FAIR CHANCE ORDINANCE FOR EMPLOYERS
County Code Section 8.300

INITIAL INDIVIDUALIZED ASSESSMENT FORM

Applicant/Employee Name:	
Position Applied For/Under Review:	
Date of Conditional Job Offer:	
Date of Assessment:	
Assessment Performed by:	

SECTION 1. CRIMINAL HISTORY INFORMATION REVIEWED (List the criminal history records and information reviewed by the Employer, *i.e*, background check report, court record, agency record, internet search):

Criminal History Record/Information	Date of Record/Information
1.	
2.	
3.	

SECTION 2. CONVICTION AND UNRESOLVED ARREST INFORMATION FOR ASSESSMENT

Conviction or Unresolved Arrest	Date of Conviction or Unresolved Arrest
1.	
2.	
3.	

NOTE: Under the Ordinance, Employers cannot consider criminal history information older than 7 years (with limited exceptions for positions relating to minors, dependents, or persons 65 years or older, or positions involving public funds/benefits). *See*, County Code Section 8.300.050(F).

SECTION 3. INITIAL INDIVIDUALIZED ASSESSMENT - FACTORS (For each Conviction or Unresolved Arrest listed in Section 2, provide an assessment as indicated below)

Conviction or Unresolved Arrest:
Date of Conviction or Unresolved Arrest:

1. The seriousness and type of criminal conduct.

(Factors may include: the individual's specific personal conduct, whether the harm was to property or people; the level or degree of injury or loss; the permanence of the harm; the person's age when the conduct occurred; the context in which the offense occurred)

2. The time that has passed since the criminal conduct and/or completion of the sentence.

(Factors may include: the amount of time that has passed since the conduct/incident underlying the conviction, and/or the amount of time that has passed since the person's release from incarceration).

3. The nature of the job sought or held by the applicant or employee.

A. List the specific duties and responsibilities of the job position:

B. Assess the likelihood of a recurrence in the job position. (Factors may include: Whether the job offers the opportunity for the same or a similar offense to occur; whether circumstances leading to the conduct for which the person was convicted or that is the subject of an unresolved arrest will recur in the job; whether the context in which the conviction occurred is likely to arise in the workplace; whether the type or degree of harm that resulted from the conviction is likely to occur in the workplace.)

4. List any relevant work experience or job training of the applicant or employee following the criminal conduct.

SECTION 4. Determination

☐Option A: (Criminal History has no direct, adverse and negative bearing on job position):

Based on the above, the criminal history information **does not** have a direct, adverse and negative bearing on the individual's ability to perform the duties or responsibilities necessarily related to the job position; OR

☐Option B: (Employer's Preliminary Decision to Rescind Conditional Job offer or Take Adverse Action):

Based on the above, the Employer has determined that the criminal history information has a **direct, adverse and negative bearing** on the individual's ability to perform the duties or responsibilities necessarily related to the job position for the following reasons:
(Explain the link between the specific aspects of the individual's criminal history with risks inherent in the duties or responsibilities of the job position):
