



Legislation Text

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Res. No. 1026

Resolution calling upon the New York State Legislature to pass a law that would make it illegal for employers to ask prospective job applicants whether they have been convicted of a crime or have been incarcerated.

By Council Members Barron, Williams and Rose

Whereas, It is legal in New York for prospective employers to ask in applications and during interviews whether an individual has a criminal record or has been incarcerated; and

Whereas, It is illegal in New York to discriminate against prospective employees on the basis of past criminal record unless there is a direct relationship between their offence and the employment sought or there is an unreasonable risk to property or the safety of people; and

Whereas, According to the New York State Corrections law, the public policy of this state is to encourage the employment of persons previously convicted of criminal offenses; and

Whereas, According to federally compiled statistics, 30 percent of all people released from prison are rearrested within the following six months, 44 percent within the first year, and 67.5 percent within three years; and

Whereas, According to published reports, one of the reasons the recidivism rate is so high, is that individuals with criminal records have difficulty obtaining gainful employment because of their criminal record; and

Whereas, Published studies have found that an individual's likelihood of committing a crime is correlated with their work status; and

Whereas, Published reports have also found that employers discriminate against individuals with criminal records, even when the position sought is completely unconnected to the previous crime; now,

therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass a law that would make it illegal for employers to ask prospective job applicants whether they have been convicted of a crime or have been incarcerated.

MWC
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