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What does Fair Chance Employment legislation do?

This fair chance employment policy encourages employers to eliminate blanket exclusions of people with criminal records, delaying criminal history inquiries until after an applicant has been deemed as qualified for the position, and encouraging employers to consider information about an applicant's criminal record in a job-related context.

Specifically, this Idaho proposal would:

1. Ensure access to the employment process by barring language in job descriptions and applications that seeks to exclude people with previous criminal convictions.
2. Ask employers to first determine whether the applicant is otherwise qualified for the job before inquiring into an applicant's previous criminal history at either the interview stage, or upon a conditional offer of employment, if no interview is offered.
3. Continue to allow employers to conduct criminal background checks to make informed hiring decisions and provides balanced exemptions for employers who are required by law, rule or regulation to consider an applicant's criminal background prior to an interview or conditional offer of employment.

This legislation would not require that an employer hire or even interview a candidate that has a criminal conviction.

This legislation would not provide for intrusive government intervention or punishment for employers who fail to follow the guidelines.

For more information on Fair Chance Employment legislation or to learn more about the campaign for Idaho, the following resources are available:

www.barnoneidaho.org/fairchance

www.nelp.org/campaign/ensuring-fair-chance-to-work/

www.acluidaho.org/en/campaigns/ensuring-fair-chance-employment-practices-idahoans-post-conviction