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Civil Rights Department Launches New Online Interactive Guide to Help Combat Violations of California's Fair Chance Act

Nearly one in three adults in California have an arrest or conviction record that can significantly undermine their efforts to obtain gainful employment

SACRAMENTO – The California Civil Rights Department (CRD) today announced the launch of a new online [interactive guide](#) to combat violations of California's Fair Chance Act by helping individuals better understand whether the law's protections apply to them. The Fair Chance Act aims to support community reintegration, combat discrimination, and ultimately enhance public safety by reducing undue barriers to employment for people who have been previously involved in the criminal legal system. In passing the law, the Legislature recognized that nearly one in three adults in California have an arrest or conviction record that can significantly undermine their efforts to obtain gainful employment.

"Gainful employment is a key component of reintegration into society," said **CRD Director Kevin Kish**. "The Fair Chance Act is about giving every Californian equal opportunity to build a life for themselves and their families. If you believe you or someone you know has lost out on a job or a promotion because of unlawful discrimination, reach out to us and take advantage of the resources we offer. At the Civil Rights Department, we will continue to leverage technology and every tool at our disposal to help protect Californians from discrimination."

The Fair Chance Act generally prohibits employers with five or more employees from asking about a job applicant's conviction history before making a conditional job offer, requires specific procedures for considering an applicant's criminal history after a conditional job offer, and limits convictions that employers can consider disqualifying to those that have a direct relationship with job responsibilities. For instance, blanket statements in job advertisements indicating that an employer will not consider anyone with a criminal history, such as "No Felons" or "Must Have Clean Record," violate the law's protections. The Fair Chance Act requires that employers consider an applicant's criminal history on an individual basis and provide an opportunity for an applicant to respond to a withdrawn offer with evidence of rehabilitation or mitigating circumstances.

The interactive guide announced today is the product of a partnership between CRD; the University of California, Irvine School of Law; and technology provider, Neota Logic. It aims to help individuals

anonymously assess whether they or another person may have experienced a violation of the Fair Chance Act, which protects against discrimination in employment decisions on the basis of criminal history information. For those who believe their rights have been violated, the guide asks a series of detailed questions to help individuals understand whether the type of job they are applying to is covered under the Fair Chance Act and whether what they have experienced may violate the law's protections. Upon completing the prompts, the interactive guide creates an individualized report providing users general information about the Fair Chance Act, possible violations based on the responses provided, and specific information on how to get support.

Since the law went into effect in 2018, CRD has investigated hundreds of complaints alleging discrimination in employment decisions based on criminal history information and secured more than 60 settlements on behalf of affected individuals. In addition, CRD has [taken proactive steps](#) to identify and correct unlawful online job advertisements that violate the Fair Chance Act, sending notices to address hundreds of violations. Just last week, CRD announced a [nearly \\$100,000 mediated settlement](#) with the Moraga-Orinda Fire Protection District to resolve alleged violations of the Fair Chance Act, one of the largest settlements of its kind on behalf of an individual. In 2022, CRD [secured a \\$100,000 settlement](#) under the law on behalf of a group of applicants to a construction company who were allegedly unlawfully denied positions between 2018 and 2019. The [Civil Rights Council](#), CRD's rulemaking body, also recently [issued new regulations](#) to strengthen implementation of the Fair Chance Act's protections.

If you or someone you know has been the victim of employment discrimination based on criminal history information, CRD may be able to assist you through its complaint process. General information about CRD's complaint process and how to file a complaint is available [here](#). Additional information regarding rights under the Fair Chance Act is available [here](#).

The new Fair Chance Act interactive guide is available [here](#).

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CRD is the state agency charged with enforcing California's civil rights laws. Formerly known as the California Department of Fair Employment and Housing (DFEH), the mission of CRD is to protect the people of California from unlawful discrimination in employment, housing, public accommodations, and state-fund programs and activities, and from hate violence and human trafficking. For more information, visit calcivilrights.ca.gov.

