

Helping Job Seekers Who Have Legal Histories

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March 8, 2018

The IPS Employment Center at the Rockville Institute



Expert IPS specialist project

Twelve IPS specialists from from the IPS Learning Community were nominated to participate in a project to learn more about how to help people with justice system involvement.

They facilitated structured, in-person interviews with 128 employers in a wide range of businesses. Interviews focused on hiring people with criminal histories.

Expert IPS specialist project

- Employment specialists met in person with trainers from the IPS Employment Center to review surveys and discuss lessons learned.
- Products of the project include a summary of the surveys, a tip sheet for employment specialists, and a worksheet to help job seekers prepare for meetings with employers.

Employer responses

- 62% of employers reported that they had knowingly hired at least one person with a felony.
- 38% said they had not ever hired a person with a felony or were not sure (no background checks).

Type of employers

- 60% of employers interviewed were independently owned businesses or nonprofits.
- There was not a statistically significant difference in the hiring practices of managers for large corporations and small business owners/managers.
- Wide range of business types.

Type of convictions reported by employers

Employers reported hiring people with different types of legal histories including:

Drug related offenses (15)

Driving under
influence (11)

Theft (10)

Assault (8)

Sex offenses (7)

Domestic violence (4)

Armed robbery (2)

Murder (2)

Reckless driving (1)

Criminal trespassing (1)

Manslaughter (1)

Gun-related offense (1)

Most popular reasons for hiring person(s) with legal histories

1. Person had the qualifications to do the job (experience, skills or training).
2. Person interviewed well (expressed enthusiasm, dressed well, followed-up with employer).
3. Recommendation from someone whom the employer knew (employee, parole officer, employment specialist).
4. Belief that the person had changed.
5. Length of time since conviction.
6. Person demonstrated sincerity and honesty when explaining criminal record.

Length of time from last conviction when hired:

- Less than one year since conviction or prison release: Reported by 9 employers
- 1-2 years: Reported by 20 employers
- 2-7 years: Reported by 7 employers
- More than 7 years: Reported by 12 employers

Lesson learned:

We can't change what happened, but we can help people think about how to talk to employers about their past and how they are moving their lives forward now.

1. Basic good interviewing skills help (dressing well, enthusiasm for job, following up with employer).
2. Reference from someone employer knows (use our relationships with employers).
3. People need to prepare how they will talk about background (honesty, explaining how they have changed).



Employer policies regarding hiring people with legal histories

- 66% reported no formal policy.
- 18% reported a formal policy against hiring people with felonies.
- 9% reported a formal policy against hiring people with certain types of felonies.
- 5% reported a formal policy regarding length of time since last convictions.

Background checks

- 73% of employers reported that they do background checks.
- 27% reported that they do not do background checks.

Job development strategies

- Build relationships with employers and use those relationships to help people connect with employers.
- Introduce employers to individuals, rather than asking if they hire people with felonies.
- Help people obtain their records so that they can fill out applications accurately and honestly (because most employers check).
- People must have face-to-face contact with employers so they can explain how their life has changed. Don't waste time filling out application after application unless there is in-person follow-up (preferably by both the specialist and the job seeker).

Employer advice for IPS specialists

1. Advise the person to be upfront and honest.
2. Person should take responsibility for his/her actions.
3. Help person describe how s/he has changed.
4. Introduce the person to the employer (use your relationship with the employer to help the person get a job). Make sure you have contact with the person who makes hiring decisions.

Recommendations for explaining past to employers:

Step 1: Be direct about the conviction, but use everyday language.

“In 2014, I was convicted of breaking and entering.”

“There is something I want to bring up. I have a number of offenses related to drugs and theft.”

Recommendations for explaining past to employers:

Step 2: Make a brief statement of regret or remorse:

“I made a mistake.”

“What I learned from that was...”

“I know what I did was wrong.”

Recommendations for explaining past to employers:

- Step 3: Explain how your life has changed:

“I will never go back to jail again. I’ve decided that my life has to change. I’m going to treatment and getting a job is also part of getting my life back on track.”

“I’ve been volunteering as a way to give back to my community. I also want to support myself.”

“I have more supports in my life now. I have reconnected with my family and joined a church so I have friends who are sober.”

Recommendations for explaining past to employers:

Step 4: Describe why you would be a good employee:

“I’m a person who really wants to work. In my last job, I did not miss work.”

“I would be a good employee because I have experience as an assembler.”

Example of explaining past to an employer:

“I have a sexual assault charge on my record. I know that what I did was wrong. I used poor judgment and made a life-changing mistake. I’m in counseling now and I understand how to avoid making the same mistakes. I am eager to start a new job and continue down a more positive path. I have supports--I’m an active member of my church and my family is behind me. I would be a good employee because I am extremely reliable and I have experience driving a forklift. I am eager to work and my schedule is flexible.”



Help job seekers practice

- Many people have to overcome shame, hopelessness and/or anger when talking about their histories.
- Help people remember their strengths (make lists, review strengths).
- Practice until people can give their statements in a manner that sounds sincere.
- Consider an opportunity for the person to practice with a stranger (even another employ specialist) to see how that goes.

Give job seekers hope

- Give examples of other people who have gone back to work in spite of serious criminal histories. (Observe rules about confidentiality.)
- Share information from this survey
- Make hopeful statements, “I believe you will get a job.”
- Introduce a person who has been able to go back to work in spite of a criminal history.

Help job seekers follow up on job applications

- In person is best.
- "Hi, my name is Maria Smith and I submitted an application to work here three days ago. I wanted to let you know that I have a passion for cooking and I just finished culinary training at Culinary Delights Institute. I especially want to work here because I have dined here before and had a fabulous experience."

Develop relationships with employers

1. Visit business in person to ask for an appointment to come back and learn about the type of person who is successful in different positions at the business.
2. Go back to ask open-ended questions and learn.
3. Return to discuss a job seeker who may be a good match, OR to continue working on the relationship.

Introduce yourself

“Hi, my name is Sandy Reese and I am an employment specialist at Lifeworks right here in town. I help people return to work, but I am not looking for any jobs today. That is because I want to be a resource to employers by learning about their business needs and the type of employee who is a good match for their businesses. I want to be sure that if I send candidates to your workplace, that I refer the type of people you would like to meet. Can we set up a 20-minute appointment so that I can come back and learn more about your business?”

Learn about the business

- What are your goals for your department/business?
- Please describe your workforce.
- What type of person is a good match for your business? Who would love to work here?
- What is a typical day like for a desk clerk? What have been some of the challenges people have had in that position? What do they like about that job?
- Do not ask about job openings.

Return

- Return to talk about a job seeker, “Andrea, you said that you need self starters who love fashion. I think I do know someone like that. Can I tell you a little bit about him?”
- Return to keep working on the relationship, “Bill, you said that things get really busy here mid-day. Can I schedule a time to come in and observe workers? I want to understand what the job is really like.” OR, ask a few more questions, take a tour, ...

IPS specialists who participated in the project

Janet Dickerson, DC

Tim Dunn, OH

Crystal Ganat, CT

Kevin Kearns, VT

Susan Klunk, MO

Stephanie Kruger, MN

Tammy Guest, OR

Tania Morawiec, IL

Cathy Pennington, OR

Kristin Tracy, OH

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