



**ATLANTA REGIONAL WORKFORCE BOARD INSTRUCTION 12-06**

**DATE:** July 17, 2012

**SUBJECT:** Complying With Nondiscrimination Provisions Criminal Record Restrictions

**PURPOSE:** Training and Employment Guidance Letter (TEGL) 31-11 provides information about exclusions based on criminal records, and how they are relevant to existing nondiscrimination obligations for the public workforce system and other entities that receive federal financial assistance to operate Job Banks, to provide assistance to job seekers in locating and obtaining employment, and to assist employers by screening and referring qualified applicants. As explained in this TEGL, restrictions based on criminal history records may have a disparate impact on members of a particular race or national origin, in violation of federal antidiscrimination laws.

**REFERENCES:** TEGL 31-11 issued May 25, 2012

**BACKGROUND:** Racial and ethnic disparities are reflected in incarceration rates and may also be reflected in other criminal history records. TEGL 31-11 is intended to help the public workforce system and covered entities comply with their nondiscrimination obligations when serving the population of individuals with criminal records and to ensure that exclusionary policies are not at cross-purposes with the public workforce system's efforts to promote employment opportunities for such workers.

**POLICIES:** Update of ARWB policies and procedures regarding criminal record restrictions in a notebook available to all customers in each Career Resource Center.

**ACTION REQUIRED:**

1. All staff read TEGL 31-11 and attachments.
2. All staff follow EEOC Enforcement Guidance dated April 25, 2012 – A Summary and Best Practices from EEOC on Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 as amended.
3. All staff become aware of requirement to deliver Notices # 1, 2 and 3 to the specified recipients.
4. All staff provide, when appropriate, ARWB Statement Regarding CDL training for those with felony convictions.
5. All staff ensure customers have access to ARWB policies and procedures in notebook.
6. Notebooks will be updated and delivered to each Career Resource Center.
7. All staff review the notebook and initial and file this instruction.

**EFFECTIVE DATE:**

Mary Margaret Garrett  
Chief, Workforce Development

MMG:at

Attachment

cc: All WFD staff  
All Career Resource Centers, Youth Providers

