

ATLANTA REGIONAL WORKFORCE BOARD INSTRUCTION 12-13

DATE: October 2, 2012

SUBJECT: Guidance Regarding Applicants for CDL Training Who Have Felony Conviction

PURPOSE: The purpose of this instruction is to disseminate an update to the Policy Regarding Applicants for CDL Training Who Have a Felony Conviction and comply with Nondiscrimination Provisions of Criminal Record Restrictions

REFERENCES: SDA Instruction 12-06 dated July 17, 2012 and 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: Guidance Regarding Applicants for CDL Training Who Have a Felony Conviction replaces Policy Regarding Applicants for CDL Training Who Have a Felony Conviction

ACTION REQUIRED:

1. All one-stop staff must be familiar with the new guidance and implement it in general customer activities.
2. The attached Policy regarding CDL applicants who have a felony conviction is to be removed from the Notebook in the Career Resource Centers and replaced with the attached Guidance regarding applicants for CDL training who have a felony conviction.
3. The attached new notebook cover sheet is to replace the current notebook cover sheet.
4. All involved staff must read, initial and date this Instruction and this Instruction filed with SDA Instructions.

EFFECTIVE DATE: October 2, 2012



Mary Margaret Garrett
Chief, Workforce Development

MMG:at

Attachments: Policy Regarding applicants for CDL Training Who Have a Felony Conviction - remove
Guidance Regarding Applicants for CDL Training Who Have a Felony Conviction - insert

cc: All WFD staff
All Career Resource Centers

GUIDANCE REGARDING APPLICANTS FOR CDL TRAINING WHO HAVE A FELONY CONVICTION

Applicants who have a felony conviction are approved for CDL training only under special circumstances; they are not refused acceptance into WIA for training; however, they should be aware of this guidance of the Atlanta Regional Workforce Board to restrict WIA-funded training as CDL drivers for interested applicants who have a felony conviction.

There are opportunities and resources in the Career Resource Center for applicants to take Career Scope assessment, explore the labor market and learn careers which fit their interests, aptitudes and personal circumstances.

Under the Civil Rights Act, an applicant is protected from discrimination on the basis of Race, Color, Religion, Sex, National Origin, Age, Disability, Political Affiliation or Belief. While an applicant does not meet the policy requirements of ARWB for CDL training, they are not being discriminated against because of their background.

Most truck driver training schools will not accept a student funded by WIA with a felony. Some schools will accept a student with a felony conviction more than 10 years old if it does not involve a gun, sex, theft or drug-related incident. The Inter-State Commerce Commission oversees trucking companies which hire drivers just out of training; these drivers must be able to travel all lower 48 states and go into Canada. Canada will not allow a driver with a felony conviction to cross the border, and trucking companies seem to find that they are unable to dispatch around that requirement; therefore, they generally do not hire drivers with felony convictions. Consideration will be given to training a customer with a felony conviction who provides proof of a bona fide job offer upon completion of training.

Applicants are welcome to come to the Career Resource Center to take advantage of the computer lab, labor market information and career assessments for choosing an alternative career. An Internet search may provide information about companies which will provide training with a job at no cost. Alternative career options are welding, maintenance, restaurant chef/cook, landscaping and automotive repair; having ToppStep bonding will be an asset for securing employment.

The general services of the Career Resource Center are available to applicants who have a felony conviction.

Resources:

1. The Educational Opportunity Center – Georgia State University 404-413-1713
2. ToppStep – Georgia Department of Labor Bonding Program 404-232-3540
3. www.hirenetwork.org
4. Atlanta Enterprise Center
75 Peachtree Place, NW
Atlanta, GA 30303
404-874-8001
www.atlantaenterprisecenter.org

This policy is to be removed from the book.

POLICY REGARDING APPLICANTS FOR CDL TRAINING WHO HAVE A FELONY CONVICTION

Applicants who have a felony conviction are approved for CDL training only under special circumstances; they are not refused acceptance into WIA for training; however, they should be informed that it is the policy of the Atlanta Regional Workforce Board not to provide WIA-funded training as CDL drivers for interested applicants who have a felony conviction.

There are opportunities and resources in the Career Resource Center for applicants to take Career Scope assessment, explore the labor market and learn careers which fit their interests, aptitudes and personal circumstances.

Under the Civil Rights Act, an applicant is protected from discrimination on the basis of Race, Color, Religion, Sex, National Origin, Age, Disability, Political Affiliation or Belief. While an applicant does not meet the policy requirements of ARWB for CDL training, they are not being discriminated against because of their background.

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Atlanta Regional Workforce Board

CAREER RESOURCE CENTERS THAT WORK

Criminal Background Checks

Training and Employment Guidance Letter
No. 31-11, May 25, 2012 “Update on Complying
With Nondiscrimination Provisions Criminal Record
Restrictions and Disparate Impact Based on Race and
National Origin”

ARWB Guidance Statement Regarding CDL Training

Georgia Codes Stipulating Criteria For Entering and
Practicing Specific Careers

Felony Convictions, Substance Abuse and
Sex-Related Infractions