23-00403

ORDINANCE

AN ORDINANCE REQUIRING FAIR CHANCE HIRING STANDARDS FOR PERSONS, CORPORATIONS, AND ENTITIES THAT HAVE A CONTRACT OR COOPERATIVE ENDEAVOR AGREEMENT WITH THE CITY OF BATON ROUGE, PARISH OF EAST BATON ROUGE BY LIMITING CONSIDERATION OF THE CRIMINAL HISTORY OF ANY APPLICANT; AND TO PROVIDE OTHERWISE WITH RESPECT THERETO.

BE IT ORDAINED by the Metropolitan Council of the Parish of East Baton Rouge and the City of Baton Rouge that:

Section 1. As a condition of receiving a contract, cooperative endeavor agreement or any grant award, a contractor shall not request, verbally or through written form, the disclosure of criminal history information regarding an applicant for a position related to work under such contract, cooperative endeavor agreement or any grant award before the contractor extends an offer of employment to the applicant. This policy is known as "Ban the Box."

Section 2. All contracts, cooperative endeavor agreements, and grant agreements shall provide a sworn statement relative to the requirement that the person, corporation, or entity responsible for executing the contract or agreement, or providing the service provide for therein, is compliant with the provisions of the fair chance hiring standards established in this ordinance.

Section 3. No payment shall be made under any new or renewal contract, cooperative endeavor agreement, or grant unless the recipient is compliant with this ordinance.

Section 4. Criminal history includes questions related to arrests, convictions, or pending charges.

Section 5. The prohibition under section (1) does not apply with respect to a contract, cooperative endeavor agreement, or grant if consideration of criminal history prior to an offer of employment with respect to the position is otherwise required by law. Consideration of

criminal history at any point in the hiring process will comply with applicable Louisiana law.

Section 6. The appropriate City-Parish department shall establish and publish a procedure in which an applicant for a position related to a contract, cooperative endeavor agreement, or grant may submit a complaint relating to compliance, or lack thereof, with section (1) of this ordinance.

Section 7. This ordinance shall apply to any contract, cooperative endeavor agreement, or grant executed on or after April 1, 2023, or to any renewal of any contract, cooperative endeavor agreement, or grant on or after April 1, 2023. This ordinance shall not apply to any agreements executed before April 1, 2023.

Section 8. This ordinance shall not apply to: the Baton Rouge Police Department; the Baton Rouge City Constable's Office working in a law enforcement capacity; the Baton Rouge Fire Department; Emergency Medical Services; the Department of Human Development Services; the Department of Juvenile Services; and the Greater Baton Rouge Airport Authority.

Section 9. This ordinance shall be effective April 12, 2023 following adoption by the Metropolitan Council.

Section 10. The provisions of this ordinance are deemed to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 11. All ordinances or parts of ordinances in conflict herewith are hereby repealed.