

HIRING JUSTICE-INVOLVED TALENT

PRACTICAL STEPS TO BECOMING SECOND CHANCE EMPLOYERS



The **Responsible Business Initiative for Justice** (RBIJ) is an award-winning international nonprofit organization that works with companies to champion fairness, equality, and effectiveness across systems of punishment and incarceration and advance economic opportunity for justice-involved individuals and their families. RBIJ engages, educates, and equips businesses and their leaders to participate in meaningful advocacy on key criminal justice issues, support policy-specific reform campaigns, and use their resources and operations to be a force for good in society. For more information, please visit www.rbij.org.

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Methodology: In conducting research for this roadmap, RBIJ spoke with businesses and organizations across numerous sectors, including national and international companies and brands from the following sectors: financial services and insurance; manufacturing; service providers; food services and restaurants; academic-based programs for the reentry community; business associations; and nonprofits supporting returning citizens. The Promising Practices included throughout the document and the quotes from leaders were sourced from these conversations, as well as company websites and RBIJ's Justice Champion Spotlights. If you have questions about the methodology or sources, please email info@rbij.org.

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INTRODUCTION

One in three people in the United States has a criminal record. Thousands of legal restrictions and policies tied to involvement in the criminal justice system create barriers that turn into a lasting punishment, even after someone has completed their sentence.

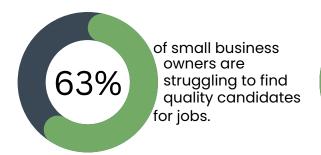
While critical, policy reform alone will not go far enough in creating opportunities for individuals with criminal records. The Responsible Business Initiative for Justice (RBIJ) is committed to working with the business community to create more opportunities for, and drive the adoption of, Second Chance Hiring (SCH). Ultimately, a business' own conduct determines whether SCH is successful. It requires the implementation of internal changes, followed by intentionally identifying, hiring, and retaining people with records. Advances can be made within companies – large and small – even before legislative reforms increase opportunities for people with records.

Employers who are new to SCH may find the process intimidating. While second chance businesses report that opening their workplaces to this population is both rewarding and economically sound, providing an opportunity for individuals with criminal records to thrive can be challenging. Without guidance through the process, even the best intentions may not be enough.

The stakes remain high for this population. Without a fair shot at a steady and reliable job, people with criminal histories often find it difficult to integrate back into society – incurring a cost neither they nor their communities should have to pay. In addition, thousands of open jobs remain unfilled in the United States, due in part to the barriers to employment faced by the more than 70 million Americans who have been through the justice system. A substantial percentage of the workforce remains excluded from consideration.

RBIJ is committed to helping more businesses become successful second chance employers. Over the past year – building on our longstanding collaboration with the business community to advance legislative priorities that improve opportunities for people with criminal records – RBIJ has examined when and why some companies become interested in SCH, and the conditions necessary for success when implementing such practices. These learnings are captured in this roadmap, which is intended to help those businesses who are interested in SCH, but unsure where to start.







Source: Small Business Majority. (2022). "Opinion Poll: Small business owners support criminal justice reforms to address persistent workforce challenges."

RBIJ reached out to SCH leaders and experts from a variety of industries and business sizes to get a better sense of the immediate needs and opportunities for potential SCH employers. These conversations revealed a number of reasons why businesses are not currently engaged in SCH that could be overcome with education and support:

- Candidates lacked the necessary skills to be successful for example, lack of industry knowledge, soft skills, and digital literacy.
- The company "went it alone" or did not use community partners or workforce development nonprofits when identifying candidates for open positions.
- Businesses found changing internal policies and procedures necessary for SCH cumbersome.

These findings confirm the need for training and technical assistance for businesses that have expressed interest in SCH so that they can implement a successful program. They also demonstrate that where businesses have experienced challenges in SCH, those obstacles can be overcome with the right support. The perceived "barriers" are often more about the myths of SCH rather than the reality. We believe creating opportunities for peer exchange among employers that have successfully implemented SCH with those interested in joining the community can do much to advance the movement.

This roadmap is designed to help businesses interested in inclusive hiring get started. It outlines a simple three-part framework to organize a hiring program and identifies steps needed to ensure talent retention. It intentionally advises an approach where businesses start small – hiring just a few individuals – so that over time, employers can both expand their programs and retain the top talent they need.

PILLAR 1:

BUSINESS & EMPLOYER EDUCATION



PILLAR 2:

IDENTIFYING
THE RIGHT
CBO AND
REENTRY
PARTNERS



PILLAR 3:

WORKFORCE
DEVELOPMENT
FOR SECOND
CHANCE
EMPLOYEES



Our research also identified two additional constraints in advancing SCH that go beyond the focus of this roadmap:

- First, the negative public perception around individuals with criminal records runs deep and acts as a barrier for businesses to engage with this community. Whether the perception is based in fear, a concern over a possible backlash by customers or other stakeholders, or a belief that individuals with records are untrustworthy and will steal from them, this negative perception is real, wrong, and must be addressed directly.
- Second, in some instances even when an employer is ready to hire from this community if the position requires an occupational license, the fees associated with obtaining it may be cost prohibitive. Worse, the licensing authority may have prohibited individuals with records from obtaining the license altogether. Indeed, one in four U.S. jobs now requires some form of professional license, and there are over 14,000 state and federal barriers that limit access to certain occupations for people with criminal convictions.

Both of these issues must be addressed to advance SCH, and leaders in the SCH employer community who choose to speak openly and critically about them have a tremendous role to play. While both of these constraints require deeper engagement to shift narratives and change regulations, this roadmap focuses on what interested businesses can do themselves, today.



The first step necessary for businesses that have expressed interest in SCH is education. In particular, prospective hirers need to understand:

- The business case and the human case for SCH, which includes advancing diversity, equity, and inclusion (DEI) priorities. There is a clear business case for SCH, which includes lower turnover rates, increased retention, loyal and hard-working team members, and adding valuable and unique perspectives to internal teams which in turn increases productivity. There is also the human case, which is, quite simply, that justice-involved individuals are people just like the rest of us, and that everyone deserves a second chance. Implementing SCH as a means of advancing DEI priorities allows for businesses to demonstrate true understanding of inclusion by not deliberately excluding a segment of the workforce, which disproportionately includes people of color.
- The unique challenges faced by individuals returning to their communities after incarceration. Employers must understand the barriers that justice-involved individuals face upon reentry, which might include mandatory drug testing, mandatory mental health treatment, required visits with probation or parole officers, or set times an individual can be outside the halfway house. These requirements may interfere with work schedules, so employers must learn how to navigate them with their employees so that they can help their hires be successful in their reentry journeys.



Community-based organizations (CBOs) and reentry programs have proven to be critical to advancing successful SCH programs. Not only do these organizations and programs help justice-involved individuals obtain the necessary workforce development skills to be successful in their jobs, they also provide critical human resources support to businesses wanting to become SCH employers.

In addition to being an invaluable recruiting partner of second chance talent for prospective employers, CBOs can provide the necessary "wraparound" care services for second chance employees to ensure that they can thrive in their work environment. This includes identifying and preemptively addressing problems that could derail their success.



The justice-involved population frequently gets "pigeonholed" into entry-level or low-wage jobs, providing little opportunity for upward career mobility. This is especially true in industries that tend to be more labor-intensive (e.g., manufacturing, warehouse-based, logistics, construction). There is often a mismatch between workforce development training that is currently available for justice-involved individuals and the existing job openings in industries that are struggling to fill positions. In addition, many second chance hires themselves are not aware of the upskilling opportunities that may be available in certain industries or businesses.

Just like with other employees, second chance talent must be invested in, and provided with training and workforce development opportunities, in order to learn necessary or additional skills to obtain career advancement. This can be achieved not only in partnership with a local CBO but also through programs put in place within the business.



RBIJ is committed to identifying how companies can put their good will to good use and we are eager to help companies join the SCH community by providing education, support, and partnership. We offer this roadmap to employers interested in starting their journey in SCH.



PILLAR 1: BUSINESS AND EMPLOYER EDUCATION

THE NEED

For businesses to be successful in SCH, they must commit to learning the needs and experiences of individuals returning to their communities. In particular, they should understand the unique challenges faced by this population both in the workplace and in their daily lives, as well as both the business and human case for advancing SCH.

Individuals returning to society face a host of challenges that may not be seen by the employer: finding stable housing; reconnecting and repairing relationships with their families and friends; and understanding how to navigate the various requirements that halfway houses, probation, or parole place upon them.

Businesses should also look inward, to both evaluate their reasons for beginning SCH and examine their current hiring and recruitment processes to understand if their hiring environment is supportive of hiring second chance talent.

HOW EMPLOYERS CAN GET STARTED

Reviewing and updating hiring policies and procedures: Revising both application processes (e.g., implementing ban the box policies that eliminates the box on initial job

applications that asks applicants whether they have a criminal record) and background check reviews.

Building a second chance candidate pipeline: Identifying key markets for recruitment and facilitating partnerships with reentry CBOs to learn more about the unique needs of this population.

Effectively communicating the business commitment to Second Chance Hiring internally: Developing tools and language to share across the organization to build a common understanding and culture around SCH practices and achieve "trickle down" buy-in across all levels of the business.

"Businesses have the power to change things. When others see what we're doing and what the results are, they are more likely to follow suit. When we precipitate positive change in the world and contribute to human flourishing, we earn loud and loyal customers. It's good business."

-**Pete Leonard** Founder, I Have a Bean



HOW EMPLOYERS CAN GET TO THE NEXT LEVEL

Where most efforts to accelerate SCH programs get stuck is in between "not doing it at all" to "doing it really well." A consequence of this perception is that SCH programs may stop soon after they start.

Quite frequently, the employers that have been the most successful in SCH have been those that started small and sought guidance from other employers who have more robust SCH programs. Perhaps the best way to scale is for employers to test the water with pilots. This allows for a trial-and-error approach and creates the opportunity to pivot and fine tune before introducing it company wide. Employers should continue to learn the needs of their SCH employees and adjust the services they provide accordingly.

The most impactful approach to this education and engagement would be intentional and targeted, based on geography, industry, and company size. Businesses value hearing from and learning from their peers, so engaging local business leaders already successful in SCH to deliver the message in their communities and their regions will be essential.

Promising Practices: U.S. Rubber

<u>U.S. Rubber</u> initially implemented a SCH program to take advantage of the federal Work Opportunity Tax Credit (WOTC). The aptly named Bounce Back! program has now been established as the heart and soul of U.S. Rubber. In line with the company's mission, Bounce Back! offers job opportunities to people who might otherwise find it difficult to gain employment. Their first second chance employee has been at the company for over 25 years, fueling interest by management to grow the program and realize the benefits of this untapped workforce segment.

After hiring someone who has a criminal record, U.S. Rubber Recycling does something different to most other companies who hire from the same population: they meet with a psychiatric rehabilitation counselor to make sure a candidate is emotionally and mentally ready to be in the workforce and will be a good fit within the company. Employees also receive counseling on a regular basis. The psychiatrist meets with them face-to-face or by phone and provides training for skills as varied as how to open a bank account to how to establish rapport with coworkers.

Today, approximately 68% of U.S. Rubber employees are formally justice-involved, with plans to have 200 second chance employees by 2025.



Photo courtesy of I Have a Bean.

I Have a Bean is a specialty coffee roasting company that was created for the express purpose of offering training and meaningful employment to what founder Pete Leonard calls "post-prison men and women".

Leonard adjusted his interview questions to learn how to identify three key qualities from his second chance talent: honesty, dependability, and teachability. He also evaluated his new hires to identify their skills and where they should be placed in the company. For example, if one of the candidates had a knack for customer service, he would place them in the front of the store working directly with customers, rather than in the roasting room with limited customer engagement.

The benefits of I Have a Bean's employment model are significant, with employee loyalty running deep and counter to what many other companies experience. Additionally, to combat negative stereotypes, Leonard implemented "Free Coffee Friday" where customers and employees can mingle, with the goal of eliminating the stigma associated with having a criminal record.

Promising Practices: I Have a Bean



PILLAR 2: IDENTIFYING THE RIGHT CBO AND REENTRY PARTNERS

THE NEED

Community-based organizations (CBOs) and reentry partners are critical to successful SCH programs. Not only do these organizations and programs help justice-involved individuals obtain the necessary workforce development skills to be successful in their jobs, but they also provide critical human resources support to businesses wanting to become SCH employers.

Second chance employees may have additional needs that should be addressed with accommodations, manager training, and/or cultural sensitivity training. Individuals with criminal records, particularly those who have been recently released from prison and have limited work experience outside of the institution, will require a range of supportive services that most employers will not have the expertise or resources to provide. The good news is that businesses do not need to have them in-house. In every community across the country, there are nonprofit and public sector CBOs helping people with past convictions reintegrate into the workforce. These organizations support hundreds of thousands of prospective employees each year to prepare to join the workforce, access jobs, and maintain stable employment over the long-term. Working with a community partner can help ensure candidates are prepared for the expectations and routines of work before rejoining the labor force.

HOW TO FIND THE RIGHT PARTNERS

CBOs historically have provided two main functions when it comes to helping individuals with criminal records: providing workforce training opportunities and recruitment of candidates, and providing critical wraparound care to ensure a successful reentry. They can also help pre-assess candidates based on a business' specific needs and constraints. Some of the right qualifications in a CBO partner include work readiness programming (that can be tailored to business need), comprehensive employer partnerships, and ongoing retention support. Another way to determine how effective and efficient CBOs are in these areas is to visit with prospective partners to see the work that they are doing. An employer may walk away with the sense that this is a greater opportunity than they might have otherwise realized. Employers can also connect with businesses in their area who have already begun SCH to learn about existing successful partnerships with CBOs.

Many CBOs develop training programs for justice-involved individuals to help place them into high demand roles. This includes partnerships with employers to ensure that candidates are taught skills for open roles within the company. Successful CBO partnerships will mean that not only is second chance talent retained, but that through skills training offered in partnership with the employers, employees achieve upward economic mobility through career advancement.



The importance of reentry support provided by a partner CBO for second chance employees cannot be overstated. These supportive services include: interview/work clothing purchases; transportation assistance; housing assistance; financial literacy training; assistance with work supplies; childcare referrals; and provision of basic needs such as personal hygiene products or food. Such resources can provide the stability that is critical to second chance employees who are reestablishing their lives in the community after release. Strong CBOs will often have a plan to address the needs of the reentering individuals with whom they work and regularly check in with them, thereby ensuring that the talent prospects have the resources they need to be successful in their jobs.

"Getting businesses and their people to interact with incarcerated individuals is crucial. We can't just have them read an article or tell someone about it. They need to see it, truly experience it, to really know it."

-**Stacey Putka**Executive Director,
Breakthrough

Partnerships between businesses and CBOs work best when they are grounded in open and honest communication. Businesses should clearly articulate their hiring needs and desired skill sets, including required past experience for available positions. Additionally, some industries have regulatory constraints that could limit hiring for a justice-involved individual. It is important for businesses to identify any potential limitations with their partner CBO because some of these prohibitions may be less restrictive than employers might recognize.

Having a clear understanding of what success means for a business' SCH program and identifying shared goals between the business and CBO can help to manage expectations about responsibilities. Some examples of success include hiring a specific number of second chance employees, a specific retention percentage among justice-involved employees, or even the number of referrals existing SCH talent makes for additional SCH employees. Ultimately, a business must decide what exactly they are looking to get out of SCH and set their goals accordingly.

Additionally, anticipating and embracing mistakes as a collaborative effort between the business and CBO offers a supportive environment of learning and succeeding together. A business should also commit to regular communication with its CBO partner and lean on them to triage any human/social needs that may arise for second chance employees.

Most importantly, businesses must keep an open mind and be ready for change. Opening doors to opportunity, breaking down internal barriers (such as adjusting existing policies or procedures), receiving second chance talent, and getting involved in job training programs facilitated by a CBO partner are all necessary to becoming a good partner to a local CBO and ultimately a successful SCH employer.



<u>Breakthrough</u>, a nonprofit CBO based in Denver, CO, provides in-prison programming with a mission to reform society's response to incarceration and equip participants for a successful reintegration.

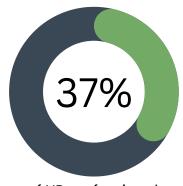
They begin to develop employer relationships by creating corporate volunteer opportunities for businesses and their leaders to come into the prisons with them during major milestone events such as Mock Interviews, Business Pitch Bootcamps, and Graduation. Each event is an opportunity for volunteers to learn more about the participants. Empathy-building exercises are routinely included in the events to connect the volunteers to the participants and generate awareness and understanding.

After all in-prison events, continued outreach is conducted to each business and an education campaign is undertaken to highlight not only why their participants should be hired upon release, but also how Breakthrough can provide the continued reentry support for each participant to ensure success.

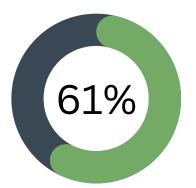
Breakthrough makes a point to directly match employers struggling to fill roles or find quality employees with their participants by becoming an extension of the company itself – understanding HR policies, what their hiring goals are, and which types of skill sets are needed for open roles – in order to ensure that the candidates they put forward meet the requirements of the job.

To date, Breakthrough has five formal corporate partnerships in the Denver area and is continuing to grow with their proven method of outreach and support. Additionally, Breakthrough commissioned research to identify several best practices to help employers hire and retain second chance talent, which have been compiled into a <u>Fair Opportunity Employer Toolkit</u> available on their website at no cost.





of HR professionals report their organization does not currently partner with a CBO but are interested in doing so.



Promising Practices: Breakthrough

plan to partner with CBOs to provide additional services for untapped talent.

Source: SHRM Foundation. (2020). "Beneath the Surface: A Unified Approach To Realizing The Value Of Untapped Talent."



PILLAR 3: WORKFORCE DEVELOPMENT FOR SECOND CHANCE EMPLOYEES

THE NEED

Workforce development policies, programs, and practices are critical to efforts to improve equity in educational and economic opportunity in America. This is particularly true for justice-involved individuals, who may have been placed into entry-level employment upon returning home that offers little to no upward economic mobility.

It's a common trend that industries that tend to be more labor-intensive (e.g., manufacturing, warehouse-based, logistics, construction) are where second chance talent can easily find open jobs. However, with proper access to upskilling and workforce development opportunities, second chance talent could fill a tremendous number of open roles and address the labor shortage that businesses across the country continue to face.

There is a critical need for employers to target their hiring practices to this population, identify additional training opportunities that include higher-education or trade-school opportunities to upskill justice-involved individuals and prepare them for career opportunities, and provide resources to attract second chance talent.

HOW TO FIND AND ATTRACT EMPLOYEES

Innovative approaches for building stable and reliable workforces can be applied to all businesses. However, for businesses looking to become consistent second chance employers, new approaches are needed to attract and, more importantly, retain second chance talent.

As mentioned in the previous pillar, companies can create a talent pipeline by partnering with CBOs that help individuals with criminal records find employment. In the justice-involved ecosystem, word travels fast as to which employers are friendly to individuals with criminal records. By partnering with a CBO, not only is a business securing the assistance they need to become successful second chance employers, they are also demonstrating their commitment to the practice of hiring second chance employees, which is then shared throughout the justice-involved community. Publishing a pledge to hire a certain number of second chance employees is an additional option to demonstrate commitment to SCH and attract talent.

Employers can also implement a "ban the box" policy in their hiring process (if not already mandated by the state), which eliminates the box on initial job applications that asks applicants whether they have a criminal record. Justice-involved individuals will routinely abandon the application process if they must disclose that information at the start of the



application process, meaning businesses often unnecessarily lose out on potential applicants.

HOW TO HELP YOUR EMPLOYEES SUCCEED

Employers should aim to be welcoming to individuals with criminal records, not just "willing" to hire them. Creating a culture where they are seen as a whole person, and not just who they are because of past mistakes, is a critical part of helping a justice-involved individual truly feel like they are part of a team. This can include awareness on the type of language to use when referring to someone who is justice-involved, such as avoiding the use of terms like felon, ex-con, inmate, offender, and convict. It can even be as simple as referring to someone by their first name, as justice-involved individuals are frequently only referred to by their last names while incarcerated. Ultimately, it's the creation of a humanizing culture for someone who has come from an environment that is designed to dehumanize.

While some employers may only be able to place justice-involved individuals into entrylevel roles initially, reframing the position to be an entry point into a career can help shift

the perspective of second chance employees and make them feel supported by their employer. Creating mentorship opportunities to help talent find a pathway to achieve their career goals is a way to recognize the value in second chance employees and ultimately encourages them to stay. Having an employer walking alongside them through their reentry journey makes them feel valued and a critical member of the team.

Providing expanded benefits to help second chance employees achieve more stability in their lives will also help them succeed not only in their employment, but in their reentry overall. Developing support programs tailored to the needs of justice-involved talent is one way to ensure a successful SCH program. For example, offering accommodations such as a flexible schedule to allow an employee to meet with their probation or parole officer or complete mandatory drug testing and appointments can have a dramatic impact on employee retention.







Source: Indeed. (2022). "Workers Actively Want Employers to Engage in Fair-Chance Hiring."



Upon release, many justice-involved individuals aim to eventually work in a managerial position or otherwise grow their careers. They may also know or hope that their first place of employment upon release will not be their "forever" job. Understanding a candidate's long-term career aspirations allows employers to connect employees to company-wide professional development programs. Employers that offer tuition reimbursement or other training programs provide entry-level employees the opportunity to gain the skills necessary to move up in the company. These programs prepare employees for positions with a wider range of responsibilities. It is important for the employer to make these programs known to second chance hires as they would with a traditional applicant, so that second chance employees understand how this step contributes to their overall career path. Likewise, it is also beneficial for the employer to understand their employees' long-term career goals to provide relevant professional development opportunities through intentional mentorship from supervisors or other leaders, which results in happier and more productive workers.

"One of our Small Business Council members in Las Vegas decided to hire a justice impacted person several years ago. That person remains an integral part of his business operations and has helped him to get through the uncertainties of the pandemic. I should also add that we have justice-impacted small business owners in our own network, who themselves are able to surpass the stigma and barriers of becoming an entrepreneur and have actually started their own businesses."

-John Arensmeyer CEO, Small Business Majority Finally, one of the most critical aspects of ensuring any candidate is set up for success is the onboarding process. While onboarding benefits all employees, it is particularly important for people with criminal histories who may have limited to no experience in private businesses or more traditional work environments. A formal onboarding process educate important to employees about the company's culture, the interconnectedness of company departments, and how they fit into the larger business. Ensuring onboarding processes are collaborative. thorough. trauma-informed helps to create a culture of community and safety in the workplace.

Source: RBIJ. (2022). "Justice Champion Spotlight."





RecycleForce helps people with records break down the barriers to employment by providing transitional jobs for up to six months, as well as comprehensive wraparound services designed to get their lives back on track. The RecycleForce model offers program participants a focus on job skills, character development, and personal counseling. This "wraparound" approach has been found to greatly increase the chance of sustained future employment and decreases the instances of re-offending.

By working with industry partners and employers committed to hiring ex-offenders, RecycleForce helps facilitate the transition for program participants from temporary work to full-time, gainful employment.

Since 2006, RecycleForce has employed nearly 1,200 men and women, providing industry-recognized training and certification, on-the-job training, and job placement services. RecycleForce employees also have access to professional and peer mentoring; high school equivalency and literacy tutoring; assistance with housing and driver's license reinstatement; substance abuse and mental health counseling; and financial literacy training.

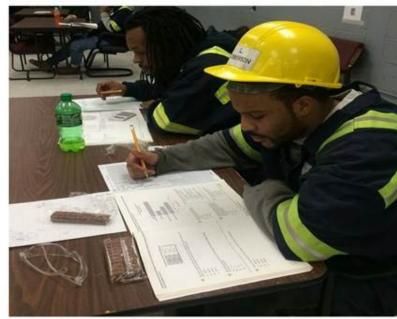


Photo courtesy of RecycleForce.

ON THE ROAD TO A MORE INCLUSIVE WORKFORCE

Business leaders today must navigate a rapidly changing environment. Technology has and will continue to reshape how work is performed and productivity measured. Customers are questioning the impact of businesses on their communities and whether to patronize companies that do not share their values, concerns, and ethics. And employees are demanding that their employers have integrity and act with fairness. As a result, businesses are fundamentally redesigning how they attract, develop, and retain talent. It's no longer "nice" to be a company that thinks beyond quarterly earnings: it's a business imperative.

70 million Americans face an array of barriers to living a successful life – all because of a criminal record. These impacts go far beyond just the individual. Continuing to keep justice-involved talent out of the workforce costs the United States' economy an estimated \$87 billion every year.

Tapping into this underutilized talent pool is essential. At the end of 2022, there were roughly 11 million open jobs in the United States and only six million job seekers. SCH is an important strategy to help address this growing labor shortage. To adequately build a talent pipeline, companies must consider opening up meaningful career opportunities, not just low-level entry jobs, to the justice-involved community. This is important both for recruitment and retention. Companies should leverage CBOs, small and large, to communicate open opportunities and connect with work-ready candidates, while ensuring employees have access to wraparound support. Once businesses have hired second chance employees, they should provide opportunities for mentorship, professional development, and meaningful career advancement.

Companies that want to respond to today's pressing challenges are adopting business strategies that make a positive impact on their employees, customers, suppliers, communities, and bottom line. Second Chance Hiring is one such strategy. By adopting the framework set out in this roadmap, companies can start on their journey to becoming more inclusive employers.



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