

Establishing A “Ban The Box” Policy For The County Of Ulster

Referred to: The Ways and Means Committee (Chairman Gavaris and Legislators Archer, Bartels, Haynes, Maio, Parete, Ronk, and Walter)

Vice Chairwoman of the Legislature, Tracey A. Bartels offers the following:

WHEREAS, the County of Ulster is committed to recruiting a diverse and skilled workforce; and

WHEREAS, the Ulster County Legislature is committed to protecting the rights of all its residents, and assisting in the rehabilitation of people with criminal records; and

WHEREAS, removing the conviction history “check box” from applications is a proven method of increasing employment opportunities for individuals with criminal convictions, as even a minor conviction is often a significant limitation in seeking gainful employment; and

WHEREAS, allowing potential candidates to obtain interviews regardless of their conviction status aids in reducing the stigma and bias associated with individuals with a criminal background, and works towards ending structural discrimination; and

WHEREAS, the Federal Equal Employment Opportunity Commission (EEOC) has recommended, as a best practice, removing questions from job applications that create discriminatory barriers; and

WHEREAS, effective January 1, 2015 pursuant to Executive Order issued by the County Executive dated December 16, 2014, the County no longer required an applicant for employment with Ulster County to answer questions regarding criminal history on their application for examination or employment; and

WHEREAS, the Ulster County Legislature, the policy-determining body of the County pursuant to Charter Section C-11, wishes to codify this practice into policy to permanently "Ban The Box" on its employment application form to promote fairness and opportunity for all persons applying for employment with the County of Ulster; now, therefore be it

RESOLVED, any application for examination or employment with Ulster County shall not contain questions or checkboxes regarding criminal history; and, be it further

RESOLVED, all applications for County employment shall be reviewed and judged on the qualifications presented, any applicable civil service standards and all pertinent laws and regulations; and, be it further

Resolution No. 289 June 15, 2021

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RESOLVED, the County of Ulster shall inquire into and consider a candidate's prior criminal convictions only after the first interview, except as when otherwise required by law; and, be it further

RESOLVED, the Ulster County Personnel Department shall adhere to any County policy in place requiring an applicant for employment to submit to a background check including Local Law No. 14 of 2007,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

Passed Committee: Ways and Means on June 8, 2021

FINANCIAL IMPACT:

NONE

STATE OF NEW YORK
ss:
COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 15th Day of June in the year Two Thousand Twenty-One, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 17th Day of June in the year Two Thousand Twenty-One.

/s/ Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
17th Day of June 2021.

Approved by the County Executive this
22nd Day of June 2021.

/s/ Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

/s/ Patrick K. Ryan
Patrick K. Ryan, County Executive