold job open	The ordinance requires employers to hold the position open during the dispute period and, in effect, delay taking an adverse action.
9. Timeframe to reconsider	The ordinance specifies a time period that the employer has to reconsider the adverse action and reach a final decision.
10. Track/report complaints	The ordinance requires either employers or the municipality's enforcement agency to track and/or report complaints and data regarding grievances and violations.
11. Penalties for non-compliance	The ordinance clearly states the penalties that will be given to violating parties by the enforcement agency.
12. Retaliation clauses	The ordinance defines protections against retaliation for those who file complaints (applicants, current employees).

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