

KNOW YOUR RIGHTS

when you're applying for a job with a criminal record

IN PHILADELPHIA

- It is illegal for employers to ask about your criminal background **on applications** or **during a job interview**
- Employers can't run your background check **until after they offer you the job**
- Employers **can't take back a job offer** based on:
 - **arrests** that didn't lead to a conviction
 - convictions that are **7 years old or older**
- **Employers can't automatically reject you** just because you have a more recent conviction (less than 7 years old). They must consider:
 - the type of offense
 - how much time has passed
 - whether the conviction is related to the job you're applying for
 - what you've done since the conviction
 - your references
- If you're rejected because you have a record, **you still have rights**:
 - Employers **must notify you in writing** and give you a **copy of your background report**
 - **You have 10 days** to explain your record, show that it is wrong, or show that you've rehabilitated yourself

OUTSIDE OF PHILADELPHIA

- Employers **can't consider arrests, juvenile adjudications, and summary offenses.**
- Employers **can't automatically reject you because you have a conviction.** They **must consider** whether the conviction affects your **suitability** for the job, based on:
 - the type of offense
 - how much time has passed
 - whether you've succeeded in similar jobs in the past
- If the employer wants to use a **credit reporting agency** to run your background check:
 - you have a right to know that the employer **is going to obtain your credit report**
 - you have a right to know **if information in your file will be used against you**
- If you're rejected because of your record, the employer **must tell you in writing** why you were denied the job.
- If the job is in Pittsburgh, Allentown, Lancaster, or Reading, **you may have additional rights** under local laws.

IF YOU ARE TOLD YOU NEED A "CLEAN RECORD" TO APPLY FOR A JOB

- In some fields, there are laws that restrict people with **certain** offenses from **certain** positions in places like schools, child care centers, and nursing homes.
- **But even employers in restricted fields can't reject an applicant just because their record isn't "clean."** Ask a lawyer if you think your conviction shouldn't disqualify you from the job.