FAIR CHANCE ORDINANCE FOR EMPLOYERS
County Code Section 8.300 et. seq.

SECOND INDIVIDUALIZED ASSESSMENT FORM

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

SECTION 1. DOCUMENTS, RECORDS AND INFORMATION PROVIDED BY THE APPLICANT OR EMPLOYEE IN RESPONSE TO PRELIMINARY NOTICE OF ADVERSE ACTION

A. **CRIMINAL HISTORY INFORMATION** (List any documents or records provided by the applicant or employee disputing the accuracy of the criminal background check report or criminal history information, and/or providing an explanation regarding criminal history):

Name/Title of Document or Record re Criminal History	Date of Document or Record	Description of Error or Explanation regarding Criminal History
1.		
2.		
3.		

B. EVIDENCE OF REHABILITATION OR MITIGATING CIRCUMSTANCES PROVIDED BY APPLICANT OR EMPLOYEE

Name/Title of Document, Record or Information Evidencing Rehabilitation or Mitigating Circumstances	Date of Document, Record or Information	Description/Explanation of Evidence of Rehabilitation or Mitigating Circumstances
1.		
2.		
3.		

SECTION 2. SECOND INDIVIDUALIZED ASSESSMENT - FACTORS

INSTRUCTIONS: For each Conviction or Unresolved Arrest that was the **basis for the Employer's Preliminary Notice of Adverse Action,** reassess whether the individual's Criminal History has a direct, adverse and negative bearing on their ability to perform the duties or responsibilities of the position, **by taking into account the information, documents and/or records provided by the applicant or employee as identified in SECTION 1**.)

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 (note: this should be the same information as in the Initial Individualized Assessment):

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.

5. List any other relevant Section 1 information or documentation provided by the applicant or employee in response to the Preliminary Notice of Adverse Action **t**hat was considered for the Employer's Second Individualized Assessment.

SECTION 3. Final Determination

☐Option A: (Criminal History has no direct, adverse and negative bearing on job position):
Based on the Second Individualized Assessment, 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: (Final Decision to Rescind Conditional Job offer or Take Adverse Action): Based on the Second Individualized Assessment, 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 such that it justifies a final decision to rescind the conditional job offer or take adverse action 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):