Arizona & New Mexico: Opposite Directions in Ban-the-Box Legislation Highlight Challenges Over Criminal History; Opines CriminalBackgroundRecords.com

The challenges with Ban-the-Box legislation can be best exemplified by recent actions in Arizona and New Mexico, and highlight the potential legal challenges employers may face during the hiring process. Adam Almeida, President and CEO of CriminalBackgroundRecords.com, opens: "Utilizing a well-qualified third-party pre-employment background screening agency to remain fully compliant continues to be a best practice as laws governing pre-employment background screening remain fluid and are often complicated."

WALTHAM, Mass. (PRWEB) April 11, 2019 -- Arizona and New Mexico are two states heading in opposite directions when it comes to "Ban-the-Box" legislation and highlight the need to work with a well-qualified third-party pre-employment background screening agency in order to stay compliant with law. Adam Almeida, President and CEO of CriminalBackgroundRecords.com states: "Laws change all the time and recent actions in New Mexico and Arizona highlight why a hiring manager should take note of current policies and insure hiring policies remain fully compliant."

In Arizona job seekers with felony convictions may have been dealt a setback in a search for employment.

From AZCentral.com (Apr. 04, 19):

Bad news if you're a job-hunter with a record: An effort to remove the felony-conviction checkbox from job applications this year appears dead at the Legislature.

Sen. Martin Quezada, D-Glendale, had wanted Arizona to join the string of states that recently passed so-called "Ban the Box" laws, which aim to give convicted felons who've served their time a more equal shot at open positions.(1)

Almeida states: "If the Arizona law had passed it would have joined a growing list of states and municipalities with "Ban-the-Box" legislation. And it should be noted that anytime a state works on this type legislation companies and organizations should take note and insure their current hiring policies are fully compliant with law."

It has often been noted that lack of employment and housing may be a leading cause to recidivism.

From AZCentral.com (Apr. 04, 19):

...Being able to have a job not only ensures that somebody can have stability in their life, it also ensures they’re not going to return to those criminogenic tendencies because they have nothing else they can do... (2)

In New Mexico state legislation has taken a different direction than their neighbors to the west.

From KOB.com (Mar. 12, 19):
A bill that would remove criminal history questions from initial job applications in the private sector is headed to the governor's desk. (3)

Almeida concludes: "Challenges with legal and lawful use of criminal history records will continue and it is incumbent on hiring managers and HR departments to remain fully compliant with law. Every time a potential change in laws governing the use of any document appears, such as with criminal history records, companies and organizations should work with a third-party pre-employment background screening agency in order to remain fully compliant."

CriminalBackgroundRecords.com is a third-party background screening agency with highly trained operators well versed in the needs and requirements of companies and organizations large and small utilizing public records, such as criminal background records, as part of a hiring process. Assisting companies in maintaining full compliance under the law is a central tenet of all client relationships with CriminalBackgroundRecords.com.

Notes:
(2) ibid.
(3) kob.com/politics-news/ban-the-box-bill-sent-to-new-mexico-governor/5276417/
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