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## News and Legislation Relating to Employment and Background Checks

### News and Federal Legislation:

#### Background Checks

- On January 11<sup>th</sup>, Pepsi Beverages agreed to pay \$3.13 million in fines and make policy changes to settle charges by the Equal Employment Opportunity Commission (EEOC) that the company used criminal history background checks to discriminate against black applicants for permanent positions. The EEOC had alleged that Pepsi's use of the criminal history background checks to deny jobs to individuals arrested pending prosecution, but who were never convicted of a crime, disproportionately impacted black persons. Under the terms of the settlement, Pepsi has agreed to pay the penalty; offer employment to those qualified applicants that were negatively impacted by the old policy; and supply the EEOC with regular reports on its hiring practices under its new criminal background check policy.  
(<http://eoc.gov/eoc/newsroom/release/1-11-12a.cfm>)

### State Legislation:

#### Background Checks

- On January 12<sup>th</sup>, the New Jersey Department of Education announced that notifications had been sent to 183 school board members in the state, who must resign or face criminal charges after failing to undergo a background check as required under a new state law (A. 444). The number represents approximately 3.5% of the state's 5,300 public school district and charter school board members. Individuals who obtained a background check before the notifications were sent will have the letters rescinded, while those who undergo the check after receiving the letter may be reappointed by their superintendents.  
(<http://www.therepublic.com/view/story/ee2ff7004e6c4d8ea3a9993ceac4090b/NJ--School-Boards-Background-Checks/>)
- On January 4<sup>th</sup>, the Council of the District of Columbia unanimously passed a bill (B19-0476), which would require all members of the District government's excepted service, including all political appointees, to undergo a criminal history background check and a credit check prior to assuming office. The bill now proceeds to Mayor Vincent Gray's desk for his signature.  
(<http://dclclims1.dccouncil.us/images/00001/20120111164812.pdf>)