



## **Workforce Justice Act of 2021**

***Congressman David Trone (D-MD) and  
Congresswoman Maxine Waters (D-CA)***

### **Background**

Our criminal justice system is broken. An estimated 70 million Americans have an arrest or conviction record that would show up in an employment background check. Justice-impacted individuals face substantial barriers to re-entering the labor market. Studies show that callbacks and job offers are reduced by half for applicants with a criminal record and that nearly 60 percent of individuals with criminal records remain unemployed one year after release. These barriers to employment perpetuate inequality and can lead to a cycle of recidivism and repeat incarceration.

In 2019, Congress passed and the President signed into law Chairman Elijah Cummings' Fair Chance Act, which "banned the box" for federal agencies and federal contractors. Thirteen states across the country have already extended these fair chance hiring policies to the private sector. The time has come to do the same for all job applications.

### **About the Legislation**

The Workforce Justice Act of 2021 helps remove the stigma of a criminal record and provides a fair chance for justice-impacted individuals to compete for jobs while preserving an employer's right to inquire into an applicant's background.

The Workforce Justice Act of 2021 requires states to put policies in place that prohibit private employers from asking about the criminal history of a job applicant prior to the extension of a conditional offer of employment. States would have 3 years after the enactment of this bill to put in place these "ban the box" policies before they would become ineligible for Edward Byrne Memorial Justice Assistance Grants (JAG).