

## **Business Community Agrees “Ban the Box” Can Open Opportunities**

*Policy must be balanced to ensure workplace safety and security*

Portland, Ore. – Portland business leaders announced today that they support “banning the box” on employment applications to open the door to job opportunities for individuals with criminal backgrounds. At the same time, policies addressing these issues should be balanced so that businesses can reasonably ensure a safe workplace for their employees and customers.

The Oregon Association of Minority Entrepreneurs (OAME), the Hispanic Metropolitan Chamber and the Portland Business Alliance have joined together to support “banning the box,” but also ask that policy makers ensure employers still have the ability to screen candidates in a timely manner.

“We understand that many qualified individuals are turned away from potential employment simply because they honestly disclosed a criminal history on an employment application,” said Sam Brooks, OAME founder. “Banning the box shifts the conversation about criminal histories off the application and into the interview process, so that applicants and potential employers will have an opportunity to discuss the circumstances, which will enable the employers make a decision whether the criminal background should be a determining factor for a particular job.”

Both the city of Portland and the Oregon Legislature are considering “ban the box” proposals, which would prohibit employment applications from asking about criminal backgrounds. The proposal being considered by Portland City Council also would put severe limits on employers’ ability to conduct criminal background checks – prohibiting them until a conditional offer of employment has been made – which business leaders say is too restrictive and could impede their hiring efforts.

“Portland’s employers are committed to creating job opportunities for everyone,” said Sandra McDonough, president and CEO of the Portland Business Alliance. “At the same time, they must balance a need to ensure the safety of their employees and their customers by thoroughly screening job applicants. Banning the box makes sense, but employers need flexibility to review applicant backgrounds during the interview process when they believe it is necessary given the nature of the job.”

“We absolutely agree with the goal removing barriers to employment individuals with criminal backgrounds, and we agree that banning the box makes sense,” said Gale Castillo, president of the Hispanic Metropolitan Chamber. “However, pushing any opportunity for a criminal background check to the very end of the process, coupled with a private right to legal action if the applicant is not selected, seems to set up a process that could lead to contentious legal fights rather than creating more opportunities for work. There should be a different way to achieve the goals we all agree to, which is greater employment opportunities.”

Some 79 state and local jurisdictions have enacted “ban the box” rules, but of those only 14 apply them to private employers. And of those 14, only three prohibit criminal background checks until a conditional offer has been made, and only two permit private rights of action. Most allow the checks after an initial screening or interview.

“We absolutely support the goal of this effort. We want to see more people have opportunities for quality employment,” Brooks said. “But we also believe that private employers must be at the

table as the policy is written so that the result works for all parties.”

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