



Friday, August 5, 2016

RE: FAIR EMPLOYMENT POLICY IN THE CITY OF LOS ANGELES

Council File 14-0746

To the Los Angeles City Council,

Date: 9/27/16  
Submitted in EDC Committee  
Council File No: 14-0746  
Item No.: 5  
Adam R. Lid

As business owners in Los Angeles, we fully support increasing our employee and applicant pools to the best of our ability and working to give workers in Los Angeles a fair chance at employment. This is why we support the Fair Chance Initiative. According to the National Institute of Justice, a criminal record reduces the likelihood of a job offer by 50 percent. Since nearly one in three Americans of working age have a criminal record, many business leaders have recognized that it not only makes good economic sense to adopt fair hiring practices, but it also strengthens communities to provide access to a fair chance. Too often, a criminal record disqualifies individuals from full participation in our communities, even if they have paid their debt to society. We believe that we should not reject people at the start of our hiring process who are otherwise capable, qualified, and deserving of the opportunity to work for our business. If we want to stop the revolving door of imprisonment, we must limit the stigma so often associated with a criminal record and instead allow applicants to be judged on their job-related qualifications.

On July 1, 2014, AB 218 (Ban the Box), which removes the question about one's criminal history from initial employment applications for local and state jobs in California, became state law. The time is right for the city of Los Angeles to carry forward the mandate of AB 218 and pass our own comprehensive Fair Chance legislation for private jobs. Seven states and a number of major cities including New York, San Francisco, Chicago, and Washington D.C. have already passed ban-the-box legislation that applies to private employers. We ask your support on the Fair Chance Initiative, which—if passed by Los Angeles City Council—would help thousands of Angelenos regain their status as productive citizens by removing unnecessary barriers to employment for individuals with criminal records.

Los Angeles is home to the largest number of people who have criminal records anywhere in the nation, and the adverse consequences of mass incarceration disproportionately affect our most disadvantaged communities. Allowing individuals with a criminal history more access to the job market will decrease the city's unemployment numbers and improve the overall economy in Los Angeles. The economic reintegration that comes with access to employment is vital to patching the fabric of our city, making it stronger. That is why we strongly support the principles behind the Fair Chance Initiative. As members of the business community, we agree that:

- Background checks and questions about criminal history, verbal or written, should be delayed until after a conditional offer of employment has been made.
- People's current character and their ability to effectively do the job should have more weight than their old criminal records; no denial or adverse action upon application for license or employment should be made unless (1) there is a direct relationship between the acts underlying one or more of the previous criminal offenses and the specific license or employment sought or held by the person; and, (2) issuance or continuation of the license or the granting or continuation of the employment would create a specific risk to property or to the safety or welfare of specific individuals or the general public.
- We need a strong enforcement mechanism where private employers are held accountable to comply with the ordinance so that employees discriminated against feel inclined to pursue the reporting process. This will create legal clarity for us around hiring practices and believe all employers in LA should be held to the same standards.

We ask your support for the Fair Chance Initiative, which will create a larger applicant pool for Los Angeles private employers like us with potential qualified employees. Without opportunities for employment, a prison sentence becomes a life sentence. We hope that you will vote to end unnecessary discrimination, and instead allow individuals with criminal records the opportunity to work, contribute to society, regain their dignity, and keep their families together.

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