Days Of Our [Employment] Lives (Part Five): Recruiting Employees In Other States? It May Be Time To Remove Criminal History Inquiries From Your Applications.

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Effective Jan. 1, 2018, the largest state in the nation, California, will join the national “Ban the Box” initiative by prohibiting criminal background inquiries in employment applications. California’s new law restricts employers’ scope, timing, and usage of criminal background check information in the hiring process. Similarly, public and private employers in Spokane, Washington will be prohibited from making certain pre-employment offer criminal history inquires of applicants beginning in 2019. With these two additions, there are now 10 states and 16 localities that have banned the box for public and private employers, and over 150 other jurisdictions prohibiting public employers from asking certain questions about applicants’ criminal background.

Private employers who recruit in the locations listed below will need to review their employment applications to ensure they do not run afoul of applicant inquiry restrictions. Public and private employers should contact legal counsel to discuss the options available to them as they seek to fill open positions across numerous jurisdictions.

States
1. California
2. Connecticut
3. Hawaii
4. Illinois
5. Massachusetts
6. Minnesota
7. New Jersey
8. Oregon
9. Rhode Island
10. Vermont

**Cities and Counties**

1. Austin, TX
2. Baltimore, MD
3. Buffalo, NY
4. Chicago, IL
5. Columbia, MO
6. the District of Columbia
7. Los Angeles, CA
8. Montgomery County, MD
9. New York City, NY
10. Philadelphia, PN
11. Portland, OR
12. Prince George’s County, MD
13. Rochester, NY
14. San Francisco, CA
15. Spokane, WA
16. Seattle, WA