

## ORDINANCE NO. 19-10

**Ord. No. 19-10  
Chapter 13  
Article I**

**AN ORDINANCE to amend Chapter 13 of the 1984 Detroit City Code, *Civil Service and Personnel Regulations*, Article I, *In General*, by adding Division 3, *Criminal Conviction Question*, which shall consist of Sections 13-1-11, 13-1-12, 13-1-13 and 13-1-14, to provide for the purpose and applicability of this division; to prohibit inquiries or consideration concerning criminal convictions for City of Detroit employment until interview or consideration of applicant; to require revision of City of Detroit employment applications to meet the intent of this division and include a specific notice; and to provide for exceptions to the prohibition on inquiring and considering criminal convictions for City of Detroit employment.**

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:

**Section 1.** Chapter 13 of the 1984 Detroit City Code, *Civil Service and Personnel Regulations*, Article I, *In General*, be amended by adding Division 3, *Criminal Conviction Question*, which shall consist of Sections 13-1-11, 13-1-12, 13-1-13 and 13-1-14, to read as follows:

**CHAPTER 13. CIVIL SERVICE AND  
PERSONNEL REGULATIONS  
ARTICLE I. IN GENERAL  
DIVISION 3. CRIMINAL CONVICTION  
QUESTION**

**Sec. 13-1-11. Purpose; applicability.**

(a) The purpose of this division is to ensure that an individual who is qualified for a City position, but has a criminal conviction, is afforded the opportunity to apply, and be considered, for the City position.

(b) This division is applicable to any individual who applies for employment with the City of Detroit after the effective date of this division.

**Sec. 13-1-12. Prohibition on inquiry of consideration of criminal convictions for City of Detroit employment until interview or consideration.**

Except as provided for in Section 13-1-14 of this Code, the City of Detroit shall not inquire into or consider the criminal conviction of an applicant for employment with the City of Detroit until the applicant is being interviewed or is otherwise qualified for employment by the City.

**Sec. 13-1-13. Revision of employment applications and notice required.**

The City of Detroit shall revise all City employment application forms to meet the

intent of this division and to include the following notification on each application:

"The City of Detroit is an equal opportunity employer. No applicant shall be discriminated against on the basis of race, color, creed, national origin, marital status, public benefit status, gender, sexual orientation, or other criteria prohibited by City, state, or federal law. In accordance with Section 13-1-11 of the 1984 Detroit City Code, criminal convictions are not a bar to City employment, provided, that the prior criminal activity is not directly related to the position being sought."

**Sec. 13-1-14. Exceptions to prohibition on inquiry of consideration of criminal convictions for City of Detroit employment.**

This division does not limit the right of the City:

(1) To conduct criminal conviction background checks on applicants for positions where there is a statutory duty to do so, including inquiring on City of Detroit employment applications whether there is a criminal conviction for those positions only;

(2) To otherwise take into consideration during the hiring process a potential employee's criminal conviction; or

(3) To notify applicants that laws and City policies will disqualify an individual with a particular criminal conviction from obtaining employment for particular positions based on the requirements of those positions.

**Secs. 13-1-15 — 13-1-20. Reserved.**

**Section 2.** All ordinances, or parts of ordinances, that conflict with this ordinance are repealed.

**Section 3.** This ordinance is hereby declared necessary to preserve the public peace, health, safety, and welfare of the People of the City of Detroit.

**Section 4.** In the event that this ordinance is passed by a two-thirds (2/3) majority of the City Council Members serving, it shall be given immediate effect and become effective upon publication in accordance with Section 4-116 of the 1997 Detroit City Charter. Where this ordinance is passed by less than two-thirds (2/3) majority of the City Council Members serving, it shall become effective no later than thirty (30) days after enactment in accordance with Section 4-115 of the 1997 Detroit City Charter.

(J.C.C. P. ) September 14, 2010  
Passed: September 22, 2010  
Approved: October 5, 2010  
Published: October 15, 2010  
Effective: October 15, 2010

JANICE M. WINFREY  
City Clerk

