

## State and Local Restrictions on Criminal History Inquiries and Background Checks

Where	Who	When Prohibitions Apply					What Prohibitions Apply								Required Considerations					Required Process		
		Limited application of rule	On the application	Before the interview	Background check without interview	Before offer of employment	Making the decision	Juvenile history	Dismissed history	Sealed records	History resulted in diversion program	Arrests	Pending criminal charges	Infractions or other misdemeanors	Convictions	Time-related restrictions apply	Applies only to some positions	Must consider other factors	History must be job related	Notices to applicant	Right to appeal	Right to copy of report
California <sup>1</sup>	C, E					X				X												
California <sup>2</sup>	C, E	X				X		X	X	X	X											
California <sup>3</sup>	C, E	X				X								X	X							
↳ Richmond <sup>4</sup>	D	X	A, F, K		A, F, K									X			X	X	X	X		
↳ San Francisco <sup>5</sup>	C, E	X	A, B		A, B	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	
Colorado <sup>6</sup>	E	X	A, B						X													
Colorado <sup>7</sup>	E	X									X	X	X									
Connecticut <sup>8</sup>	C, E	X				X		X														
Connecticut <sup>9</sup>	E						X	X														
↳ Hartford <sup>10</sup>	C, D	X	A, F, K		A, F, K	X		X									X	X	X	X		
↳ New Haven <sup>11</sup>	D, H	X	A, B		A, B	X		X						X			X	X	X	X	X	X
District of Columbia <sup>12</sup>	E, H, I, K	X	A, B		A, B	X					X			X			X	X		X		
Florida																						
↳ Jacksonville <sup>13</sup>	C, D, J	X				X	X	X	X	X	X	X	X	X			X					
Georgia <sup>14</sup>	C, E	X				X		X														
Georgia <sup>15</sup>	E					X	X	X	X	X	X	X	X						X			

<sup>1</sup> [Cal. Penal Code § 1000.4](#)

<sup>2</sup> [Cal. Labor Code § 432.7](#) (excludes some pending charges)

<sup>3</sup> [Cal. Labor Code § 432.8](#) (relates to marijuana convictions at least two years old)

<sup>4</sup> [Richmond, CA - Ordinance 14-13, July 30, 2013](#)

<sup>5</sup> [San Francisco Ordinance File No. 131192](#)

<sup>6</sup> [Col. Rev. Stat. § 24-72-702.\(1\)\(f\)\(l\)](#)

<sup>7</sup> [Col. Rev. Stat. § 8-3-108.\(m\)](#) (includes civil and military disobedience)

<sup>8</sup> [CT Gen. Stat. Sec. 31-51j](#)

<sup>9</sup> [CT Gen. Stat. § 54-76o](#)

<sup>10</sup> [Hartford's Ban-the-Box Policy \(April 13, 2009\)](#)

<sup>11</sup> [New Haven Ban-the-Box Ordinance \(2007\)](#) (vendors must have a valid reason to adversely use conviction history)

<sup>12</sup> [DC Act 20-422 \(2014\)](#) (relates to arrests and criminal charges not resulting in a conviction)

<sup>13</sup> [Jacksonville Ex-Offender Employment Review Standards \(July 8, 2009\)](#)

<sup>14</sup> [GA Code § 42-8-63](#)

<sup>15</sup> [GA Code § 35-3-34.\(b\)](#)

<p><b>IMPORTANT!</b>                  This document relates to compliance with law.                  We are not a law firm and cannot provide legal advice.                  You cannot rely on this document alone.                  This document is a starting point or a check point.                  This document is not an end point.                  We provide this document AS IS.                  This document may be out of date.</p> <p>Copyright © 2014-2015 backgroundchecks.com.                  Copying by backgroundchecks.com customers and prospects permitted. All other copying prohibited. All rights reserved.</p>	<p>A = Prohibition applies to inquiries to the applicant.                  B = Prohibition applies to obtaining background checks.                  C = Prohibition applies to use of information.                  D = Applies to public contractors (not private employers).                  E = Applies to private employers.                  F = Background check permitted only if required by federal or state law.                  G = Does not apply to positions involving public safety.                  H = Does not apply when required or authorized by federal or state law.                  I = Does not apply to positions involving care to the young, elderly, or sick.                  J = Does not apply to fiduciary positions.                  K = Does not apply to other listed positions.                  L = Does not apply for licensed trades or professions.                  M = Does not apply to court records.                  All local jurisdictions are either cities or both cities and counties.</p>
---	---

## State and Local Restrictions on Criminal History Inquiries and Background Checks

Where	Who	When Prohibitions Apply					What Prohibitions Apply								Required Considerations				Required Process			
		Limited application of rule	On the application	Before the interview	Background check without interview	Before offer of employment	Making the decision	Juvenile history	Dismissed history	Sealed records	History resulted in diversion program	Arrests	Pending criminal charges	Infractions or other misdemeanors	Convictions	Time-related restrictions apply	Applies only to some positions	Must consider other factors	History must be job related	Notices to applicant	Right to appeal	Right to copy of report
Hawaii <sup>16</sup>	C, E, H	X	A, B			A, B	X								X	X			X		X	
Illinois <sup>17</sup>	C, E, H, J, K	X	A, B			A, B	X	X	X	X	X	X	X	X								
↳ Chicago <sup>18</sup>	C, E, H, J, K	X	A, B			A, B	X	X	X	X	X	X	X	X						X		
Indiana <sup>19</sup>	C, E	X					X	X	X													
↳ Indianapolis/ Marion County <sup>20</sup>	C, D, G, H, I, K	X	A, B	X		A, B	X							X		X	X					
Kentucky <sup>21</sup>	E						X															
↳ Louisville <sup>22</sup>	D, G, H, I, J, K	X	A, B			A, B	X							X			X	X	X			
Louisiana <sup>23</sup>	E						X					X										
Maine <sup>24</sup>	E	X	A, B			A, B							X					X				
Maryland <sup>25</sup>	E							X	X					X				X	X			
Maryland <sup>26</sup>	E	X	A, B			A, B		X	X													
↳ Baltimore <sup>27</sup>	E, H, I	X	A, B			A, B		X	X	X	X	X	X	X								
↳ Montgomery County <sup>28</sup>	E, G, H, I, K	X	A, B	X		A, B	X							X						X	X	X

<sup>16</sup> [Haw. Rev. Stat. § 378-2.5](#)

<sup>17</sup> [IL Public Act 098-0774 \(2014\)](#)

<sup>18</sup> [City of Chicago Ordinance File 0214-8347](#)

<sup>19</sup> [IN Code § 35-38-9-10](#)

<sup>20</sup> [Indianapolis Public Safety and Criminal Justice Proposal No. 4 \(2014\)](#)

<sup>21</sup> [502 KAR 30:060.1.\(2\)\(a\)](#)

<sup>22</sup> [Louisville City Ordinance 046 \(2014\)](#)

<sup>23</sup> [La. Rev. Stat. § 44:3.A.\(4\)\(a\)](#)

<sup>24</sup> [Maine's Human Rights Commission Pre-Employment Inquiry Guide](#)

<sup>25</sup> [MD Crim. Proc. Art. 10-109](#)

<sup>26</sup> [MD Dept. of Labor's Guidelines for Pre-Employment Inquiries](#)

<sup>27</sup> [Baltimore City Council Ordinance 13-0301 \(2014\)](#)

<sup>28</sup> [Montgomery County Expedited Bill 36-14](#)

**IMPORTANT!**

This document relates to compliance with law. We are not a law firm and cannot provide legal advice. You cannot rely on this document alone. This document is a starting point or a check point. This document is not an end point. We provide this document AS IS. This document may be out of date.

Copyright © 2014-2015 backgroundchecks.com. Copying by backgroundchecks.com customers and prospects permitted. All other copying prohibited. All rights reserved.

A = Prohibition applies to inquiries to the applicant.  
 B = Prohibition applies to obtaining background checks.  
 C = Prohibition applies to use of information.  
 D = Applies to public contractors (not private employers).  
 E = Applies to private employers.  
 F = Background check permitted only if required by federal or state law.  
 G = Does not apply to positions involving public safety.  
 H = Does not apply when required or authorized by federal or state law.  
 I = Does not apply to positions involving care to the young, elderly, or sick.  
 J = Does not apply to fiduciary positions.  
 K = Does not apply to other listed positions.  
 L = Does not apply for licensed trades or professions.  
 M = Does not apply to court records.  
 All local jurisdictions are either cities or both cities and counties.

## State and Local Restrictions on Criminal History Inquiries and Background Checks

Where	Who	When Prohibitions Apply					What Prohibitions Apply								Required Considerations				Required Process			
		Limited application of rule	On the application	Before the interview	Background check without interview	Before offer of employment	Making the decision	Juvenile history	Dismissed history	Sealed records	History resulted in diversion program	Arrests	Pending criminal charges	Infractions or other misdemeanors	Convictions	Time-related restrictions apply	Applies only to some positions	Must consider other factors	History must be job related	Notices to applicant	Right to appeal	Right to copy of report
Massachusetts <sup>29</sup>	E, H	X	A, B		A, B						X		X	X	X							
↳ Boston <sup>30</sup>	D, F	X	A, B		A, B	X	X	X	X	X	X		X			X	X	X	X	X	X	X
↳ Cambridge <sup>31</sup>	D	X	A, B		A, B	X	X	X	X	X			X				X	X	X	X	X	X
↳ Worcester <sup>32</sup>	D, F	X	A, B		A, B	X	X	X	X	X			X			X	X	X	X	X	X	X
Michigan <sup>33</sup>	E	X									X											
↳ Detroit <sup>34</sup>	D, H	X	A, B		A, B									X								
Minnesota <sup>35</sup>	C, E, H	X	A, B		A, B		X	X	X	X	X	X	X	X								
Missouri																						
↳ Columbia <sup>36</sup>	E, H, J, K	X	A, B		A, B						X	X		X	X		X	X				
Nevada <sup>37</sup>	E						X	X	X	X	X		X									
New Jersey <sup>38</sup>	E, G, H, K	X	A, B		A, B		X	X	X	X	X	X	X	X								
New York <sup>39</sup>	E, G	X					X	X	X													
New York <sup>40</sup>	C, E					X								X			X	X				

<sup>29</sup> [Mass. Gen. Laws Ch. 151B § 4.9 & 91/2](#) (relates only to arrests that did not result in a conviction and misdemeanor convictions more than five years old)

<sup>30</sup> [Boston Municipal Code 4-7](#)

<sup>31</sup> [Cambridge CORI Policy](#)

<sup>32</sup> [Worcester Fair CORI Practices](#)

<sup>33</sup> [MI Comp. Laws § 37.2205a](#) (relates to misdemeanor arrests, detentions, or dispositions where a conviction did not result)

<sup>34</sup> [Detroit Municipal Code §§ 13-1-11, 12, 13](#)

<sup>35</sup> [MN Stat. § 364.021](#)

<sup>36</sup> [City of Columbia Council Bill B328-14](#)

<sup>37</sup> [Nev. Rev. Stat. Ann. § 179A.100.3](#)

<sup>38</sup> [NJ Stat. § 34.6B-11-19](#)

<sup>39</sup> [NY Exec. Law 15 § 296.16](#)

<sup>40</sup> [NY Cor. Law 23A § 752](#) (relates to persons previously convicted of one or more criminal offenses)

<p><b>IMPORTANT!</b>                  This document relates to compliance with law.                  We are not a law firm and cannot provide legal advice.                  You cannot rely on this document alone.                  This document is a starting point or a check point.                  This document is not an end point.                  We provide this document AS IS.                  This document may be out of date.</p> <p>Copyright © 2014-2015 backgroundchecks.com.                  Copying by backgroundchecks.com customers and prospects permitted. All other copying prohibited. All rights reserved.</p>	<p>A = Prohibition applies to inquiries to the applicant.                  B = Prohibition applies to obtaining background checks.                  C = Prohibition applies to use of information.                  D = Applies to public contractors (not private employers).                  E = Applies to private employers.                  F = Background check permitted only if required by federal or state law.                  G = Does not apply to positions involving public safety.                  H = Does not apply when required or authorized by federal or state law.                  I = Does not apply to positions involving care to the young, elderly, or sick.                  J = Does not apply to fiduciary positions.                  K = Does not apply to other listed positions.                  L = Does not apply for licensed trades or professions.                  M = Does not apply to court records.                  All local jurisdictions are either cities or both cities and counties.</p>
---	---

## State and Local Restrictions on Criminal History Inquiries and Background Checks

Where	Who	When Prohibitions Apply					What Prohibitions Apply								Required Considerations			Required Process				
		Limited application of rule	On the application	Before the interview	Background check without interview	Before offer of employment	Making the decision	Juvenile history	Dismissed history	Sealed records	History resulted in diversion program	Arrests	Pending criminal charges	Infractions or other misdemeanors	Convictions	Time-related restrictions apply	Applies only to some positions	Must consider other factors	History must be job related	Notices to applicant	Right to appeal	Right to copy of report
↳ Buffalo <sup>41</sup>	E, G, H, I, L	X	A, B											X			X	X	X			
↳ Rochester <sup>42</sup>	E, G, H, L	X	A, B			A, B	X		X					X		X	X	X	X			
North Dakota <sup>43</sup>	E							X	X	X					X							
Oklahoma <sup>44</sup>	A, E	X							X													
Oregon <sup>45</sup>	C, E					X	X															
Pennsylvania <sup>46</sup>	B, C, E, M					X		X				X	X		X			X				
↳ Philadelphia <sup>47</sup>	C, E, G, H	X	A, B	X		X		X			X			X								
↳ Pittsburgh <sup>48</sup>	D, G, K	X	A, B			A, B	X	X	X	X	X	X	X	X							X	
Rhode Island <sup>49</sup>	E, G, H, J, K	X	A				X	X	X	X	X	X	X									
Texas <sup>50</sup>	A, E	X					X		X													
Utah <sup>51</sup>	E							X														
Washington <sup>52</sup>	E, H, K		A, B			A, B					X			X				X				
↳ Seattle <sup>53</sup>	C, E, G, I		A, B			X	X	X	X	X	X	X	X				X		X	X		

<sup>41</sup> [Buffalo City Code § 154-25](#)

<sup>42</sup> [Rochester City Code § 63-14](#)

<sup>43</sup> [N.D. Cent. Code § 12-60-16.6](#)

<sup>44</sup> [OK Statutes § 22-19.F](#)

<sup>45</sup> [Or. Rev. Stat. § 659A.030](#); (relates to expunged juvenile records)

<sup>46</sup> [Pa. Code §§ 9121, 9125](#); (relates to "summary offenses")

<sup>47</sup> [Philadelphia, PA City Ordinance \(Bill No. 110111-A\) \(2011\)](#)

<sup>48</sup> [Pittsburgh City Ordinance \(12/17/2012\)](#)

<sup>49</sup> [RI Gen. Laws § 28-5-7.\(7\)](#)

<sup>50</sup> [TX Family Code § 58.03\(i\)](#)

<sup>51</sup> [UT Criminal Code § 77-40-108.\(2\)](#)

<sup>52</sup> [WAC § 162-12-140](#)

<sup>53</sup> [Seattle Ordinance 124201 \(2013\)](#)

**IMPORTANT!**

This document relates to compliance with law.  
 We are not a law firm and cannot provide legal advice.  
 You cannot rely on this document alone.  
 This document is a starting point or a check point.  
 We provide this document AS IS.  
 This document may be out of date.

Copyright © 2014-2015 backgroundchecks.com.  
 Copying by backgroundchecks.com customers and prospects permitted. All other copying prohibited. All rights reserved.

A = Prohibition applies to inquiries to the applicant.  
 B = Prohibition applies to obtaining background checks.  
 C = Prohibition applies to use of information.  
 D = Applies to public contractors (not private employers).  
 E = Applies to private employers.  
 F = Background check permitted only if required by federal or state law.  
 G = Does not apply to positions involving public safety.  
 H = Does not apply when required or authorized by federal or state law.  
 I = Does not apply to positions involving care to the young, elderly, or sick.  
 J = Does not apply to fiduciary positions.  
 K = Does not apply to other listed positions.  
 L = Does not apply for licensed trades or professions.  
 M = Does not apply to court records.  
 All local jurisdictions are either cities or both cities and counties.

## State and Local Restrictions on Criminal History Inquiries and Background Checks

Where	Who	When Prohibitions Apply					What Prohibitions Apply							Required Considerations				Required Process			
		On the application	Before the interview	Background check without interview	Before offer of employment	Making the decision	Juvenile history	Dismissed history	Sealed records	History resulted in diversion program	Arrests	Pending criminal charges	Infractions or other misdemeanors	Convictions	Time-related restrictions apply	Applies only to some positions	Must consider other factors	History must be job related	Notices to applicant	Right to appeal	Right to copy of report
Wisconsin <sup>54</sup>	A, B, E, K	X								X			X								
↳ Madison <sup>55</sup>	C, E, G	X	A, B			X				X							X				

<sup>54</sup> [Wis. Stat. §§ 111.322; 111.335](#)

<sup>55</sup> [Madison Dept. of Civil Rights Code § 39.03\(8\)\(f\)1](#)

<p><b>IMPORTANT!</b>                  This document relates to compliance with law.                  We are not a law firm and cannot provide legal advice.                  You cannot rely on this document alone.                  This document is a starting point or a check point.                  This document is not an end point.                  We provide this document AS IS.                  This document may be out of date.</p> <p>Copyright © 2014-2015 backgroundchecks.com.                  Copying by backgroundchecks.com customers and prospects permitted. All other copying prohibited. All rights reserved.</p>	<p>A = Prohibition applies to inquiries to the applicant.                  B = Prohibition applies to obtaining background checks.                  C = Prohibition applies to use of information.                  D = Applies to public contractors (not private employers).                  E = Applies to private employers.                  F = Background check permitted only if required by federal or state law.                  G = Does not apply to positions involving public safety.                  H = Does not apply when required or authorized by federal or state law.                  I = Does not apply to positions involving care to the young, elderly, or sick.                  J = Does not apply to fiduciary positions.                  K = Does not apply to other listed positions.                  L = Does not apply for licensed trades or professions.                  M = Does not apply to court records.                  All local jurisdictions are either cities or both cities and counties.</p>
---	---

## Employer Use of Criminal History Records Highlights

These highlights provide a qualitative sense for what these laws are about. They are not a complete analysis. We have generally omitted any relevant exceptions. We have not analyzed situations where these laws might be pre-empted.

### CALIFORNIA

- Employers must not use arrests and convictions that resulted in successful completion of a drug treatment program in the denial of employment, benefit, license, or certificate without the individual’s consent. [Cal. Penal Code § 1000.4](#)
- Employers must not use for employment purposes any record of arrest or detention that did not result in a conviction (does not apply to pending charges), or any record regarding a referral to, and participation in, any pretrial or post-trial diversion program, or concerning a conviction that has been judicially dismissed or ordered sealed. [Cal. Labor Code § 432.7](#)
- Employers must not use convictions for marijuana possession if more than two years old for employment purposes. [Cal. Labor Code § 432.8](#)

### COLORADO

- Employers must not use sealed records pertaining to arrests or convictions for employment purposes. Colo. Rev. Stat. § 24-72-702.(1)(f)(I)
- Employers must not use any record of civil or military disobedience for employment purposes unless the matter resulted in a plea of guilty or a conviction. [Colo. Rev. Stat. § 8-3-108.\(m\)](#)

### GEORGIA

- Employers must not use arrest records that have been discharged under the First Offender’s Law when making an employment decision regarding a prospective employee. [Ga. Code Ann. § 42-8-63](#)
- Employers must not use records of arrests, charges, and sentences for crimes related to first offenders where the first offender has been exonerated and discharged without a verdict of guilty to disqualify individuals from employment, unless exceptions apply. [Ga. Code Ann. § 42-8-63.1](#)
- In the event that an employment decision is made adverse to a person whose record was obtained, employers must inform applicants of all information pertinent to that decision. This disclosure must include information that a record was obtained from the Georgia Crime Information Center, the specific contents of the record, and the effect the record had upon the decision. [Ga. Code Ann. § 35-3-34.\(b\)](#)

### HAWAII

- Employers may inquire into and consider an individual’s conviction record of the most recent ten years (excluding period of incarceration) only after a conditional offer of employment is made, and only if that record bears a

<p><b>IMPORTANT!</b>                  This document relates to compliance with law.                  We are not a law firm and cannot provide legal advice.                  You cannot rely on this document alone.                  This document is a starting point or a check point.                  This document is not an end point.                  We provide this document AS IS.                  This document may be out of date.</p> <p>Copyright © 2014-2015 backgroundchecks.com.                  Copying by backgroundchecks.com customers and prospects permitted. All other copying prohibited. All rights reserved.</p>	<p>A = Prohibition applies to inquiries to the applicant.                  B = Prohibition applies to obtaining background checks.                  C = Prohibition applies to use of information.                  D = Applies to public contractors (not private employers).                  E = Applies to private employers.                  F = Background check permitted only if required by federal or state law.                  G = Does not apply to positions involving public safety.                  H = Does not apply when required or authorized by federal or state law.                  I = Does not apply to positions involving care to the young, elderly, or sick.                  J = Does not apply to fiduciary positions.                  K = Does not apply to other listed positions.                  L = Does not apply for licensed trades or professions.                  M = Does not apply to court records.                  All local jurisdictions are either cities or both cities and counties.</p>
---	---

rational relationship to the job. [Haw. Rev. Stat. § 378-2.5.\(b\)](#)

## ILLINOIS

- Employers must not inquire about or into, consider, or require disclosure of the criminal record or criminal history of an applicant until the applicant has been determined qualified for the position and notified that the applicant has been selected for an interview by the employer or employment agency or, if there is not an interview, until after a conditional offer of employment is made to the applicant by the employer or employment agency. Exceptions apply. [IL Public Act 098-0774 \(2014\)](#)
- Employers, employment agencies, and labor organizations must not inquire into or use the fact of an arrest or criminal history record information ordered expunged, sealed or impounded in making employment decisions, unless otherwise authorized by law. [820 ILCS 70/10](#)

## INDIANA

- Employers must not make an adverse employment decision based on a sealed or expunged record. [Ind. Code § 35-38-9-10](#)

## MASSACHUSETTS

- Employers must not inquire about first conviction misdemeanors involving drunkenness, simple assault, speeding, minor traffic violations (any moving violation other than reckless driving, driving to endanger, and motor vehicle homicide), affrays or disturbance of the peace. [Mass. Gen. Laws 151B § 4.9](#)

## MINNESOTA

- Employers must not inquire into or consider or require disclosure of the criminal record or criminal history of an applicant for employment until the applicant has been selected for an interview by the employer or, if there is not an interview, before a conditional offer of employment is made to the applicant. [MN Stat. § 364.021](#)

## NEVADA

- Employers must not use the state sex offender registry for employment purposes. [Nev. Rev. Stat. 179B.270](#)

## NEW YORK

- Employers must not consider conviction information that does not bear a direct relationship to the job. Employers may consider whether the individual would create an unreasonable risk to property or to the safety or welfare of specific individuals or the general public. In that consideration, employers must consider eight listed factors. [NY Cor. Law § 752](#)

<p><b>IMPORTANT!</b>          This document relates to compliance with law.          We are not a law firm and cannot provide legal advice.          We are not a law firm and cannot provide legal advice.          You cannot rely on this document alone.          This document is a starting point or a check point.          This document is not an end point.          We provide this document AS IS.          This document may be out of date.</p> <p>Copyright © 2014-2015 backgroundchecks.com.          Copying by backgroundchecks.com customers and prospects permitted. All other copying prohibited. All rights reserved.</p>	<p>A = Prohibition applies to inquiries to the applicant.          B = Prohibition applies to obtaining background checks.          C = Prohibition applies to use of information.          D = Applies to public contractors (not private employers).          E = Applies to private employers.          F = Background check permitted only if required by federal or state law.          G = Does not apply to positions involving public safety.          H = Does not apply when required or authorized by federal or state law.          I = Does not apply to positions involving care to the young, elderly, or sick.          J = Does not apply to fiduciary positions.          K = Does not apply to other listed positions.          L = Does not apply for licensed trades or professions.          M = Does not apply to court records.          All local jurisdictions are either cities or both cities and counties.</p>
---	---

## State and Local Restrictions on Criminal History Inquiries and Background Checks

- Employers must not consider arrest records that did not result in conviction or pending charges. [NY Exec. Law § 845-b.5.\(c\)](#)

### PENNSYLVANIA

- Employers may consider an applicant’s felony and misdemeanor convictions only to the extent it relates to the applicant’s suitability for the position. [18 Pa. Stat. § 9125.\(b\)](#)
- Employers must not use arrest records for employment purposes. [18 Pa. Stat. § 9125.\(b\)](#)
- Employers must not consider “summary offenses.” [18 Pa. Stat. § 9125.\(b\)](#)
- Employers must notify applicants in writing if not hired based in whole or in part on criminal history. [18 Pa. Stat. § 9125.\(c\)](#)

### WASHINGTON

- Employers must not inquire about convictions that do not reasonably relate to the job duties or that occurred more than 10 years prior. [Wash. Admin. Code § 162-12-140](#)
- Pre-employment inquiries about arrests must include whether the charges are still pending, have been dismissed, or led to a conviction of a crime involving behavior that would adversely affect job performance, and whether the arrest occurred within the last ten years. [Wash. Admin. Code § 162-12-140](#)

<p><b>IMPORTANT!</b>          This document relates to compliance with law.          We are not a law firm and cannot provide legal advice.          You cannot rely on this document alone.          This document is a starting point or a check point.          This document is not an end point.          We provide this document AS IS.          This document may be out of date.</p> <p>Copyright © 2014-2015 backgroundchecks.com.          Copying by backgroundchecks.com customers and prospects permitted. All other copying prohibited. All rights reserved.</p>	<p>A = Prohibition applies to inquiries to the applicant.          B = Prohibition applies to obtaining background checks.          C = Prohibition applies to use of information.          D = Applies to public contractors (not private employers).          E = Applies to private employers.          F = Background check permitted only if required by federal or state law.          G = Does not apply to positions involving public safety.          H = Does not apply when required or authorized by federal or state law.          I = Does not apply to positions involving care to the young, elderly, or sick.          J = Does not apply to fiduciary positions.          K = Does not apply to other listed positions.          L = Does not apply for licensed trades or professions.          M = Does not apply to court records.          All local jurisdictions are either cities or both cities and counties.</p>
---	---