

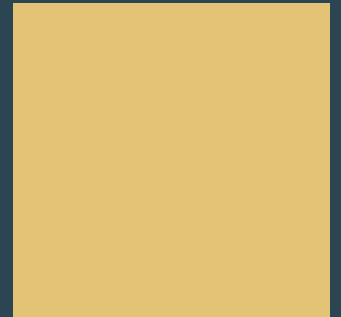


Getting Started Guide



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Introduction

Fair Chance Hiring (FCH) is an effective way to advance workplace equity. It's already legislated or practiced in British Columbia, Quebec and across Australia. In the US, more than 40 states and 150 cities have adopted Fair Chance Hiring policies since they were first championed by the White House in 2009.

These practices aren't simply the right thing to do: they're good for business. Today, hundreds of US employers, including Starbucks, Verizon, Microsoft and Walmart, have voluntarily adopted Fair Chance Hiring because it helps the bottom line. Fair Chance policies enhance recruitment and retention, align with Canadian values, and establish leadership for any organization that adopts them.

As an employer who cares about equity and inclusion, this Guide is a great place to build on your knowledge and learn more about the principles of FCH. The Guide also offers actionable tips and best practices on how FCH might fit with your priorities and processes.



What is Fair Chance Hiring?

Fair Chance Hiring refers to a range of **hiring policies, best practices, and training** that every employer can use to fairly assess candidates who have a criminal record. They're built on a simple idea: that **every qualified candidate, regardless of background, has the right to be fairly assessed**. These policies help employers hire people who have a criminal record, not because they have a record, but, because they are the best candidate for the job.

Fair Chance Hiring isn't preferential treatment, and it isn't lowering the bar. Instead, it's about creating a level playing field—it gives employers the knowledge and awareness they need to break down systemic, unfair barriers to employment.



Addressing Stereotypes & Misconceptions

Because of the stereotypes and misconceptions that many employers have about criminal records, millions of Canadians are denied the chance to build a productive future for themselves and their families. But these Canadians—who disproportionately come from racialized and marginalized communities—hold incredible potential for employers willing to give them a fair chance.

Fair Chance Hiring can reduce overhead through lower turnover rates while driving deeper loyalty and motivation on your team. According to a study from Northwestern University, employees with a criminal record have a 13% lower turnover rate than those without one. They're also no more likely to be fired for misconduct than any other employee.

The effect on the bottom line is considerable, as Canadians increasingly choose to use their wallet to reflect their values.



80% of Canadians agree that people who have served their time should have the chance to work again



58% said they would be more likely to buy products or services from a company if they provide employment opportunities to people with a criminal record



Spectrum of Employers

Fair Chance Hiring isn't a radical shift in policy. In fact, many employers may already use key principles of Fair Chance Hiring without realizing it. Even in roles or sectors that mandate criminal record checks, small changes to hiring practices can lead to more equitable and effective recruitment. For organizations with Diversity, Equity and Inclusion frameworks, Fair Chance Hiring fits closely with—and enhances—these existing priorities and practices.

The journey to becoming a Fair Chance Employer will be different for everyone. Every employer has a unique set of considerations, constraints, and priorities that will inform how they can engage with and support a Fair Chance movement.

Our goal is to inspire and enable employers to take incremental steps along a seamless spectrum of Fair Chance practices in a way that's tailored to their business.



Commitment to Hiring Policies that Promote Equity & Inclusion



Fair Assessor

Businesses that maintain compliance through fair assessments and are unsure how to take practical steps towards fair chance hiring.



Intentional Hiring

Businesses that already hire from diverse populations with intention, and may or may not extend this practice to people with criminal records.

Highly Regulated

Businesses that have relatively limited engagement with applicants who have criminal records due to outside forces or regulations.

Open Hiring

Businesses that do not use criminal record checks as part of the hiring process.



Fair Chance Hiring

Businesses that have formal fair chance hiring policies and a workplace culture that celebrate employees who are educated on these issues.

Tailored Fair Chance Policies

Businesses with formal fair chance hiring policies that are adapted to the nature of the role and unique business constraints.

Fair Chance Advocate

Businesses that promote opportunities to or actively seek out candidates who have criminal records.



Where does your journey start?
Take our [Getting Started Quiz](#) to find out.



Three Steps to Get Started with Fair Chance Hiring

STEP 1

Build your knowledge and identify best practices.

Resources like www.fairchances.ca and www.policerecordhub.ca offer a great starting point to build your knowledge about Fair Chance Hiring. Doing this foundational work, your team will better understand how records impact social equity, why certain groups are overrepresented among those with criminal records, how stigma is harmful, and how we can break down that stigma with knowledge and awareness.

These free tools outline how your organization, with its own individual philosophy, can reduce barriers and unlock talent, ultimately working towards a more inclusive and diverse environment.

STEP 2

Create a record check policy.

Arming yourself with best practices, work with your team to build a Fair Chance record check policy that fits your organization. Be sure to include clear processes and protocols to guide management or HR professionals should they receive a “positive” record check.

If a criminal record is disclosed or provided through a record check:

1. Consider the relevance of the record to the position. The nature of the position and its requirements should be considered when reviewing a record check result. For guidance, human rights tribunals in Canada have outlined relevant questions to determine whether a record is related to a job requirement:

Does the behaviour for which the charge was laid, if repeated, pose any threat to the employer's ability to carry on its business safely and efficiently?

What were the circumstances of the charge and the particulars of the offence involved? (e.g., how old was the individual when the events in question occurred?)

How much time has elapsed between the charge and the employment decision?

What has the individual done during that period of time?

Have they shown any tendencies to repeat the kind of behaviour for which they were charged?

Keep in mind that studies have shown that after a few years, a person with a criminal conviction is at no greater risk of reoffending than any other member of the population.

2. Speak to the candidate. Start by asking them what they feel comfortable sharing about the circumstances and/or events in their life that led to the charge(s). You can also ask them how things have changed in the time since, and what they've learned from the experience.

3. Limit who sees the record check. Consider how you'll keep the applicant's past private. This includes limiting who will see the record check results and identifying who should be told about their past. Consider also giving some guidance to the individual, at the interview stage. Let them know that they are not obligated to share this information with anyone outside of the hiring team.

4. Consider the type of record. You should be aware of the different types of records (i.e., conviction vs. non-conviction) and different types of information

that might be included on a record check. For specifics, please refer to our existing resource: [How to Read a Criminal Record](#).

5. Consider the nature of the offence. Criminal record checks do not contain a lot of information. “Assault” or “Breach of Order” may appear as the listed offence, with no additional explanatory information. There is a broad range of circumstances that can make up the offence or alleged offence, however, you can learn more by speaking with the individual, rather than dismissing them automatically.

STEP 3

Take it to the next level: Be vocal & connect with local partners to source talent in your area.

Once you have created a Fair Chance Hiring plan, if you want to be purposeful in recruiting people with criminal records, you can begin broadening your candidate pools. To start, showcase yourself on your website and in your recruitment efforts as a Fair Chance employer. Consider taking the [Fair Chance pledge](#) and becoming a member of the Fair Chances Coalition. The pledge is an expression of your support for fair chances and an opportunity to highlight the ways in which Fair Chance Hiring aligns with or enhances your existing commitments to advance workplace equity and inclusion.

Fair Chance Hiring offers an opportunity to build meaningful partnerships with workforce development and employment service experts in your area; they work with Canadians with criminal records and can offer you access to top talent. These experts also can act as an excellent resource for best practices on hiring and supporting your new talent.



Build Your Hiring Plan

TIP 1

Assess each position individually.

What level of screening is required for the position?

To answer this, you'll need to understand the role. What will the job involve? What will the duties be? What skills are required? What kind of person are you looking for? What screening tools will be used (e.g., resume, cover letter, interview, record check, etc.)?

Record checks provide very little insight about an individual and should not be a default screening tool for all employment and volunteer positions (unless required by law). In general, there are better ways (e.g., reference checks, interviews) to learn about someone's character and suitability.

Once you've assessed the position and the required qualifications, you can determine if a record check is necessary. Though a record check should not be a standard part of the hiring process, there may still be occasions where it is a prudent screening measure.

The [Occupational Health and Safety Act](#) does not require employers or supervisors to conduct police record checks. In specific cases, employers may be required by legislation to request a record check, but this is limited to a few positions (e.g., retirement homes, long-term care homes, childcare centres, etc.).

Examples of when it may be justifiable to use a record check include:

1. If having a criminal record would directly interfere with core job requirements (e.g., a person needs to access a correctional institution regularly for their job but would not be able to get clearance with a criminal record);
2. If the position involves control over large amounts of organizational or client assets, and supervision, safeguards or auditing procedures are not feasible because of the nature of the work;
3. If the position is one where access will be given to a high-security environment (e.g., nuclear facility, airport, law enforcement, corrections, etc.); or,
4. If the position involves unsupervised and ongoing contact with individuals in the vulnerable sector.

TIP 2

If it is deemed necessary to conduct a record check, **select the least intrusive type of check.**

If you determine that a record check is a prudent screening measure, select the least intrusive level of check. You'll also need to establish a protocol on how record check information will be considered and how it will inform the screening process (see above). The record check should be the last step in the recruitment process, after a conditional offer has been extended.

Having a criminal record should not automatically disqualify an individual from employment or volunteer opportunities. The screening of applicants should be proportional to the responsibilities of a specific position. This principle should be reflected in policies or guidelines on how to recruit and screen individuals with a criminal record. [JHSO's Police Record Check Policy](#) can be used as a guiding example.

TIP 3

Be explicit in your job posting.

If you've determined that the position does not require a record check as a screening measure, or, if a record check is required but candidates with criminal records will still be considered, state this clearly in the job posting.

Be as transparent as possible about what you are looking for, so applicants do not mistakenly self-select out of applying.

Fair chance friendly job descriptions should focus on a candidate's competencies as opposed to experience or educational requirements.

If you've adopted a policy that does not automatically exclude people with records from employment or volunteer positions, mention this on your careers page. If you take the [Fair Chances pledge](#), include that information in your company values and in all job ads.

TIP 4

Set people up for success.

Giving someone a fair chance could mean more than providing an opportunity to work. These individuals should participate in existing onboarding and training, but it's helpful to offer them additional support too. For example, you may want to ease their learning curve by guiding them through the core competencies of the job, helping them get oriented and adjusted to their new environment. In the same way that you may already make accommodations for varying office setups or commuting needs, individuals recently released from custody or serving out sentences in the community may have different conditions they need to meet. Accommodations like schedule changes and a desire to support them can aid performance, retention and growth.

Dispelling myths, reducing stigma and creating a culture of belonging will help ensure the success of your new employees. Employees feel proud contributing to an organization that reflects their values. And as talent increasingly finds more employment options, they're seeking out workplaces with a positive impact. Fair Chance Hiring can help you not only reach talented employees with a record but can also become a rallying flag across your recruitment efforts to differentiate you from competitors.



Join Us

When you give all candidates a fair chance, you expand your pool of potential talent to include a group that can be more committed and cost-effective than the broader population. At a time when more organizations are struggling to fill positions amid major labour shortages, this can be a significant advantage.

That's why we're inviting you to become a member of Canada's first Fair Chances Coalition. The Fair Chances Coalition is a group of cross-sector organizations, public and private, committed to advancing equity and opportunity for all Canadians. Funded by the Metcalf Foundation, the Coalition was established by the John Howard Society of Ontario in 2021 in partnership with the City of Toronto, Prince's Trust Canada, Building Up and First Work. The Coalition is actively seeking Canadian organizations to share its commitment and begin the journey to enact Fair Chance Hiring practices in their organizations.

www.fairchances.ca

Fair Chances Pledge