

# City of Seattle

## Background Checks Policy

Seattle Municipal Code (SMC) 14.17 regulates use of criminal history in employment decisions. This ordinance prohibits most employers from using criminal convictions to deny employment for qualified job applicants or employees unless there is a legitimate business reason. The ordinance addresses job advertisements, job applications, timing of criminal background screening and considerations for determining suitability of employment. The ordinance applies to job applicants and employees who work or will work within Seattle city limits at least 50 percent of their work hours. The ordinance prescribes penalties, remedies and enforcement procedures. The ordinance is inapplicable to individuals whose job duties or prospective job duties include law enforcement, policing, crime prevention, security, criminal justice, or private investigation services. The law is inapplicable to individuals who, during the course of their employment, will or may have unsupervised access to children under 16 years of age, developmentally disabled persons, or vulnerable adults.

Background checks of workers who may perform on the contract: The City shall request background checks only when essential, and only to the extent essential, given City business needs and as limited by Ordinance 124201.

The City has various security levels, and most background checks will be "Routine." Routine background checks are the default, and shall be used unless the City notifies the contractor that a stricter background check will be required. The contractor should expect a stricter background check for workers needed in "SCL High Security" facilities or systems, and for "High Security Law Enforcement" facilities, locations or systems. The background check requirements for those situations are further described below.

- When a background check is required, the City will provide the contractor and workers with Forms in English and Spanish that state:
- the intent (Routine, SCL High Security, or Law Enforcement High Security)
- elements of the background check (whether fingerprinting will be required);
- statement regarding confidentiality of information including immigration status;
- request for worker name, identification information (social security number, birth date, and address),
- request for fingerprints if a "High Security Law Enforcement" process; and
- worker signature authorizing release of the information for purposes of the background check