

MINUTES

REGULAR MEETING TASK FORCE ON INVENTORYING EMPLOYMENT RESTRICTIONS Wednesday June 17, 2013, 1:30 – 5:00pm James R. Thompson Center, Conference Room 2-025, Chicago, IL Stratton Building Room 9-040, Springfield, IL

Call to Order and Roll Call

Jeff Shuck, Chairman of the Task Force, welcomed Task Force members and guests to the regular meeting of the Task Force on Inventorying Employment Restrictions. Mark Myrent, Associate Director of Research for the Illinois Criminal Justice Information Authority, acting as staff to the Task Force, called the roll.

Task Force members in attendance were:

Representative Mary E. Flowers
Chairman Jeffrey Shuck, Central Management Services
Mark Myrent, designee for Director Jack Cutrone, Illinois Criminal Justice
Information Authority
Chimaobi Enyia, Central Management Services
Michelle Jackson, Central Management Services
Daryl Jones, Illinois Department of Corrections
Hector Villagrana, Department of Human Rights
Donald Evans, Illinois State Board of Education
Sheila Riley, Department of Children and Family Services
Karen Helland, Illinois Board of Higher Education
Ellen Andres, Illinois Community College Board
Jason Boltz, Department of Public Health

Approval of the Minutes from the June 5th, 2013 Meeting

With a quorum in place, Chairman Shuck stated that the first order of business was a vote to approve the June 5, 2013 meeting minutes. Mr. Myrent made a motion to approve the minutes, and Mr. Jones seconded. Chairman Shuck called for a voice vote approving the minutes. Hearing no objections, the motion passed.

Chairman's Comments

Chairman Shuck stated that the Task Force would be voting on the State Hiring Work Group recommendations, which were reframed at a work group meeting that morning.

The following recommendations were reviewed by the task force members.

1. CMS Bureau of Personnel shall modify the Application for State Employment in positions under the Personnel Code, also known as the “CMS 100”, to remove any inquiry into the applicant’s criminal history.

Agencies that do not use the “CMS 100” shall remove any inquiry into the applicant’s criminal history on employment applications.

2. CMS Bureau of Personnel shall modify the Application for State Employment to include an email contact section on the Application.

3. Each agency, board and commission shall adhere to a statewide policy that will permit criminal background checks to be requested and considered only after the point at which a candidate’s qualifications for a specific position are being considered (i.e. education, work history, licensure). Once agencies have received a criminal background check, it is incumbent upon the agency to consider whether there is a nexus between the position to be filled and the candidate’s criminal history.

4. All State Agencies, boards, and commissions should establish and document processes for evaluating criminal record information. When the agency, board or commission is assessing whether to hire a candidate with a prior criminal history, the agency shall consider the following factors including but not limited to:

- Nature and gravity of the offense
- Time that has elapsed since the conviction
- Nature of the job sought

At the conclusion of the nexus review, a hiring agency shall only exclude a candidate where it determined that exclusion is job related and consistent with business necessity.

5. Each agency, board and commission shall adopt the revised or Authorization for Release form that requests an applicant’s permission to obtain information relating to the applicant’s criminal history.

6. Each agency, board, and commission may use a criminal records self-disclosure form as a part of its hiring process. An agency, board, and commission shall adhere to a statewide policy that permits the disclosure form to be requested and considered only after the point at which a candidate’s qualifications for a specific position are being considered (i.e. education, work history, licensure).

7. Train all agency human resources department staff and hiring managers on the new state policy on hiring people with criminal records.

8. Task the Re- entry resource center with the responsibility with the responsibility of maintaining a statutory bars database.

Request for Review if Disqualified for Criminal Conviction(s)

If an applicant is excluded from employment consideration as a result of past criminal conviction(s), the applicant will be provided a copy of their criminal background check and an opportunity to seek review of this determination.

To ensure efficient consideration, the review process must allow applicants to request review of the determination –and respond by providing relevant information that may impact the agencies determination going forward. Any additional information shall be subject to nexus review

The group members debated the format and agreed upon needed edits. Those were to be collated by Mr. Enyia and forwarded to UICHJIA staff. Chairman Shuck, at the suggestion of staff, scheduled one final task force meeting to finalize the overall recommendations.

Adjournment

With no further business, Chairman Shuck called for a motion to adjourn. Mr. Myrent made a motion, and Mr. Jones seconded. Hearing no objection, the motion passed by voice vote.