



# Administrative Policy

## 2.05 Ban the Box Policy

February 09, 2017

### **PURPOSE**

**The City has adopted a Ban the Box program removing questions related to criminal convictions from the employment application, where permitted by law, to allow full consideration of applicant skills, abilities and experience as they relate to the position for which they are applying.**

### **A. RESPONSIBILITY**

Human Resources has responsibility for assisting management in carrying out the City of North Las Vegas Ban the Box Program. The Human Resources Department will assist as required, and this program will be modified as needed to maintain its timeliness.

In addition, each manager, and all individuals with supervisory authority have the responsibility of carrying out this policy of Ban the Box in their specific areas.

### **B. INTERNAL DISSEMINATION OF POLICY**

1. The City's policy of Ban the Box is included in the City Policy/Procedure Manual.
2. All managers and administrative staff will receive and retain a copy of the policy. Each of these individuals are responsible for communicating the City's policy to each of the employees under his/her control.
3. This policy will include communications that may be needed to clearly define the City's position.
4. The City's policy and methods of implementing this program will be discussed where appropriate to both internal and external stakeholders.
5. Changes in legislation, rulings, or regulations will be publicized to ensure awareness of changes in this area.



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### **C. EXTERNAL DISSEMINATION OF POLICY**

1. All recruiting sources will be informed of the City's policy. These sources will be instructed to actively recruit and refer applicants for all positions listed.
2. Organizations, community agencies, schools, community leaders, and all other sources for applicants will be notified of the City's policy.
3. The City's PIO will disseminate the policy as appropriate.

### **D. RECRUITING EMPLOYEES**

1. The City will continue to actively seek out qualified applicants for employment. This will be accomplished by informing governmental employment agencies, civil rights organizations, schools, community leaders, and recognized social and religious groups of the City's Ban the Box policy, interest in hiring and of specific openings that exist.
2. The City employment application will not contain questions related to criminal convictions, except for: (1) positions in or relating to the Police Department; (2) positions in or relating to the Fire Department; (3) where a business necessity exists; or (4) as required by law.
3. Job announcements and related materials will contain the following statement "This position is subject to successful completion of a background check, which includes a criminal history check. Criminal convictions will not automatically disqualify an applicant."

### **E. EMPLOYMENT AND SELECTION**

1. Employment and selection procedures will be regularly reviewed to ensure these procedures do not discriminate against any applicant on the basis of criminal convictions.



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2. Individuals will be considered for employment on the basis of skills, abilities and experience as they relate to the position for which they applied.
3. Applicants who are selected for an interview will be asked to voluntarily disclose any criminal convictions during the interview phase.
4. A criminal history will not automatically disqualify an applicant from employment.
5. Convictions with a direct relationship to job duties and responsibilities will be weighed against the following factors in establishing business necessity;
  - a. Nature and gravity of the offense or conduct.
  - b. Time elapsed since the offense, conviction and/or completion of sentence, and;
  - c. Nature of the job sought.
6. An individualized assessment will consider the following;
  - a. Facts/circumstances surrounding the offense or conduct.
  - b. Number of offenses for which the individual was convicted.
  - c. Age of the applicant at time of conviction or release from prison.
  - d. Evidence the individual performed similar work post-conviction, for the same or different employer without incidence of criminal conduct.
  - e. Length and consistency of employment history before and after the offense or conduct.
  - f. Rehabilitation efforts such as education or training.



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- g. Employment or character reference and any other information regarding fitness for a particular position.
  - h. Whether the individual is bonded under a federal, state, or local bonding program
7. Applicants who receive a contingent offer of employment are subject to successful completion of a required background check appropriate for the level of the position for which they applied. The results of the background check are considered before a formal offer of employment is made.

### F. COMPLIANCE

All City personnel involved in the recruiting, selection and hiring process are responsible for compliance with this policy.

Approved By:

Qiong X. Liu  
City Manager  
Date Approved

4-11-17