California Ban-the-Box Laws Highlight Challenges Hiring Managers Potentially Face Across the Country; Opines CriminalBackgroundRecords.com

California has a number of Ban the Box laws that have the potential to create considerable confusion amongst hiring managers and a best practice remains to work with a well-qualified third-party pre-employment background screening agency such as CriminalBackgroundRecords.com to work through the chaos. Adam Almeida, President and CEO of CriminalBackgroundRecords.com, opines: “Ban the Box laws have spread to all corners of the United States and continue to evolve, and yet these laws can be confusing as exampled with the laws governing California.”

WALTHAM, Mass. (PRWEB) November 07, 2019 -- “Ban-the-Box laws can be confusing,” Opines Adam Almeida, President and CEO of CriminalBackgroundRecords.com, “and California is a great example of why hiring managers and HR departments should work with a well-qualified third-party pre-employment background screening in order to stay fully compliant with new and potential law governing employment background checks, and the use of criminal history reports.”

Ban the Box laws got their start in Hawaii back in 1998 when Hawaii restricted employers from “considering candidates’ criminal history until a job offer had been made.” (1)

Over subsequent years ban-the-box laws expanded and eventually were enacted in California.

From JDSupra.cm (Oct 31, 19):

California’s ban-the-box law strictly regulates how employers may obtain and consider background check information when hiring and making personnel decisions. What’s more, Los Angeles and San Francisco have their own ban-the-box ordinances. These ordinances and the California Labor Code create a patchwork of rules that put employers at risk when checking whether an applicant has a criminal background record. (2)

Until the federal government takes up the issue of criminal history on an application municipalities, states, and businesses will continue to vary regarding laws and policies utilized as part of ban-the-box policies.

Almeida states: “The Statewide law varies greatly from the city laws of Los Angeles and San Francisco and, subsequently, considerable confusion is created. Expand this to a national level where cities and states vary on how respective ban-the-box laws are handled and considerable confusion can be created.”

From JDSupra.com (Oct 31, 19):

Before 2014, when San Francisco enacted a city-wide ban-the-box law, criminal history background checks were largely unregulated in California, except for a handful of Labor Code provisions that barred consideration of certain types of criminal records. Then, Los Angeles and the State of California joined San Francisco with their own ban-the-box laws, which markedly differ from San Francisco’s. (3)

“California,” Almeida states, “is a great example of what occurs across the United States with Ban the Box
laws. Different laws trying to enforce the same item will only create confusion. A best practice remains to work with a well-qualified third-party pre-employment background screening agency, such as CriminalBackgroundRecords.com, in order to remain fully compliant with all existing and potential law, especially when it comes to Ban the Box.”

CriminalBackgroundRecords.com is a third-party background screening company 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:
(1) shrm.org/resourcesandtools/hr-topics/talent-acquisition/pages/ban-the-box-turns-20-what-employers-need-to-know.aspx
(2) jdsupra.com/legalnews/california-employers-watch-out-legal-56292/
(3) ibid
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Online Web 2.0 Version
You can read the online version of this press release here.