

FAIR CHANCE HIRING 2017

FACT SHEET FOR EMPLOYERS



FAIR CHANCE HIRING PRACTICES

An employer may not publish or cause to be published information about a job that states or implies that an individual's criminal history automatically disqualifies the individual from consideration for the job.

An employer may not solicit or otherwise inquire about the criminal history of an individual in an application for a job.

An employer may not solicit criminal history information about an individual or consider an individual's criminal history unless the employer has first made a conditional employment offer to the individual. This does not preclude an employer from explaining to applicants, in writing, the individualized assessment system that the employer uses to consider criminal history.

An employer may not refuse to consider employing an individual in a job because the individual did not provide criminal history information before the individual received a conditional employment offer.

An employer may not take adverse action against an individual because of the individual's criminal history unless the employer has determined that the individual is unsuitable for the job based on an individualized assessment conducted by the employer.

An employer who takes adverse action against an individual based on the individual's criminal history must inform the individual in writing that the adverse action was based on the individual's criminal history.

A staffing agency may solicit criminal history information about an individual and make an individualized assessment of an individual's criminal history when the staffing agency has identified a job to which the individual will be employed or placed in a staffing pool.

RETALIATION PROHIBITED

An employer may not take adverse action against an individual because the individual has reported a violation by an employer, or has participated in an administrative proceeding.