KNOW YOUR RIGHTS
when you’re applying for a job with a criminal record

IN PHILADELPHIA

- It is illegal for employers to ask about your criminal background on applications or during a job interview.
- Employers can’t run your background check until after they offer you the job.
- Employers can’t take back a job offer based on:
  - arrests that didn’t lead to a conviction
  - convictions that are 7 years old or older
- Employers can’t automatically reject you just because you have a more recent conviction (less than 7 years old). They must consider:
  - the type of offense
  - how much time has passed
  - whether the conviction is related to the job you’re applying for
  - what you’ve done since the conviction
  - your references
- If you’re rejected because you have a record, you still have rights:
  - Employers must notify you in writing and give you a copy of your background report
  - You have 10 days to explain your record, show that it is wrong, or show that you’ve rehabilitated yourself

OUTSIDE OF PHILADELPHIA

- Employers can’t consider arrests, juvenile adjudications, and summary offenses.
- Employers can’t automatically reject you because you have a conviction. They must consider whether the conviction affects your suitability for the job, based on:
  - the type of offense
  - how much time has passed
  - whether you’ve succeeded in similar jobs in the past
- If the employer wants to use a credit reporting agency to run your background check:
  - you have a right to know that the employer is going to obtain your credit report
  - you have a right to know if information in your file will be used against you
- If you’re rejected because of your record, the employer must tell you in writing why you were denied the job.
- If the job is in Pittsburgh, Allentown, Lancaster, or Reading, you may have additional rights under local laws.

IF YOU ARE TOLD YOU NEED A “CLEAN RECORD” TO APPLY FOR A JOB

- In some fields, there are laws that restrict people with certain offenses from certain positions in places like schools, child care centers, and nursing homes.
- But even employers in restricted fields can’t reject an applicant just because their record isn’t “clean.” Ask a lawyer if you think your conviction shouldn’t disqualify you from the job.

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