

## EQUAL EMPLOYMENT OPPORTUNITIES IN CALIFORNIA FOR CRIMINALS



A decision was recently made by the Equal Employment Opportunity Commission, which takes back several years' worth of laws, along with preventing employers from having certain rights during the hiring process, once again. The EEOC has decided, in a vote of 4-1, stating that employers should not be allowed to use a criminal background check on potential candidates to determine who they will hire for the particular position out of the many different applicants. It seems as though criminals and people with criminal records now have more laws protecting their employment than anyone else in the United States. The EEOC agreed that employers are legally allowed to use criminal records when it comes to certain decision made within the hiring process. However, they believe that excluding criminals from being hired for certain positions is simply in violation of the employment discrimination laws that have been set, stating that it could take a huge toll on racial minorities, who are statistically known for being more likely to commit a crime and have an arrest record due to poverty and other related reasons. The EEOC also suggested that employers do not even bother to ask about any convictions that an individual may have had when they are applying for a position. According to the EEOC, if an employer is judging a person based on their criminal record, they are being discriminative against racial and ethnic minorities, simply because they are the ones who have higher conviction rates than Caucasian individuals. The EEOC actually said that within the past two decades, the numbers of United States citizens with a criminal record has actually dramatically increased and because of that, they feel it is time to change some of the rules, especially since by 2007, 1 in 31 adults had been to prison before. The EEOC also said that arrests and jail time are higher for African American individuals as well as Hispanic men, which they feel relates to employment discrimination based on ethnicity, race, and gender. Employers are, unfortunately, stuck dealing with the aftermath of this decision. In the state of California, background checks are already not allowed to be used unless there is a particular reason for it. There are certain employers who have the right to know who they are dealing with, especially for positions that deal with bookkeeping and money. Hiring someone with a past of embezzling would obviously be a mistake but it will be harder, from this point on, for employers to weed out the bad seeds when they decide who they will choose for the position, simply because the EEOC has decided to change the rules, once again, leaving employers with very few options for their hiring process.