

“Fair Hiring Law”: New Changes to How Employers Can Consider Criminal Records in Philadelphia

If you believe an employer violated the "Fair Hiring Law" you should either:

- File a complaint with the Philadelphia Commission on Human Relations within 300 days of the violation.
- Come to the Center City Office of Community Legal Services through intake Monday - Friday from 9 AM - 12 PM.

The “Fair Hiring Law” applies to all employers in Philadelphia County except for:

- Criminal justice agencies
- Employers hiring domestic service workers to work in their homes

As of March 14, 2016, **employers in Philadelphia County:**

- **Cannot** ask you about your criminal record on job applications or in interviews.
- **Can only** run background checks once they have made you an offer of employment subject to your background check, unless the law requires they do it earlier.
- **Cannot** take back their offers of employment if you have not been convicted or incarcerated in the past **7 years**, unless the law requires that they deny you the job.
- **Cannot** reject you based on arrest(s) that did not lead to conviction(s), regardless of when they occurred.

If you have been convicted or incarcerated in the past 7 years, employers in Philadelphia County:

- **Can only** take back the job offer if your conviction(s) are so related to the job that they believe hiring you would be an unacceptable risk.
- **Must** notify you in writing, and give you a copy of your criminal record if they reject you because of your record. You then have 10 days to explain the conviction(s), or to prove that the record is inaccurate.



COMMUNITY LEGAL SERVICES
OF PHILADELPHIA

Center City Office: 1424 Chestnut St. | Philadelphia, PA 19102-2505 | Telephone: 215-981-3700 clsphila.org
North Philadelphia Law Center: 1410 West Erie Ave. | Philadelphia, PA 19140-4136 | Telephone: 215-227-2400