

5-3-15: UNFAIR USE OF CRIMINAL RECORD IN HIRING DECISIONS:

A. Definitions: As used in this section, unless the context indicates otherwise, the following words and phrases shall have the meanings respectively ascribed to them in this subsection. Except as defined in this subsection A, definitions of words and phrases set forth in 5-3-2 shall apply in this section.

1. Adverse hiring decision: A refusal to hire an applicant or the revocation of a conditional offer of employment to an applicant.
2. Applicant: Any person considered or who requests to be considered for employment by an employer.
3. Arrest: The taking of a person into custody when and in the manner authorized by law or military authority due to an accusation or suspicion that the person committed a crime.
4. Conviction: Any adjudication of guilt or sentence arising from a verdict or plea of guilty or no contest or the equivalent in relation to a crime, including a sentence of incarceration, a suspended sentence, a sentence of probation, a sentence of unconditional discharge, or a diversion program.
5. Criminal record: Information regarding a conviction, arrest or pending criminal charge.
6. Employer: Any person, partnership, company, corporation, labor organization or association which regularly employs ~~one (1)~~ four (4) or more persons within the City of Waterloo, including the City of Waterloo, its departments, boards, commissions and agencies, except the following: (a) the United States or any of its political subdivisions, (b) the State of Iowa or any of its political subdivisions other than the City of Waterloo, such as, but not limited to, Black Hawk County, the Waterloo Community School District, and Hawkeye Community College, and (c) employers who are required by federal or state law or regulation to make an inquiry on an application or in an interview.