



Date: February 8, 2012
To: Senate Committee on Commerce
From: Nicole Proulx Aiken
Staff Attorney
Re: SB 295

Thank you for allowing me to appear before you today on behalf of the League of Kansas Municipalities and its member cities.

The League appears in opposition of SB 295 because it effectively prohibits employers from inquiring into a job applicant's employment history.

A job applicant's employment history is a legitimate factor all employers should be allowed to consider before hiring for a position. The League consistently recommends that its member cities conduct a background check and ask about employment history before hiring a job applicant. With the high cost of rehiring and retraining, these steps are crucial to ensure a city is selecting the best person that will be the right fit for the position from the beginning.

SB 295, however, would potentially ban these types of inquiries. Under this bill, cities would not be allowed to sort through job candidates with gaps in employment for legitimate reasons, (a family illness, an employer closing, etc.) from those with disconcerting reasons (terminated for negligence on the job, etc.)

In addition, it is not clear if background checks would even be allowed under this bill. For example, a city may accidentally violate this bill if it conducted a background check and learned there was a gap in the job applicant's employment not mentioned in the application. Moreover, the city could not use the information discovered by the background check to deny employment, even though the job applicant may have fibbed on the resume.

For these reasons, we request that you do not take action on SB 295. Thank you again for allowing me to appear before you today.

Senate Commerce Committee
Date: February 8, 2012

Attachment 4