



Connecticut's "Ban the Box" Law

The Connecticut legislature passed H. 5237, which would "Ban the Box" on initial employment applications. The Governor has not yet signed the bill, but is expected to. Once the bill is signed, the law will become effective Jan. 1, 2017. Below is a summary of what is included in the law and when employers can ask an applicant about previous criminal convictions.

Intent of "Ban the Box"

Legislation concerning "Ban the Box" is a national movement that has gained a lot of momentum. The concept is that there are many qualified applicants that are not being considered for employment due to a past history of criminal convictions. There is a belief that this has become a major barrier to those rehabilitated and released from finding gainful employment and reasserting themselves back into society.

On many job applications there is a box that states "please check if you have been convicted of a crime". H. 5237 and other "Ban the Box" bills seek to remove that question from the initial application only. "Ban the Box" is not meant to stop employers from learning of past criminal convictions or allowing those with past convictions to hide them from employers. The intent is solely to allow a broader picture of the candidate to be formed before the stigma of a past criminal conviction is added to the evaluation process.

When Can an Employer Ask About Criminal Convictions?

The bill prohibits employers from asking about the applicant's prior arrests, criminal charges, or convictions on an initial application **unless** the employer is required to under state or federal law or the applicant is applying for a position where they must obtain a security bond.

If the application contains any question concerning criminal history, there needs to be a notice in clear and conspicuous language that the applicant is not required to disclose their criminal history, including arrests, criminal charges, convictions, or pardons.

Furthermore, the portion of the application that contains information regarding the criminal history record can only be made available to members of the personnel department, the person in charge of employment, and the individuals interviewing the applicant.

Can an Employer Deny Employment Because of Criminal Convictions?

No employer can deny employment to an applicant solely on the basis that the applicant had a prior arrest, criminal charge or conviction, pardon from conviction, or a certificate of rehabilitation. No employer can discriminate against an employee solely on their criminal history.

If you have any questions or concerns, please contact NRLA's government affairs department at 800.292.6752 or e-mail govtaffairs@nrla.org.