

Know Your Rights

Criminal Records

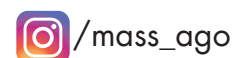


There are a number of rules that apply when individuals with criminal records seek employment and housing opportunities. For example:

- It is unlawful for employers and housing providers to ask an applicant (or a current employee/tenant) to provide a copy of his or her own criminal offender record information (CORI) or arrest records;
- Employers and housing providers are required to obtain an applicant's written permission before accessing his or her CORI records; and
- Employers and housing providers that have a policy or practice of automatically rejecting any applicant with a criminal record may be violating state and federal civil rights laws because using criminal records in this way can have a disproportionate effect on protected groups, including racial minority groups.

Additional Rules Applicable to Most Employers

Job Application	Later During Hiring Process	Never
Employers may NOT ask about criminal history on <u>initial application</u> .	May ask about any felony convictions (if not sealed) and misdemeanor convictions that were not first-time convictions for drunkenness, simple assault, speeding, a minor traffic violation, an affray, or disturbing the peace.	Employers are NEVER permitted to ask about: <ol style="list-style-type: none"> 1. Criminal cases that did not end in a conviction; 2. An arrest or criminal detention that did not end in a conviction; 3. A first conviction for drunkenness, simple assault, speeding, minor traffic violations, affray, or disturbance of the peace; 4. Convictions for a misdemeanor where the date of the conviction OR the release from incarceration was 5 or more years ago, provided there were no subsequent convictions in the last 5 years; 5. Most juvenile records unless tried as an adult; and 6. Sealed criminal cases.



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