











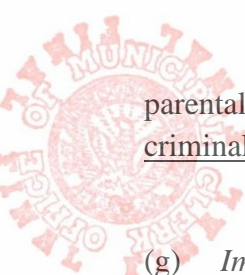
(2) To limit, segregate, or classify its membership or applicants for membership, or to classify or fail or refuse to refer for employment any individual, in any way which would deprive or tend to deprive any individual of employment opportunities, or would limit such employment opportunities or otherwise adversely affect his or her status as an employee or as an applicant for employment, because of such individual's race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, gender expression, criminal history status, age, or disability; or

(3) To cause or attempt to cause an employer to discriminate against an individual in violation of this section.

(d) *Training programs.* It shall be an unlawful employment practice for any employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs to discriminate against any individual because of his or her race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, gender expression, criminal history status, age, or disability in admission to, or employment in, any program established to provide apprenticeship or other training.

(e) *Printing or publication of notices or advertisements indicating prohibited preference, limitation, specification, or discrimination; occupational qualification exception.* It shall be an unlawful employment practice for an employer, labor organization, employment agency, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs, to print or publish or cause to be printed or published any notice or advertisement relating to employment by such an employer or membership in or any classification or referral for employment by such a labor organization, or relating to any classification or referral for employment by such an employment agency, or relating to admission to, or employment in, any program established to provide apprenticeship or other training by such a joint labor-management committee, indicating any preference, limitation, specification, or discrimination, based on race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, gender expression, criminal history status, age, or disability, except that such a notice or advertisement may indicate a preference, limitation, specification, or discrimination based on religion, sex, or disability when religion, sex, or disability is a bona fide occupational qualification for employment and, in the case of disability, the employer, labor organization, employment agency, or joint labor-management committee has made reasonable accommodation for the disability to the full extent required by the Americans With Disabilities Act, codified at 42 U.S.C. § 12101.

(f) *Prohibition of discriminatory use of test scores.* It shall be an unlawful employment practice for a respondent, in connection with the selection or referral of applicants or candidates for employment or promotion, to adjust the scores of, use different cutoff scores for, or otherwise alter the results of, employment related tests on the basis of race, color, creed, religion, sex, domestic relationship status,



parental status, familial status, sexual orientation, national origin, gender identity, gender expression, criminal history status, age, or disability.

(g) *Impermissible consideration of protected factors in employment practices.* Except as otherwise provided in this subchapter, an unlawful employment practice is established when the complaining party demonstrates that race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, gender expression, criminal history status, age, or disability was a motivating factor for any employment practice, even though other factors also motivated the practice.

SECTION 7: The City of Atlanta Code of Ordinances Chapter 94 (Human Relations) Article V Section 94-112 (Exclusions from unlawful employment practices) be amended to add new subsections (3) and (4) which shall read as follows (with permanent additions in underlined font):

(3) Any adverse employment decision based on criminal history status shall not be considered a violation of this Chapter where such a decision was based on how the criminal history related to the position’s responsibilities in accordance with the following considerations: 1) whether the applicant committed the offense; 2) the nature and gravity of the offense; 3) the time since the offense; and 4) the nature of the job for which the applicant has applied.

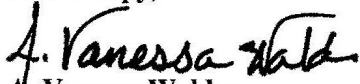
(4) Notwithstanding any other provision in this section, nothing in this Chapter shall prohibit an employer from making an adverse employment decision based on criminal history status when related to positions where certain convictions or violations are a bar to employment in that position under state or federal law, including but not limited to positions that involve work with children and positions in law enforcement.

SECTION 8: That the amendments in this ordinance shall become effective immediately upon approval.

SECTION 9: That the Municipal Clerk is instructed to retain all legislative history references in the codified version of Chapter 94, including Editor's notes, and shall not delete any such references, but shall amend them to include reference to this ordinance.

SECTION 10: That all ordinances and part of ordinances in conflict herewith are hereby waived to the extent of the conflict.

A true copy,

  
A. Vanessa Waldon  
Deputy Municipal Clerk

**ADOPTED as amended by the Atlanta City Council**  
**APPROVED per City Charter Section 2-403**

OCT 17, 2022  
OCT 26, 2022

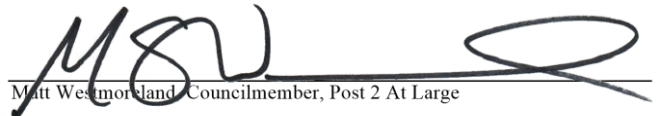


**CITY COUNCIL  
ATLANTA, GEORGIA**

22-O-1748

**SPONSOR SIGNATURES**

  
Jason H Winston, Councilmember, District 1

  
Matt Westmoreland, Councilmember, Post 2 At Large





CITY COUNCIL  
ATLANTA, GEORGIA

22-O-1748

AN ORDINANCE BY COUNCILMEMBERS JASON WINSTON, MATT WESTMORELAND, ANDREA L. BOONE, BYRON D. AMOS, MICHAEL JULIAN BOND, KEISHA SEAN WAITES AND MARCI COLLIER OVERSTREET AS AMENDED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE TO AMEND THE CITY OF ATLANTA CODE OF ORDINANCES CHAPTER 94 (HUMAN RELATIONS) WHICH PROHIBITS DISCRIMINATION THROUGHOUT THE CITY, TO INCLUDE PERSONS DIRECTLY IMPACTED BY THE CRIMINAL LEGAL SYSTEM IN THE CLASS OF PERSONS WHO MAY BE AGGRIEVED BY ALLEGED DISCRIMINATION OR UNLAWFUL PRACTICES UNDER THE HUMAN RELATIONS CODE, IN ORDER TO COMBAT THE LONG-TERM IMPACTS OF INCARCERATION; AND FOR OTHER PURPOSES.

**Workflow List:**

Atlanta City Council	Completed	09/19/2022 1:00 PM
Public Safety & Legal Administration Committee	Completed	09/26/2022 1:00 PM
Atlanta City Council	Completed	10/03/2022 1:00 PM
Public Safety & Legal Administration Committee	Completed	10/10/2022 1:00 PM
Atlanta City Council	Completed	10/17/2022 1:00 PM

**HISTORY:**

09/19/22 Atlanta City Council REFERRED WITHOUT OBJECTION

**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION**

<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>	<b>Next: 9/26/2022 1:00 PM</b>
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09/26/22 Public Safety & Legal Administration CommitteeHELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE [4 TO 2]</b>	<b>Next: 10/3/2022 1:00 PM</b>
<b>MOVER:</b>	Dustin Hillis, Chair, District 9	
<b>SECONDER:</b>	Mary Norwood, District 8	
<b>AYES:</b>	Dustin Hillis, Byron D Amos, Mary Norwood, Marci Collier Overstreet	
<b>NAYS:</b>	Andrea L. Boone, Keisha Sean Waites	
<b>ABSENT:</b>	Michael Julian Bond	

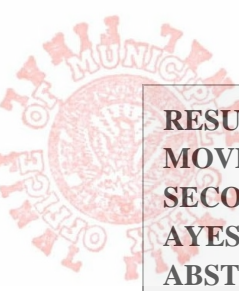
10/03/22 Atlanta City Council RETURNED AS HELD

**RETURNED AS HELD TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION**

**MEMBERS PRESENT: HILLIS, AMOS, BOONE, NORWOOD, COLLIER OVERSTREET & WAITES**

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/10/2022 1:00 PM</b>
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10/10/22 Public Safety & Legal Administration CommitteeFAVORABLE AS AMENDED



**RESULT:** FAVORABLE AS AMENDED [6 TO 0]  
**MOVER:** Dustin Hillis, Chair, District 9  
**SECONDER:** Byron D Amos, District 3  
**AYES:** Hillis, Amos, Bond, Boone, Overstreet, Waites  
**ABSTAIN:** Mary Norwood

**Next: 10/17/2022 1:00 PM**

10/17/2022

Atlanta City Council

ADOPTED AS AMENDED

**RESULT:** ADOPTED AS AMENDED [13 TO 0]  
**MOVER:** Dustin Hillis, Councilmember, District 9  
**SECONDER:** Alex Wan, Councilmember, District 6  
**AYES:** Bond, Waites, Winston, Farokhi, Amos, Dozier, Bakhtiari, Wan, Shook, Hillis, Boone, Overstreet, Lewis  
**ABSENT:** Matt Westmoreland  
**AWAY:** Mary Norwood

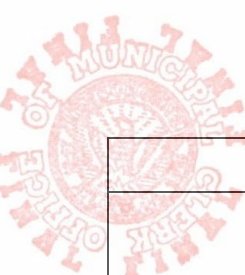
AN ORDINANCE BY COUNCILMEMBERS JASON WINSTON, MATT WESTMORELAND, ANDREA L. BOONE, BYRON D. AMOS, MICHAEL JULIAN BOND, KEISHA SEAN WAITES AND MARCI COLLIER OVERSTREET AS AMENDED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE TO AMEND THE CITY OF ATLANTA CODE OF ORDINANCES CHAPTER 94 (HUMAN RELATIONS) WHICH PROHIBITS DISCRIMINATION THROUGHOUT THE CITY, TO INCLUDE PERSONS DIRECTLY IMPACTED BY THE CRIMINAL LEGAL SYSTEM IN THE CLASS OF PERSONS WHO MAY BE AGGRIEVED BY ALLEGED DISCRIMINATION OR UNLAWFUL PRACTICES UNDER THE HUMAN RELATIONS CODE, IN ORDER TO COMBAT THE LONG-TERM IMPACTS OF INCARCERATION; AND FOR OTHER PURPOSES.

VOTE RECORD - ORDINANCE 22-O-1748						
<input type="checkbox"/> ADOPTED						
<input type="checkbox"/> ADVERSED						
<input type="checkbox"/> FAVORABLE						
<input type="checkbox"/> ACCEPTED AND FILED						
<input type="checkbox"/> FIRST READING						
<input type="checkbox"/> SECOND READING						
<input type="checkbox"/> THIRD READING						
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<input type="checkbox"/> FIFTH READING						
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<input type="checkbox"/> HELD IN COMMITTEE						
<input type="checkbox"/> TABLED						
<input type="checkbox"/> DEFERRED						
<input type="checkbox"/> RECONSIDERED						
<input type="checkbox"/> FILED						
<input checked="" type="checkbox"/> ADOPTED AS AMENDED						
<input type="checkbox"/> AMENDED						
<input type="checkbox"/> ACCEPTED						
<input type="checkbox"/> SUBSTITUTED						
<input type="checkbox"/> AMENDED SUBSTITUTE						
<input type="checkbox"/> FILED BY COMMITTEE						
<input type="checkbox"/> REFERRED TO ZRB AND ZC						
<input type="checkbox"/> REFERRED WITHOUT OBJECTION						
<input type="checkbox"/> ADOPTED ON SUBSTITUTE						
<input type="checkbox"/> ADOPTED SUBSTITUTE AS AMENDED						
<input type="checkbox"/> FORWARDED WITH NO RECOMMENDATI						
<input type="checkbox"/> REFERRED TO SC						
<input type="checkbox"/> FILED WITHOUT OBJECTION						
<input type="checkbox"/> FAILED						
<input type="checkbox"/> FORWARDED TO FC/NQ						
			<b>YES/AYE</b>	<b>NO/NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
	MICHAEL JULIAN BOND	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MATT WESTMORELAND	VOTER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	KEISHA SEAN WAITES	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	JASON H WINSTON	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	AMIR R FAROKHI	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	BYRON D AMOS	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	JASON DOZIER	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	LILIANA BAKHTIARI	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ALEX WAN	SECONDER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	HOWARD SHOOK	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MARY NORWOOD	VOTER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	AWAY
	DUSTIN HILLIS	MOVER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANDREA L. BOONE	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MARCI COLLIER OVERSTREET	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANTONIO LEWIS	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



<ul style="list-style-type: none"><li><input type="checkbox"/> FAVORABLE ON SUBSTITUTE</li><li><input type="checkbox"/> FAVORABLE/SUB/AMENDED</li><li><input type="checkbox"/> FAVORABLE/SUB/AMND/COND</li><li><input type="checkbox"/> FAVORABLE/AMND/COND</li><li><input type="checkbox"/> FAVORABLE AS AMENDED</li><li><input type="checkbox"/> RETURNED AS HELD</li><li><input type="checkbox"/> FAVORABLE ON CONDITION</li><li><input type="checkbox"/> FAVORABLE/SUB/CONDITION</li><li><input type="checkbox"/> QUADRENNIALLY TERMINATED</li><li><input type="checkbox"/> QUESTION CALLED</li><li><input type="checkbox"/> ROUTED TO COW</li><li><input type="checkbox"/> SUSTAINED</li><li><input type="checkbox"/> OVERRIDDEN</li><li><input type="checkbox"/> NOT ACCEPTED BY COMMITTEE</li><li><input type="checkbox"/> SUSTAINED W/O OBJECTION</li><li><input type="checkbox"/> TABLED W/O OBJECTION</li><li><input type="checkbox"/> HELD IN COW</li><li><input type="checkbox"/> POSTPONED</li><li><input type="checkbox"/> RETAINED AS HELD</li><li><input type="checkbox"/> REFER TO ZRB AND ZC W/O OBJECTION</li><li><input type="checkbox"/> AUTOMATICALLY TERMINATED (FILED)</li></ul>	
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[Unanimous]



Certified by Presiding Officer	Certified by Clerk
<p style="text-align: center;"><b>CERTIFIED</b></p> <p style="text-align: center;">10/17/2022</p> <p style="text-align: center;">ATLANTA CITY COUNCIL PRESIDENT</p> <p style="text-align: center;"><i>Doug Shipman</i></p>	<p style="text-align: center;"><b>CERTIFIED</b></p> <p style="text-align: center;">10/17/2022</p> <p style="text-align: center;">MUNICIPAL CLERK</p> <p style="text-align: center;"><i>[Signature]</i></p>
<p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p>	

**ADOPTED BY COUNCIL**

**10/17/2022**