





FOR MORE INFORMATION, PLEASE CONTACT THE OFFICE OF WAGE STANDARDS:

- 1-844-WAGESLA (924-3752)
- wagesla@lacity.org
- <http://bca.lacity.gov/fair-chance>
- 1149 S. Broadway, Suite 300 Los Angeles, CA 90015

1. APPLICATION (& INTERVIEW if desired)

Job postings and solicitations must **not** include any question(s) related to Criminal Histories and must inform Applicants that qualified individuals with criminal records will be considered.

An Applicant should prepare **documentation** before applying to a position. Documentation can include:


- Explanation of circumstances surrounding the offense(s) for which you were convicted;
- Number of offenses for which you were convicted;
- Age at time of conviction or release from prison;
- Evidence of pre-conviction and post-conviction work history (with no known incidents of criminal conduct);
- Evidence of rehabilitation efforts (proof of education or training, letters of recommendation, certificates);
- Employment or character references and any other information showing fitness for position;
- Proof of bond under a federal, state, or local program.

An Employer must not inquire into an Applicant's Criminal History, **by any means**, unless and until a Conditional Offer has been made to the Applicant.

WHAT'S THE APPLICATION PROCESS?

- APPLICATION (& INTERVIEW IF DESIRED)**
- CONDITIONAL OFFER OF EMPLOYMENT**
ONLY CONDITIONED UPON AN ASSESSMENT OF THE APPLICANT'S CRIMINAL HISTORY, IF ANY, AND THE RESPONSIBILITIES OF THE EMPLOYMENT POSITION
- CRIMINAL BACKGROUND CHECK (IF DESIRED)**
- INDIVIDUALIZED ASSESSMENT (IF APPLICABLE)**
- FAIR CHANCE PROCESS (IF APPLICABLE)**
- REASSESSMENT (IF APPLICABLE)**

TURN OVER FOR MORE INFORMATION ON THE FAIR CHANCE INITIATIVE FOR HIRING APPLICATION PROCESS.



3. CRIMINAL BACKGROUND CHECK (if desired)

A criminal background check is **NOT** required.

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

Visit <http://www.EEOC.gov/> for more information.

NATURE & GRAVITY	Harm caused by criminal conduct.
JOB DUTIES & RESPONSIBILITIES	Position's essential functions, circumstances, and environment.
CONVICTIONS	Arrests that do not lead to conviction CANNOT be considered in Employment decisions. (See Rules & Regulations for more info.)

Amount of time passed since offense(s).

WHAT IS IT?

Employers 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.

WHO'S COVERED?

- **ALL JOB APPLICANTS** (i.e., full-time, part-time, exempt, temporary, independent contractor, etc.)
- **EMPLOYERS** with at least ten (10) Employees in the City of Los Angeles
- Some **EXCEPTIONS** from certain Employment Application procedures include but are not limited to:
 - An Employer required by law to obtain information regarding a Conviction of an Applicant
 - An Employment position requiring possession or use of a firearm
 - An Applicant who is prohibited by law from holding the Employment position

5. FAIR CHANCE PROCESS (if applicable)

A Conditional Offer of Employment may be rescinded if an Applicant's Criminal History is determined to pose **risks inherent to the Employment position**.

An Employer must:

- ASSESS** the responsibilities of the Employment position and the Applicant's Criminal History, if any. If the written assessment effectively links specific aspects of the Criminal History with risks inherent to the job duties, the Employer may move forward with a proposed Adverse Action.
- NOTIFY** the Applicant of the proposed decision & provide written notice of the proposed Adverse Action, copy of the written assessment, date the Applicant was notified, & supporting documentation.
- HOLD** the position open for at least five (5) business days after the Applicant is informed.
- ALLOW** the Applicant the opportunity to submit documentation to the Employer.

An Applicant has at least **FIVE (5) BUSINESS DAYS** after notification of the proposed Adverse Action to respond to the Employer with documentation presenting mitigating information.




6. REASSESSMENT (if applicable)

After an Employer receives documentation with examples of relevant individualized evidence from the Applicant, an Employer **must:**

- REVIEW** all documentation submitted by the Applicant. Documentation may include references, proof of rehabilitation, explanation of mitigating factors, & more.
- REASSESS** the proposed Adverse Action in light of the information received.
- NOTIFY** the Applicant of the final decision & if applicable, provide written notice of the Adverse Action, copy of the written reassessment, date the Applicant was notified, & supporting documentation.

An Employer must keep copies of all related records for three (3) years.

 You may file a related claim for any related violations with the Office of Wage Standards in person, by phone, by mail, or online.