



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 86434

File ID: 86434

File Type: Ordinance

Status: Council New
Business

Version: 1

Reference:

Controlling Body: Attorney's Office

File Created Date : 12/09/2024

File Name: Equal Opportunity Employer Considerations

Final Action:

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.

Notes: 6919EqualOpportunityAddition

INTRODUCED FROM THE FLOOR 12/10/2024

Sponsors: Dina Nina Martinez-Rutherford

Effective Date:

Attachments:

Enactment Number:

Author: Adriana Peguero

Hearing Date:

Entered by: mglaeser@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	12/10/2024	Referred for Introduction				
	Action Text: This Ordinance was Referred for Introduction						
	Notes: Common Council (1/14/25)						

Text of Legislative File 86434

Fiscal Note

[Enter Fiscal Note Here]

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.

CITY OF MADISON, WISCONSIN

AN ORDINANCE _____

PRESENTED

December 10, 2024
INTRODUCED FROM
THE FLOOR

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

REFERRAL(S)

Common Council (1/14/25)

86434

Drafted by: Adriana Peguero

Date: January 28, 2025

SPONSOR(S): Alder Martinez Rutherford

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 within the past three (3) years 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.

Approved as to form: