

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2016

Bill Number: H. 261 Name of Bill: An act relating to criminal record inquiries by an employer

Agency/ Dept: VDOL Author of Bill Review: Matt Hill

Date of Bill Review: 4/26/16 Related Bills and Key Players Employers, VDOL, DHR, AG

Status of Bill: (check one): Upon Introduction As passed by 1st body As passed by both

Recommended Position:

Support Oppose Remain Neutral Support with modifications identified in #8 below

Analysis of Bill

1. Summary of bill and issue it addresses. *Describe what the bill is intended to accomplish and why.*

The bill proposes to make it illegal for an employer to ask for a person's criminal history record information on its initial employee application form.

2. Is there a need for this bill? *Please explain why or why not.*

Many people with criminal backgrounds do not get jobs because they can never get an interview, even if they are well qualified for a job.

3. What are likely to be the fiscal and programmatic implications of this bill for this Department?

There may be a negligible increased work load for the wage and hour division, though enforcement will be with the attorney general's office.

4. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?

None

5. What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it? *(for example, public, municipalities, organizations, business, regulated entities, etc)*

Businesses will have to make sure they are not asking for that information on the initial application. They can ask at the interview process or after the initial application process.

6. Other Stakeholders:

6.1 Who else is likely to support the proposal and why?

Prisoner's rights advocates, Vermont Legal Aid, ACLU

6.2 Who else is likely to oppose the proposal and why?

Business groups such as AIV, Grocers, the Chambers.

7. Rationale for recommendation: *Justify recommendation stated above.*

It is important for as many people as possible to get into a job and become functioning members of society. Being able to obtain gainful employment for ex-offenders reduces recidivism rates.

Please return this bill review as a Microsoft Word document to Jahala.Dudley@vermont.gov & Jessica.Mishaan@vermont.gov

8. Specific modifications that would be needed to recommend support of this bill: *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*

None

9. Will this bill create a new board or commission AND/OR add or remove appointees to an existing one? If so, which one and how many?

None

Secretary/Commissioner has reviewed this document: _____ **Date:** _____