

“Ban-the-Box” laws, also commonly known as fair-chance hiring laws, are measures taken to remove the section or “checkbox” from job applications that asks applicants if they have been convicted of a crime. These laws prohibit some or all employers in a jurisdiction from asking about an individual’s criminal history until the final stages of the hiring process. Each state and local law has varied requirements that outline what can be asked and when it can be asked. Some of these laws also require additional obligations from employers regarding the inquiry into and information on an applicant’s criminal history when hiring.

Jurisdiction by State	Applies to Employers Based on Number of Employees within Jurisdiction	When Employers May Ask About Criminal History
Hawaii	1	Following tentative offer
Illinois	15	Following selection for first interview (or following tentative offer if no interview)
Massachusetts	6	Following initial interview
Minnesota	1	Following selection for first interview (or following tentative offer if no interview)
New Jersey	15	Following initial interview
Oregon	1	During initial interview (or following tentative offer if no interview)
Rhode Island	4	During initial interview
Washington D.C.	10	Following tentative offer
Connecticut (effective 01/01/2017)	1	Following initial employment application
Vermont (effective 07/01/2017)	1	During initial interview or once deemed qualified for position
Austin, TX	15	Following tentative offer
Baltimore, MD	10	Following tentative offer
Buffalo, NY	15	Following first interview
Chicago, IL	1	Following selection for first interview (or following tentative offer if no interview)
Columbia, MO	1	Following tentative offer
Montgomery County, MD	15	Following initial interview
Newark, NJ	5	Following written tentative offer
New York City, NY	4	Following tentative offer
Philadelphia, PA	10	Following initial interview
Portland, OR	6	Following tentative offer
Prince George’s County, MD	25	Following initial interview
Rochester, NY	4	Following initial interview
San Francisco, CA	20 (regardless of where employees are located)	Following initial interview or tentative offer
Seattle, WA	1	Following initial screening of application
Los Angeles, CA (effective 01/22/2017)	10	Following tentative offer
Cook County, IL	1	Following initial interview or tentative offer

This document is current as of March 1, 2017. The following chart offers a brief description of the “Ban-the-Box” legislation that has passed across the U.S. and is separated by state and by city/county. Some of these laws may apply to municipalities or private employers only. This chart is not intended to be legal advice and it is not comprehensive. While Ban-the-Box laws are similar in many states, each has its own specific provisions. All employers should seek legal counsel to ensure that they are following their city, county, or state’s hiring laws.