



## Testimony in support of HB 3025 House Committee on Business and Labor

Chair Holvey and members of the Committee,

My name is Rachel Post and I serve as the Public Policy Director at Central City Concern (CCC), a housing and healthcare provider in Portland. CCC is a unique organization for many reasons, one of which is that nearly half of our 700 employees identify as being in recovery from substance use disorders and many have criminal convictions. We support HB 3025 with the changes to the following sections:

1. Section 2 (B)(d) stating that a background check cannot be conducted prior to sending the applicant a conditional offer letter, notice of rights under this section and a notice that the employer has determined a background check is warranted: We would recommend that employers be allowed to inquire about job-related convictions during the interview process to determine if the applicant meets minimum qualifications.
2. Section 2(8) states that the section does not abrogate any statutory requirement that a background check must be obtained by applicants for licensure, certification or to engage in a profession in this state: CCC would recommend adding the following exception: “as excluded by state or federal contracts that restrict certain backgrounds and positions that involve serving vulnerable populations including children.”
3. Section 2(A)-(D) lists mitigating factors an employer should consider if denying an applicant a position based on a conviction: If an employer excludes a conviction for a position, no amount of mitigating factors should be considered. Rather, the employer should be challenged to identify why they included a certain conviction as a barrier to meeting minimum qualifications instead of reviewing mitigating factors.
4. Section 2(5) states the employer shall inform all applicants not offered a position of the final decision and of other positions an applicant may be eligible for, if any: Language regarding employer’s responsibility to inform applicants they were not offered the position should read as follows: “The employer shall inform the applicant he/she is not offered the position because of a job-related conviction.”
5. Section 2(6) and Section 4 allows for an applicant to either file a complaint with BOLI or file a civil action. CCC advocates that applicants should file a complaint with BOLI first and then receive a right to sue letter from BOLI if warranted.
6. Section 5 states that this Act being necessary for the immediate preservation of public peace, health and safety, an emergency is declared to exist, and this Act takes effect on its passage: Employers should be given ample time upon passage of this bill to include job-related conviction restrictions in job descriptions, educate hiring managers and update policies/procedures

CCC only allows a conviction to prohibit an applicant from being hired if it is required by state/federal law, funding contracts, licensure/certification/profession and/or it places



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vulnerable people at risk. However, most employers are not educated in this field and have conscious and unconscious bias towards individuals with criminal histories. We recommend that a strong education campaign be implemented to help employers understand that a criminal conviction alone does not and should not bar an applicant from employment.

I thank you for your time and consideration in this testimony. Please do not hesitate to contact me with any questions at [rachel.post@ccconcern.org](mailto:rachel.post@ccconcern.org) or by phone at (971)244-5020.

Sincerely,

Rachel Post, Public Policy Director, Central City Concern