

SUBSTITUTE
ORDINANCE

WHEREAS, the City of Chicago ("City") is a home rule unit of government under Article VII, Section 6(a) of the 1970 Constitution of the State of Illinois and, as such, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to regulate for the protection of the public health, safety, and welfare; and

WHEREAS, Under Section 2-92-390 of the Municipal Code of Chicago, the Commissioner of Planning and Development is authorized to designate socio-economically disadvantaged areas based on criteria set forth in rules promulgated by the Commissioner of Planning and Development, including, but not limited to, the median family income of an area; and

WHEREAS, the Commissioner of Planning and Development designated socio-economically disadvantaged areas based on three objective criteria; namely, the median household income (lowest to highest), poverty rate (highest to lowest), and unemployment rate (highest to lowest); and

WHEREAS, the three criteria for designating socio-economically disadvantaged areas are weighted equally; and

WHEREAS, the Commissioner of Planning and Development uses decennial census data and American Community Survey data to designate socio-economically disadvantaged areas; and

WHEREAS, the City has a legitimate governmental interest in promoting the social and economic wellbeing of residents in socio-economically disadvantaged areas which are disproportionately impacted by low household income, high level of poverty, and high level of unemployment in comparison to the rest of the City; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Chapter 2-74 of the Municipal Code of Chicago is hereby amended by inserting a new Section 2-74-075, as follows:

2-74-075 Hiring preference for residents of socio-economically disadvantaged areas.

(a) For purposes of this Section, the following definitions shall apply:

"Commissioner" means the City's Commissioner of Human Resources.

"Covered position" means any open position in a City department in the following categories of City service under Section 2-74-030: (i) departmental employment service employees; (ii) employees whose work is seasonal and does not exceed 180 days in any calendar year; and (iii) career service employees.

"Department" means the Department of Human Resources.

"Hiring plan" means the hiring plan covering the applicable City department developed pursuant to *Shakman, et al. v. City of Chicago, et al*, Case Number 69 C 2145 (N.D. Ill.), each as amended from time to time.

"Socio-economically disadvantaged area" means any area within the City that meets the criteria for designation as a socio-economically disadvantaged area as set forth in rules promulgated by the Commissioner of Planning and Development pursuant to Section 2-92-390.

(b) Unless otherwise prohibited by the hiring plan or any federal, state, or local law, and subject to the availability of eligible applicants, the Department shall provide a referral list for employment in a covered position that includes 25 percent of eligible applicants who are residents of socio-economically disadvantaged areas.

(c) The Department shall: (1) include a hiring preference provision consistent with this section in all postings soliciting applicants for covered positions; and (2) maintain records adequate to monitor compliance with this section.

(d) The Commissioner is authorized to adopt rules for the proper administration and enforcement of this section.

(e) In the event of a conflict between this section and a bona fide collective bargaining agreement, the collective bargaining agreement shall prevail.

SECTION 2. This ordinance shall take effect 60 days after its passage and publication.



Jason C. Ervin
Alderman, 28th Ward