

*Special Announcement to all City of Philadelphia employers :*

On March 31, 2011, the City of Philadelphia passed an ordinance amending Title 9 of the Philadelphia Code, entitled “Regulations of Businesses, Trades and Professions”. The new law establishes provisions and requirements for screening criminal records by certain employers within the City of Philadelphia.

The law prohibits the following:

(1) In connection with the licensing or employment of any person, it shall be an unlawful discriminatory practice for a City agency or private employer to make any inquiry regarding or to require any person to disclose or reveal any criminal convictions during the application process. The application process shall begin when the applicant inquires about the employment being sought and shall end when an employer has accepted an employment application.

(2) It shall further be an unlawful discriminatory practice for a City agency or private employer to make any inquiry regarding, or to require any person to disclose or reveal any criminal convictions against such person before and during the first interview. If an employer does not conduct an interview, that employer is prohibited from making any inquiries or gathering any information regarding the applicant’s criminal convictions. If the applicant voluntarily discloses any information regarding his or her criminal convictions at the interview, the employer may discuss the criminal conviction disclosed by the applicant.

This law will require a review of the hiring process in place and may require changes to that process. Justifacts recommends that you consult with your legal department to determine what changes, if any, need to be made to your hiring process in order to comply with this law.

The complete text can be found here:

<http://legislation.phila.gov/attachments/11273.pdf>

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