

# California's "Ban the Box" law takes effect

By Josh Richman

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*Have you  
ever been  
convicted?*

California's "Ban the Box" law – removing questions about criminal convictions from state and local government job applications – took effect Tuesday, and supporters say it'll make the hunt for gainful employment easier for about 7 million Californians.

**A study released Tuesday** by the National Employment Law Project shows public employers have updated their job applications to comply with the new law, enacted as **AB 218** by Assemblyman **Roger Dickinson**, D-Sacramento.

"When we first introduced the bill nearly two-and-a-half years ago, our goal was to advance a simple but powerful message — that everyone who works hard deserves a second chance to turn their lives around and give back to their communities," Dickinson said in a news release Tuesday. "We are heartened to see that the state's public sector employers have embraced fair-chance hiring and that they are now setting an example for the private sector to follow."

The law requires that state and local agencies determine a job applicant's minimum qualifications first, and only after that can get and consider information about past criminal convictions. Certain employers – such as law enforcement agencies and school districts – are exempt from the law, as are any job positions subject to a criminal background check by an occupational or licensing law.

The NELP survey found all of California's 10 largest counties and 10 largest cities – representing about three quarters of the state's population – have removed the conviction-history question from their job applications and delayed the criminal background check until later in the hiring process.

Of the 10 largest counties, each of which has a population greater than 952,000, only Alameda, Santa Clara, and Riverside counties had a similar policy in place before AB 218 was signed into law. And of the 10 largest cities, each of which has a population of more than 346,000, only Oakland, San Diego, and San Francisco had such policies in place.

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About half of the largest counties and cities – including Santa Clara County, Oakland and San Jose – have gone beyond what the new law requires: They delay the criminal-history inquiry until the employer makes a conditional offer of employment, or later. San Francisco has passed a local ordinance extending the policy to private employers, too. And Richmond and Compton extend the policies to private vendors doing business with those cities.

“AB 218 provided us with the mandate to adopt ban-the-box, which we’re proud to embrace, but it’s just a first step of our evolving process to ensure that all our residents share in the promise of economic opportunity,” said Contra Costa County Supervisor **John Gioia**, who has championed this cause.

The Assembly approved AB 219 on a **48-29 vote** in May 2013, and it just barely squeaked through the state Senate on a **21-16 vote** in September.

These “fair-chance hiring policies” are now in effect in 12 states plus almost 70 cities and counties across the nation.

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