

Support SB 4 – Fair Hiring Practices

Encourage state employment opportunities amongst formerly incarcerated individuals.

THE CHALLENGE

- People with a criminal background need to be able to work and earn money just like everyone else.
- Many people with a criminal background apply for jobs for which they are well-qualified but do not have their job applications even *considered* because of their past.
- Studies have shown that individuals with a criminal record stand a much better chance of getting hired if they reach the interview stage where they are able to explain their past in person.
- The State of Maryland should encourage all qualified applicants, including those with a prior criminal conviction history, to apply for state employment.

WHAT THIS MEANS

- The “box” refers to the question on state job applications where prospective state employees are asked to check “yes” or “no” if they have ever been convicted of a crime.
- Removing the question from the application simply allows applicants to get a foot in the door and prove their qualifications rather than be automatically dismissed because of a box they checked at the beginning of the process.

BACKGROUND CHECKS ARE STILL CONDUCTED

- The State can still conduct background checks on applicants. The bill simply removes the question from the application so that candidates have a chance to interview and prove their qualifications before the background check occurs.

MANY OTHER PLACES HAVE REMOVED THE BOX

- California, Colorado, Connecticut, Massachusetts, Minnesota, New Mexico, Hawaii, and Wisconsin as well as several cities – including Baltimore and Washington, D.C. – already have the policy in effect. Others cities include Chicago, Minneapolis, New York City, Philadelphia, Seattle, and St. Paul.
- Policies are under consideration in Nebraska, New Jersey, Pennsylvania, and Rhode Island.

THE SOLUTION

- By codifying the existing policy into statute we can ensure that Maryland continues to encourage the fair hiring of all Maryland job seekers, regardless of prior criminal conviction history.
- The fact that an applicant may have a criminal conviction history, standing alone, should not automatically disqualify a candidate if they are otherwise qualified for the job.
- For the first time in 25 years, the U.S. Equal Employment Opportunity Commission recently updated its guidance on how employers may use criminal records in the hiring process, reaffirming that it is illegal under the Civil Rights Act for companies to exclude people from employment based on arrest or conviction records – unless the offense is directly related to the job at hand.
- Removing the question from state job applications shows that Maryland is committed to encouraging all qualified workers – regardless of prior conviction history – to apply for state employment.

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