

GOVERNMENT OF THE DISTRICT OF COLUMBIA
D.C. Department of Human Resources

District Personnel Manual Issuance System

E-DPM Instruction No. 4-18

This E-DPM instruction may be accessed electronically at www.dchr.dc.gov, by clicking on the "District Personnel Manual" link; and the "Issuances" link for Chapter(s): 4

SUBJECT: Changes to the District of Columbia's Hiring Practices and Official Job Application Necessary to Implement the "Returning Citizen Public Employment Inclusion Amendment Act of 2010"

Date: June 3, 2011

The purpose of this Electronic-District Personnel Manual (E-DPM) Instruction is to explain the changes to the District government's hiring practices, as well as the revisions to the District government's official job application ("D.C. 2000"), in light of new legislation, the Returning Citizen Public Employment Inclusion Amendment Act of 2010 ("Act"), D.C. Law 18-340 (58 DCR 000621).

1. Summary of the Act

The Act was effective March 31, 2011. The Act specifies when and under what circumstances the District government may consider the criminal history of an applicant during the hiring process. The Act also specifies what factors the District government must consider when it decides to disqualify an applicant from consideration for a job because of his or her criminal history. To implement the Act and ensure compliance with its terms, the District government has modified its hiring practices and official job application. These modifications are explained below.

2. Changes in the District Government's Hiring Practices and to the D.C. 2000

A. Positions that Require no Criminal Background Check

- (1) As stated in Section 2042(a) of the Act, the agency shall determine if a position is subject to a criminal background check by law before the vacancy announcement is posted. If no criminal background check is required, the District government is prohibited from asking about an applicant's criminal history on the application form. **Consequently, the D.C. 2000 has been revised to exclude question 10a, which required the disclosure of prior felony convictions.** The use or distribution of any prior version of the D.C. 2000 that contains question 10a is prohibited.

Note: E-DPM instructions that are strictly procedural in nature have direct applicability only to agencies and employees under the personnel authority of the Mayor. Other personnel authorities or independent agencies may adopt any or all of these procedures or guidance materials for agencies and employees under their respective jurisdictions.

Inquiries: Legal and Compliance, DCHR (202) 442-9700

Distribution: Heads of Department and Agencies, HR Advisors, and DPM Subscribers

Retain Until Superseded

- (2) Under Section 2042(c) of the Act, the District government is authorized to ask about an applicant's criminal history **after the initial screening of applicants**; that is, after the hiring agency considers the applicant's qualifications, after the applicant is ranked, after the applicant is selected from a Selection Certificate, or after the applicant is selected for an interview, where applicable. The Act further specifies that all applicants must be provided an opportunity to explain their criminal background.
- (3) The District government has adopted a uniform method for inquiring about an applicant's criminal history during the hiring process. All applicants who remain under consideration after the initial screening shall be provided an electronic or hardcopy of the *Criminal History Disclosure Form* ("DCSF 04-10") to complete.
- (4) In instances where the position is subject to no criminal background check, Section 2043 of the Act authorizes the hiring agency to disqualify an applicant because of offenses the applicant discloses on the DCSF 04-10.

If the hiring agency determines that statements made on an applicant's DCSF 04-10 call into question the applicant's fitness to work or volunteer for the District government, the hiring agency shall forward the applicant's DCSF 04-10 to the Manager of the Compliance Unit in the D.C. Department of Human Resources (DCHR), for a suitability analysis. Those agencies with independent personnel authority are authorized to conduct the suitability analysis independent of DCHR.

- (5) The Compliance Unit or the appropriate designee in an agency with independent personnel authority must conduct its suitability analysis, balancing the seven (7) factors itemized in Section 2043 of the Act:
 - a. The specific duties and responsibilities of the position sought or held;
 - b. The bearing, if any, that an applicant's criminal background will have on the applicant's fitness or ability to perform one or more of the duties or responsibilities;
 - c. The time that has lapsed since the occurrence of the criminal offense;
 - d. The age of the applicant at the time of the occurrence of the criminal offense;
 - e. The frequency and seriousness of the criminal offense,
 - f. Any information produced regarding the applicant's rehabilitation and good conduct since the occurrence of the criminal offense, and
 - g. The public policy that it is generally beneficial for ex-offenders to obtain employment.

- (6) In instances where the Compliance Unit conducts the suitability analysis, the Compliance Unit will forward the results of the suitability analysis to the hiring agency. If the hiring agency elects to hire the applicant while the suitability analysis remains pending, the applicant must be told in writing that the District government may choose to deny or revoke his or her employment based on the outcome of the suitability analysis.

B. Positions that Require a Criminal Background Check

- (1) The Act requires only a minor change in the hiring practices for those positions where criminal background checks are required pursuant to a District of Columbia statute, such as the Child and Youth, Safety and Health Omnibus Amendment Act of 2004 (“CYSHA”), D.C. Official Code § 4-1501.05, *et seq.*, or some other law. Under Section 2042(a) of the Act, the agency shall determine whether a criminal background check is required before the vacancy announcement is posted. Pursuant to Section 2042(b), the vacancy announcements for positions subject to a criminal background check must include the following notice:

This position requires a criminal background check. Therefore, you may be required to provide information about your criminal history in order to be considered for this position.

- (2) So long as the vacancy announcement includes the above statement, the District government may inquire about an applicant’s criminal history **during any part of the application process**, by providing the applicant an electronic or hard copy of the **DCSF 04-10** to complete.
- (3) Other than the modifications stated in Paragraphs 2B(1) and (2) above, the policies and procedures for conducting statutory criminal background checks remain the same.


Shawn Y. Stokes
Acting Director

Attachments:

- *District of Columbia Government Employment Application (DC 2000)* (Rev. 5/11)
- *D.C. Standard Form No. 04-10, Criminal History Disclosure Form* (Issued 6/11)
[Electronic copy available at www.dchr.dc.gov under the “Employment Opportunities” and “Forms and Applications” links]
- D.C. Law 18-340

DISTRICT OF COLUMBIA GOVERNMENT



(Rev. 5/11)

EMPLOYMENT APPLICATION (DC 2000)

Please answer the questions and complete all required fields on this application. In addition, please respond to all of the ranking factors listed in the vacancy announcement. Finally, if you are claiming residency preference for a career service or management supervisory service position, please complete the residency preference form.

1. POSITION VACANCY INFORMATION

Position Title _____

Vacancy Announcement Number _____

2. PERSONAL DATA

Last Name

First Name

Middle Name

Street Address

Apt #

City

State

Zip Code

Ward

Telephone (including area code):

Home

Business

Other names ever used

Social Security Number

Date of Birth

Email

A copy of this form will be emailed to you. It must be printed, signed and mailed to the name and address found at the end of the vacancy announcement.

3. D.C. EMPLOYMENT HISTORY AND AVAILABILITY

a. Are you now or were you ever employed by the District of Columbia Government? _____

b. Mark below each type of current or previous D.C. government appointment. Check all applicable boxes.

Temporary

Term

Permanent

Career

Excepted Service

Executive Service

Management Supervisory Service

Legal Service

Other _____

c. List highest grade, classification series and step attained:

Grade _____

Series _____

Step _____

When can you start work? _____

Lowest pay or grade you will accept _____

4. RESIDENCY

a. Are you claiming a residency preference for the position indicated above? Yes No

b. I understand the residency preference requirements (found at the end of this document). Yes No

c. If the position you are applying for above is in the Career Service, Management Supervisory Service, or Legal Service, excluding the Senior Executive Attorney Services, are you claiming a residence preference? (If you claim residency preference, you must complete the Residency Preference for Employment form, DC-2000RP). Yes No

d. If the position you are applying for above is in the Excepted Service, Executive Service, or Senior Executive Attorney Service, do you acknowledge and understand that, if selected, you must be a domiciliary of the District of Columbia at the time of the appointment or within 180 days of the appointment date, and maintain District domicile for the duration of the appointment? Yes No

5. MILITARY SERVICE AND VETERANS PREFERENCE

Veteran's preference is granted by law to disabled veterans, to veterans who served on active duty in certain time periods or military operations, and, under certain conditions, to the spouses, widows, widowers, or mothers of deceased or disabled veterans.

Have you ever served on active duty in the United States Armed Forces? Yes No
(Answer "NO" if your only active duty was for training, including basic training, in the Reserves and National Guard.)

Did you or will you retire at or above the rank of Major or Lieutenant Commander? Yes No
(If "YES," you are not eligible for veteran's preference unless your retirement is based upon a service-connected disability.)

From _____ To _____
Dates of Active Duty Service (Month/Day/Year) Character of Separation _____

Campaign or Expeditionary Medals Received _____ Separation Date _____

Preference claimed: 5-point preference 10-point preference None

(Please check one. You must show proof when hired.)

6. EDUCATION

a. High School

Indicate highest grade completed: _____

Name and Address of School _____

Zip Code _____

Did you graduate? Yes No If no, have you received a GED high school equivalency? Yes
 No

Attended From _____ To _____
(month/year) (month/year)

b. Colleges and Universities

School 1

Indicate highest degree(s) obtained (e.g., A.A., B.S): _____

Name and Address of College or University _____

Zip Code _____

Major _____

Minor _____

Major Semester Credit Hours _____

OR Major Quarter Credit Hours _____

Attended From _____ To _____
(month/year) (month/year)

School 2

Indicate highest degree(s) obtained (e.g., A.A., B.S): _____

Name and Address of College or University _____

Zip Code _____

Major _____

Minor _____

Major Semester Credit Hours _____

OR Major Quarter Credit Hours _____

Attended From _____ To _____
(month/year) (month/year)

7. TRAINING

List relevant training, licenses or skills (e.g., sign language). Include schools attended, addresses, certificates or degrees awarded, dates attended, number of credit hours, and major/minor field or subjects studied.

8. LANGUAGE CAPABILITIES

List the languages you speak, read and write
Language

Speak	Read	Write
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

9. WORK EXPERIENCE

List paid or unpaid work experience relevant to the position for which you are applying.

No Work Experience

PRESENT OR MOST RELEVANT POSITION:

Employer's Name _____	Dates of Employment (Month/Year)	Annual Salary	Average Hours Per Week
Address	From _____ To _____	Starting \$ _____ Final \$ _____	_____
Telephone _____	Name and Title of Supervisor _____		
Reason for leaving _____		No. of Employees Supervised _____	
If District or Federal Employment, List Series, Grade or Rank and Date of Last Promotion _____			
Job Title and Duties, Responsibilities and Accomplishments			

POSITION:

Employer's Name _____	Dates of Employment (Month/Year) From _____ To _____	Annual Salary Starting \$ _____ Final \$ _____	Average Hours Per Week _____
Address _____			

Telephone _____	Name and Title of Supervisor _____
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Reason for leaving _____	No. of Employees Supervised _____
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If District or Federal Employment, List Series, Grade or Rank and Date of Last Promotion

Job Title and Duties, Responsibilities and Accomplishments

POSITION:

Employer's Name _____	Dates of Employment (Month/Year) From _____ To _____	Annual Salary Starting \$ _____ Final \$ _____	Average Hours Per Week _____
Address _____			

Telephone _____	Name and Title of Supervisor _____
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Reason for leaving _____	No. of Employees Supervised _____
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If District or Federal Employment, List Series, Grade or Rank and Date of Last Promotion

Job Title and Duties, Responsibilities and Accomplishments

10. BACKGROUND INFORMATION - You must answer each question in this section before we can process your application

- a. Do any of your relatives work for the District of Columbia government? Include: father, mother, husband, wife, son, daughter, brother, sister, uncle, aunt, first cousin, niece, nephew, father-in-law, mother-in-law, Yes No

If "YES," in the space below, write for each of these relatives their: (1) name; (2) relationship to you; and (3) agency of the District of Columbia Government in which the person works.

Name*	Relationship	District Agency

(*Note: If more than five (5) relatives continue on a separate sheet of paper.)

- b. Do you receive or have you ever applied for retirement pay, pension, or other pay based on District of Columbia government, federal civilian or federal military service? Yes No
- c. Are you a citizen of the United States? Yes No
- d. Are you legally authorized to work in the United States? Yes No

To work for the District of Columbia government in certain public safety positions, you must be a citizen of the United States. If selected, you will be required to submit evidence of identity and employment eligibility.

11. SIGNATURE, CERTIFICATION, AND RELEASE OF INFORMATION

YOU MUST SIGN THIS APPLICATION. Read the following carefully before you sign. I understand that a false statement on any part of my application may be grounds for not hiring me, or for firing me after I begin work (D.C. Official Code § 1-616.51 *et seq.*) (2001). I understand that the making of a false statement on this form or materials submitted with this form is punishable by criminal penalties pursuant to D.C. Official Code § 22-2405 *et seq.* (2001). I understand that any information I give may be investigated as allowed by law or Mayoral order. I consent to the release of information regarding my suitability for District of Columbia Government employment by employers, schools, law enforcement agencies, and other individuals and organizations, to investigators, human resources specialists, and other authorized employees of the District of Columbia government. I certify that, to the best of my knowledge and belief, all of my statements are true, correct, and complete.

Sign

Date

RANKING FACTORS

Name _____

Vacancy Announcement Number _____

The ranking factors found in the vacancy announcement will be used in the evaluation process for all positions other than wage grade. All applicants **MUST** respond to the ranking factors. Please describe specific incidents of sustained achievements from your experience that show evidence of the level at which you meet the ranking factors that have been determined to be of importance for the position for which you are applying. You may refer to any experience, education, training, awards, outside activities, etc. that include the degree to which you possess the job related knowledge, skills, and abilities described in the ranking factors. The information given in response to the ranking factors should be complete and accurate to the best of your knowledge. **FAILURE TO RESPOND TO ALL RANKING FACTORS MAY ELIMINATE YOU FROM CONSIDERATION.**

Use the spaces below to respond to the ranking factors on the job vacancy announcement.

Ranking Factor 1

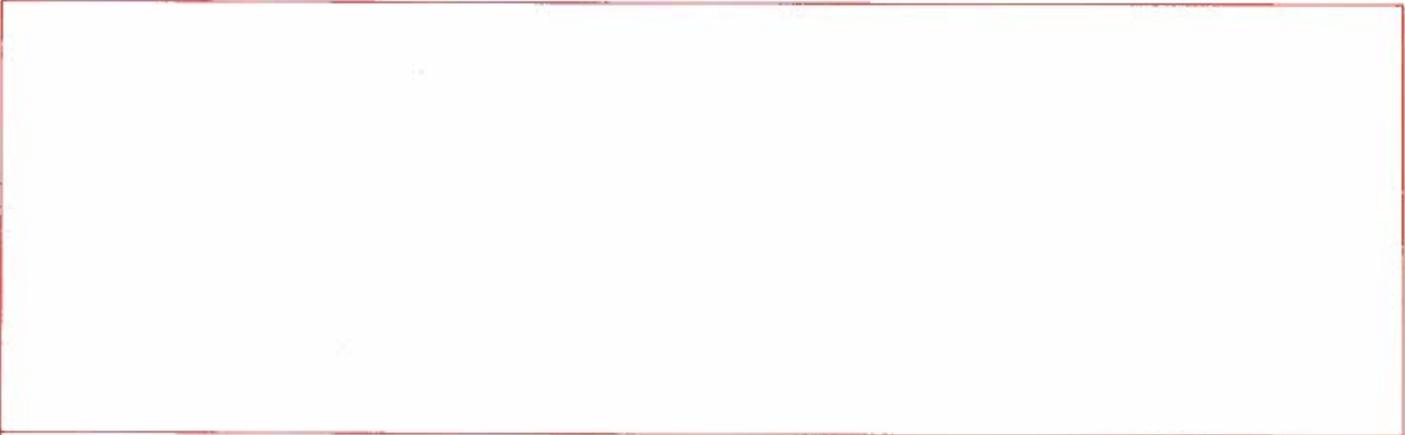
Ranking Factor 2

Ranking Factor 3

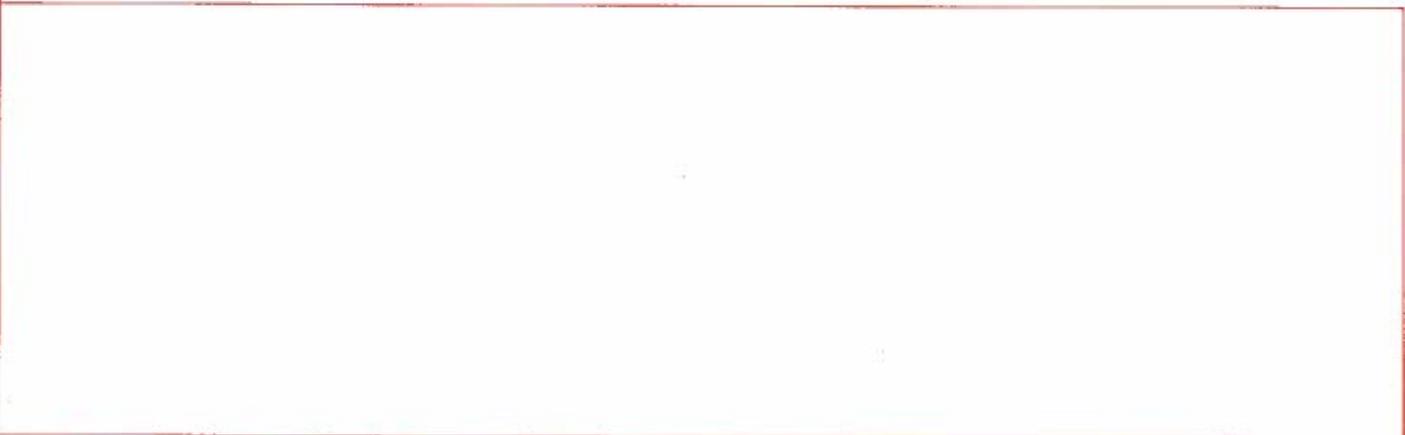
Ranking Factor 4

A large, empty rectangular box with a thin red border, intended for input or data related to Ranking Factor 4.

Ranking Factor 5

A large, empty rectangular box with a thin red border, intended for input or data related to Ranking Factor 5.

Ranking Factor 6

A large, empty rectangular box with a thin red border, intended for input or data related to Ranking Factor 6.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

D.C. Department of Human Resources

FORM DC-2000RP – RESIDENCY PREFERENCE FOR EMPLOYMENT

[PART OF EMPLOYMENT APPLICATION]

NOTE: *Residency Preference* is claimed at the time of application for a position in the Career Service, Educational Service, Legal Service other than the Senior Executive Attorney Service (“SEAS”), or Management Supervisory Service. Persons submitting paper applications shall complete this form to claim/decline the preference; persons applying online shall follow the online application process to claim/decline the preference. Except for applicants covered under Sections I or II below, residency preference, if applicable, will not be granted unless this form is completed at the time of application; or unless preference is claimed electronically (online) at the time of application.

Name: _____
(Print – Last Name, First Name, Middle Initial)

Last 4 Digits of SSN: _____

Position Applied for: _____
(Print)

Job Requisition No.: _____

CHECK (✓) ONLY ONE (1) OF THE FOLLOWING STATEMENTS:

I.

I, the undersigned, am currently a District government employee whose service began on or before December 31, 1979 and has been continuous since that date. I understand that I will not be required to submit proof of or establish or maintain residency as a result of receiving preference.

II.

I, the undersigned, am a former employee of the U.S. Department of Health and Human Services at St. Elizabeths Hospital who accepted employment with the District government, without a break in service, effective October 1, 1987. My service with the District government has been continuous since that date. I understand that I will not be required to submit proof of or establish or maintain residency as a result of receiving preference.

III.

I, the undersigned, am not a bona fide District resident and I understand that I am not entitled to the 10-point residency preference.

IV.

I, the undersigned, am a bona fide District resident and I **DECLINE** the residency preference.

V.

I, the undersigned, am a bona fide District resident and I claim a residency preference in applying for the position indicated above. My current address is _____. I have read the “*Facts on Residency Preference*” on the reverse side of this form, and I understand that if selected for this position I will be required to submit no less than 8 proofs of bona fide District residency on or before the effective date of the appointment; and maintain such bona fide District residency for a period of 7 consecutive years from the date of appointment or promotion or forfeit the position. Further, I understand that if before the end of the 7-year period to maintain bona-fide District residency I apply and am selected for another position without having claimed the preference for that position, I will still be required to fulfill my obligation to maintain bona-fide District residency for the remainder of the 7-year period.

Applicant’s Signature

Date (Month, Day, Year)

(OVER)

FACTS ON RESIDENCY PREFERENCE

- (1) An applicant for initial appointment with the District government in the **Career Service, Educational Service, Legal Service other than the Senior Executive Attorney Service (SEAS), or Management Supervisory Service** who is a bona fide District resident **AT THE TIME OF APPLICATION** may be awarded a residency preference of 10-points, unless he/she declines the preference points.
- (2) An employee who applies for a competitive promotion in the services listed in no. 1 above and who is a bona fide District resident **AT THE TIME OF APPLICATION** may be awarded a residency preference of 10-points, unless he/she declines the preference points.
- (3) The 10-point residency preference is to be claimed by completing the front of this form and submitting the form with the employment application.
- (4) A bona fide District resident who declines the 10-point residency preference **AT THE TIME OF APPLICATION** for initial appointment or competitive promotion, if found to be qualified, **WILL NOT** receive any preference. If selected, the person is not required to maintain bona fide residency.
- (5) Residency preference will be afforded as follows:
 - The 10 preference points will be added to any points awarded to the person on the 100-point scale used to rank qualified applicants for the position.
 - For competitive promotions, excepted promotional examination (e.g., police officers, firefighters), the 10-point preference will be added to any points awarded to each qualified employee on the 100-point scale used to rank the qualified employees.
 - Preference candidates will be selected ahead of equally qualified non-preference candidates.
- (6) A person who is awarded a 10-point residency preference and is selected for the position must agree in writing no later than the date of appointment to maintain bona fide District residency for a period of 7 consecutive years from the effective date of his or her appointment; and shall submit **no less than 8 proofs of bona-fide District residency on or before the effective date of the appointment**. Failure to maintain bona fide District residency will result in forfeiture of employment.
- (7) The requirement to maintain bona fide District residency is applicable **ONLY** to an applicant and employee who is awarded a 10-point residency preference at the time of application for initial appointment or competitive promotion and is selected.
- (8) Entitlement to preference: Any person who was employed by the District government on December 31, 1979, and who is still employed by the District government without having had a break in service of 1 workday or more since that date; or, pursuant to the provisions of Pub. Law No. 98-621, any former employee of the U.S. Department of Health and Human Services at St. Elizabeths Hospital who accepted employment with the District government without a break in service effective October 1, 1987 and who has not had a break in service since that date, will be granted a residency preference upon application for a **COMPETITIVE PROMOTION** in the services listed in no. 1 above, if at least 1 qualified applicant for the position has claimed a residency preference. If selected, the employee is not required to establish or maintain bona fide District residency.
- (9) An employee who is under a 7-year residency requirement who thereafter is awarded a 10-point residency preference in applying for another position (i.e., competitive promotion), if selected, will be required to begin a new 7-year residency requirement effective the date of the new appointment.

DISTRICT OF COLUMBIA GOVERNMENT



CRIMINAL HISTORY DISCLOSURE FORM

You must complete this form before the District of Columbia Government can proceed further with your application.

Name: _____ Social Security Number: _____

When answering the question below, you may omit: (1) traffic fines; (2) any violation of law committed before your 18th birthday, if handled in juvenile court or under a youth offender law; (3) any violation set aside under the Federal Youth Corrections Act or similar state law; and (4) any conviction for which the record was expunged under federal, state, or local law. We will consider the date, facts, and circumstances of each conviction or forfeiture you list. In most cases, you can still be considered for District employment.

During the past 10 years, have you been: (1) convicted of or forfeited collateral for any felony; or (2) convicted by a court-martial? Yes No

A *felony* is defined as any violation of law punishable by imprisonment of longer than one year, but does not include a *misdemeanor* under state, county, or local law, punishable by imprisonment of two years or less.

If you answered "YES" to the QUESTION above, you are allowed an opportunity to explain your response. For each of your conviction(s), please state the following: (1) offense(s) of which you were convicted; (2) the date of the conviction(s); (3) the state or territory where the conviction(s) occurred; (4) the court; and (5) any action(s) taken by the court against you, including any sentence, or probation imposed. Please provide any additional explanation you would like us to consider.

SIGNATURE, CERTIFICATION, AND RELEASE OF INFORMATION

YOU MUST SIGN THIS FORM. Read the following acknowledgement carefully before you sign.

I understand that a false statement on any part of this form is grounds for either not hiring me, or firing me after I begin work (D.C. Official Code § 1-616.51, *et seq.*) (2001). I understand that the making of a false statement on this form or materials submitted with this form is punishable by criminal penalties pursuant to D.C. Official Code § 22-2405, *et seq.* (2001). I understand that any information I give may be investigated as allowed by law or Mayoral Order. I consent to the release of information regarding my suitability for District of Columbia government employment by employers, schools, law enforcement agencies, and other individuals and organizations, to investigators, human resources specialists, and other authorized employees of the District of Columbia government. I certify that, to the best of my knowledge and belief, all of my statements are true, correct, and complete.

Signature

Date

AN ACT
D.C. ACT 18-685

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JANUARY 12, 2011

*Codification
District of
Columbia
Official Code*

2001 Edition

2011 Winter
Supp.

To amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to restrict a public employer's inquiry into the criminal history of job applicants.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Returning Citizen Public Employment Inclusion Amendment Act of 2010".

Sec. 2. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) The table of contents is amended by adding the phrase "XX-D CRIMINAL HISTORY INQUIRIES SEC. 2041. DEFINITIONS SEC. 2042. PRE-EMPLOYMENT INQUIRIES SEC. 2043. LIMITATION ON DISQUALIFICATION SEC. 2044. IMPLEMENTATION FOR PUBLIC EMPLOYERS" before the phrase "XXI. HEALTH BENEFITS".

(b) A new title XX-D is added to read as follows:

"TITLE XX-D
"CRIMINAL HISTORY INQUIRIES.

"Sec. 2041. Definitions.

"For the purposes of this title, the term:

"(1) "Applicant" means an individual who has filed an application for employment with a public employer or who has filed an application or made a verbal request to serve in a volunteer position with a public employer.

"(2) "Covered position" means a position in which a criminal background check is required by law.

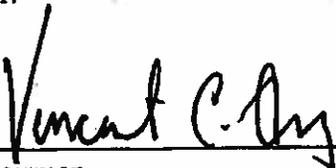
"(3) "Public employer" means the District government.

"Sec. 2042. Pre-employment inquiries.

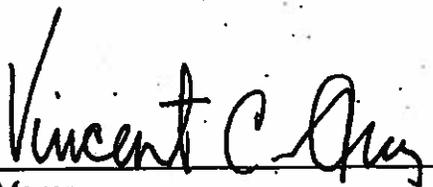
"(a) Before posting a vacancy announcement, a public employer shall determine if the position is a covered position.

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
January 12, 2011