



Legislation Details (With Text)

File #: 86434 **Version:** 1 **Name:** Equal Opportunity Employer Considerations
Type: Ordinance **Status:** Passed
File created: 12/9/2024 **In control:** Attorney's Office
On agenda: 1/14/2025 **Final action:** 1/14/2025
Enactment date: 2/2/2025 **Enactment #:** ORD-25-00002

Title: Amending Section 39.03(8)(i)3.b. of the Madison General Ordinances related to the Equal Opportunities Ordinance to align with state law.

Sponsors: Dina Nina Martinez-Rutherford

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
1/14/2025	1	COMMON COUNCIL	Adopt	Pass
12/10/2024	1	COMMON COUNCIL	Refer to a future Meeting to Adopt	Pass
12/10/2024	1	Attorney's Office	Referred for Introduction	

Fiscal Note

No City appropriation required.

Title

Amending Section 39.03(8)(i)3.b. of the Madison General Ordinances related to the Equal Opportunities Ordinance to align with state law.

Body

DRAFTER'S ANALYSIS: This change to the City's Equal Opportunities Ordinance replaces the 3-year limitation on crimes or other offenses that an employer can consider when making an employment decision regarding an employee. This change is to make the City's Ordinance more congruent with state law. This added language was intended on being a part of Ordinance ORD-24-00076 (Legistar File No. 85779), passed on November 26, 2024, but was inadvertently missed.

The Common Council of the City of Madison do hereby ordain as follows:

1. Subparagraph b. or Paragraph 3. of Subdivision (i) of Subsection (8) entitled "Employment Practices" of Section 39.03 entitled "Equal Opportunities Ordinance" of the Madison General Ordinances is amended as follows:

- "b. Has been placed on probation, paroled, released from incarceration, or paid a fine, for a felony, misdemeanor, or other offense, the circumstances of which substantially relate to the circumstances of the particular job or licensed activity. Whether the circumstances of any such offense substantially relate to the circumstances of the particular job or licensed activity shall be based on the facts of the particular offense that are available after a reasonable inquiry into the facts and elements of the offense, including but not limited to the seriousness of the offense, the passage of time since the employee or applicant was placed on probation, paroled, released from incarceration, or paid a fine, for a felony, misdemeanor, or other offense, the age

of the employee or applicant at the time the offense occurred, and the character of the employee or applicant."