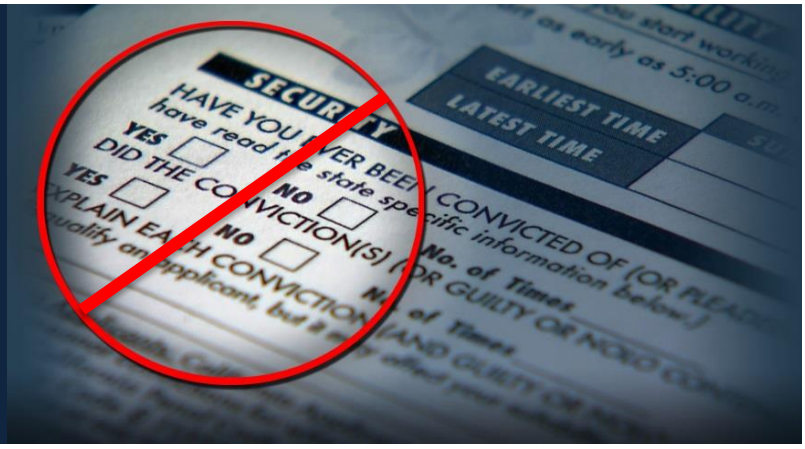
PHILADELPHIA'S FAIR CHANCE HIRING LAW



ENSURING PEOPLE WITH CRIMINAL RECORDS HAVE A FAIR CHANCE TO WORK

Starting March 14, 2016, stronger protections under the City's "Ban the Box" law go into effect.

It is illegal in Philadelphia for employers* to ask about your criminal background during the job application process.

This means that:

Employers **cannot** ask about your criminal background on job applications or during any job interview.

Employers can run your criminal background check ONLY AFTER a **conditional offer of employment** is made (final hiring depends on the results of your background check).

- Criminal convictions can be considered *ONLY* if they occurred less than 7 years from when you apply (not counting time of incarceration).
- Arrests that did not lead to conviction cannot be used in employment decisions.

If your background check reveals a conviction, the employer must consider:

- The type of offense and the time that has passed since it occurred;
- Its connection to the job you are applying for; and
- Your job history, character references, and any evidence of rehabilitation.

Employers can reject you based on your criminal record ONLY if you pose an unacceptable risk to the business or to other people.

If you are rejected, the employer must send the decision to you in writing with a copy of the background report used to make the decision.

- You have 10 days to give an explanation of your record, proof that it is wrong, or proof of rehabilitation.

WE CAN HELP!

If you believe an employer has violated the law, you can file a complaint with the PCHR.

Philadelphia Commission on Human Relations
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PCHR
PHILADELPHIA COMMISSION ON HUMAN RELATIONS

*Some employers are exempt.