

Austin/Travis County Reentry Roundtable



Coming Full Circle —
Building Successful Strategies
For Offender Reentry

Engaging Employers

September 30th, 2007

Austin/Travis County Reentry Roundtable

**Hiring Persons With Criminal Backgrounds:
Engagement of Private Sector Employers**

The goal of the RRT Employment Subcommittee is to develop community strategies that will link offenders to sustainable employment through effective training, education and employer development thereby meeting offender, community and employer needs. The FY2007 objectives included the objective of engagement of private sector employers in an effort to benchmark current hiring practices for persons with criminal backgrounds as well as identifying the challenges these employers face when considering to hire, hiring and/or retaining persons with criminal backgrounds. The results of the engagement of these employers is to lead to recommendations for how we can enhance hiring practices of local employers that would lead to more persons with criminal backgrounds.

2007 RRT Employment Goal 3:

Assess current practices of Austin/Travis County employers for persons with criminal backgrounds and determine strategies that can be designed to encourage more employers to hire this population

We implemented four strategies to meet this objective:

- Review existing reports and literature regarding employer perspectives on hiring persons with criminal backgrounds
- Develop and implement an on-line survey for local employers
- Interviews with employers one-on-one
- Hold employer focus groups

Literature Review

As we began to develop the survey strategy for engaging private sector employers, we consulted with members of the ATC Reentry Roundtable Evidence Based Practice Committee. They recommended that we consider conducting a literature review as we developed the survey to determine if surveys or other types of studies on employer perspectives on hiring persons with criminal backgrounds. We were able to identify two reports that engaged the employer community utilizing surveys and focus groups and used both of these reports to help us design our strategies:

“Employer Demand for Ex-Offenders: Recent Evidence from Los Angeles”, Institute on Poverty, June 2003 (Holzer, Harry; Raphael, Stephen; Stoll, Michael);
<http://www.irp.wisc.edu/publications/dps/dpabs2003.htm#DP1268-03>

In this study, the researchers examined the employer demand for ex-offenders using an employer survey taken in Los Angeles in 2001. They analyzed not only employer stated preferences to hire offenders, but also the extent to which they actually do so. The analysis of the survey results focused on identifying the indicators of employers’ perspective willingness to hire ex-offenders and their actual hiring of ex-offenders. Findings included:

- Over 40% of employers indicated that they would “probably not” or “definitely not” be willing to hire an applicant with a criminal record while only 20% said they definitely or probably consider an applicant with a criminal history and 35% of employers indicated that their response depends on the crime of the applicant.
- 93% of employers indicated they would definitely or probably hire a former or current welfare recipients, 97% said they would definitely or probably hire workers with a GED in lieu of a high school diploma, 66% would hire workers with spotty employment history and 80% would likely consider a person who has been unemployed for more than a year. However, only 20% of employers indicated they would definitely or probably would accept an application from an offender.
- Industries most willing to hire ex-offenders were manufacturing, construction and transportation or those industries that have fewer jobs requiring customer contact.
- Businesses willing to hire ex-offenders are disproportionately those with large fraction of unskilled jobs. Service industries are more unwilling to accept and hire ex-offenders.
- The prospective and actual hiring actions by employers that always conduct background checks may not limit the actual hiring of ex-offenders.
- Employers were strongly opposed to hiring persons with violent criminal charges and are somewhat opposed to hiring those who have been recently released from prison without work experience.

The authors concluded that employers stated willingness to hire ex-offenders is still very limited even relative to other disadvantaged workers (and has been more negatively affected by the events of September 11th, 2001). But employers report being more willing to hire persons who have non-violent offenses on their criminal background than those with violent histories. They also concluded that in this study that the employers' stated willingness to hire ex-offenders actually correlates with their actual hiring practices.

“Employment of Ex-Offenders: Employer Perspectives”, Crime and Justice Institute, October 2006 (Fahey, Jennifer; Roberts, Cheryl; Engel, Len) <http://www.crjustice.org/cji/cjipublications.html>

To gain a better understanding of employers' views about hiring ex-offenders, the Crime and Justice Institute (CJI) conducted a review of the national research literature and held a series of focus groups with employers in the greater Boston area. Findings included:

- Most employers reported that a hiring decision depended on the individual circumstances of each case, including the type of job and the specific factors in the criminal history.
- Most employers reported that a hiring decision depended on the individual circumstances of each case, including the type of job and the specific factors.
- Employers indicated that a candidate with a criminal history is generally less attractive than one without, so ex-offenders have more obstacles to overcome.
- Completion of transitional employment was described by some of the employers as “evidence of rehabilitation” which could lead to increase willingness to hire such applicants.
- The three support services and incentives that employers rated as having the most positive impact on hiring were: completion of a transitional employment program after release, general work readiness training, and specific job skills training.
- Although employers consider technical skills to be important in the selection process, they reported non-technical (“soft”) skills as being most important (i.e., good communication and interpersonal skills, ability and willingness to learn, attention to detail, reliability, and showing up for work on time).

- Most employers are unaware of the tax incentives, bonding programs, and intermediary organizations currently in place to facilitate employment of returning offenders.
- Employers generally seem interested in the support systems that seek to bridge the gap between ex-offenders and prospective employers, but need to know more about the programs and how they fit with their needs.
- Over half of participating employers rated greater protection from legal liability as having a very positive impact on their likelihood of hiring an ex-offender; however, many are also skeptical that this could be effectively implemented. Moreover, some employers feel that protection of reputation and client base is of even greater concern than legal liability.

The report concluded with several recommendations for improvement:

- Provide structured transitional employment opportunities so that ex-offenders can build positive work experience and references upon release from prison;
- Increase and strengthen training in both soft and hard skills, and create more partnerships with employers to match technical training with their industry needs; and
- Create a marketing campaign to educate employers about how and where to hire qualified ex-offenders, available government incentives, and successes experienced by employers that have hired ex-offenders.

One-on-One Interviews with Employers

Another strategy for engaging employers in our community included doing one-on-one interviews with employers. We utilized three job fairs as an opportunity to talk with employers. Two job fairs were specific to Project Rio, an employment service provided to persons recently released from a state prison or jail. The third job fair was a job fair hosted by the WorkSource Career Center for Spanish speaking applicants.

Project Rio Job Fair Employer Interviews

In March 2007, Project Rio of WorkSource held their first job fair specific for persons enrolled in the Project Rio program which serves persons who have

been released from a Texas prison or State Jail. We met with six employers who were participating in this first job fair:

All of these employers do hire persons with criminal backgrounds. Challenges and issues identified during the interviews by these employers included:

- Two of the six of the employers pointed out that the criminal history question specifically asked applicants to identify/list more than just convictions but also any pre-trial diversion or deferred adjudication. The wording is confusing and may lead to applicants not filing it out as required which could lead to rejection of their application for failing to disclose information.
- One company contracts for the criminal background check and they report only whether the applicant “passed” or “failed” the check and the hiring personnel never sees the actual criminal background report. It was unclear what the criteria were for passing or failing the check.
- One employer has recently moved to an on-line application process, which may deter persons with criminal backgrounds, particularly those being released from prison after serving long periods of time, from applying due to a lack of computer skills.

| | |
|--------------------|---|
| Fast food: | 1 |
| Hospital industry: | 1 |
| Governmental: | 2 |
| Landscaping: | 1 |
| Retail: | 1 |
| Staffing entities: | 2 |

Recommendations these employers suggested that would lead to more persons with criminal backgrounds being hired by their companies included:

- **Provide case management or supportive services** to this population to help them find and retain jobs;
- **Provide better assistance** to persons with criminal backgrounds about **how to read and answer the criminal history disclosure question** on applications;
- **Help employers examine their existing policies and practices** and provide suggestions on how they can recruit and hire more persons with criminal backgrounds.

Two additional employers were interviewed at the second Project Rio job fair on August 21st, 2007: Seton Hospital and a private landscaping company owner. Seton Hospital representatives discussed the impact of a new policy that will be implemented later this year on persons with criminal backgrounds. The company

will be going to a complete computerized system: not only will applications will all be on-line but paychecks will now only be delivered via direct deposit. They anticipate that many persons recently released from prisons and jails have not set up bank accounts, which will impact them immediately if they are hired.

WorkSource Job Fair for Spanish Speakers--September 28th, 2007

In an effort to reach out to employers who are not necessarily open to hiring this population, we began the strategy of attending general job fairs at the WorkSource Career Center and doing one-on-one interviews with the employers present. On Friday, September 28th, we attended a job fair for Spanish speaker applicants at the WorkSource Career Center. Approximately 35 employers participated in the job fair. We interviewed/surveyed eight employers/recruiters:

Some of the highlights of these interviews included:

- One employer did not want to do a survey or an interview because “they never hire anyone with a criminal background”.
- Two employers/recruiters said that they did not know what their policy was around hiring persons with criminal backgrounds and referred me to regional human resource managers. The recruiters did say that they did make the hiring decisions but that they had a centralized process that did all the screening prior to them sending the applications to them for interview decisions.
- One of the staffing employers said that almost all the entities that they have contracts with do not want persons with criminal backgrounds sent to them. This company, however, was interested in finding ways to help this population find employment.
- One employer/recruiter said that they hired persons with criminal backgrounds based on the job openings and the type of criminal backgrounds (i.e., someone convicted of theft would not be hired to work with or around money). This employer said that they do hire many persons with criminal backgrounds but many of them must take entry-level jobs. They do, then, have opportunities to advance within

| Characteristics of WorkSource Job Fair Employers: | |
|--|--------------------------------|
| Convenience store: | 1 |
| Daycare: | 1 |
| Fast food: | 1 |
| Hotel industry: | 1 |
| Media: | 1 |
| Staffing business: | 2 |
| Transportation: | 1 |
| National business: | 4 |
| Small, local business: | 2 |
| Large Employer: | 6 (more than 250 employees) |

the organization. This entity does provide benefits to persons working full-time. In addition, this entity provided a process for applicants to dispute consideration for hire due to criminal background or credit history check.

- One employer provided union-type employment opportunities and will hire persons with criminal backgrounds but they require 5-7 years from date of arrest before they are eligible. In addition, they have identified “crimes of concern” for certain jobs in which a conviction would be considered permanently ineligible for employment.
- Two of the eight employers/recruiters said they were not aware of the federal Work Opportunity Tax Incentive Credit or bonding opportunities.
- Challenges identified by recruiters who have employed this population included:
 - Being able to completing applications on-line
 - Qualifying for employment by passing basic entrance exams
 - Being able to navigate an interview successfully
 - Being able to influence those who contracts with them to consider altering their hiring policies to consider persons with criminal backgrounds (a staffing entity)

On-line Survey

The second strategy to reach out to employers was the utilization of an on-line survey that was sent to a large distribution via emails to employers. We utilized this survey as part of the invitation to participate in an employer focus group on June 28th, 2007. The questions for the survey were designed based on the two reports summarized in our literature review.

Over forty employers were initially invited to participate in the focus group and/or complete the survey. Members of the RRT Employment Committee were invited to forward the invitation to other employers that they have relationships with or have connections to. Thirteen employers completed the on-line survey.

Characteristics of On-Line Employer Survey Respondents:

| | |
|-----------------------|---|
| Cable Industry: | 1 |
| Cleaning/Maintenance: | 3 |
| Construction: | 1 |
| Governmental: | 3 |
| Manufacturing: | 1 |
| Service Provider: | 3 |
| Staffing Business: | 1 |

The on-line survey consisted of several questions from identifying the type of business to identifying the criminal background question on their application to learning how many of the employers know about tax credits, bonding or WorkSource.

**ATC Reentry Roundtable
Employer On-Line Survey Questions**

- How many persons does your organization/ business employ?
- Does your business/organizations consider hiring persons with criminal backgrounds?
- If yes, do you have any restrictions on the criminal background? Please describe.
- If your organization does not consider hiring persons with criminal backgrounds, please identify some of the reasons why.
- If you can, tell us how many persons with criminal backgrounds your organization/business has hired.
- Does your organization/business ask a question(s) about criminal backgrounds on your employment application?
- If yes, can you provide the specific question(s)?
- Does your organization have written policies or guidelines on hiring persons with criminal backgrounds?
- If you do have written policies and/or guidelines, would your organization be willing to share them with us?
- Does your organization/business conduct criminal background checks?
- Does your organization/business apply for the federal fidelity-bonding program when you hire persons with criminal backgrounds?
- Does your organization/business apply for the federal Work Opportunity Tax Incentive Credit when you hire persons with criminal backgrounds?
- Does your business/organization register job postings with the WorkSource Career Centers?
- Does your organization/business work with Project Rio at the WorkSource Centers?

Highlights of Survey Findings:

- Three-fourths of respondents represented employers that hired more than 100 employees
- All respondents indicated that they do hire persons with criminal backgrounds but the restrictions varied:
 - Two businesses would not consider hiring anyone with a felony arrest/conviction record and they would consider misdemeanor records based on the offense
 - Most of the respondents would not consider anyone with a violent or aggravated offense on their records

- Restrictions on hiring persons with criminal backgrounds were due to safety and liability issues (particularly if they must enter a residential setting to work or handle financial transactions). In addition, it appears that the staffing agencies are restricted to hiring this population due to constraints and policies of the employers they contract with.
- The criminal history questions on applications vary greatly and in some cases are very broad.
 - Have you ever been convicted of a crime in a court of law? If yes, explain.
 - Have you been arrested in the past 5 yrs.?
 - We ask if the applicant has a criminal history and to describe the offense or offenses they committed and when.
 - As an adult, have you ever been convicted or anything other than a minor traffic violation? If yes, list all such offenses, dates, name of court and disposition.

Highlights of Survey Findings:

- 75% hired more than 100 employees
- 100% considered hiring persons with criminal backgrounds
- Restrictions, however, very greatly
- Only one-third had written policies on hiring persons with criminal backgrounds
- Only 17% had ever used the federal fidelity bonding program and none used it routinely
- Only 33% used the federal tax credit program and none used it routinely
- Less than half of the respondents worked with Project Rio

One employer identified how they use the criminal history in their hiring decisions

Have you ever been convicted of any crime other than a minor traffic violation? If yes, list all such offenses: A conviction does not mean you cannot be hired. The offense and how recently you were convicted will be evaluated along with your qualifications in relation to the job for which you are applying.

- Over a one-third of the respondents reported having written policies or guidelines around hiring persons with criminal backgrounds.
- All respondents were aware of the federal bonding program but only 17% occasionally utilized the bonding program when they hired persons with a criminal background.
- Only 17% of the respondents were not aware of the Federal Work Opportunity Tax Credit program. But only 33% of them used the tax credit program and all used it only occasionally and not every time they were eligible for the tax credit.

- 44% of the respondents indicated that work with Project Rio at WorkSource (provides employment services to persons recently released from a state prison or jail).

The full results of the findings on the survey can be found in the appendix.

Employer Focus Group

The third strategy utilized to engage employers in a discussion about hiring persons with criminal backgrounds was an employer focus group. The focus group was held on June 28th, 2007 at the WorkSource Career Center South. Fourteen employers participated in the focus groups and 10 people participated as observers (from the RRT Employment Committee). The format of the focus groups was modeled from the Crime and Justice Institute employer focus groups held in Boston.

The following table identifies the questions asked during the focus group:

| ATC Reentry Roundtable Employer Focus Group Questions |
|--|
| <p>Question 1: Job Skills/Readiness: What are the most important skills for the entry level jobs and jobs that are one or two steps above entry level? Discuss both soft skills (persons work habits/ethics, communication skills, personality traits, etc.) and hard skills (technical requirements of the job).</p> |
| <p>Question 2: Policies for Hiring Persons with Criminal Backgrounds Does your business/organization have specific policies/ guidelines on hiring persons with criminal backgrounds? Describe them. What are the impacts of those policies?</p> |
| <p>Question 3: Reasons Why They Don't Hire Persons with Criminal Backgrounds For those who have not hired persons with criminal backgrounds: What are some reasons why not?</p> |
| <p>Question 4: Benefits and Challenges of Hiring a Person with a Criminal Background For those who have hired persons with criminal backgrounds: What has been your experiences: 1) Benefits to hiring them, 2) Challenges or problems, and 3) Are there gaps that you think need to be addressed to better prepare former offenders for employment? What gaps need to be addressed?</p> |
| <p>Question 5: Support Services And/Or Incentives (Survey listing services and incentives completed prior to discussion)</p> <p>What would make you more comfortable about hiring persons with criminal backgrounds? Are there ways to increase the ease or appeal of hiring persons with criminal backgrounds? What services or incentives do you find most compelling out of the list that may lead to you hiring more persons with criminal backgrounds?</p> |
| <p>Question 6: References/Recommendations/Legal Restrictions How does a recommendation of an intermediary agency affect your hiring decision? Are there any legal restrictions that you are aware of that keep you from hiring a person with a criminal background? What are some possible legal obstacles that you think should be changed or eliminated that would help you as an employer hire persons with criminal backgrounds?</p> |
| <p>Question 7: Single Most Important Factor for Hiring Persons with Criminal Backgrounds What is the single most important factor for you in hiring a person with a criminal background?</p> |

Key Findings of Focus Group:

Job Skills/Readiness:

- Participants strongly felt that the soft skills of employment (such as timeliness, getting along and interacting effectively with others, and appropriate dress and decorum on the job site) were critical skills needed

by persons with criminal backgrounds. They also felt that these were areas that this population appears to be lacking.

- They also identified general “life skills” as a critical component of job readiness. These included skills navigating problems and barriers (i.e., transportation, financial obligations, etc) and learning how to access resources and help.
- Participants also identified the need for this population to have the necessary identification paperwork such as an identification card or drivers license, birth certificate, and social security card in order to be employed.
- Some basic hard skills were identified as critical to employment such as basic computer skills, obtaining current drivers licenses and/or commercial drivers licenses (due to current job opportunities in our region), basic literacy skills as well as customer service skills.

| |
|---|
| <p>Important Hard Skills Needed For Employment:</p> <ul style="list-style-type: none">• Basic computer skills• Clear drivers licenses or commercial drivers license• Literacy skills• Customer service skills |
|---|

Policies for Hiring Persons with Criminal Backgrounds:

- Many of the participants did not have formal written policies around hiring persons with criminal backgrounds.
- Most, however, consider hiring persons based on their criminal record and the job opening on a case-by-case basis.
- Violent offenses appear to exclude most persons with criminal backgrounds from most jobs.
- Participants felt that small businesses are more willing in general to hire persons with criminal backgrounds than large businesses. Policies made by larger employers come from human resource administrators and legal advisors with little to no input from those making hiring decisions and supervising persons hired.

Benefits to Hiring Persons with Criminal Backgrounds:

- Participants using Project Rio or the WorkSource Career Centers felt that the staff was screening and referring the right person to them for the jobs they have opened.
- Some felt that a benefit to hiring this population was that others recognize their commitment to improving the quality of life for persons with criminal backgrounds as well as our community in general.
- Some believe that persons with criminal backgrounds who are hired are more committed to their jobs and employers because they recognize the opportunity they have been given which often leads to better retention rates.
- Some employers felt that probation or parole officers can be helpful in keeping persons employed particularly if there is a relationship built with the employer.

- They also felt that employees with criminal backgrounds could also be good role models for new employees that are hired with criminal backgrounds.

Challenges to Hiring Persons with Criminal Backgrounds:

- Many persons with criminal backgrounds seem to look as themselves as an offender and not as a contributing member of society which impacts their employability starting with the way they fill out an application and interview for a job. They lack self-esteem and goal setting skills.
- Many have transportation barriers to get to employment.
- They lack tools needed for some jobs.
- They seem to have financial obligation issues and normally do not have bank accounts.
- Parole and probation conditions and expectations often interfere with employment expectations (i.e., appointments, attendance at classes, ankle monitor issues, etc.). In general, employers felt that the criminal justice system was inflexible and working against employment success for this population.
- They will usually have housing issues as well as other “life outside work” issues”.
- Many employers need employees with clear drivers licenses and many of this population have expired drivers licenses or suspended licenses.
- Many persons with criminal backgrounds have drug abuse/addiction issues and have relapse issues to contend with that impacts their employment status.

“Many persons with criminal backgrounds seem to look as themselves as an offender and not a contributing member of society which impacts their ability to get and retain jobs.”

Gaps that Need to Be Addressed:

- Need for an effective referral system to get the right applicant to the right employer willing to hire persons with criminal backgrounds
- Need for programs and treatment in jails/prisons to help them be better prepared for employment upon their release (including job readiness programs)
- Need for literacy support for this population to better prepare them for employment

What Needs to Be Addressed:

- Effective employment screening and referral system for this population
- Programs and treatment in prisons/jails to better prepare them for employment
- Literacy support to help them reach minimum reading and writing standards.

Support Services And/Or Incentives

The focus group participants were asked to rate the types of support services or incentives they felt would make employers more comfortable hiring persons with criminal backgrounds. The respondents ranked the

service/incentive listed from 1-5 with 1 having the least impact and 5 having the most impact. The following table demonstrates the results.

| Type of Support Service or Incentive That Might Impact Employers' Hiring Decisions for Persons with Criminal Backgrounds | AVG.: |
|--|-------|
| Candidate completed transitional employment program after release from prison and has built a positive employment record | 2.0 |
| Bonding incentives (insurance against employee dishonesty/theft) | 2.4 |
| Wage subsidies for ex-offender employees | 2.6 |
| Assistance accessing existing government financial incentives | 2.8 |
| Tax incentives (or bigger tax incentive) | 3.0 |
| Third party to go to if you have problems with employee | 3.4 |
| Help with employee transportation | 3.4 |
| Specific job skill training provided prior to employment | 3.8 |
| General work readiness training provided prior to employment | 3.8 |
| Greater protection from legal liability | 3.8 |
| Job retention support from employment case manager, faith based volunteer or parole officer | 4.0 |
| Intermediary agency helps with job screening process | 4.4 |

The top five support services or incentive were:

1. Creating an intermediary agency that helps with job screening process
2. Job retention support (from an employment case manager, volunteer or probation/parole officer)
3. Greater protection from legal liability for hiring persons with criminal backgrounds
4. General work readiness training provided prior to employment
5. Specific job skill training provided prior to employment

References/Recommendations/Legal Restrictions

Focus group participants were also asked to rank different sources of references or recommendations and their impact on hiring persons with criminal backgrounds. The respondents ranked the reference point listed from 1-5 with 1 having the least impact and 5 having the most impact on their hiring decisions. The following table demonstrates the results.

| Employer ratings of the influence of different sources of references for hiring persons with criminal background | AVG.: |
|---|--------------|
| Parole or probation agency | 1.4 |
| Prison or Jail | 1.4 |
| Job Placement Agency | 2.4 |
| Faith based organization | 3.0 |
| Workforce Development Agency (provides some job readiness coaching and support in addition to job placement) | 3.6 |

Employers clearly identified a workforce development agency or entity that provides job readiness preparation and support as well as job placement as the source that would have more impact on the hiring of persons with criminal backgrounds. The employers also clearly did not place much value in referrals from the criminal justice system. During discussion in the focus groups, employers said that they did not know the level of training they were providing in prisons and jails and recommended that more information and knowledge about these training programs be shared with employers to build up credibility of training and education programs offered within criminal justice systems.

Single Most Important Factor For Hiring Persons with a Criminal Background:

To wrap up the focus group, participants were asked to identify the single most important factor for hiring persons with criminal backgrounds. These included:

- Honesty: encourage persons with criminal backgrounds to disclose everything about their criminal backgrounds on the application
- Employer understanding that any person they hire will have issues they bring with them regardless of whether they have a criminal background
- Provide more training opportunities for persons making hiring decisions to help them understand issues faced by persons with criminal backgrounds and how they could impact the hiring decision.
- Need for post-release support services to provide more effective transition successes including employment.
- Encourage persons with criminal backgrounds to maintain positive attitude and behaviors.

Single Most Important Factor for Hiring Persons with Criminal Backgrounds:

- Be honest (on application and during interviews)
- Maintain positive attitude
- Enhance employer understanding of the issues of hiring persons with criminal backgrounds
- Post-release supportive services/system
- Effective communication between employers and criminal justice systems and workforce support entities

- Help ensure that they have solid support systems (families, mentors, case management, etc)
- Address mental health issues.
- Enhance effective communication strategies between employers and probation/parole systems and workforce agencies.

APPENDIX

Employer On-Line Survey Results

June 28th, 2007 Focus Groups Results

Austin/Travis County Reentry Roundtable

On-Line Survey Results

The following are the survey results from the on-line survey sent to employers:

How many persons does your organization/business employ?

Less than 100: 25%
100 to 500: 13%
501-1000: 25%
1001+: 38%
(4 no responses)

Does your business/organizations consider hiring persons with criminal backgrounds?

Yes: 100%

(3 no responses)

If yes, do you have any restrictions on the criminal background? Please describe.

- No felonies and depends on misdemeanors
- We prefer non-aggravated crimes, but hire on a case-by-case basis.
- Capital Crimes, Sexual Assault, Child Assault
- Hiring consideration is handled on a case-by-case basis.
- Only misdemeanors, unless in very unusual circumstances
- Yes, nonviolent history. Must have been arrest and drug free for 5 yrs for consideration
- Depends upon the type of offense, how long ago the offense occurred, whether or not the person is on probation or parole, and other factors.
- We follow the Texas Administrative Code RULE section 414.504 (g)(1-15)

If your organization does not consider hiring persons with criminal backgrounds, please identify some of the reasons why.

- Most of our employees go into people's homes or have access to credit card and other personal information
- Security when sending temps to other employers/locations.
- We feel it is our responsibility to do so. There is a substantial pool of qualified applicants with criminal histories.

If you can, tell us how many persons with criminal backgrounds your organization/business has hired:

- In the last year:
 - 5: 2
 - 50: 1
 - Unknown: 2
 - N/A: 1
 - No response: 6

- In the last 3 years:
 - 9
 - 12
 - 150
 - Unknown
 - N/A
 - No Response: 7

Does your organization/business ask a question(s) about criminal backgrounds on your employment application?

Yes: 100%
No Response: 3

If yes, can you provide the specific question(s)?

- The question on our application is as follows: Have you ever been convicted of a crime in a court of law? If yes, explain.
- DPS database background check
- Have you ever been convicted of any crime other than a minor traffic violation? If yes, list all such offenses: A conviction does not mean you cannot be hired. The offense and how recently you were convicted will be evaluated along with your qualifications in relation to the job for which you are applying.
- Have you been arrested in the past 5 yrs.?
- We ask if the applicant has a criminal history and to describe the offense or offenses they committed and when.
- As an adult, have you ever been convicted of anything other than a minor traffic violation? Yes or No. If yes, list all such offense, dates, name of Court, and disposition

Does your organization have written policies or guidelines on hiring persons with criminal backgrounds?

Yes: 63%
No: 38%
No Response: 4

If you do have written policies and/or guidelines, would your organization be willing to share them with us?

Yes: 50%
No: 17%
Maybe, would need to talk more about this: 33%
No Response: 6

Does your organization/business conduct criminal background checks?

Yes: 100%
No Response: 4

Does your organization/business utilize the federal fidelity-bonding program when you hire persons with criminal backgrounds?

0% Yes, each time we hire a person with a criminal background:
17% Yes, but only occasionally
83% No, we have never applied for the bonding program although we are aware of it
0% No, do not know about this program
No Response: 6

Does your organization/business utilize the Federal Work Opportunity Tax Incentive Credit when you hire persons with criminal backgrounds?

0% Yes, for every person we hire with a criminal background
33% Yes, occasionally:
50% No, we never apply for this tax credit although we are aware of the program
17% No, I do not know about this program
No Response: 6

Does your business/organization register job postings with the WorkSource Career Centers?

Yes: 75%
No: 25%
No Response: 4

Does your organization/business work with Project Rio at the WorkSource Centers?

Yes: 56%
No: 44%
No Response: 3

Austin/Travis County Reentry Roundtable

**Employer Focus Group Results
June 28th, 2007**

The following are the responses from the two focus groups held:

FOCUS GROUP ONE RESPONSES:

| Question 1: Job Skills/Readiness: | |
|---|--|
| <ul style="list-style-type: none"> • What are the most important skills for the entry level jobs and jobs that are one or two steps above entry level? Discuss both soft skills (persons work habits/ethics, communication skills, personality traits, etc.) and hard skills (technical requirements of the job). | |
| Soft Skills: | Hard Skills: |
| • Timeliness | • Basic computer skills |
| • Dependability | • Customer service skills |
| • Willingness to work | • General labor skills (lifting, packing, etc) |
| • Customer service skills | • Commercial drivers license |
| • Work well with others | • Literacy skills |
| • Anger management | |
| • Ability to accept directions (to follow direction) | |
| • Honor/integrity | |
| • Attention to detail | |

| Question 2: Policies for Hiring Persons with Criminal Backgrounds |
|---|
| <ul style="list-style-type: none"> • Does your business/organization have specific policies/ guidelines on hiring persons with criminal backgrounds? Describe them. What are the impacts of those policies? |
| • Will not discriminate if have criminal background |
| • Criminal background will need to be disclosed; if not, will not hire |
| • Depends on customers and whether they are temporary employees |
| • Even if off their record, require them to disclose |
| • Don't have formal policy, depends on offense, where they will work; done on case by case basis; working on guidelines |
| • No formal policy, just need to tell the truth; have a program that works with offenders; certain departments cannot hire persons with criminal background; don't necessarily do backgrounds |
| • Look at every position as well as looking for certain disqualifiers on criminal background |

Question 3: Reasons Why They Don't Hire Persons with Criminal Backgrounds

- For those who have not hired persons with criminal backgrounds: What are some reasons why not?

All members of focus group hired persons with criminal backgrounds at some level

Question 4: Benefits and Challenges of Hiring a Person with a Criminal Background

- For those who have hired persons with criminal backgrounds: What has been your experiences: 1) Benefits to hiring them 2) Challenges or problems, and 3) Are there gaps that you think need to be addressed to better prepare former offenders for employment?

| Benefits to Hiring: | Challenges to Hiring: |
|--|---|
| • Good workers | • Anger management (problem solving) skills |
| • Dependable | • Transportation |
| • Show up on time | • Continue to look at life thru the eyes of an offender and not as a contributing member of society |
| • Willingness to learn new skills | • Late |
| • Good role model (peer) | • Need tools |
| • Discipline | • Finances/lack of bank accounts |
| • Determination | • Parole/probation |
| • Responsible | • Curfews |
| • Perseverance | • Communication skills |
| • Parole and probation helps them to be more accountable | • Self-esteem |
| • Loyal | • Housing issues |
| | • Life outside work issues |
| Gaps that Need to be Addressed: | |
| • Basic job preparation skills | |
| • Dress code/hygiene/professional appearance | |
| • Computer skills | |
| • Literacy issues | |
| • Customer service skills (courtesy) | |
| • Drug treatment if needed | |

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| <p>Question 5: Support Services And/Or Incentives (Survey listing services and incentives completed prior to discussion)</p> <ul style="list-style-type: none"> • What would make you more comfortable about hiring persons with criminal backgrounds? Are there ways to increase the ease or appeal of hiring persons with criminal backgrounds? • What services or incentives do you find most compelling out of the list that may lead to you hiring more persons with criminal backgrounds? |
| <ul style="list-style-type: none"> • Can demonstrate success |
| <ul style="list-style-type: none"> • Anger management and/or drug treatment programs completed |
| <ul style="list-style-type: none"> • Completion of training programs |
| <ul style="list-style-type: none"> • Completion of life skills programs |
| <ul style="list-style-type: none"> • Good housing opportunities |
| <ul style="list-style-type: none"> • Networking opportunities |
| <ul style="list-style-type: none"> • Tax breaks |
| <ul style="list-style-type: none"> • Bonding |

| |
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| <p>Question 6: References/Recommendations/Legal Restrictions</p> <ul style="list-style-type: none"> • How does a recommendation of an intermediary agency affect your hiring decision? Are there any legal restrictions that you are aware of that keep you from hiring a person with a criminal background? What are some possible legal obstacles that you think should be changed or eliminated that would help you as an employer hire persons with criminal backgrounds? |
| <ul style="list-style-type: none"> • Rely on an agency making referrals |
| <ul style="list-style-type: none"> • Falls on the individual and his/her work ethics |
| <ul style="list-style-type: none"> • Contact person at the agency is important (for follow up questions) |
| <ul style="list-style-type: none"> • Demonstrate desire to do job |

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| <p>Question 7: Single Most Important Factor for Hiring Persons with Criminal Backgrounds</p> <ul style="list-style-type: none"> • What is the single most important factor for you in hiring a person with a criminal background? |
| <ul style="list-style-type: none"> • Disclosure on application; tell the truth |
| <ul style="list-style-type: none"> • Employer understanding that a person they hire will have some issues they bring with them, whether or not the person they hire has a criminal background |
| <ul style="list-style-type: none"> • Train managers to think differently when making hiring decisions |
| <ul style="list-style-type: none"> • Create a different mindset of a business around hiring persons with criminal backgrounds |

FOCUS GROUP TWO RESPONSES:

| Question 1: Job Skills/Readiness: | |
|---|--|
| <ul style="list-style-type: none"> • What are the most important skills for the entry level jobs and jobs that are one or two steps above entry level? Discuss both soft skills (persons work habits/ethics, communication skills, personality traits, etc.) and hard skills (technical requirements of the job). | |
| Soft Skills: | Hard Skills: |
| • Interpersonal skills | • Basic math skills (i.e., reading a tape measure) |
| • Interactions with others | • Technology |
| • Mobility—transportation | |
| • Need to have their own tools | |
| • Being able to fill out applications (work history gaps, literacy) | |
| • Realities of life issues—life skills to solve problems | |
| • Decorum; appearance when applying for a job and while on the job | |
| • Need to know how to find resources to solve problems | |
| • Ready with documents: ID/DLs; birth certificate, social security cards, etc | |

| Question 2: Policies for Hiring Persons with Criminal Backgrounds |
|---|
| <ul style="list-style-type: none"> • Does your business/organization have specific policies/ guidelines on hiring persons with criminal backgrounds? Describe them. What are the impacts of those policies? |
| • Different policies for different jobs |
| • Time Warner requires no felonies at all |
| • Hiring policies in larger companies are being made by people in positions who do not fully understand the impacts of some of these policies |
| • Will not accept someone on an ankle monitor because it sets that employee out from the others |
| • Hiring decisions sometimes based on the type of job (construction—less obstacles if it is a new build project; will they be working in the general public) |
| • Do not welcome visits by parole or probation officers to work sites since it sets out that employee as being on supervision |

| Question 3: Reasons Why They Don't Hire Persons with Criminal Backgrounds |
|--|
| <ul style="list-style-type: none"> • For those who have not hired persons with criminal backgrounds: What are some reasons why not? |
| • The Time Warner policy of hiring no one with a felony conviction is due to the type of work they do in homes as well as customer service (taking credit card numbers, etc) |

Question 3: Reasons Why They Don't Hire Persons with Criminal Backgrounds

- For those who have not hired persons with criminal backgrounds: What are some reasons why not?
- There is fear of liability issues by some who set these policies

Question 4: Benefits and Challenges of Hiring a Person with a Criminal Background

- For those who have hired persons with criminal backgrounds: What has been your experiences: 1) Benefits to hiring them 2) Challenges or problems, and 3) Are there gaps that you think need to be addressed to better prepare former offenders for employment?

| Benefits to Hiring: | Challenges to Hiring: |
|---|--|
| <ul style="list-style-type: none"> • Using WorkSource Centers to help screen and refer to right employers | <ul style="list-style-type: none"> • Ankle bracelet issues—parole requirements impact employers willing to hire them) |
| <ul style="list-style-type: none"> • You can get kudos for hiring this population | <ul style="list-style-type: none"> • Transportation issues |
| <ul style="list-style-type: none"> • More committed to job (due to how hard it is to get a job) | <ul style="list-style-type: none"> • Communication issues between probation and parole officers and the employers (how it impacts employment) |
| <ul style="list-style-type: none"> • Greater retention success in some cases | <ul style="list-style-type: none"> • Need for more effective referral system to the right employers (based on applicant's skill) |
| <ul style="list-style-type: none"> • Skill building while in prison or jail helps employers | <ul style="list-style-type: none"> • Retention issues for this population |
| <ul style="list-style-type: none"> • Probation/parole officers can be a part of a successful support team with employers | <ul style="list-style-type: none"> • Wages does impact success and many are getting entry level jobs |
| | <ul style="list-style-type: none"> • Drug relapses |
| | <ul style="list-style-type: none"> • Driving records |
| | <ul style="list-style-type: none"> • CJ system seems to be inflexible and working against employment success |
| Gaps Identified by Employers that Need to be Addressed: | |
| <ul style="list-style-type: none"> • Effective referral system to get the right applicant to the right employer | |
| <ul style="list-style-type: none"> • Need for programs and treatment in jails/prisons to help them be better prepared for employment | |
| <ul style="list-style-type: none"> • Enhanced dialogue with probation and parole to develop a pro-employment atmosphere | |

Question 5: Support Services And/Or Incentives (Survey listing services and incentives completed prior to discussion)

- **What would make you more comfortable about hiring persons with criminal backgrounds? Are there ways to increase the ease or appeal of hiring persons with criminal backgrounds?**
- **What services or incentives do you find most compelling out of the list that may lead to you hiring more persons with criminal backgrounds?**
- More support from the courts and criminal justice system
- Address housing and transportation issues
- Address issues with tax credits---too hard and costs employers money
- Wage subsidies may help lead to more employers hiring this population
- Bonding not used---covered by insurance and have never had their rates go up because they hire persons with criminal backgrounds

Question 6: References/Recommendations/Legal Restrictions

- **How does a recommendation of an intermediary agency affect your hiring decision? Are there any legal restrictions that you are aware of that keep you from hiring a person with a criminal background? What are some possible legal obstacles that you think should be changed or eliminated that would help you as an employer hire persons with criminal backgrounds?**
- Don't know the level of training they are getting while incarcerated so completion of training certificates not valued much
- Need to build up knowledge about training programs so that employers understand what the person received---need to build up credibility of programming
- Connections with employment specialists about a referral is helpful (relationships with provider)

Question 7: Single Most Important Factor for Hiring Persons with Criminal Backgrounds

- **What is the single most important factor for you in hiring a person with a criminal background?**
- Need to publicize the resources that a person with a criminal background brings to an employer (completion of programming)
- Post release transition intervention to help with re-socialization skills
- Having a support system---families or others
- Social skills
- Vicious cycle exists---issues enhanced with criminal backgrounds
- Good communication: employee to employer; employer to probation/parole; employee to probation/parole; employee to resources to help them retain and help their employees
- Attitude---leads to success – as an employer as well as employee
- Need to address mental health issues

