



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 130229

Introduced March 21, 2013

**Councilmembers Jones, Tasco, Goode, Blackwell, Greenlee, Kenney, Bass
and Reynolds Brown**

**Referred to the
Committee on Commerce and Economic Development**

AN ORDINANCE

Amending Title 9 of The Philadelphia Code, entitled "Regulation of Businesses, Trades and Professions," by enacting a new Chapter 9-3900, entitled "Fair Use of Credit Rating Information in Employment Decisions," to limit the use of credit information by employers in connection with applications for certain types of employment, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 9 of The Philadelphia Code is hereby amended to read as follows:

TITLE 9. REGULATION OF BUSINESSES, TRADES AND PROFESSIONS

* * *

CHAPTER 9-3900. FAIR USE OF CREDIT RATING INFORMATION IN EMPLOYMENT DECISIONS.

§ 9-3901. Definitions.

The following terms shall have the following meanings for purposes of this Chapter:

(1) "Applicant" means any person considered or who requests to be considered for employment by an employer.

(2) "Employer" means any person, partnership, association, corporation, labor organization or business entity which employs ten or more persons within the City.

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(2) *“Employment” means any occupation, job or work for which compensation is received or expected, including temporary or seasonal work, contracted work, contingent work and work through the services of a temporary or other employment agency.*

§ 9-3902. *Prohibition against the use of credit reports in connection with certain types of employment applications.*

(1) *An Employer shall not request or review the credit rating, credit history or credit report of an Applicant, unless the Applicant seeks employment that:*

(a) *Requires the employee to handle money;*

(b) *Requires the employee to have responsibility for financial accounts of the Employer or the Employer’s clients or customers;*

(c) *Otherwise would require or allow the Employee to work with financial information, to the extent that the Applicant’s ability to maintain a good personal credit rating could have a direct bearing on the Applicant’s fitness or ability to perform the work required.*

(2) *The prohibition of subsection (1) shall not apply if such inquiry or review of credit information is specifically required or permitted by any other applicable law.*

§ 9-3903. *Enforcement.*

(1) *The Mayor’s Office of Labor Standards, or such other office or agency as the Mayor shall designate, shall administer and enforce this Chapter.*

(2) *Each violation of this Chapter shall constitute a Class III offense, for which any person in violation shall be subject to the fines set forth in § 1-109 (3) of this Code.*

Explanation:

Italics indicate new matter added.