

Why Fair Chance Employment? Why Now?

Seattle's Fair Chance Employment Ordinance (FCE) gives people with criminal records a fair chance to work.

On November 1, 2015, the City of Seattle celebrated the second anniversary of the **Fair Chance Employment Ordinance (FCE)**¹, which has opened the door for people in families, communities, and neighborhoods across the City of Seattle to have access to the workplace they could have previously been denied.

FCE restricts how employers in Seattle can use arrest and conviction records in hiring and other employment decisions by:

- Prohibiting ads that exclude applicants with criminal records like, **"Felons need not apply"**.
- Giving applicants and employees the chance to explain or correct criminal records.
- Requiring a legitimate business reason to deny a job based on a criminal record.

WHY DID THE CITY OF SEATTLE TAKE THIS STEP? WHAT ARE THE GOALS OF THE FAIR CHANCE EMPLOYMENT ORDINANCE?

Seattle passed FCE to make it easier for people with conviction and arrest records to find and hold jobs that they're qualified to do—to provide social and economic opportunities and mobility for the people and communities impacted by the criminal justice system.

Since 1980, the imprisonment rate of the United States has tripled. An estimated one in every three adults in the U.S. has an arrest or conviction record on file in state databases. Our criminal justice system has a disproportionate impact on communities of color.

African Americans are **3.8%** of Washington's population but account for nearly **19%** of the state's prison population. Native Americans are **1.8%** of the state population but account for **4.3%** of the state's prison population. Racial disparities in incarceration rates also mean that blanket exclusions from employment based on criminal history have a profound disparate impact on communities of color.²

We know that people require a combination of family support, community assistance and economic opportunity to return from and remain out of the criminal justice system. Access to a job is a critical piece of this support. Reducing work barriers for people with criminal records strengthens our communities, reduces recidivism and crime, helps end racial disparities in the criminal justice system, and lowers the overall cost of criminal justice.

¹On November 17, 2015, the Mayor transmitted to City Council a comprehensive set of amendments to Seattle's labor standards ordinances, including FCE, which City Council unanimously approved on December 14, 2015 and the Mayor signed on December 17, 2015. The ordinance received a name change from "Job Assistance (JAO)" to "Fair Chance Employment (FCE)". The changes went into effect on January 16, 2016.

²Washington State Department of Corrections – <http://doc.wa.gov/aboutdoc/statistics.asp>

"We all have a stake in making it possible for people with criminal backgrounds to find work and support their families," said Councilmember Bruce Harrell, who sponsored Seattle's Fair Chance Employment Ordinance in 2012. "As a society, we failed to foresee the consequences of a policy of mass incarceration. Now as a community, we need to work together to create a city of fair chances for everyone."

This issue affects all of us. Denying someone an opportunity to work outright based upon their past, without giving consideration to the circumstances involved, is no way to support their future.

For more on the importance of other "fair chance" laws across the country, please see the National Employment Law Project's "Ban the Box is a Fair Chance for Workers with Records".³

The Seattle Office of Labor Standards is proud to enforce the Fair Chance Employment Ordinance. Contact us if you or someone you know has seen a job application that excludes or discourages applicants with a criminal record or has been denied a job or an opportunity for advancement based on a criminal record.

Learn more about the Fair Chance Employment Ordinance at seattle.gov/fairemployment.

CONTACT OR VISIT THE OFFICE OF LABOR STANDARDS (OLS) TO REPORT A VIOLATION.

- Call: (206) 684-4500
- Visit: 810 Third Avenue, Suite 750, Seattle, WA, 98104
- Send email: laborstandards@seattle.gov
- File complaint online: seattle.gov/laborstandards/file-complaint

OLS has jurisdiction within Seattle city limits, and Seattle's labor standards ordinances only cover employees working inside Seattle. If a report of noncompliance does not qualify for an OLS investigation, our office will provide referrals to another agency for help.

³National Employment Law Project, "Ban the Box is a Fair Chance for Workers with Records" – <http://nelp.org/publication/ban-box-fair-chance-workers-records>



OFFICE OF LABOR STANDARDS

The mission of OLS is to advance labor standards through thoughtful community and business engagement, strategic enforcement and innovative policy development, with a commitment to race and social justice.

MORE INFORMATION
(206) 684-4500

laborstandards@seattle.gov
seattle.gov/laborstandards