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Waterloo approves 'ban the box' hiring ordinance

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Juon



Jacobs

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WATERLOO — A controversial “ban the box” hiring ordinance has won narrow approval from city leaders.

Waterloo City Council members voted 4-2 Monday to approve the final reading of the measure preventing the city and many private employers from asking job applicants about criminal records until the end of the hiring process.

Council members Sharon Juon, Pat Morrissey, Jerome Amos Jr. and Ray Feuss supported the measure, making Waterloo the first city in the state to enforce the requirements on private businesses.

Council members Bruce Jacobs and Margaret Klein voted against the ordinance, while Councilman Steve Schmitt, who also voiced opposition, was absent.

The ordinance, based on similar measures adopted around the country, is designed to ensure persons with arrests or criminal convictions get a fair chance at gaining employment.

It allows employers to conduct criminal background checks after making a conditional job offer and allows them to withdraw the job for a legitimate business reason based on an applicant's criminal history.

The ordinance drew passionate support and opposition as it was debated over the past two months.

The Rev. Mary Robinson said second chances are needed as the country has pushed to be tougher on crime while requiring more professional licensing for many jobs.

“The result is more than 70 million people in the United States face significant barriers when seeking to work,” she said.

Jerry Hoalt, who has worked as a hiring manager, said he has had to “argue past the box” to hire the most qualified applicants when they had a criminal past.

“We have a slippery slope going on in this country right now that is preventing the right people from getting hired to do the right jobs,” he added.

While Klein said she supported removing the criminal history box from job applications, she said it was dishonest to prevent employers from talking about it during the interview process.

Jacobs, Schmitt and some members of the public said they believed the ordinance violates a state law preventing cities from adopting rules “that exceed or conflict with federal or state law related to ... hiring practices.”

“We know once we pass this we will be defending this ordinance in court,” Jacobs said. “We can’t just violate a state code and get away with that.”

The ordinance doesn’t take effect until it is published, a process that takes several weeks. But Juon said a group of people who have been meeting to review the regulations are expecting to make changes before then.

“We will immediately come back with amendments that reflect the information we gathered and the input from all of you,” she said. “We will also be hosting educational sessions after this has all passed for businesses so they better understand the fair chance initiative.”

Council members are expected to hold a work session Oct. 14 to discuss those changes and may vote on them the following week.

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During generally civil debate, resident Larry Bedard made disparaging remarks about youths wearing hoodies “being up to no good,” which drew a strong rebuke from Mayor Quentin Hart.

“I wear a hoodie every day to work out, and I’m the mayor of Waterloo,” said Hart, who shut Bedard down.

“Don’t come in here to this City Council in the most diverse city in the state of Iowa talking about what a young man is wearing, because you’re talking about my son,” Hart added. “Yes, I take offense to that.”

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