

"Ban the Box" Law Applies to All Philadelphia Employers

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On December 15, 2015, Philadelphia Mayor Michael Nutter signed into law an ordinance that amended Philadelphia's "Ban the Box" legislation, which limits employers' ability to ask job applicants about their criminal backgrounds. As of March 15, 2016, *all* Philadelphia employers must comply with these restrictions, which include:

- no criminal background checks may be done until after a conditional job offer is made; under the original version of the law, employers had to wait until after the first interview
- the law applies to all employers in the city, instead of those with 10 or more employees as before
- employers may only look back seven years (not counting any periods of incarceration); previously, employers could look back as far as they wanted.

As before, employers may not consider any prior arrests that did not result in conviction.

This is a "hot topic" in the city and elsewhere, so employers need to review their hiring practices and procedures to be sure that they are complying with these and other applicable laws. If you need advice on this legislation or other labor and employment issues, contact Debbie Sandler (215.864.6203; sandlerd@whiteandwilliams.com) or any member of our Labor and Employment Group for further assistance.

This correspondence should not be construed as legal advice or legal opinion on any specific facts or circumstances. The contents are intended for general informational purposes only and you are urged to consult a lawyer concerning your own situation and legal questions.

