

Criminal History and Employment Questions Frequently Asked

- **What crimes am I required to report on a job application?**

It depends on the type of job for which you are applying.

- Read and answer the question.
- Questions may relate to misdemeanors, felonies, DUIs, traffic violations, withheld judgments, and charges vs. convictions.

- **How do I answer the question on an application regarding my criminal history?**

Best answer: “Yes. Will explain during the interview.”

Always make sure you disclose and discuss! If you fail to disclose and then are hired, failure to disclose can lead to immediate termination.

- **What if my felony happened before the period of time asked about on a job application such as “Were you convicted of felony within the past 7 years?” Do I have to disclose it?**

If you are on probation or parole supervision for the crime, it is best practice to disclose it so it can’t come back to jeopardize your job later!

- **Am I required to disclose both misdemeanor and felony crimes to an employer?**

By signing an application for employment you are allowing an employer to do a background check. It’s far better they hear it from you first rather than finding out after going through all the trouble to conduct a background check. Be honest with the employer up front. That honesty may be the very thing that gets you hired.

- **With my criminal history will I pass a background check?**

The **Bottom Line** -- **REPORT EVERYTHING** -- charges **AND** convictions!!!

Disqualification is most often due to inconsistencies in reporting so find out what is in your record. Some possible contacts include:

- County Courthouse of the county where you live – Register of Actions – Cost for service is typically \$1 per page to print
- Idaho Courts Repository
<https://www.idcourts.us>
- Idaho State Police – Cost for service
<http://www.isp.state.id.us/identification/index.html>

- **How should I disclose my criminal history during an interview?**

- Be Honest!!!
- Use “Sin -- Suffer -- Repent” model
 - Charges (facts): When / Where / What
 - Consequences: Lost my freedom, now have a criminal record, served appropriate time, and any thing else that is pertinent.
 - Positive outcomes and elaborate such as “I learned from my experience, and have been clean and sober for two years.”
- Practice talking about it: Being comfortable talking about your “choice” makes the employer more comfortable.

Criminal History and Employment Questions Frequently Asked (cont.)

- **Why do some employers seem to discriminate against people with a felony?**

There may be liability issues you are unaware of related to bonding, insurance regulations related to age or someone more qualified or experienced.

- **Do I need to be bonded, and how do I get it?**

- The Federal Bonding Program provides fidelity bonding for the first six months of employment for hard-to-place job applicants through each state's Department of Labor.

- The employer requests bonding for an employee. Information can be found at <http://www.bonds4jobs.com>

- **How will a registered sexual offense affect employment?**

Sexual offenders must gain permission **BEFORE** starting employment. Since your picture is on the Internet, it is even more important to disclose and discuss your crime during an interview. Your parole officer will probably deny employment working around minors and other vulnerable populations, Internet-based employment, and possibly job sites around residential neighborhoods or near schools, daycares, or parks.

- **Do I disclose my withheld judgment to an employer? Do I disclose felonies that have been expunged -- removed from my record?**

- Until your withheld judgment sentence is completed, you go back to court, or your record is expunged, you need to report it since you are currently on supervision for it.

- After your record is expunged, it depends. Again, it's better to be honest up front then be surprised. Read and answer the question honestly and completely.

- **Are there work incentives for employers to hire me?**

- Work Opportunity Tax Credit – employers may be eligible for up to a \$2400 tax credit if you were convicted of a felony or released from incarceration within the past year. See page 15 for more details.

- Federal Bonding. See page 14 for more details.

- Workforce Investment Act (WIA) – for displaced workers or low income adults. Talk to your Workforce Consultant.

- Idaho Division of Vocational Rehabilitation