



TLS WEBINAR 17: SESSION TAKEAWAY

Know Your Rights: Justice-Involved Job Seekers and Background Checks

Background checks are one of the most common, and most confusing, barriers that justice-involved job seekers face. To successfully navigate the process, it's important to know the rights that candidates have, how they can exercise those rights, and the steps practitioners can take to support them. Building this awareness is critical to ensuring fair access to employment opportunities.

Key Job Seeker Rights in the Background Check Process

➤ Candidates Can Dispute Errors

Background checks are not always accurate. Reports can contain outdated records, mistaken identity, or incomplete information. Under the Fair Credit Reporting Act (FCRA), candidates have the right to review their background check results and challenge any inaccuracies.

➤ Candidates Must Receive a Pre-Adverse Action Notice

If an employer plans to take negative action based on a background check, they are required to provide a pre-adverse action notice. Candidates then have the chance to correct errors or provide additional context before a final decision is made.

➤ Record Relief Can Open Opportunities

Across many states, individuals may be eligible for expungement, record sealing, or reducing a felony to a misdemeanor. These legal remedies vary by jurisdiction, but they can make a real difference in opening doors to employment. Practitioners can play an important role by connecting participants with legal aid, state court resources, or tools like the National Inventory of Collateral Consequences of Conviction.