

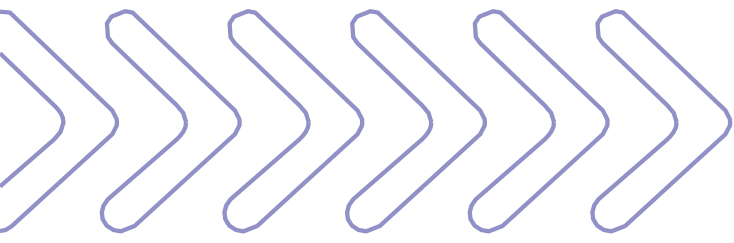


**PLAYBOOK**

# Mobilizing Untapped Talent

**Destigmatizing Reentry through support for Fair Chance Hiring**

January 2022



**Fair Chance Hiring:** An estimated half of working age Black Americans have some level of justice involvement, many of whom are talented, reliable, and eager to work. Implementing practices to reduce employment barriers, recruit, and develop this untapped talent pool will provide corporations a significant competitive advantage over those who do not, as well as an opportunity to drive positive change in the Black community.



# ENGAGE

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## Background

The American Dream is built on the collective belief that through resolve, hard work, and a willingness to learn, we can change our lives for the better; and that whoever we are, wherever we're from, and whatever our current circumstances, we can improve our standard of living.

This dream is shared by all of us, including millions of Black Americans with conviction records whose experience with the justice system has resulted in dramatic personal transformation.

Each year, thousands of these Americans return to their communities, determined to turn their lives around. What they need most is opportunity.

The business community is positioned to provide that opportunity through meaningful employment and appropriate support for a journey so many others take for granted. As business leaders, we must reinforce the ideals that define us as a nation. Together, we can help make the American Dream a reality for fellow citizens who deserve a fair chance.

## Vision

In our vision of America:

- The business community sees justice-involved individuals as a valued part of the talent pool, and fair chance as a positive for business.
- Within the Black community (the most affected by incarceration), people with conviction records can obtain meaningful work through employers' intentional hiring and support efforts.
- Enlightened leaders understand that reduced recidivism resulting from successful reentry benefits individuals and families, the community, and our nation.

## Mission

Our mission is to engage the business community in implementing **Fair Chance Hiring** policies and practices that remove barriers to employment.

Denny's is a **Fair Chance Hiring** champion that actively recruits justice-involved individuals— providing them with the same leadership paths, including those to franchise ownership, accessible to all other employees. As CEO John Miller stated on PBS recently, "Denny's goal is to provide a restart for people that have been in prison, a place to build a career [and] build ownership through franchising." In this way, he says, Denny's endeavors to "demonstrate what good corporate governance should look like."<sup>1</sup>

1. Amanpour & Company. (2021, July 20). Should Brands Take Stands? Corporations and Social Justice. PBS. <https://www.pbs.org/wnet/amanpour-and-company/video/should-brands-take-stands-corporations-and-social-justice-en/>

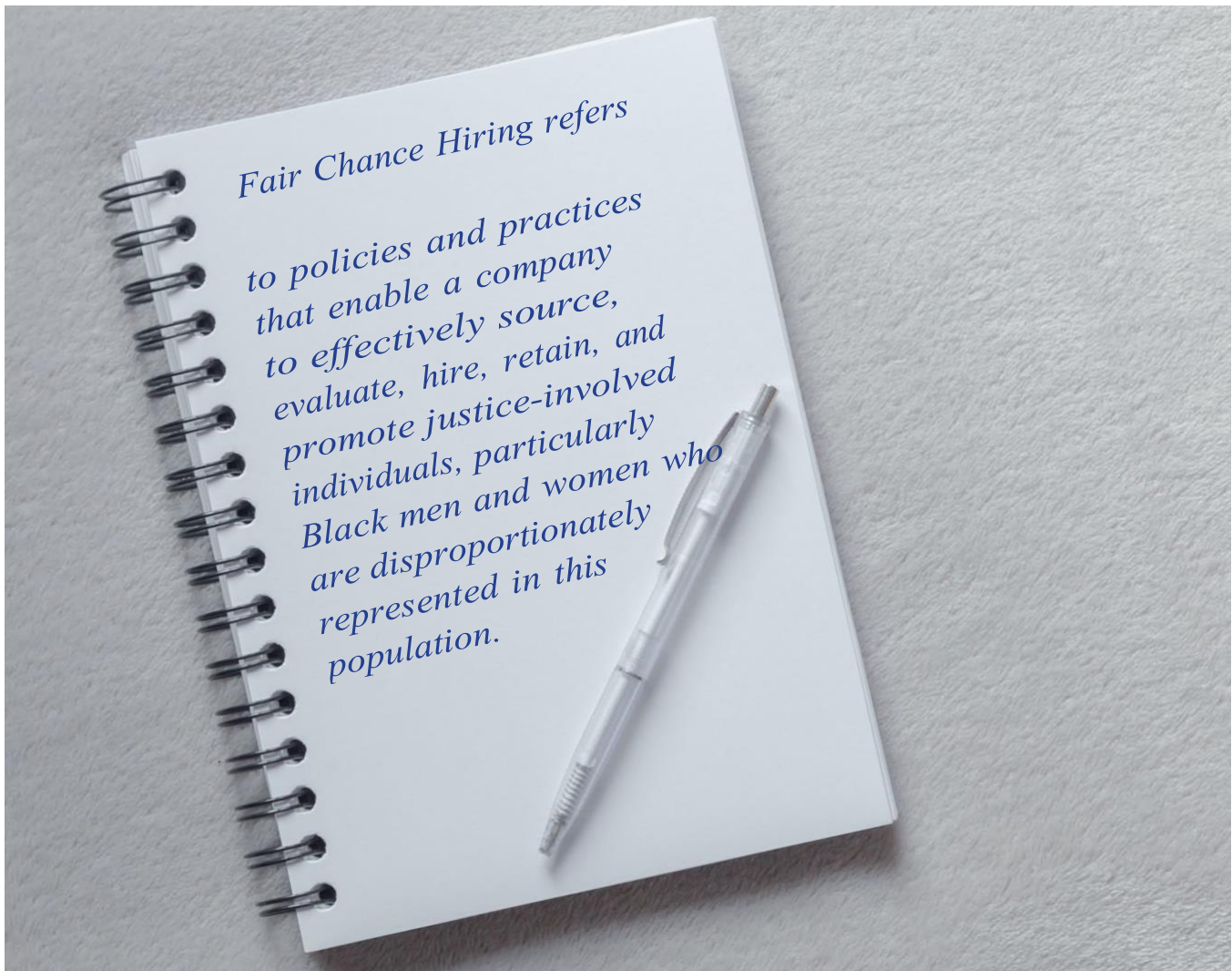


## Invitation

As you go through this document, we hope you'll be mindful of ways your company can join the movement. Please note success stories from financial services; manufacturing, healthcare, and others included in the industry snapshots section in the back of this playbook. Across all industries and sectors, the Black justice-involved population needs leaders to take action.

### Playbook Preview: What you will find

- A list of leading practices from public sources to support companies beginning or advancing Fair Chance Hiring activities
- A list of organizations that can support Fair Chance Hiring initiatives
- A set of appendices including examples of success and other useful information
- Accompanying this playbook you will also find a sample PowerPoint of material for education and broad discussion



## Commitment to racial equity takes all of us.



**WHO WE ARE:** The CEO Action for Racial Equity Fellowship brings together top talent to advance public policies and corporate engagement strategies that will address systemic racism, social injustice, and improve societal well-being. The Fellowship is a first-of-its-kind, business-led initiative that uses the power and speed of CEO Action for Diversity & Inclusion™ signatory organizations to help forge equitable pathways for the more than 47 million Black Americans.

**OUR SOCIAL CONTRACTS:** Leveraging the resources of corporate America, we are focused on three areas that disproportionately affect Black Americans where our companies can have direct impact: forging prioritized collaborative relationships with HBCUs, advancing equity through diversity in corporate contracting and procurement, and **destigmatizing reentry through support for Fair Chance Hiring.**

### EXECUTIVE SUMMARY

## Mobilizing Untapped Talent

Destigmatizing Reentry through support for Fair Chance Hiring

### The Societal Problem

The US criminal justice system impacts the Black community more than any other group, accounting for up to 40%<sup>1</sup> of those incarcerated and 35% of the 70 million<sup>2</sup> Americans who have been involved with the justice system. Experience with the justice system has far reaching consequences, including stigmatization and discrimination which often bar these individuals from employment opportunities, creating a cycle of unemployment, lost opportunity, and often, recidivism. Beyond personal loss, there are significant economic and social losses as well. Lost wages from this group amount to \$78-\$87B<sup>3</sup> in GDP, and incarceration costs the US ~\$180B per year<sup>4</sup>.

An estimated half of working age Black Americans have some level of justice involvement, many of whom are talented, reliable and eager to work. Implementing practices to employ these individuals will provide corporations a significant competitive advantage over those who do not, as well as an opportunity to drive positive change in the community. Unemployment is a primary reason 77% of people released will return to prison within five years<sup>5</sup>. This primary reason is one we can, and must address directly.

### THE SOLUTION — FAIR CHANCE HIRING

CEOARE will provide tools and resources to help companies assess fair chance hiring opportunities (e.g., direct hiring, business diversity, philanthropy, and advocacy) and provide pathways for progression.

#### Vision

Our vision is a world in which Black individuals involved with the justice system are considered a valued part of the talent pool and have equal opportunities for employment—breaking the cycle of unemployment, recidivism and lost potential.

#### Mission

To empower corporations to implement fair chance hiring practices through assessment, education and engagement, thereby expanding employment opportunities for Black Americans who have been previously involved in the criminal justice system.

#### Methodology: The 3 E's of Reentry

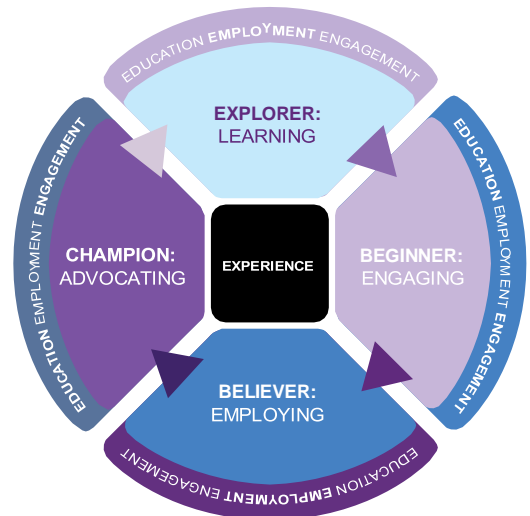
**Education:** Provide education and resources to all levels of management to understand the need for and impact of fair chance hiring and how to implement leading practices.

**Employment:** Provide tools, resources, and methodology for implementing Fair Chance Hiring policies, processes and support structures, including a framework for responding to 'ban the box' legislation.

**Engagement:** Identify connections to nonprofit entities, business coalitions, government agencies and organizations that provide Reentry support.

**Education + Employment + Engagement + Experience = Equity**

#### Framework: The Fair Chance Continuum



#### RACIAL EQUITY

- < Each level involves all 3 E's of the methodology. Highlighted areas are primary focus.
- < Improving the experience of the Black individuals involved in the justice system is central to every aspect of our work.

1 <https://www.worldatlas.com/articles/incarceration-rates-by-race-ethnicity-and-gender-in-the-u-s.html>  
2 <https://www.brennancenter.org/sites/default/files/2020-09/EconomicImpactReport.pdf.pdf>  
3 <https://cepr.net/images/stories/reports/employment-prisoners-felonies-2016-06.pdf>  
4 <https://ejl.org/news/mass-incarceration-costs-182-billion-annually/>  
5 <https://bjs.ojp.gov/library/publications/recidivism-prisoners-released-30-states-2005-patterns-2005-2010-update>

**Taking Action** > Our goal is to obtain commitments from a majority of the CEOARE signatories by September 2022 to take action to strengthen a fair chance hiring agenda at their companies so that we can decrease the stigma surrounding justice involvement and promote viable employment opportunities for Black individuals involved with the justice system. We will accomplish this goal by providing tools, resources, training, and support—directly and through information sharing with peers—to meet companies at their current comfort level and help them progress through the maturity continuum.

## Fair Chance Hiring: The need

Each year, as roughly 650,000<sup>2</sup> citizens are released from prison back into the community, they face an uphill battle to successful reintegration into society. Sadly, 68% will have been rearrested within three years,<sup>3</sup> and more than three out of four (77%) within five years.<sup>4</sup> These statistics represent the highest rate of recidivism in the world.

In April 2021, President Biden designated April “Second Chance” Month, stating:

*“America’s criminal justice system must offer meaningful opportunities for redemption and rehabilitation. After incarcerated individuals serve their time, they should have the opportunity to fully reintegrate into society. It benefits not just those individuals but all of society, and it is the best strategy to reduce recidivism.”<sup>5</sup>*

*A Proclamation on Second Chance Month, 2021 signed March 31, 2021.*

### Opportunities for redemption and rehabilitation:

#### Why should corporate America care?

- **Recidivism rates reveal imprisonment as a failed proposition.** If the goal of a prison sentence is to deter crime, a 77% recidivism rate<sup>6</sup> suggests it doesn’t.
- **Employment interrupts recidivism.** Research shows employment to be a key driver in interrupting this devastating cycle.<sup>7</sup>
- **People released from prison have already served their time.** If they are released only to be denied opportunities, any prison sentence, even for a minor offense, can effectively become a life sentence.
- **Conviction-related barriers to employment hurt our economy.** In 2014, such barriers deprived the U.S. of 1.7 -1.9 million<sup>8</sup> workers and a loss of \$78 - \$87 billion in GDP.<sup>9</sup>
- **Mass incarceration costs the government.** This cost is estimated to be at least \$182 billion annually (including costs to families of those with felony convictions, even when no time is served)<sup>10</sup> — money that could be allocated for innovation to boost our—and the world’s— economies.

2 ACLU. (2021). Mass Incarceration. American Civil Liberties Union. <https://www.aclu.org/issues/smart-justice/mass-incarceration/mass-incarceration-animated-series>.

3 National Institute of Justice. (2008, October 2). Recidivism is a Core Criminal Justice Concern. National Institute of Justice. <https://nij.ojp.gov/topics/articles/recidivism-core-criminal-justice-concern#citation--0>

4 Bureau of Justice Statistics. (2014, April). Recidivism of Prisoners Released in 30 States in 2005: Patterns from 2005 to 2010 – Update. Bureau of Justice Statistics. <https://www.bjs.gov/index.cfm?ty=pbdetail&iid=4986>.

5 Biden, Joseph. (2021, March 31). A Proclamation on Second Chance Month, 2021. The White House. <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/03/31/a-proclamation-on-second-chance-month-2021/>

6 Bureau of Justice Statistics. (2014, April). Recidivism of Prisoners Released in 30 States in 2005: Patterns from 2005 to 2010 – Update. Bureau of Justice Statistics. <https://www.bjs.gov/index.cfm?ty=pbdetail&iid=4986>.

7 The Council of State Governments Justice Center. (2013, September). Integrated Reentry and Employment Strategies: Reducing Recidivism and Promoting Job Readiness. <https://bja.ojp.gov/sites/g/files/xyckuh186/files/Publications/CSG- Reentry-and-Employment.pdf> . 2.

8 Bucknor, Cherrie and Barber, Alan. (2016, June). The Price We Pay: Economic Costs of Barriers to Employment for Former Prisoners and People Convicted of Felonies. <https://cepr.net/images/stories/reports/employment-prisoners- felonies-2016-06.pdf> . 1-3.

9 Bucknor, Cherrie and Barber, Alan. (2016, June). The Price We Pay: Economic Costs of Barriers to Employment for Former Prisoners and People Convicted of Felonies. <https://cepr.net/images/stories/reports/employment-prisoners- felonies-2016-06.pdf> . 1-3.

10 Lopez, German. (2017, January 27). Mass Incarceration Doesn’t Do Much to Fight Crime. But it Costs an Absurd \$182 Billion a Year. Vox. <https://www.vox.com/policy-and-politics/2017/1/27/14388024/mass-incarceration-cost>



- **Service jobs are on the rise.**<sup>11</sup> Calling less for technical expertise than willingness to learn and collaborate, these jobs are particularly suited to returning citizens seeking transitional employment with opportunities for upward mobility, who may have had training behind bars. An example is delivery driver positions that grew by 140% over the course of the COVID-19 pandemic.<sup>12</sup>
- **A significant number of Americans are affected.** Over 70 million adults in America have a criminal record according to a database maintained by the FBI. This figure includes people arrested but not convicted.<sup>13</sup>
- **Black Americans are disproportionately impacted.** According to a 2020 Brennan Center report, Black Americans make up 35% of the U.S. formerly imprisoned population—a shockingly disproportionate figure when you consider that Black Americans comprise only 12% of the U.S. population.<sup>14</sup> Estimates suggest a similar percentage of Black men and women have never been incarcerated but have conviction records that create barriers to employment.

### **Why should corporate America take action?**

Legal and other restrictions bar people with conviction records from certain jobs and occupations.<sup>15</sup> Even without legal restrictions, many employers simply don't consider this potential talent pool because of prejudicial stereotyping, i.e., the perception of these men and women as high-risk employees.<sup>16</sup> Factors like these result in the high unemployment rate of over 27% among this population.<sup>17</sup>

Margie Lee-Johnson, in her Harvard Business Review Article “Give Job Applicants with Criminal Records a Fair Chance”, highlights that research shows 17% of white Americans with a criminal record get called back after a job interview, compared to just 5% of Black Americans with the same history. She illuminates that:

*“Because of the demographic makeup of people who hold a criminal record, when companies make it a practice to not hire people with criminal records because of the risk, it’s tantamount to basing hiring decisions on someone’s race, gender, or ethnicity.”<sup>18</sup>*

11 U.S. Bureau of Labor Statistics. (2021, December 3). Current Employment Statistics Highlights. <https://www.bls.gov/web/empsit/ceshighlights.pdf>. 2-3.

12 Bersin, Josh. (2021). HR Predictions for 2021: Transformation at Scale. [https://joshbersin.com/wp-content/uploads/2021/05/PredictionsReport\\_2021\\_v6.pdf](https://joshbersin.com/wp-content/uploads/2021/05/PredictionsReport_2021_v6.pdf). 2.

13 Craigie, Terry-Ann, Grawert, Ames and Kimble, Cameron. (2020, September 15). Conviction, Imprisonment, and Lost Earnings. [https://www.brennancenter.org/sites/default/files/2020-09/EconomicImpactReport\\_pdf.pdf](https://www.brennancenter.org/sites/default/files/2020-09/EconomicImpactReport_pdf.pdf). 11.

14 Craigie, Terry-Ann, Grawert, Ames and Kimble, Cameron. (2020, September 15). Conviction, Imprisonment, and Lost Earnings. [https://www.brennancenter.org/sites/default/files/2020-09/EconomicImpactReport\\_pdf.pdf](https://www.brennancenter.org/sites/default/files/2020-09/EconomicImpactReport_pdf.pdf). 10.

15 Craigie, Terry-Ann, Grawert, Ames and Kimble, Cameron. (2020, September 15). Conviction, Imprisonment, and Lost Earnings. [https://www.brennancenter.org/sites/default/files/2020-09/EconomicImpactReport\\_pdf.pdf](https://www.brennancenter.org/sites/default/files/2020-09/EconomicImpactReport_pdf.pdf). 13.

16 Craigie, Terry-Ann, Grawert, Ames and Kimble, Cameron. (2020, September 15). Conviction, Imprisonment, and Lost Earnings. [https://www.brennancenter.org/sites/default/files/2020-09/EconomicImpactReport\\_pdf.pdf](https://www.brennancenter.org/sites/default/files/2020-09/EconomicImpactReport_pdf.pdf). 13.

17 Couloute, Lucius and Kopf, Daniel. (2018, July). Out of Prison & Out of Work: Unemployment among formerly incarcerated people. Prison Policy Initiative. <https://www.prisonpolicy.org/reports/outofwork.html>

18 Lee-Johnson, Margie. (2020, September 21). Give Job Applicants with Criminal Records a Fair Chance. Harvard Business Review. <https://hbr.org/2020/09/give-job-applicants-with-criminal-records-a-fair-chance>

Here are some good reasons for corporate America to take action.

- **Diversity and inclusion remain a top priority.**<sup>19</sup> With the ever-increasing focus on workplace diversity, returning citizens make up a viable, but often overlooked, source of candidates from diverse backgrounds.
- **Businesses should help support the growth economy.** New research from EMSI and LinkedIn shows that the number of open jobs is almost as high as it was a year ago and economic productivity is at record levels.<sup>20</sup> With our economy poised for a post-pandemic recovery, returning citizens can assist in stabilization and growth.
- **As workers exit the workforce, we need workers to fill gaps.** With a record-high 28.6 million baby boomers retiring this year alone<sup>21</sup> and pandemic-related departures of women and non-college-educated workers, demand is high for service, labor, and contract jobs.<sup>22</sup>
- **Companies and workers are already affected by the prison system.** An imprisonment rate of 698 per 100,000 residents between those currently in prison, those who are released from prison every year, those with conviction records that did not go to prison, and their collective families, means that a significant proportion of the U.S. population has some connection to the prison system.<sup>23</sup> Businesses should recognize that their employees may be grappling with this reality.
- **Returning citizens will benefit from the expansion of wellness programs.** As open discussion of mental and emotional health reduces associated stigma, increasingly robust corporate wellness programs will be useful to returning-citizen employees, whose needs they can help to support.<sup>24</sup>



19 Bersin, Josh. (2021). HR Predictions for 2021: Transformation at Scale. [https://joshbersin.com/wp-content/uploads/2021/05/PredictionsReport\\_2021\\_v6.pdf](https://joshbersin.com/wp-content/uploads/2021/05/PredictionsReport_2021_v6.pdf). 11.

20 Bersin, Josh. (2021). HR Predictions for 2021: Transformation at Scale. [https://joshbersin.com/wp-content/uploads/2021/05/PredictionsReport\\_2021\\_v6.pdf](https://joshbersin.com/wp-content/uploads/2021/05/PredictionsReport_2021_v6.pdf). 2.

21 Fry, Richard. (2020, November 9). The pace of Boomer retirements has accelerated in the past year. Pew Research Center. <https://www.pewresearch.org/fact-tank/2020/11/09/the-pace-of-boomer-retirements-has-accelerated-in-the-past-year/>

22 Guilford, Gwynn and Cambon, Sarah. (2020, December 3). Covid Shrinks the Labor Market, Pushing Out Women and Baby Boomers. Wall Street Journal. <https://www.wsj.com/articles/covid-shrinks-the-labor-market-pushing-out-women-and-baby-boomers-11607022074>

23 Bertram, Wanda and Wagner, Peter. (2020, January 16). What percent of the U.S. is incarcerated?" (And other ways to measure mass incarceration). Prison Policy Initiative. <https://www.prisonpolicy.org/blog/2020/01/16/percent-incarcerated/>

24 Bersin, Josh. (2021). HR Predictions for 2021: Transformation at Scale. [https://joshbersin.com/wp-content/uploads/2021/05/PredictionsReport\\_2021\\_v6.pdf](https://joshbersin.com/wp-content/uploads/2021/05/PredictionsReport_2021_v6.pdf). 5.



## Fair Chance Hiring: The business case

Hiring justice-involved individuals facilitates their reentry into society as productive citizens

- helping to break the cycle of recidivism that hurts them, their families and communities, and our nation.

Companies also benefit from Fair Chance Hiring. In the U.S., slowing population growth and a declining labor force foreshadow a shortage of workers to fill jobs of the future.<sup>25</sup> Many companies are already challenged to find employees from traditional sources.

Expanding the talent pool to include justice-involved individuals can help companies fill open spots with valuable employees whose performance and retention rates, it turns out, are as good as or better than those of any other hires.<sup>26</sup>

Through your commitment to Fair Chance Hiring, your company can give these individuals the opportunity to support themselves, provide for their families, and achieve economic stability in housing, healthcare, transportation, and food.<sup>27</sup> With greater stability, these people are less likely to re-offend.

Fair Chance Hiring creates ever-widening ripples of impact. Communities benefit when these employees shop locally, pay taxes, send their kids to local schools, and become involved with places of worship and non-profit organizations. These benefits extend to the economy at the state and national level, and to our society at large. Successful reentry efforts “save taxpayer dollars by lowering the direct and collateral costs of incarceration”,<sup>28</sup> and there are many more benefits that are both tangible and impossible to measure.

25 U.S. Bureau of Labor Statistics. (2020, September). Projections overview and highlights, 2019–29. Monthly Labor Review. <https://www.bls.gov/mlr/2020/article/projections-overview-and-highlights-2019-29.htm>

26 Society for Human Resources Management (SHRM). (2018, May 17). Workers with Criminal Records. SHRM. <https://www.shrm.org/hr-today/trends-and-forecasting/research-and-surveys/documents/shrm-cki%20workers%20with%20criminal%20records%20issue%20brief%202018-05-17.pdf>

27 Price-Tucker et al. (2019, December). Successful Reentry: A Community-Level Analysis. [https://iop.harvard.edu/sites/default/files/sources/program/IOP\\_Policy\\_Program\\_2019\\_Reentry\\_Policy.pdf](https://iop.harvard.edu/sites/default/files/sources/program/IOP_Policy_Program_2019_Reentry_Policy.pdf)

28 Office of the Assistant Secretary for Planning and Evaluation. (n.d.). Incarceration & Reentry. ASPE. <https://aspe.hhs.gov/topics/human-services/incarceration-reentry-0>



## **Fair Chance Hiring: Where to begin**





**In general, the case for hiring individuals with conviction records is well accepted by the business community. This has led to strong interest in learning how to create a robust Fair Chance Hiring process.**

Below we offer examples for getting started. They represent a compilation of leading practices described in resource guides and articles available to the public:

- [TOOLKIT - Getting Talent Back To Work.pdf \(shrm.org\)](#);
- [Give Job Applicants with Criminal Records a Fair Chance \(hbr.org\)](#);
- [Reentry to Careers \(jff.org\)](#);
- [How-to-Be-a-Fair-Chance-Employer-Checkr-web.pdf \(prosperco.org\)](#).

### **i. Goal setting**

Fair Chance Hiring practices provide an opportunity to fill open jobs, increase diversity, grow your bottom line, enhance your brand as a good corporate citizen, give the formerly incarcerated a fair chance, and so much more. According to the article in the Harvard Business Review linked above,<sup>29</sup> answering these questions will help you start your program on the right foot:

- What do you hope to accomplish with your fair chance program?
- How will this program impact and aid in efforts around diversity, equity, inclusion, and belonging (DEI&B)?
- How should the hiring process look and feel for a fair chance candidate?
- How many open or soon-to-open positions can be filled by fair chance talent?
- What are your measures of success? For example: number of roles filled? Overall diversity data? Both - or other criteria as well?
- What does success look like in six months? In 12 months and beyond?

Since no two companies are alike, it's best to tailor your plans to meet your needs and goals. The steps below can guide you through common challenges faced by organizations starting out, especially around improving societal racial equity and overcoming potential biases —conscious and unconscious—that can manifest as barriers when Black individuals with conviction records look for jobs.

### **ii. Addressing bias**

Myths and biases around hiring individuals with conviction records can be hard to overcome. This is doubly so when race is also a factor.

Here are some of the most common myths around hiring the formerly incarcerated, followed by corresponding reality checks based on the experience of companies that have hired from this group:<sup>30</sup>

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29 Lee-Johnson, Margie. (2020, September 21). Give Job Applicants with Criminal Records a Fair Chance. Harvard Business Review. <https://hbr.org/2020/09/give-job-applicants-with-criminal-records-a-fair-chance>

30 McNutt, Timothy. (2020, June 26). 9 Myths About Hiring People with Criminal Records. School of Industrial and Labor Relations, Cornell University. <https://www.ilr.cornell.edu/work-and-coronavirus/employer-best-practices/9-myths-about-hiring-people-criminal-records>

**Myth**—People with criminal records lack discipline, are unreliable and have a poor work ethic.

**Reality**—Justice-involved individuals often outperform workers without criminal records for the simple reason that they have fewer employment options. In recent surveys, 82% of managers and more than two-thirds of HR professionals rate the value of these new employees as high as or higher than that of workers without criminal records.<sup>31</sup>

**Myth**—People with criminal records will create problems on the job - performing poorly and posing a security risk.

**Reality**—No single study supports this myth. A Johns Hopkins School of Medicine study that followed 79 employees with serious records for three to six years<sup>32</sup> found that, at the end of the period, 73 were still employed at the company, with only one that had been fired.

**Myth**—Hiring people with criminal records will increase our company's expenses.

**Reality**—Employees with criminal records remain on the job at higher rates than those without.<sup>33</sup> Better retention can reduce an employer's recruiting and training costs (average: \$4K per employee.<sup>34</sup> ) Some governmental bodies offer insurance and tax incentives for employers who hire people with criminal records for lower-skilled white-collar jobs. Insurance and tax incentives can help reduce what may be perceived risks of financial loss (detailed below).

**Myth**—There's a big skills gap between those with and without criminal records. **Reality**—Prison and reentry/diversion programs offer pre- and post-release job training— giving those with criminal records the opportunity to gain skills in prison they can use to get jobs once they're out.

Corporate collaborations with workforce development programs assist reentering workers with much-needed access to: transportation to work (at no cost to the employer); workplace training, such as interpersonal communication, organizational and leadership skills; high school equivalency courses; and case management for employees with criminal histories.<sup>35</sup>



31 Society for Human Resources Management (SHRM). (2018, May 17). Workers with Criminal Records. SHRM. <https://www.shrm.org/hr-today/trends-and-forecasting/research-and-surveys/documents/shrm-cki%20workers%20with%20criminal%20records%20issue%20brief%202018-05-17.pdf>

32 Paul, Pamela. (2016, September). The Johns Hopkins Hospital Success in Hiring Ex-Offenders. <https://www.diversityinbestpractices.com/media/uploads/2016/09/Paulk-Presentation-Hiring-Ex-Offenders-09142016.pdf>. 11.

33 McNutt, Timothy. (2020, June 26). 9 Myths About Hiring People with Criminal Records. School of Industrial and Labor Relations, Cornell University. <https://www.ilr.cornell.edu/work-and-coronavirus/employer-best-practices/9-myths-about-hiring-people-criminal-records>

34 McNutt, Timothy. (2020, June 26). 9 Myths About Hiring People with Criminal Records. School of Industrial and Labor Relations, Cornell University. <https://www.ilr.cornell.edu/work-and-coronavirus/employer-best-practices/9-myths-about-hiring-people-criminal-records>

35 McNutt, Timothy. (2020, June 26). 9 Myths About Hiring People with Criminal Records. School of Industrial and Labor Relations, Cornell University. <https://www.ilr.cornell.edu/work-and-coronavirus/employer-best-practices/9-myths-about-hiring-people-criminal-records>

### Special challenges of this talent pool

According to data, justice-involved Black job applicants receive half the number of call backs as white applicants with similar conviction records.<sup>36</sup> Evidence also suggests that certain automated résumé-screening programs tend to exclude Black applicants in the first place.<sup>37</sup>

Being successful in integrating Fair Chance Hiring practices calls for being intentional about the training and education that can help you recognize and overcome possible bias. Here are some ways others have begun.

- **Outreach events.** Some companies host or participate in events that encourage employees to get directly involved with the justice-involved community. These can include resume writing and mock job interview workshops, attending job fairs that target this predominantly Black population, and leading tours of company offices. Activities like these offer mutual benefit. Job seekers gain exposure to corporate settings while employees get to know and better understand the challenges faced by justice-involved individuals.
- **Personal Interaction.** Many successful efforts have included meeting with applicants who have conviction records, talking to them and getting to know them. First-hand experience can be an effective way to remove stereotypes and overcome bias.
- **Vocational training programs.** Some employers get involved with local Departments of Corrections to provide in-prison vocational training. When you develop programs that align with your company's needs, you may create an eager and motivated talent pool of job applicants once these individuals are released.
- **Motivational speakers.** Inviting inspirational speakers—especially those previously incarcerated—to educate and engage employees at continuing education events and encourage them to becoming part of the Fair Chance Hiring effort is another way to begin.
- **Trial employment programs.** Internships, apprenticeships, work release assignments, and transitional work crews provide exposure and experience to potential employees your company might otherwise overlook. Center for Employment Opportunities (CEO), Prison Fellowship, and Beacon of Hope are among many non-profit organizations that provide job readiness training, paid work opportunities, and wraparound services that help the formerly incarcerated find success in the workplace.
- **Local workforce development programs.** These government-sponsored programs may also have specific educational programs for employees with criminal records.

References for further reading:

- CEO | Center for Employment Opportunities ([www.ceoworks.org](http://www.ceoworks.org))
- <https://www.ilr.cornell.edu/work-and-coronavirus/employer-best-practices/9-myths-about-hiring-people-criminal-records>
- <https://www.shrm.org/resourcesandtools/hr-topics/behavioral-competencies/global-and-cultural-effectiveness/pages/research-employers-willing-to-overlook-criminal-record-to-hire-right-person.aspx>

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<sup>36</sup> Lubbers, Paul. (2021, July 29). Job Applicants With 'Black Names' Still Less Likely to Get Interviews. Bloomberg Equality. <https://www.bloomberg.com/news/articles/2021-07-29/job-applicants-with-black-names-still-less-likely-to-get-the-interview>

<sup>37</sup> Mann, Gideon and O'Neil, Cathy. (2016, December 9). Hiring Algorithms Are Not Neutral. Harvard Business Review. <https://hbr.org/2016/12/hiring-algorithms-are-not-neutral>

### iii. Alignment with internal diversity, equity, inclusion and belonging (DEI&B) efforts

A September 2021 article in the Harvard Business Review pointed out that DEI&B efforts in the business community generally do not include formerly incarcerated people and, by extension, those with conviction records. The article states, “The irony is that by failing to actively support this group, the DEI sector is exacerbating one of the core problems they aim to solve — creating equitable opportunities for communities of color.”<sup>38</sup>

In summary, it is difficult to “talk about incarceration and its relation to employment without also discussing race.”<sup>39</sup> The percentage of justice-involved Black men and women is disproportionate to their share of the general population. In fact, according to research, Black men are six times more likely than white men to be locked up in their lifetimes. The numbers are parallel for Black and white men who were convicted but not sentenced to prison.<sup>40</sup>

By including DEI&B leaders in teams tasked with planning and designing Fair Chance Hiring policies and programs, you can advance existing initiatives in this space. If done with commitment and intent, hiring from this disproportionately Black talent pool will likely increase the diversity of the workforce at all levels of your company. Learn more about disproportionate incarceration demographics in your state.<sup>41</sup>

DEI&B executives are likely aware of how to leverage existing employee-benefit programs that can also serve this population, including collaborations with credit unions, shuttle services, and other employee assistance and reimbursement programs. Executives can also measure results of existing DEI&B efforts and apply similar metrics to programs in Fair Chance Hiring.<sup>42</sup>

Company-sponsored DEI&B awareness programs like Second Chance Month,<sup>43</sup> and other promotions, community and corporate collaborations and events can help to raise awareness.

Successful programs have included examination of where the organization stands with regard to pay equity, equal opportunities for promotion, and growth<sup>44</sup> in transitional jobs and career pathways.

References for further reading:

- [How To Measure The ROI Of Diversity Programs \(forbes.com\)](https://www.forbes.com/sites/forbes/2021/09/06/what-is-dei-doing-for-the-formerly-incarcerated/)
- [Second Chance® Month - Prison Fellowship](https://www.prisonfellowship.org/)
- [Black workers in the U.S. private sector | McKinsey](https://www.mckinsey.com/featured-insights/diversity-and-inclusion/race-in-the-workplace-the-black-experience-in-the-us-private-sector)

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38 Barton, Leron. (2021, September 6). What is DEI Doing for the Formerly Incarcerated? Harvard Business Review. <https://hbr.org/cdn.ampproject.org/c/s/hbr.org/amp/2021/09/what-is-dei-doing-for-the-formerly-incarcerated>

39 Barton, Leron. (2021, September 6). What is DEI Doing for the Formerly Incarcerated? Harvard Business Review. <https://hbr.org/cdn.ampproject.org/c/s/hbr.org/amp/2021/09/what-is-dei-doing-for-the-formerly-incarcerated>

40 The Sentencing Project. (n.d.) Criminal Justice Facts. The Sentencing Project. <https://www.sentencingproject.org/criminal-justice-facts/>

41 Prison Policy Initiative. (n.d.) Discover Your State. Prison Policy Initiative. [Prison Policy Initiative. 50 state incarceration profiles | Prison Policy Initiative](https://www.prisonpolicy.org/states/)

42 Althof, Holly. (2020, August 21). Viewpoint: Belonging Is the Missing Piece in the Fight for Inclusion. SHRM. <https://www.shrm.org/resourcesandtools/hr-topics/behavioral-competencies/global-and-cultural-effectiveness/pages/viewpoint-belonging-is-the-missing-piece-in-the-fight-for-inclusion.aspx>

43 Prison Fellowship. (n.d.) April is Second Chance Month. Prison Fellowship. <https://www.prisonfellowship.org/about/justicereform/second-chance-month/>

44 Hancock et al. (2021, February 21). Race in the workplace: The Black experience in the US private sector. McKinsey & Company. <https://www.mckinsey.com/featured-insights/diversity-and-inclusion/race-in-the-workplace-the-black-experience-in-the-us-private-sector>



#### iv. Corporate culture and values

In general, the business community strives to create environments that welcome and support diversity. Companies are careful to use language that respects life choices and circumstances. They provide support to employees facing personal crises. They create channels for listening and responding to employee concerns and goals—nurturing a sense of belonging and being valued. Including individuals with conviction records, particularly those who were incarcerated, anticipating their unique needs, and building support of those needs into the corporate culture is seen by companies that employ them as important as the needs of other affinity groups.

Jeff Baldassari is the CEO of U.S. Rubber Recycling, a fair chance employer with over half of its employees hired as fair chance talent. The U.S. Rubber culture values teamwork and expects its workers to make decisions based on the needs of the team over their own self-interest. Mr. Baldassari discussed his leadership development philosophy in an interview with Forbes Magazine, which is “to teach people to become team players, - something which doesn’t come naturally to many formerly incarcerated people who’ve had to spend years tending to their own survival.”

In the interview with Forbes Magazine, he highlights “appreciative inquiry: an organizational and leadership development philosophy emphasizing mutual respect”<sup>45</sup> by giving everyone an equal voice. To further meet the needs of justice-involved employees, he engaged a psychiatric rehabilitation counselor who is available for individual meetings with all employees.

Because Black people are disproportionately represented in the justice-involved population, racial equity is central to sustaining a work culture that’s inclusive and supportive of their needs. Here are some of the themes that are common to such a culture:

- **Lead with an open mind—with humility, courage and self-reflection.**

Without lived experience, leaders cannot fully appreciate the experience of a Black justice-involved individual in corporate America or the challenges they face in work and life. Clearly, unlearning decades of beliefs and biases can be uncomfortable. By closely examining and being willing to change your attitudes and the culture of your organization, you can more successfully incorporate Fair Chance Hiring practices into your organization.

- **Assess your current environment—then challenge it.**

How would you describe your organization’s culture? By which standards do you measure it with statistics, written policies and practices, or how people actually interact on a daily basis? Take a closer look and decide if your current policies need to change. Explore training programs that address racial inequities. Work to nurture a workplace environment where all people — including Black justice-involved employees — feel valued, respected, and encouraged to succeed.

<sup>45</sup> Field, Anne. (2021, August 16). Jobs For The Formerly Incarcerated Amid Hefty Growth At U.S. Rubber Recycling. Forbes. <https://www.forbes.com/sites/annefield/2021/08/16/jobs-for-the-formerly-incarcerated-amid-record-growth-at-us-rubber-recycling/?sh=75fd6d868f4e>

- **Encourage a culture of listening.**

Empathic or active listening refers to the practice of being attentive and listening with an open mind. Because people in prison are often punished for speaking up, the formerly incarcerated tend to keep their thoughts to themselves.<sup>46</sup> Since open communication is essential to their—and the company's—success, it's important to encourage everyone in your organization—from leaders to junior staff—to carefully and discreetly encourage communications with new employees and listen carefully to what they have to say.

- **Be flexible.**

When hiring justice-involved individuals, it's important to provide the kind of flexibility that allows for their unique needs. This may involve shifting schedules or hours to accommodate mandatory classwork or meeting with parole or probation officers.

Similarly, you may need to check in with that officer to confirm employment status or discuss efforts to help an employee maintain conditions of parole.

- **Be proactive**

Consider creating inclusion councils to determine leading practices in advancing diverse workforces. Engage social workers to meet confidentially with justice-involved employees. There's no rule book to follow. Staying agile and attentive is key to promoting their professional growth and success.

- **Accept accountability**

Develop a system to track organizational justice and fairness on a quarterly and annual basis. Define what successful Fair Chance Hiring practices look like. Set goals and use relevant metrics to assess whether the changes you're making to policies and practices correlate with the retention, promotion, and growth of Black justice-involved individuals within your company.

## **v. Implementation strategy**

After assessing a company's needs, particularly in relevant departments, those who have achieved success have assigned a project manager and assembled an implementation team. For larger companies, the team may encompass Workforce Development; Talent Acquisition; Human Resources; Diversity, Equity, Inclusion & Belonging; Finance; Marketing; Communications; Legal/Risk Management; Security; and Operations - any internal group with stake in the hiring, training, and support of employees, and meeting corporate diversity goals.

The business case for Fair Chance Hiring is strong, and commitment to embedding its policies and practices often calls for organization-wide cultural change. For this reason, the implementation team should have the support of the CEO and leadership team.

An effective team will set clear goals, measure progress, provide direct support, and communicate the many benefits of hiring people with conviction records in filling positions, increasing diversity, and building a loyal and productive labor force.

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<sup>46</sup> Law Library - American Law and Legal Information. (n.d.). Prisoners' Rights. Law Library. <https://law.jrank.org/pages/9396/Prisoners-Rights-Free-Speech.html>

## **vi. Peer group collaboration**

Employers in many industries are already involved in Fair Chance Hiring. Companies beginning to explore these efforts may benefit by talking with other leaders who have experience working with this specific talent pool. Ask what has worked for them—in sourcing, interviewing, hiring, retaining, and promoting candidates with conviction records.

Chances are, you'll find them willing to share their insights and experiences. Some have become vocal advocates as well, helping companies in their industries tailor processes to improve success rates. [The Second Chance Business Coalition](#), for example, offers a safe place for companies to compare notes and learn from one another.<sup>47</sup>

Business and industry associations such as the Business Roundtable,<sup>48</sup> U.S. Chamber of Commerce,<sup>49</sup> and The Manufacturing Institute provide resources and support, and in some cases connections, via webinars and events, to companies with strong Fair Chance Hiring initiatives.<sup>50</sup> You can also find industry information around Fair Chance Hiring via an internet literature search and a guide to state-and-local specific regulations and restrictions in the Appendix of this Playbook.

## **vii. Existing self-assessment resources**

The SHRM Foundation offers a 10-hour online course, [Getting Talent Back to Work](#)<sup>51</sup> as well as a toolkit outlining leading practices in Fair Chance Hiring.

[Levelset](#), a collaboration of the Center for Employment Opportunities and the consulting firm Envoy Growth, offers a helpful, free open-source self-assessment questionnaire that helps you develop a snapshot of where your company stands on the Fair Chance Hiring continuum— from just starting out to promoting the practice across your supply chain and business community.<sup>52</sup> This resource also provides information on background checks, recommended language and messaging for job postings, applications, and interviews, and addresses other issues around Fair Chance Hiring.

Checkr's ["How to Be a Fair Chance Employer"](#)<sup>53</sup> advances the practice through a method of equitable background checking, self-assessment, and goal-setting—based on its own experience hiring and employing the justice-involved.

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47 Second Chance Business Coalition. (n.d.). About the SCBC. Second Chance Business Coalition. <https://secondchancebusinesscoalition.org/about>

48 Business Roundtable. (n.d.). Justice System. Business Roundtable. <https://www.businessroundtable.org/equity/justice>

49 U.S. Chamber of Commerce. (n.d.). The Business Case for Criminal Justice Reform: Second Chance Hiring. U.S. Chamber of Commerce. [https://www.uschamber.com/assets/archived/images/uscc\\_business\\_case\\_for\\_cj-second\\_chance\\_hiring\\_report\\_aug2021.pdf](https://www.uschamber.com/assets/archived/images/uscc_business_case_for_cj-second_chance_hiring_report_aug2021.pdf)

50 The Manufacturing Institute. (n.d.). Second Chance Hiring. The Manufacturing Institute. <https://www.themanufacturinginstitute.org/workers/second-chance/>

51 Getting Talent Back to Work. (n.d.). Building Better Opportunities for People with Criminal Records. Getting Talent Back to Work. <https://www.gettingtalentbacktowork.org/>

52 Levelset. (n.d.). Fair Chance Hiring Assessment. Levelset. <https://www.levelset.us/fair-chance-hiring-assessment>

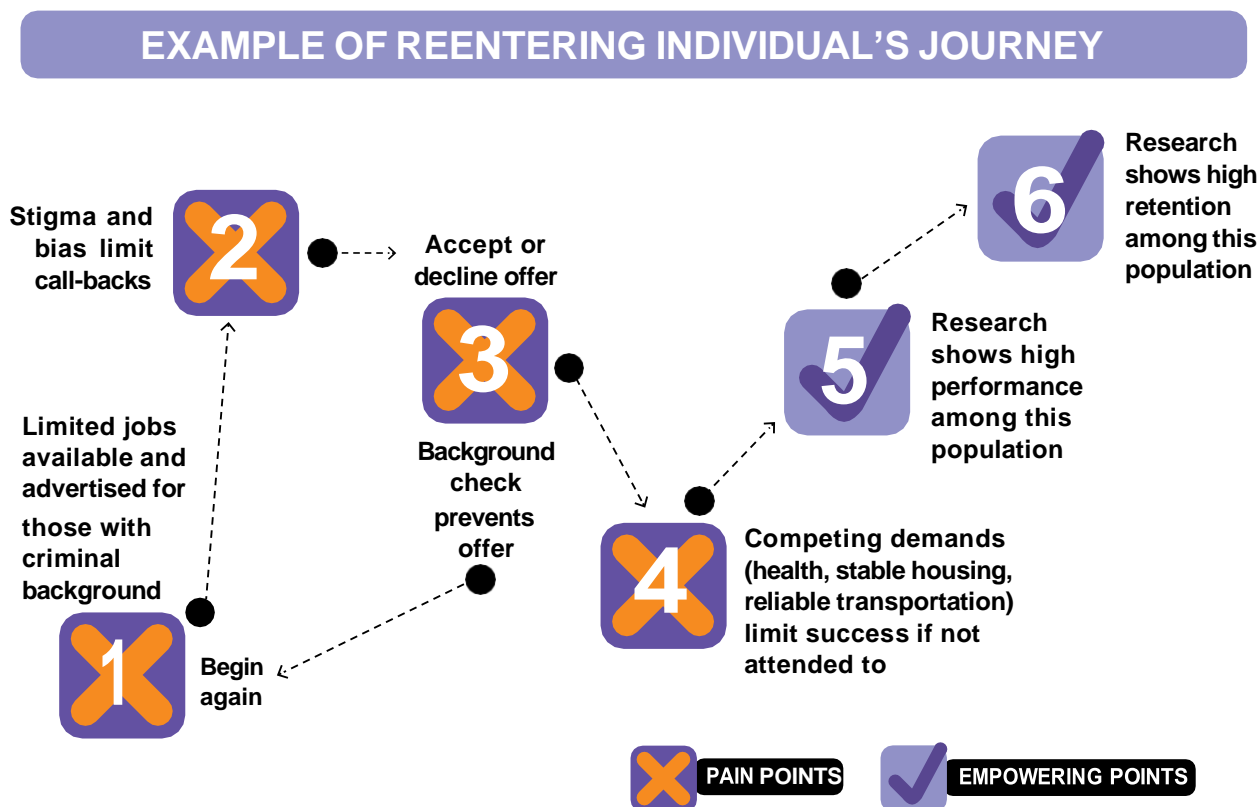
53 Checkr. (n.d.). How to be a Fair Chance Employer. Checkr. <https://www.prosperco.org/wp-content/uploads/2021/03/How-to-Be-a-Fair-Chance-Employer-Checkr-web.pdf>

It bears repeating that people with conviction records are disproportionately Black,<sup>54</sup> and Black applicants face a higher rejection rate than white applicants with similar records.<sup>55</sup> It's impossible to separate a Fair Chance Hiring program from your company's overall practices and patterns in sourcing, hiring, and investing in Black talent. Biases do exist, especially in automated application processing, that may unintentionally disqualify otherwise strong candidates of color.<sup>56</sup> Bottom line: the only way to know for sure is to take the time to look, analyze, assess, and address.

### viii. Onboarding program

The path from conviction and/or prison to employment and a successful career is fraught with challenges, in particular for Black men and women, who are over-represented among the justice involved.<sup>57</sup>

The graphic below depicts some of the challenges they face, including limited resources to fund a lengthy job search, a lack of up-to-date and accessible information about potential hiring companies and jobs, bias in job applications and interviews, bias-related rejections, and gaps in the availability of housing, food, healthcare, and transportation.



54 NAACP. (n.d.). Criminal Justice Fact Sheet. NAACP. <https://naacp.org/resources/criminal-justice-fact-sheet>

55 Francis, David. (2003, September). Employers' Replies to Racial Names. National Bureau of Economic Research. <https://www.nber.org/digest/sep03/employers-replies-racial-names>

56 Mann, Gideon and O'Neil, Cathy. (2016, December 9). Hiring Algorithms Are Not Neutral. Harvard Business Review. <https://hbr.org/2016/12/hiring-algorithms-are-not-neutral>

57 Craigie, Terry-Ann, Grawert, Ames and Kimble, Cameron. (2020, September 15). Conviction, Imprisonment, and Lost Earnings. [https://www.brennancenter.org/sites/default/files/2020-09/EconomicImpactReport\\_pdf.pdf](https://www.brennancenter.org/sites/default/files/2020-09/EconomicImpactReport_pdf.pdf). 10.



Companies that seek to hire qualified candidates from this group need to be aware of the challenges of those transitioning from incarceration and confirm that at every point of talent acquisition and HR processes, their unique needs are both acknowledged and met. This includes the language and messaging of open position descriptions, job applications, skills- based interview practices, written offers, benefits, and employee support programs.

It helps to view the hiring process through the candidate's experience: as a journey that can be mapped out in order to identify expected stress points along the way, and to be prepared with leading practices that can help to anticipate and mitigate issues.

In Fair Chance Hiring, journey mapping should focus on ways to increase job satisfaction, employee retention, and career

advancement for those with conviction records. Successful Fair Chance Hiring employers have learned to anticipate issues that are likely to arise in order to address them proactively in ways that improve retention and success.



## **ix. Education and training**

It's not just the justice-involved who can benefit from training and education. Your current managers and employees can too. They, too, should understand the reasons for Fair Chance Hiring, how it works, and what expected of them. Across the wide range of materials on this subject you can find and use the ones that match your company's level of commitment to Fair Chance Hiring- from novice explorer to champion. Here are some examples:

- **The SHRM *Getting Talent Back to Work Certificate Program*** is a 10-hour e-learning program that gives HR and other professionals the education, resources, and skills needed to attract, hire, and retain justice-involved individuals.
- ***Untapped Talent: How Second Chance Hiring Works for Your Business and the Community*** makes a compelling business case for Fair Chance Hiring. Written by Jeff Korzenik the Chief Investment Strategist of a U.S. financial institution, the book explores the topic in depth, with cross-industry examples and success stories.
- ***True Justice***, the film. Take the time to watch this feature documentary about Bryan Stevenson's experience with the systemic racism that's endemic to our criminal justice system.
- **This Playbook**. We encourage you to use the information and resources you find here and accompanying this playbook, including the Ban the Box information guide and the sample PowerPoint material.

## **x. Support networks**

A quick search can identify a broad network of local, state, and national non-profit organizations and programs that can help start and maintain a functioning Fair Chance Hiring program that facilitates successful reentry. Since some offer help that's specific to industry, location, and specialty, it can be challenging to find the right combination of collaborative organizations to help. There are many sources to reference for more information and support.

For help in sourcing applicants, these groups identify and refer suitable candidates:

- [Center for Employment Opportunities](#)
- [Beacon of Hope](#)
- [ConConnect](#)

These groups offer help with Fair Chance background checks and related services:

- [Checkr](#)
- [Fairscreen](#)
- [Sterling Check](#)
- [Trusaic](#)

A simple internet search will identify colleges and universities with reentry programs. Use key words: State Name + College University + Reentry Program and you'll find resources like these:

- [University of California Berkeley ReEntry Student Program](#)
- [Eastern Michigan University Engage Program](#)
- [Roosevelt University Community Renewal Program](#)

Likewise, you can find support services like counseling through internet searches. Using key words: State Name + social support services + formerly incarcerated generate results like these:

- [The reEntry Initiative](#)
- [The Source](#)
- [Conconnect](#)

You can also build local/state corporate and community collaborative relationships through similar searches, using key words:

- Your City or State + Chamber of Commerce + Fair Chance Hiring
- Your City or State + Playbook or Guide + Fair Chance Hiring or Reentry
- Your City or State + Workforce Development + Fair Chance Hiring or Reentry
- Your City or State + Department of Corrections or Health + Reentry

These searches will produce results like:

- [Kentucky Chamber of Commerce](#)
- [Toledo Fair Chance Hiring Employer Guidebook](#)
- [South Carolina reEntry Guide](#)

The Manufacturing Institute has produced a guide to finding and evaluating local community collaborations based on offerings:

- [Manufacturing Institute's Second Chance Initiative Resource Guide](#)

## **xi. Risk mitigation**

Many programs and practices help reduce financial and other perceived risks of hiring individuals with conviction records. Work Opportunity Tax Credit and a fidelity bonding program are federally funded but managed at the state level.

### **Work Opportunity Tax Credit (WOTC)**

Through economic incentives for hiring workers from targeted groups, WOTC helps to help bring together employers experiencing labor shortages and individuals who face barriers to employment. The WOTC fact sheet offers key information about the tax credit. Their website offers additional information, such as eligible targeted groups.

### **Federal Bonding Program**

For “at-risk,” hard-to-place job seekers, these Federal bonds cover the first six months of employment at no cost to either the job applicant or the employer. Visit their website for more information.

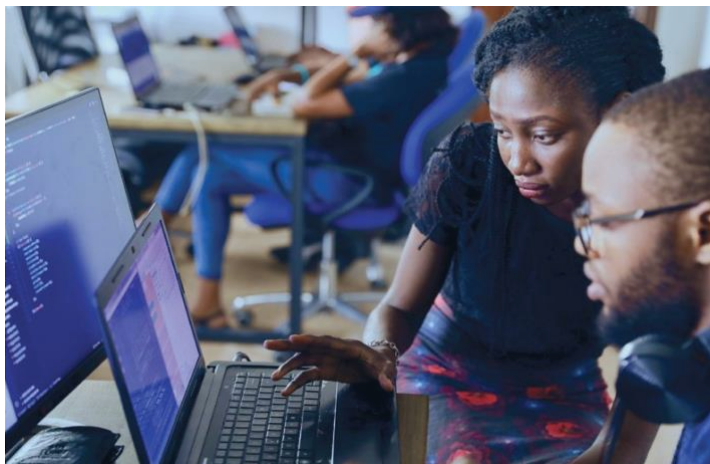
### **Due diligence in hiring decisions**

There are no studies indicating that reentering employees’ actions cause a greater financial loss or other risks to the company, its employees, and others that could lead to employer liability (also known as negligent hiring).<sup>58</sup> Hiring practices intended to reduce this risk must comply with EEOC guidance and Federal and State laws.

Consider using the “Nature/Time/Nature” approach (also known as “Green factors”) in hiring those with conviction records: weighing the nature of the offense that led to conviction, the time passed since the offense was committed (or time served if incarceration followed), as well as the nature of the job.

For more on EEOC’s guidance on hiring decisions, visit:

[Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions under Title VII of the Civil Rights Act | U.S. Equal Employment Opportunity Commission \(eoc. gov\)](#)



58 McNutt, Timothy. (2020, June 26). 9 Myths About Hiring People with Criminal Records. School of Industrial and Labor Relations, Cornell University. <https://www.ilr.cornell.edu/work-and-coronavirus/employer-best-practices/9-myths-about-hiring-people-criminal-records>

## Additional ways to support Fair Chance Hiring

Whether or not a company engages directly in Fair Chance Hiring as a means of addressing societal racial inequities, here are some other ways to support the movement:

### i. Fair Chance Hiring and business diversity initiatives

Even organizations that are not yet set to participate directly in Fair Chance Hiring can identify opportunities to help drive change across their value chain with contract manufacturers, on-site service providers, and strategic business collaborators.

Because the U.S. Criminal Justice System disproportionately affects people of color, in particular Black people, any inclusive business diversity strategy should include consideration of justice-involved individuals.

Fair Chance Hiring is widespread among small businesses across all industries. An examination of diversity goals could include engaging with suppliers who have experience in hiring justice-involved individuals.

Other actions companies may wish to consider:

- Asking for commitments to Fair Chance Hiring practices
- Incentivizing action
- Providing resources for enablement
- Updating the language in contracts
- Changing supplier/business diversity policies

### ii. Publicly champion Fair Chance Hiring

The events of 2020 clearly demonstrated the importance and efficacy of corporations speaking out on behalf of marginalized communities. Public advocacy can shine a light on these issues, and the more CEOs who publicly advocate for Fair Chance Hiring, the faster the stigma will diminish.

Many CEOs have spoken publicly regarding their efforts and have made the business case for others to follow suit. The aforementioned Second Chance Business Coalition includes a number of these CEOs. Hospitality companies like Denny's, hospital systems like Johns Hopkins Medicine, and other organizations have also publicly expressed support for Fair Chance Hiring as well as other DEI&B commitments.

### iii. The role of public policy

Many organizations go beyond hiring and supporting justice-involved individuals to engage with policymakers in advocacy of a wide range of related principles-based reforms based on their industry, location, and maturity, such as:

- [“Ban the Box”](#) policies creating more opportunities for Fair Chance and Second Chance Hiring through federal and state legislation and regulatory requirements
- [“Clean Slate”](#) reforms to seal and/or clear eligible records, and in some cases automate the process for low-level offenses at the national and state levels
- Reclassifying certain felony offenses as misdemeanors; decriminalizing other offenses
- Advocating for alternatives to incarceration
- Removing employment and housing discrimination based on criminal history



- Advocating for the removal of barriers that prevent individuals leaving prison from collecting government benefits
- Changing hiring rules at regulated institutions
- Changing state-specific occupational licensing requirements
- Removing state bans on financial support for education in prison
- Changing automatic expiration of driver's licenses and other government-issued IDs
- Increasing federal and state funding for workforce development, job training, and re- skilling
- Expanding federal and state tax credits and incentives (e.g., Work Opportunity Tax Credit)



#### iv. Philanthropy across the Fair Chance Hiring ecosystem

Non-profits play a major role in Fair Chance Hiring —providing candidate referrals, transition support, providing arrangements for housing, transportation, healthcare, and food security solutions; offering mental health and emotional wellness counseling, mentoring, skills and job readiness training, and GED and college level courses.

Community-based organizations can also help to bring together and support relationships between employers and justice-involved candidates. People who work with the justice- involved often report benefiting from these relationships.<sup>59</sup> Justice-involved people tend to be loyal and eager to demonstrate their value<sup>60</sup> —bringing those around them a sense of comfort.

Through contributions and other types of involvement, corporate foundations can support and enliven non-profit entities. Here are some ways to engage:

- Locate organizations that provide services to the justice-involved within your community to highlight in your corporate giving programs.
- Offer to match employee contributions to these organizations during April ([Second Chance Month](#)) or throughout the year.
- Identify local organizations in need of help and organize a service day within your company.
- Sponsor educational programs (like [Dreamcorps Tech](#), [Prison Entrepreneurship Program](#), and the [Last Mile](#)) that provide skills training for incarcerated individuals that help them gain meaningful employment upon release.
- Be an advocate! Connect with organizations like [Prison Fellowship](#) and the [Campaign for the Fair Sentencing of Youth](#) to advocate for policy change.
- Identify justice-involved non-profit organizations and encourage community engage-

59 McNutt, Timothy. (2020, June 26). 9 Myths About Hiring People with Criminal Records. School of Industrial and Labor Relations, Cornell University. <https://www.ilr.cornell.edu/work-and-coronavirus/employer-best-practices/9-myths-about-hiring-people-criminal-records>

60 McNutt, Timothy. (2020, June 26). 9 Myths About Hiring People with Criminal Records. School of Industrial and Labor Relations, Cornell University. <https://www.ilr.cornell.edu/work-and-coronavirus/employer-best-practices/9-myths-about-hiring-people-criminal-records>

ment through volunteering opportunities and board member service with non-profits.

- Give your employees opportunities to provide mentorship to justice-involved individuals. Many attribute their successful reentry to having a mentor to guide them on their journey.<sup>61</sup>

When deciding to engage with or provide financial support to a non-profit, it's important to first confirm that the organization is in sync with your company's values. Some general points to consider:

- Find out how long they've been operating and look into their demonstrated successes.
- See if the board and staff reflect the makeup of the community.
- Examine financials to identify needs for the use of grant money.
- Consider reputation, past legal issues, and the nature of current engagements with business community.
- Understand how much of your potential investment would be used for the community (versus administrative need).
- Determine whether the organization needs project-level or general support.

For additional resources to help you determine how to get started with respect to community collaborations, consider some of the following resources: (1) [Manufacturing Institute's Second Chance Initiative Resource Guide](#); (2) [Second Chance Business Coalition](#); and (3) [SHRM Getting Talent Back to Work](#).

Following is a list of organizations referenced in this document:

<b>Beacon of Hope Business Alliance</b>	Beacon of Hope is linked with Nehemiah Manufacturing and its founders Dan Meyer and Richard Palmer. The mission over time is to expose 2,500 new jobs each year to the Fair Chance population by creating awareness, providing a proven process, and facilitating easy access to an ecosystem of social support. Beacon of Hope offers companies a simple process for hiring and developing talent as well as a deep pool of free resources to assist you in your journey of Second Chance hiring. <sup>62</sup>
<b>Campaign for the Fair Sentencing of Youth</b>	"The CFSY uses a multipronged approach to reform: serving as a hub and convener; engaging key stakeholders; educating target audiences; advocating for reforms; bolstering legal strategies to ban life-without-parole sentences for children; and developing a wide range of partnerships to provide access to resources and opportunities that enable returning individuals and their families to prosper." <sup>63</sup>
<b>Center for Employment Opportunities</b>	This organization "offers individuals just home from prison the ongoing support they need to build career capital and financial stability." <sup>64</sup>

61 Price-Tucker et al. (2019, December). Successful Reentry: A Community-Level Analysis. [https://iop.harvard.edu/sites/default/files/sources/program/IOP\\_Policy\\_Program\\_2019\\_Reentry\\_Policy.pdf](https://iop.harvard.edu/sites/default/files/sources/program/IOP_Policy_Program_2019_Reentry_Policy.pdf). 5-6.

62 Beacon of Hope. (n.d.). Ensuring That Everyone Gets a Fair Chance. Beacon of Hope. <https://beaconofhopeba.org/about/>

63 Campaign for Sentencing of Youth. (n.d.). What We Do. CFSY. <https://cfsy.org/what-we-do/>

64 Center for Employment Opportunities. (n.d.). Change that works. Center for Employment Opportunities. <https://ceoworks.org/>

<b>Dreamcorps Tech</b>	This “national program cultivates future leaders and entrepreneurs from underrepresented backgrounds, creating a pipeline of diverse talent that will shift the culture of the tech sector.” <sup>65</sup>
<b>Levelset</b>	The organization has developed a comprehensive approach to “partnering that helps human resources, talent acquisition, and legal/compliance leaders review and revise internal policies that create unnecessary barriers for qualified candidates. Through collaboration with executive teams and managers, it also helps companies prepare staff to lead successful fair chance initiatives, and develops talent pipelines of qualified candidates in collaboration with vetted community-based organizations and local reentry partners.” <sup>66</sup>
<b>Manufacturing Institute</b>	With a focus on “growing the modern manufacturing workforce while closing the opportunity gap, the Manufacturing Institute hosts roundtable discussions, webinars, and C-suite leadership events, also publishing case studies and research that helps manufacturers navigate second-chance hiring and best practices.” <sup>67</sup>
<b>Prison Entrepreneurship Program</b>	“Established in 2004, the Prison Entrepreneurship Program (PEP) has pioneered innovative programs that connect the nation’s top executives, entrepreneurs, and MBA students with convicted felons. Its entrepreneurship boot camp and re-entry programs are proven solutions for reducing recidivism, maximizing self-sufficiency, and transforming broken lives.” <sup>68</sup>
<b>Prison Fellowship</b>	An advocate for justice reform, Prison Fellowship® “works to restore America’s criminal justice system and those whose lives it affects, helping men and women overcome the cycle of brokenness that landed them in prison, also reaching out to help grassroots networks to do the same. The organization also helps prison wardens to bring restorative change to their facilities and helps care for prisoners’ families to strengthen the bonds between children and parents behind bars.” <sup>69</sup>
<b>The Last Mile</b>	The organization “partners with top-tier tech companies to help justice-involved individuals build and refine their technology skills through paid apprenticeships, while working to remove the stigma associated with reentry.” <sup>70</sup>

65 Dream Corps Tech. (n.d.). About. Dream Corps Tech. <https://www.thedreamcorps.org/our-programs/tech/>

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67 The Manufacturing Institute. (n.d.). Second Chance Hiring for Manufacturers. The Manufacturing Institute. <https://www.themanufacturinginstitute.org/events/second-chance-hiring-for-manufacturers/>

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69 Prison Fellowship. (n.d.). What We Do. Prison Fellowship. <https://www.prisonfellowship.org/about/>

70 The Last Mile. (n.d.). Workforce Reentry. The Last Mile. <https://thelastmile.org/our-work/#reentry>



## Industry Insights

- Historically, financial services companies have faced regulatory limitations around hiring justice-involved job seekers.
- In late 2020, the Federal Deposit Insurance Corporation (FDIC) revised Section 19 of the Federal Deposit Insurance Act, reducing such restrictions.<sup>1</sup>
- Certain companies within the financial services sector are pioneering Fair Chance Hiring through their Second Chance Agendas and involvement with the [Second Chance Business Coalition](#).

## Risk Mitigation

- The Work Opportunity Tax Credit and Federal Bonding Program are government resources designed to encourage Fair Chance Hiring while helping reduce potential risk to the hiring organization. Employers can find a helpful guide to these programs in the Manufacturing Institute's [Second Chance Hiring Resource Guide](#).
- It is important for hiring organizations to consult with employment law professionals to understand regulatory hiring and licensing restrictions specific to their industry.

## Fact Finding

A [2017 ACLU Report](#)<sup>2</sup> provided data about the quality of the justice-involved talent pool. They reported:

- Workers with criminal records are no more likely to be fired for misconduct than those without records.
- Workers with records are statistically less likely to quit.
- Workers with records have been found to be more productive and tend to be promoted faster.
- Workers with records have strong potential to move into supervisory and managerial roles.



“Creating economic opportunity for all Americans requires opening new paths to employment in ways that are inclusive and create a diverse talent pool of qualified candidates for in-demand jobs. Through its partnership with the Second Chance Business Coalition, Business Roundtable members are underscoring that providing a second chance by recruiting, hiring, and advancing employees who have a criminal record is central to achieving that objective,” said Business Roundtable President & CEO Joshua Bolten.<sup>3</sup>

<sup>1</sup> Maurer, Roy. (2020, August 17). New Rule Allows Banks to Hire More People with Criminal Records. SHRM. [New Rule Allows Banks to Hire More People with Criminal Records \(shrm.org\)](#)

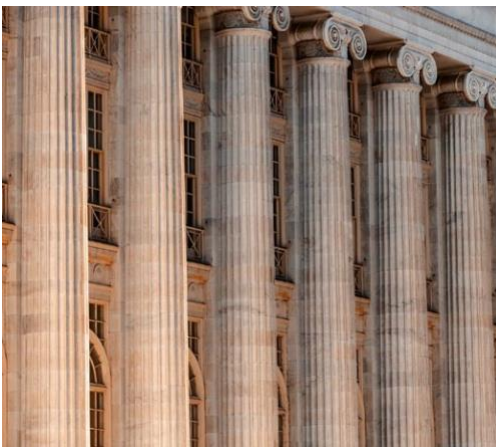
<sup>2</sup> Trone Private Sector and Education Advisory Council to the American Civil Liberties Union. 2017. Back to Business: How Hiring Formerly Incarcerated Job Seekers Benefits Your Company. ACLU. [060917-trone-reportweb\\_0.pdf \(aclu.org\)](#)

<sup>3</sup> Business Roundtable. 2021, April 26. Business Roundtable and Partners Launch Second Chance Business Coalition to Improve Access to Employment, Advancement for People with Criminal Records. Business Roundtable. <https://www.businessroundtable.org/business-roundtable-and-partners-launch-second-chance-business-coalition-to-improve-access-to-employment-advancement-for-people-with-criminal-records>



## Industry Insights

- The phrase “Ban-the-Box” refers to a movement to remove from applications the actual box that applicants must select to disclose a conviction history record.<sup>1</sup>
- In 2019, the Fair Chance to Compete for Jobs Act of 2019 was signed into law, prohibiting federal and private employers that contract with the government from inquiring about conviction history until a conditional offer has been made. The law goes into effect on December 31, 2021.<sup>2</sup>
- Local governments have also begun to adopt Ban-the-Box principles.<sup>3</sup>
  - Thirty-six states have adopted Ban-the-Box laws.
  - Over 150 cities and counties have adopted Ban-the-Box laws or policies applicable to public-sector employment.
  - Fourteen states and twenty cities and counties have extended their fair-chance laws to private employment.



## Policy Initiatives

Fair Chance Hiring has been supported on both sides of the aisle. President Obama and President Trump made strides to remove barriers and advance corporate support for hiring justice-involved individuals. President Biden’s administrative agenda continues the momentum of these efforts.

Click to read about their respective initiatives.

- President Obama’s [Fair Chance Business Pledge](#)
- President Trump’s [First Step Act](#)
- President Biden’s [Build Back Better Agenda](#)

## Risk Mitigation

- The Work Opportunity Tax Credit and Federal Bonding Program are government resources that encourage Fair Chance Hiring while minimizing potential risk to the hiring organization. Employers can find a helpful guide to these programs in the Manufacturing Institute’s [Second Chance Hiring Resource Guide](#)
- It is important for hiring organizations to consult with employment law professionals to understand regulatory hiring and licensing restrictions specific to their industry.

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- Workers with records are statistically less likely to quit.
- Workers with records have been found to be more productive and tend to be promoted faster.
- Workers with records have strong potential to move into supervisory and managerial roles.

1. Barreiro, Sachi. (2021). What Is a Ban-the-Box Law? Nolo. <https://www.nolo.com/legal-encyclopedia/what-is-a-ban-the-box-law.html>
2. Booker, Cory et al. (2019, April 10). S. 387 (116th): Fair Chance to Compete for Jobs Act of 2019. Gov Track. <https://www.govtrack.us/congress/bills/116/s387/text>
3. Avery, Beth and Han Lu. (2021, October 1). Ban The Box: U.S. Cities, Counties, and States Adopt Fair Hiring Policies. National Employment Law Project. [https://www.nelp.org/publication/ban-the-box-fair-chance-hiring-state-and-local-guide/#Chart\\_of\\_Local\\_Fair\\_Chance\\_Policies](https://www.nelp.org/publication/ban-the-box-fair-chance-hiring-state-and-local-guide/#Chart_of_Local_Fair_Chance_Policies)
4. Trone Private Sector and Education Advisory Council to the American Civil Liberties Union. 2017. Back to Business: How Hiring Formerly Incarcerated Job Seekers Benefits Your Company. ACLU. 060917-trone-reportweb\_0.pdf (aclu.org)





## Industry Insights



- Current challenges, including a forecasted increase in demand for healthcare services, changes in healthcare policy, and new technological advancements, reinforce the need for hiring qualified individuals in the healthcare industry.<sup>1</sup>
- Though the healthcare industry suffered a staffing loss of 3.5% from February 2020 to February 2021, the Bureau of Labor and Statistics estimates the addition of 2.4 million jobs by 2029.<sup>2</sup>

report notes: "Occupations in ...industries (manufacturing and construction) ...will likely provide about 40 percent of good, viable job growth over the next 12 months. But the barriers are high."<sup>3</sup>

- The National Employment Law Project (NELP) has created a [toolkit](#) to help employers in the healthcare industry hire people with records.<sup>4</sup>

## Risk Mitigation

- The Work Opportunity Tax Credit and Federal Bonding Program are government resources designed to encourage Fair Chance Hiring while minimizing potential risk to the hiring organization. Employers can find a helpful guide to these programs in the Manufacturing Institute's [Second Chance Hiring Resource Guide](#).
- It is important for hiring organizations to consult with employment law professionals to understand regulatory hiring and licensing restrictions specific to their industry.

## Fact Finding

A [2017 ACLU Report](#)<sup>5</sup> provided data about the quality of the justice involved talent pool. They reported:

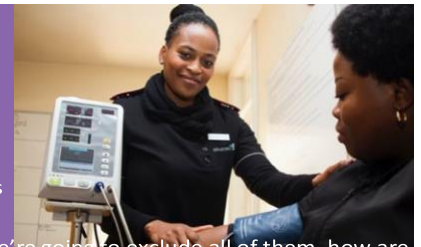
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## Industry Spotlight - Johns Hopkins Medicine

Pew Charitable Trusts featured the Fair Chance Hiring work of Johns Hopkins in a 2017 article. "Johns Hopkins Health System Corporation's willingness to hire justice-involved individuals dates to the late 1990s. The economy was booming, and the hospital was desperate for workers, according to Michele Sidney, Executive Director of Human Resources at Johns Hopkins Bayview Medical Center. At about that time, the Health System just started doing checks, Sedney recalls, noting, "Gee, there's lots of people that have [criminal] backgrounds. If we're going to exclude all of them, how are we ever going to staff the hospital?"<sup>6</sup>

The Johns Hopkins Health System Corporation changed their process and completes a background check after a conditional offer of employment has been extended. If an issue arises, a member of the human resources department reviews the record of the applicant in greater detail.

Click [here](#) to see Johns Hopkins' Best Practices guide to successfully hiring individuals with conviction records.



1. The George Washington University School of Business. (2020, November 4). 5 Reasons Why We Need Healthcare Professionals Now More Than Ever. The George Washington University. <https://healthcaremba.gwu.edu/blog/5-reasons-why-we-need-healthcare-professionals-now-more-than-ever/>.
2. American Hospital Association. (2021, October). "2022 Health Care Talent Scan." American Hospital Association. <https://www.aha.org/system/files/media/file/2021/10/AHA-Health-Care-Talent-Scan-2022.pdf>
3. Rework America Alliance. (2021, June 2). Unlocking experience-based job progressions for millions of workers. McKinsey & Company. <https://www.mckinsey.com/about-us/covid-response-center/inclusive-economy/unlocking-experience-based-job-progressions-for-millions-of-workers>
4. Williams, Sodiqa et al. (2016 September). A Healthcare Employer Guide to Hiring People with Arrest and Conviction Records: Seizing the Opportunity to Tap a Large, Diverse Workforce.
5. Trone Private Sector and Education Advisory Council to the American Civil Liberties Union. 2017. Back to Business: How Hiring Formerly Incarcerated Job Seekers Benefits Your Company. ACLU. [060917-trone-reportweb\\_0.pdf \(aclu.org\)](#)
6. Quinton, Sophie. (2017, April 19.) Matching Ex-Offenders With Hard-To-Fill Health Care Jobs. The Pew Charitable Trusts. <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2017/04/19/matching-ex-offenders-with-hard-to-fill-health-care-jobs>



## Industry Insights

- The global pandemic has added strain to an already labored tech industry. As recruiting top talent becomes more costly and technology needs expand, skills gaps continue to create challenges.<sup>1</sup>
- To sustain increasing demands, employers need to grow their efforts to supplement their workforce. Hiring from the untapped market of justice-involved individuals can be an effective solution.
- The Second Chance Act expanded access to educational and vocational training (with an emphasis on technology training) for incarcerated individuals.<sup>2</sup>
- Some organizations, like [The Last Mile](#), provide training and support to the incarcerated and/or formerly incarcerated, equipping them with market-relevant skills for careers in Digital Technology.



- It is important for hiring organizations to consult with employment law professionals to understand regulatory hiring and licensing restrictions specific to their industry

## Risk Mitigation

- The Work Opportunity Tax Credit and Federal Bonding Program are government resources designed to encourage Fair Chance Hiring while minimizing potential risk to the hiring organization. Employers can find a helpful guide to these programs in the Manufacturing Institute's [Second Chance Hiring Resource Guide](#).

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## Industry Spotlight - Slack Technologies

"For companies committed to making a difference for formerly incarcerated people, simply donating isn't enough," says Slack co-founder and CEO Stewart Butterfield. "You have to create opportunity, and you have to start by looking inward. Through programs like Next Chapter, we believe the technology industry has a chance to design new pathways to skilled, high-paying jobs that can create a better future not only for people leaving prison but their communities."

Click [here](#) to read more about Slack's apprenticeship program. Next Chapter was designed to bring formerly incarcerated individuals into highly skilled engineering roles.

1. English, Larry. (2021, June 1). The Tech Talent War Has No End In Sight. Here's What You Need To Know. Forbes. <https://www.forbes.com/sites/larryenglish/2021/06/01/the-tech-talent-war-has-no-end-in-sight-heres-what-you-need-to-know/?sh=66481f35f2d8>.

2. U.S. Department of Justice. (2013, January 9). Second Chance Act Technology Career Training Program for Incarcerated Adults and Juveniles FY 2013 Competitive Grant Announcement. Bureau of Justice Assistance. <https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/BJA-2013-3434.pdf>.

3. Trone Private Sector and Education Advisory Council to the American Civil Liberties Union. 2017. Back to Business: How Hiring Formerly Incarcerated Job Seekers Benefits Your Company. ACLU. 060917-trone-reportweb\_0.pdf (aclu.org)



## Industry Insights

- U.S. manufacturing is expected to have 2.1 million unfilled jobs by 2030.<sup>1</sup>
- Middle-skill jobs shortages and technology advances in manufacturing exacerbate the need to resolve this industry challenge.<sup>2</sup>
- According to a 2021 McKinsey report, “Occupations in healthcare and industrials (manufacturing and construction) ... will likely provide about 40 percent of good, viable job growth over the next 12 months. But the barriers are high.”<sup>3</sup>

## Industry Spotlight - Nehemiah Manufacturing

“Nehemiah Manufacturing Company is a fully operating for-profit manufacturing plant that has been in business since 2009. From its inception, Nehemiah practices what they call “second chance” hiring of hard-to-hire and formerly incarcerated individuals and provides a social support team to help their employees succeed.

Today, Nehemiah has a workforce of 150 to 180 people, with 80 to 85 percent considered second chance. In ten years of operating, Nehemiah has maintained a low 15% turnover rate, which offers business justification for the company’s mission-driven focus. Nehemiah attests that their hard-to-hire employees appreciate the second chance, and often become their most loyal and hard-working.”<sup>5</sup>

Click [here](#) to read more about their success journey



## Risk Mitigation

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- Workers with records have been found to be more productive and tend to be promoted faster.
- Workers with records have strong potential to move into supervisory and managerial roles.

1. Wellener, Paul et al. (2021, May 4). Creating pathways for tomorrow’s workforce today. Deloitte Insights. <https://www2.deloitte.com/us/en/insights/industry/manufacturing/manufacturing-industry-diversity.html>

2. Ibid.

3. Rework America Alliance. (2021, June 2). Unlocking experience-based job progressions for millions of workers. McKinsey & Company. <https://www.mckinsey.com/about-us/covid-response-center/inclusive-economy/unlocking-experience-based-job-progressions-for-millions-of-workers>

4. Trone Private Sector and Education Advisory Council to the American Civil Liberties Union. 2017. Back to Business: How Hiring Formerly Incarcerated Job Seekers Benefits Your Company. ACLU. [060917-trone-reportweb\\_0.pdf \(aclu.org\)](#)

5. Spaid Patras, Erica. (2020, March 24). Nehemiah Manufacturing’s Second Chance Employment. Greater Ohio Policy Center. <https://www.greaterohio.org/good-ideas/nehemiah-industries>



## Industry Insights

- The retail and hospitality industries generally offer low barriers to employment and allow justice-involved individuals a quick path to obtaining work.
- Some companies in these industries create new pathways for such individuals through creative hiring methods such as open hiring events and working with prisons to develop training and work-release programs for the incarcerated.<sup>1</sup>
- Many employees are hourly, paid at minimum wage. But minimum wage is often not a livable wage. Though employment is the goal, this model only moves the justice-involved from unemployed to underemployed, which is not a sustainable solution.<sup>2</sup>
- As depicted by the work of Nehemiah Manufacturing, roles offering low barriers to entry to work along with upward mobility help justice-involved individuals and returning citizens succeed professionally.<sup>3</sup>



## Risk Mitigation

- The Work Opportunity Tax Credit and Federal Bonding Program are government resources designed to encourage Fair Chance Hiring while minimizing potential risk to the hiring organization. Employers can find a helpful guide to these programs in the Manufacturing Institute's [Second Chance Hiring Resource Guide](#).
- It is important for hiring organizations to consult with employment law professionals to understand regulatory hiring and licensing restrictions specific to your industry.

## Fact Finding

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## Industry Spotlight - Down North Pizza

Restaurants are often ideal places for those with a record to start. Kurt Evans and Muhammad Abdul-Hadi, owners of [Down North Pizza](#), a new restaurant in North Philadelphia, made a conscious effort to staff their new business exclusively with formerly incarcerated people.

"The pair was inspired to merge their love of pizza with their passion for the community by focusing on a cause close to their heart. Both Evans and Abdul-Hadi have family and friends who have been impacted by the carceral system, struggling to find employment even after they've served their time. The duo figured providing those in need with jobs was the perfect way to reduce the recidivism rate in their city."<sup>5</sup>

Click [here](#) to learn more about their story.

1. Waldo, Margaret. (2012, March 1). Second Chances: Employing Convicted Felons. Society of Human Resources Management. <https://www.shrm.org/hr-today/news/hr-magazine/pages/0312waldo.aspx>

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4. Trone Private Sector and Education Advisory Council to the American Civil Liberties Union. 2017. Back to Business: How Hiring Formerly Incarcerated Job Seekers Benefits Your Company. [ACLU. 060917-trone-reportweb\\_0.pdf \(aclu.org\)](https://www.aclu.org/document/060917-trone-reportweb_0.pdf)

5. BOTWC Staff. (2021, April 19). Childhood friends open pizzeria in Philadelphia exclusively employing justice involved individuals. Because of Them We Can. <https://www.becauseofthemwecan.com/blogs/the-feels/childhood-friends-open-pizzeria-in-philadelphia-exclusively-employing-formerly-incarcerated-individuals>



## Glossary of terms

**Fair Chance Hiring**—policies and practices that enable a company to effectively source, evaluate, hire, retain, and promote justice-involved individuals—particularly Black men and women, who are disproportionately represented in this population.

**Justice-involved**—any individual who has a misdemeanor or felony conviction record or an arrest record in the FBI database, whether or not they were incarcerated. The term “justice-impacted” includes this group and, broadly defined, their families and close associates.

**Recidivism**—the tendency of a person with a conviction to recommit the same or another offense

**Misdemeanor**—any lesser criminal act generally punished less severely than more serious felonies. Typically, misdemeanor convictions come with monetary fines or community service.

**Felony**—a crime, in general a more serious offense than a misdemeanor, resulting in prison time of one year or longer.

**Conviction**—a judgment of guilt against a criminal defendant

**Organizational Justice**—how employees perceive fairness in the workplace.

**Untapped talent**—job candidates often not considered for employment due to perceived barriers (e.g., candidates with criminal records).

**Bias**—prejudice against people, ideas, etc. resulting in inequitable treatment.

**Equality vs. Equity**—equality is providing the same treatment to all people — not accounting for their individual needs or tailoring treatment based on those needs to provide equal opportunity (equity)

## Appendices/supplemental material

### i. Information regarding restrictions on hiring individuals with conviction records

- a. Searchable database regarding state and local restrictions on hiring people with convictions  
[Collateral Consequences Inventory | National Inventory of Collateral Consequences of Criminal Conviction \(nationalreentryresourcecenter.org\)](#)
- b. [50-State Comparison: Limits on Use of Criminal Record in Employment, Licensing & Housing | Collateral Consequences Resource Center \(ccresourcecenter.org\)](#)

### ii. Existing resource guides/toolkits

- a. For employers – e.g., [How-to-Be-a-Fair-Chance-Employer-Checkr-web.pdf \(prosperco.org\)](#), [Freedom to Achieve - 08-20-2021.pdf \(jfforg-prod-new.s3.amazonaws.com\)](#), [guidebook april2021.pdf \(toledochamber.com\)](#), [DKBF Playbook - DKBF \(dkbfoundation.org\)](#), [Give Job Applicants with Criminal Records a Fair Chance \(hbr.org\)](#), [TOOLKIT - GettingTalent Back To Work.pdf \(shrm.org\)](#)
- b. For justice-involved job seekers – e.g., [2021 Second Chance Re-entry Resource Guide UPDATEDFINAL6.28.2021.pdf - Google Drive](#) (South Carolina), [1. Cook County Resource Guide.pdf \(illinois.gov\)](#), search for others by State and County using Research Reentry Guides



### iii. Sources of relevant data not referenced in Playbook text

- a. National Employment Law Project Home - [National Employment Law Project \(nelp.org\)](https://nelp.org)
- b. The Leadership Council on Civil and Human Rights <https://civilrights.org>

### iv. Examples of success

- a. Toyotetsu [Webinar: Second Chance Hiring In Your Community | The Manufacturing Institute](#)
- b. Denny's Inside [Denny's Decades-Long DEI Journey \(hbr.org\)](#)
- c. U.S. Rubber Recycling [Jobs For The Formerly Incarcerated Amid Hefty Growth At US Rubber Recycling \(forbes.com\)](#)
- d. Nehemiah Manufacturing [The Company of Second Chances - WSJ](#)



**Commitment to racial equity takes  
all of us.**



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