

**TOWNSHIP OF RARITAN  
COUNTY OF HUNTERDON, NEW JERSEY**

**RESOLUTION #18-55**

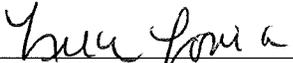
**A RESOLUTION CERTIFYING COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964"**

**WHEREAS**, N.J.S.A. 40A4-5 as amended by P.L. 2017, c. 183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964" as amended, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**WHEREAS**, the members of the Township Committee have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

**NOW, THEREFORE BE IT RESOLVED**, that the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

**ATTEST:**

  
\_\_\_\_\_  
Lisa Fania, RMC  
Township Clerk

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

  
\_\_\_\_\_  
Michael Mangin  
Mayor

**CERTIFICATION**

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee of the Township of Raritan at a meeting held on March 6, 2018.

  
\_\_\_\_\_  
Lisa Fania, RMC  
Township Clerk

**GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF COMPLIANCE  
WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S  
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in  
Employment Decisions Under Title VII of the Civil Rights Act of 1964"**

**GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES  
NO PHOTO COPIES OF SIGNATURES**

STATE OF NEW JERSEY  
COUNTY OF HUNTERDON

We, members of the governing body of the Township of Raritan being duly sworn according to law,  
upon our oath depose and say:

1. We are duly elected members of the Township Committee of the Township of Raritan in the County of Hunterdon;
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);
3. We are familiar with the local unit's hiring practices as they pertain to the consideration of an individual's criminal history;
4. We certify that the local unit's hiring practices comply with the above-referenced enforcement guidance.

(L.S.)

Sworn to and subscribed before me this

8<sup>th</sup> day of March 2018

Notary Public of New Jersey

LISA ANN KRIEGER  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 12/23/2018

Lisa Ann Krieger  
Yvonne Loria  
Clerk

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The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be executed before a municipality or county can submit its approved budget to the Division of Local Government Services. The executed certificate and the adopted resolution must be kept on file and available for inspection.



department of community affairs

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division of local government services dlgs

**LFN 2017-27**

**December 18, 2017**

# Local Finance Notice

Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

Charles A. Richman  
Commissioner

Timothy J. Cunningham  
Director

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## Municipal & County Budgets: Certifying Compliance with Federal Civil Rights Requirements

P.L. 2017, c. 183, signed into law by Governor Christie on August 7, 2017, amends the Local Budget Law to require municipal and county governing bodies to certify compliance with certain Federal civil rights requirements when submitting their approved budgets with the Division. Specifically, the governing body must certify that their municipality's or county's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," (hereinafter, "EEOC Enforcement Guidance"). A model group affidavit and resolution can be found on the "Municipal and County Budgets" section of the Division's website under the heading "Sample Resolutions".

EEOC's Enforcement Guidance discusses how an employer's use of criminal history records when deciding whether to select, promote, and retain employees may in some instances violate Title VII's prohibition against employment discrimination on the basis of race or national origin. Policies on the use of criminal history when making personnel decisions may violate Title VII under disparate treatment or disparate impact.

Discrimination on the basis of disparate treatment may occur when an employer treats criminal history information differently for different applicants or employees based on their race or national origin. Disparate impact-based discrimination may occur when an employer's neutral policy (e.g. excluding all applicants from employment based on certain criminal conduct) may disproportionately impact some individuals protected under Title VII and the policy is not job related and consistent with business necessity.

P.L. 2017, c. 183 encourages municipalities and counties to ensure their employment practices follow the EEOC Enforcement Guidance and comply with Title VII. Labor counsel and human resources personnel should review their municipality's or county's employment practices with governing body members and work with their governing bodies to ensure compliance.

With the rollout of the new Financial Automation Submission Tracking (FAST) solution, the group affidavit executed by the governing body along with the adopted resolution shall be kept on file with the municipality or county rather than submitted to the Division. In order to submit the budget, the CFO must certify that the governing body's executed certification is on file and available for inspection.

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Approved: Timothy J. Cunningham, Director

Document	Internet Address
P.L. 2017, c.183	<a href="http://www.njleg.state.nj.us/2016/Bills/PL17/183_.PDF">http://www.njleg.state.nj.us/2016/Bills/PL17/183_.PDF</a>
EEOC Guidance – Using Criminal History in Making Personnel Decisions	<a href="https://www.eeoc.gov/laws/guidance/arrest_conviction.cfm">https://www.eeoc.gov/laws/guidance/arrest_conviction.cfm</a>
Model Group Affidavit & Resolution: Compliance with EEOC Enforcement Guidance	<a href="http://www.nj.gov/dca/divisions/dlgs/programs/mc_budgets.html">http://www.nj.gov/dca/divisions/dlgs/programs/mc_budgets.html</a>