



Fair Chance Hiring Ordinance Guide For Employers

INSTRUCTIONAL KEY



Fair Chance Hiring Steps



Stop to complete this step

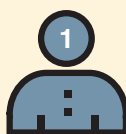


Proceed with hiring process



Next Step

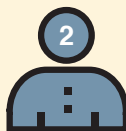
Please proceed with hiring process. 




Is employer covered?

- Work is performed primarily within the City of Austin, and
- It has 15 or more employees, and
- They are employed for 20 or more weeks

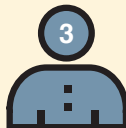

↓




Then job is exempt from the ordinance. 

Does Federal, state, local law, or legally mandated insurance require a criminal background for a specific job?

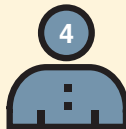

↓




Employer must update job postings to reflect ordinance requirements. 

Has employer removed all language from Job Postings stating/ implying criminal history is an automatic disqualification for a job?


↓



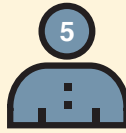
Employer must update employment applications. 

Has employer removed all questions from Employment Applications soliciting/inquiring about criminal history?


↓

Please continue to Step 5.





Employer must update their job interview policies and procedures to prohibit soliciting criminal history information during interview. ← NO

Do employer job interview policies and procedures prohibit soliciting information about criminal history?

YES

6



An employer shall not inquire or consider applicant's conviction history until after the applicant has been offered a conditional employment offer. ← NO

Has employer made a Conditional Employment Offer?

YES

7



The Fair Chance Hiring Ordinance does not require criminal background checks. ← NO

Will employer obtain Criminal History about the applicant?

YES

8



The employer must implement policies to evaluate, at a minimum, the nature and gravity of offense, the length of time since the offense and completion of the sentence, and the nature and duties of the job. ← NO

Do employer policies and procedures include a required individual assessment?

YES

9



The employer proceeds with the employment of the individual. ← NO

Will individualized assessment policy support adverse action?

YES

The employer must inform the individual in writing that the Adverse Action was based on the applicant's Criminal History.



Fair Chance Hiring Ordinance obligations have been completed.

Disclaimer: The information in this presentation is not intended as legal advice and is not a substitute for individual consultation with a licensed, experienced, and qualified attorney. The information in this presentation does not constitute an official position, policy, or pronouncement of the City of Austin. The information in this presentation is not binding authority and does not create any rights enforceable at law by any party in any matter. Any examples in this presentation are furnished merely as illustrations. They are not official policies and are not meant to be adopted and used without consultation with a licensed attorney. Nothing in the information in this presentation is intended as an advertisement of, or an offer to provide, any commercial goods or services by any person for any individual or entity.