



# FAIR CHANCE INITIATIVE FOR HIRING

LA

# FACT SHEET

AN EMPLOYER WITH TEN (10) OR MORE EMPLOYEES IN THE CITY OF LOS ANGELES CANNOT INQUIRE INTO A JOB APPLICANT'S CRIMINAL HISTORY, BY ANY MEANS, UNLESS AND UNTIL A CONDITIONAL OFFER OF EMPLOYMENT HAS BEEN MADE TO THE APPLICANT.

## APPLICATION (& INTERVIEW if desired)

Job postings & solicitations must inform Applicants that qualified individuals with Criminal Histories will be considered.

EXCEPTIONS FROM CERTAIN EMPLOYMENT APPLICATION PROCEDURES MAY APPLY. VISIT OUR WEBSITE FOR MORE INFORMATION.

## CONDITIONAL OFFER OF EMPLOYMENT

This may only be conditioned on an assessment of the Applicant's Criminal History, if any, and the duties and responsibilities of the Employment position.

## CRIMINAL BACKGROUND CHECK (if desired)

A Criminal History Report may include information regarding records of Conviction(s) of a misdemeanor or felony for which the Applicant was placed on probation, fined, imprisoned, or paroled.

## INDIVIDUALIZED ASSESSMENT (if applicable)

An Applicant's qualifications must be considered in light of the Equal Employment Opportunity Commission "Green Factors":

- NATURE AND GRAVITY** harm caused by criminal conduct
- TIME** amount of time passed since convicted offense(s)
- JOB DUTIES AND RESPONSIBILITIES** essential functions, circumstances, and environment of the Employment position
- CONVICTIONS** arrests that do not lead to conviction cannot be considered in Employment decisions.  
(See Rules & Regulations for more information.)

## FAIR CHANCE PROCESS (if applicable)

An Employer must perform a written Individualized Assessment considering the responsibilities of the Employment position and the Applicant's Criminal History. If the Assessment effectively links specific aspects of the Criminal History with risks inherent to the job duties, an Employer must:

- ▶ provide the Applicant with written notice of the proposed Adverse Action, written assessment, supporting documentation, and the date the Applicant was notified.
- ▶ hold the job open for at least five (5) business days after the Applicant has been informed.
- ▶ allow the Applicant an opportunity to submit documentation while the job is held open.

An Applicant's documentation should include examples of relevant individualized evidence (e.g., explanation of circumstances, proof of rehabilitation, errors in the Criminal History, references, etc.) and must be reviewed by the Employer.

VISIT THE EEOC'S WEBSITE (<http://www.eeoc.gov/>) TO LEARN MORE ABOUT THE ENFORCEMENT GUIDANCE "GREEN FACTORS" AND DOCUMENTATION.

## REASSESSMENT & FINAL DECISION (if applicable)

An Employer must review all documentation submitted by the Applicant, reassess the proposed Adverse Action in light of the information received, notify the Applicant of the final decision, and - if applicable - provide written notice of the Adverse Action, copy of the written reassessment, supporting documentation, & the date the Applicant is notified. An Employer must keep copies of all related records for three (3) years.



FOR MORE INFORMATION, CONTACT THE OFFICE OF WAGE STANDARDS:

1-844-WAGESLA (924-3752) WAGESLA@LACITY.ORG BCA.LACITY.GOV/FAIR-CHANCE



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