

# REFORM

## EXPANDING FAIR CHANCES: NATIONAL SURVEY OF EMPLOYER PERCEPTIONS ABOUT JUSTICE-IMPACTED JOB SEEKERS

### OVERVIEW

What are employers' perceptions of job seekers who have criminal records? How do those perceptions affect those job seekers? What messages can help persuade employers to be more open to fair chance hiring? To answer these questions, REFORM Alliance commissioned a first-of-its-kind national survey. The results of the survey should inform strategies for getting people with records back to work.

This is part of REFORM Alliance's new Work Matters initiative, which aims to bring fair chance hiring into the mainstream and expand economic opportunity for people on probation or parole supervision. To guide this work REFORM has pulled together the Work Matters Coalition, composed of some of the leading organizations working on fair chance hiring.<sup>1</sup>

<sup>1</sup>Work Matters Coalition: Alliance for Safety and Justice, Center for Employment Opportunities, Clean Slate Initiative, Envoy, Jobs For the Future, REFORM Alliance, Responsible Business Initiative for Justice

### METHOD- OLOGY

Between January and March 2024, REFORM Alliance, with support from the Work Matters Coalition, conducted four focus groups and one national survey to better understand how employers perceive justice-impacted job seekers.<sup>2</sup> The findings below represent the initial results of the survey and focus groups. In the coming months, REFORM will conduct a deeper analysis of the data and publish a longer-form report with the expanded analysis.



<sup>2</sup>Each focus group included 6-8 employers with 2 groups comprised of a nationally representative sample of employers and 2 groups comprised of Chicago employers. The national survey sampled employers and the general public, which included 600 respondents from each audience for a total of 1200 respondents.

## Employers Support Fair Chance Hiring As a Concept, but Hiring Practices Create Barriers

Employers expressed general support for second chances...

**75%** of employers say that their company should consider hiring a qualified person even if that person has a past conviction  
(69% of non-employers believe so as well)

“Everyone deserves a second chance.”  
-Focus Group Employer



but, in practice, the stigma of a conviction persists in limiting hiring.



- Previous convictions are viewed as the most detrimental applicant characteristic. 66% of employers said a conviction would make them less likely to hire a candidate.

“If I had two candidates, one with all qualifications & one with a question mark, I’m going to go with the one where I don’t have to deal with these questions.”  
-Focus Group Employer



- Employers have many different concerns about hiring people with records, especially regarding potential interactions with colleagues and other liabilities. A large percentage of employers were concerned about hiring people with records for fear of :

“It’s possibly indicative of a character trait. Would I feel safe with them around my merchandise...would their colleagues feel safe?”  
-Focus Group Employer



Putting customers or clients at risk



Theft or stealing



Increasing liability for any incidents



Damaging workplace culture



Damaging relationships and credibility with customers or clients



- The specifics of a conviction mattered—with strong sentiment against violent convictions and multiple convictions.

**76%** of employers would not consider candidates with multiple convictions.

**79%** of employers won’t consider candidates with a violent conviction.

The survey and focus groups confirmed that employers rarely utilize fair chance hiring practices because filtering out candidates is the norm.



- Overly broad and exclusionary background checks are the norm: 86% of businesses conduct them.



- There’s no standard practice: 54% have no formal policy around hiring people with a conviction.



- This results in unnecessary disqualifications that are not actually connected to specific regulations or a formal corporate policy.

“We’re a bank so we can’t really hire anyone with a record.”  
-Focus Group Employer



We need to reach these businesses with messages that resonate and shift their expressed support into action.

Better to talk about Candidates, Not Society

Messages that emphasize both strength of the employee and benefits to the business were more effective than messages emphasizing broader societal benefits (e.g., a workforce of grit and loyalty, finding quality candidates).

Biggest motivations for employers hiring people with convictions are that such employees:

- Are working hard to get on a better path**  
82%
- Able to adapt to challenging situations**  
79%
- Demonstrate resilience and grit**  
78%
- Stay in jobs longer**  
75%
- Likely to be completing job training programs**  
75%

“Hungry to work’ jumped out at me. We all look for people with that work ethic.”

-Focus Group Employer





“I do like that it says qualified and talented. For me, it was a good reminder that there’s talented people that might not show up in my search.”

-Focus Group Employer



Better to Provide All The Pros and Cons: Employers (and the public) become more supportive of hiring people with convictions after hearing about both the concerns and motivations for doing so.

Some advocates for fair chance hiring may be hesitant to talk about the pros and cons because, too often, talking about people who have committed a crime and related criminal justice issues can invoke more fear than empathy. However, when it comes to talking with employers about job seekers with records, the more information and discussion, the better. This indicates that greater exposure to resonant messages has the potential to increase support for fair chance hiring.

Net Change in support for hiring after hearing about concerns and motivations		
 <b>Public</b>	+7%	before: 70% after: 77%
 <b>Employers</b>	+4%	before: 75% after: 79%

Giving Everyone a Fair Chance Works for Most Audiences

People have a slight preference on using “fair chance” hiring over “second chance” hiring.

**FAIR CHANCE**

38% Employers Preference    37% Public preference

**SECOND CHANCE**

28% Employers Preference    33% Public preference

## Nonprofit Reentry Organizations Play a Crucial Role in Encouraging Hiring: The messenger matters.

People with records benefit greatly from 3rd party validation.



- Employers are the best messengers to convince other employers.



- 80% of employers said they would consider a candidate with a record if that candidate had a strong reference.



- Community-Based Organizations (CBOS), such as reentry providers who provide case management, job training, and overall life transition support to people exiting the justice system, are effective at mitigating the perceived risk. 77% of employers said they would consider a candidate with a record if that candidate had completed a job training program that connects people with past convictions to potential employers.

“We have seen very positive retention and output from the second chance program.”

-Focus Group Employer



## Recommendations and Implications for the Field

Despite recent progress, people with convictions still face a lot of stigma and bias when navigating the labor market. Employers support fair chance in the abstract, but there are challenges in turning that support into actual practices. This research underscores the necessity of shifting employer attitudes and practices to expand economic opportunities for individuals with past convictions. This can be done by:



1. **Cultivate Clear Hiring Policies that Offer a Fair Chance to All and Bridge the Gap Between Attitude and Action:** Advocacy efforts need to focus on translating nominal support into genuine hiring practices.



2. **Talk about the Benefits to the Employer and Tailor the Narrative:** Narrative change strategies should be laser-focused on 1) emphasizing fair chance employee characteristics such as resilience, grit, and strong work ethic, 2) emphasizing the benefits to the business, and 3) directly addressing employer concerns.



3. **Expand Support for Reentry CBOs and Lift them up as Effective Validators and Messengers:** Leveraging respected voices can be a powerful tool in changing perceptions and practices around fair chance hiring.

