



Compliance Update – Is your company’s Employment Application in compliance with the “Ban the Box” regulation?

In 2011, City of Philadelphia Mayor Michael Nutter signed into law the Philadelphia Fair Criminal Screening Standards Act, commonly referred to as the “Ban the Box” regulation.

This regulation makes it an unlawful discriminatory practice for a Philadelphia employer to intentionally make an inquiry about a person’s criminal conviction record during an application or interview process.

The law was brought about due to the concerns the city had regarding a potentially unfair practice concerning individuals who were required to reveal that they had a previous criminal conviction record; even if that criminal conviction was not relevant to the work or the industry in which the individual was applying for work.

The legislation is intended to give the individual with a criminal record an opportunity to be judged on his or her own merit during the submission of the application, and at least through the first interview process. However, this regulation does not prevent employers from conducting criminal background checks on final candidates as a part of the selection process for employers to choose the most qualified and appropriate applicant for the for the employment opportunity at hand. For more information or read the entire law, visit <http://legislation.phila.gov/attachments/11273.pdf>.

Although the City of Philadelphia is the only municipality to have passed this type of law in our geographic area, Philadelphia joins numerous other states, including California, Connecticut, Hawaii, Massachusetts, Minnesota, and New Mexico, and more than 25 municipalities, including Chicago, Baltimore, Seattle, and Atlanta, which have passed similar regulations.

PROXUS will continue to keep our clients updated on similar laws and regulations that may affect employers. If you are a Philadelphia-based employer who would like guidance on developing a compliance employment application or putting together effective recruitment and selection procedures, please contact June Garafano, one of our Client Services Directors at 215-654-9140, ext. 404 or e-mail jgarafano@proxushr.com.

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