

THE OHIO FAIR HIRING ACT

Cities have proven that smart, redemptive reform works.
Now it's time to take it statewide.

Why we need the Ohio Fair Hiring Act



1 in 6 Ohioans — 1.92 million people, or over 16% of our available workforce — has a criminal record. Most local governments in Ohio follow state law and have murky rules about hiring workers with criminal records. These civil-service rules send a message that it doesn't matter whether you work hard to turn your life around. These rules send the message that people with records, even if they are highly qualified workers, need not apply.



Rep. Schuring

Rep. Slesnick

All of this is why **Rep. Kirk Schuring (R, Canton)** and **Rep. Steve Slesnick (D, Canton)** introduced the Ohio Fair Hiring Act last session and intend to do so again this session. This bill sends a new message: government can reinforce redemption and rehabilitation while responsibly hiring the best workers. **Now is the time to take action with your own legislator — ask them to contact Rep. Schuring (614-752-2438) to find out how to best support the bill at this time.**

How the Ohio Fair Hiring Act works



Get the best employees

Do not ask about criminal record on the job application or in any of the preliminary stages of the hiring process. *Why?* Because whenever a hiring decision-maker checks criminal records first, they tend to make knee-jerk judgments, overlooking applicants' sometimes excellent qualifications for the job



Fairness

Do not run a criminal record check, but not until the job candidate has passed the civil service exam, has been interviewed, and has been given a conditional job offer. Delaying the criminal record check ensures that the applicant's character or qualifications are considered first. *People are treated like people, not pieces of paper.*



Common sense

Once the check is done, the hiring decision-maker can reject an applicant because of a criminal record only after considering in writing a series of factors that answer a basic question: *why is this criminal record relevant to this job?* If the past offenses are relevant to the job, the hiring manager is free to reject that applicant.

More benefits of the Ohio Fair Hiring Act



Transparency

Make clear on job postings which jobs have state or federal laws that absolutely bar employment based on criminal records, and list exactly which offenses trigger the state or federal bar. That way, applicants can self-select out of jobs they know they won't be eligible for.



Federal compliance made easy

By asking these common-sense questions, the civil-service agency not only gets the best workers, it is also likely complying with recent U.S. EEOC directives on the consideration of criminal records in the hiring process. Read more about these directives at http://bit.ly/EEOC_guidance-20120425



Good government

Citizens have a right to expect rules that produce fair and consistent results both now and into the future. Also, should there ever be a person with a criminal record who performs badly on the job, having a clear and fair process at the outset ensures the local government will be protected in the court of law and the court of public opinion.

Where else have Fair Hiring Policies been adopted?

Ten cities and counties in Ohio have implemented these sensible rule changes: Cincinnati, Hamilton County, Cleveland, Cuyahoga County, Dayton, Canton, Akron, Summit County, Massillon, and Youngstown. The Ohio Justice & Policy Center (www.ohiojpc.org) helped craft the policies for most of these local governments, and OJPC worked closely with the sponsors of the Ohio Fair Hiring Act ([HB 654](#)) to develop that bill. Please feel free to contact OJPC for more information and background research.



Eleven other states — six of those in 2013 and 2014 — have adopted similar Fair Hiring reforms: Colorado, California, Connecticut, Hawaii, Illinois, Maryland, Massachusetts, Minnesota, New Jersey, New Mexico, and Rhode Island. The National Employment Law Project maintains an excellent website with details on **60+ more cities** and **11 states** that have enacted Fair Hiring Policies:

<http://bit.ly/NELP-CrimRecordsEmployment>



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This handout is available online at:
<http://bit.ly/OJPC-FairHiring1pg>
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