



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

January 27, 2006

GAVIN NEWSOM
MAYOR

CIVIL SERVICE COMMISSION POLICY ON DISCLOSURE AND REVIEW OF CRIMINAL HISTORY RECORDS (ADOPTED BY THE CIVIL SERVICE COMMISSION ON JANUARY 17, 2006)

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Persons with a criminal record are not barred from employment with the City and County of San Francisco generally, although a criminal history may bar employment in a particular City classification or position depending on the specific criminal history and/or state and federal legal restrictions related to that classification or position.

The City and County of San Francisco shall review and consider criminal history as allowed by law in determining an applicant's qualifications, suitability and merit for employment in the City and County classification and position for which he or she has applied.

Criminal history records of the applicant as a juvenile shall not be considered in employment decisions except when expressly authorized or required by law.

In reviewing an applicant's criminal history information, the City and County of San Francisco shall evaluate the information on a case-by-case basis, with due consideration given to the following factors:

- 1) the nature and gravity of the offense;
- 2) the degree to which the conviction is related to the duties and responsibilities of the classification and position for which the individual has applied;
- 3) the time elapsed since the conviction;
- 4) the age of the applicant at conviction;
- 5) frequency of convictions;
- 6) evidence of rehabilitation; and,
- 7) any other mitigating circumstances.

Criminal history records for a current City and County of San Francisco employee, including offenses occurring after starting their employment, may be examined and used as allowed by law as a basis for disciplinary action, including termination, when that information is material to the employee's employment.

DELEGATION:

The Civil Service Commission delegates to the Human Resources Director and for Service-Critical Classes at the Municipal Transportation Agency, the Director of Transportation/designee the authority to establish procedures for the collection, review, evaluation, and security of criminal history information and records. The Human Resources Director and for Service-Critical Classes at the Municipal Transportation Agency, the Director of Transportation/designee shall annually report to the Civil Service Commission on the operation of the policy.

APPEAL TO THE CIVIL SERVICE COMMISSION:

Decisions of the Human Resources Director and for Service-Critical Classes at the Municipal Transportation Agency, the Director of Transportation/designee following investigation of protests filed for disqualification or discrimination based on criminal history (unless required by law) may be appealed to the Civil Service Commission in accordance with Civil Service Commission Rules.

Adopted by the Civil Service Commission
At a Regular Meeting on January 17, 2006.



KATE FAVETTI
Executive Officer