



Resolution in Support of Fair Chance Hiring

COMMITTEE: Social and Economic Justice

RESOLUTION: SEJ-20-05

1. **WHEREAS**, fair chance hiring is the implementation of policies to assist those who have
2. a history of criminal arrest and/or conviction obtain employment for which they are
3. qualified by ensuring criminal history information is used fairly and individually; and
4. **WHEREAS**, over seventy (70) million people, in the United States have a criminal
5. record which causes one in three adults to experience obstacles in securing sustainable
6. employment; and
7. **WHEREAS**, unemployment for the formerly incarcerated is disproportionately high at
8. five times the rate for the general public without a criminal record - twenty-seven percent
9. (27%) compared to six percent (6%) respectively. The unemployment rate is the most
10. staggering for Black women with a criminal record (43.6 percent), compared to Black
11. women without a record (6.4 percent). The unemployment rate for formerly incarcerated
12. Black men are 35.2 percent compared to 7.7 percent of Black men without a record. The
13. unemployment rate for formerly incarcerated White women is 23.2% compared to White
14. women without a record, 4.3%. And White men have the lowest disproportionality with
15. unemployment for formerly incarcerated at 18.4% compared to of White men with no
16. record, 4.3%; and
17. **WHEREAS**, according to the National Employment Law Project (NELP), the economic
18. impacts for formerly incarcerated may affect generations because sixty percent (60%) of
19. people who have been incarcerated remain unemployed one year after release, formerly
20. incarcerated men can expect to work nine fewer weeks per year and they earn forty
21. percent (40%) less than those without a record. With nearly half of all children having a

22. parent with a record, this will cause a negative impact for communities; and
23. **WHEREAS**, the impact of a criminal record has more severe consequences for
24. communities of color. According to NELP, the effect of a criminal record on employment
25. is 40% more damaging for black men than white men. Formerly incarcerated white
26. women were 93% more likely to be contacted by employers for an interview or offered a
27. job than formerly incarcerated Black women, and Hispanic women with a prison record
28. were 61% less likely than White women to receive a favorable response by employers;
29. and

30. **WHEREAS**, the Fair Chance to Compete for Jobs Act of 2019, passed Congress on
31. December 17, 2019. This legislation helps qualified workers with arrest or conviction
32. records compete fairly for employment in federal agencies and with federal contractors
33. by prohibiting employers from asking about arrest and conviction history on job
34. applications and instead delay background checks until a condition job offer has been
35. extended to applicants; and

36. **WHEREAS**, several studies document that policies such as the Fair Chance to Compete
37. for Jobs Act of 2019 has resulted in increased employment of people with criminal
38. records which in turn has a positive impact on communities as well as helped to meet the
39. demand for qualified employees resulting in a stronger economy; and

40. **WHEREAS**, thirty-five (35) states, the District of Columbia, and over 150 cities and
41. counties have adopted fair chance policies; and thirteen (13) states and eighteen (18)
42. cities and counties have extended fair-chance laws to private employment; and

43. **WHEREAS**, individuals returning back into society have paid their debt to society for
44. their criminal actions and successful re-entry into the community is often predicated on
45. gainful employment and this success will create stronger families and safer communities.

46. **NOW THEREFORE, BE IT RESOLVED**, that the National Organization of Black
47. Elected Legislative (NOBEL) Women affirms support for the removal of barriers for
48. citizens with a criminal record to obtain gainful employment and the implementation of

49. policies and programs to help in the successful re-integration of formerly incarcerated

50. citizens into society; and

51. **BE IT FURTHER RESOLVED** that the National Organization of Black Elected

52. Legislative (NOBEL) Women encourages private and public employers, including its

53. corporate partners and supporters, to implement fair chance policies and programs that

54. would specifically aide in the successful re-integration of formerly incarcerated citizens

55. as well as those with criminal records.

**Introduced by: the Honorable Karen Camper
Tennessee General Assembly**