CRIMINAL RECORDS DISCRIMINATION IN EMPLOYMENT
Planning Roundtable Discussions/Conference

QUESTION: HOW DO WE ELIMINATE BARRIERS TO EMPLOYMENT FOR PEOPLE WITH CRIMINAL RECORDS?

Are employment decisions, background checks, credit checks, licensing requirements, and the threat of negligent hiring suits neutral rules that result in discrimination against minorities, preventing people from being gainfully employed and with negative social and economic implications for families and society? Are there best practices the employers can use to hire ex-offenders that minimize their risks and open opportunities?

THE WORK

A research fellow is needed to work as part of a team of ILR faculty and employment lawyers to research, plan, and do follow-up on a series of roundtable discussions, forums, and/or conferences exploring criminal records and employment discrimination and ways to increase employment of ex-offenders.

Why this is so important

- There are 2 million people in jail in the United States at an average cost of $30,000 per year per inmate.
- 3.2% of the adult Americans are under some form of criminal justice supervision (e.g., jail, probation, parole).
- By the mid-1990s, 7% of black males were behind bars.
- 1 in 8 black males between the ages of 25-29 are in jail.
- 1.5 million children in America are in single-parent homes because a parent (usually male) is incarcerated.
- 1 in 3 black men will spend time in prison (versus 1 in 17 white men]
- New York State housed 58,378 prisoners at the end of 2009.
- The cost of incarceration per inmate per year in New York State was $55,670 in 2008.
- In 2009, some 26,000 inmates were released from New York State correctional facilities.
- Within three years following sentence to probation, 25.3% of all offenders sentenced to probation were arrested for a felony offense.
- In the State of New York, 89% of all people who are on parole are unemployed at the time of a parole violation.
The roundtables, forums, and conferences
These roundtable discussions, forums, and conferences addressing the issue of workplace bias resulting from criminal convictions bring together practitioners (attorneys, re-entry experts, HR professionals, etc.) and social scientists to discuss the use and misuse of criminal conviction records to screen applicants for employment and explore whether it is a violation of Title VII as a neutral rule with disparate impact on minorities. The target audience includes lawyers—union, management, plaintiff—judges, corporate counsel, senior human resources people (i.e., vice presidents HR, corporate HR directors, etc.), advocacy groups, EEOC, NYSDOL, and screening agency leaders, to determine best practices, develop policy initiatives, design instructional media such as webinars to disseminate this information to relevant parties, etc. Also participating will be leading social psychologists, sociologists, and organizational psychologists who are working on this issue as well, with the goal of finding strategies for addressing the obstacles to employment and collateral consequences of a criminal record.

Last year’s summer fellows researched prospective topics and speakers for the conference held on March 5, 2015, co-sponsored with the National Association of Attorneys General, which analyzed licensing bans as Collateral Consequences of having a criminal record.

SPECIAL SKILLS OR AREAS OF KNOWLEDGE ARE REQUIRED TO COMPLETE THE ASSIGNMENT

- Strong writing and interpersonal communication skills
- Research skills, including the ability to search databases and analyze data information
- Ability to summarize court decisions and social science articles
- Knowledge of Title VII law (must have taken Labor Law, Labor and Employment Law, or similar law class)
- Experience working with Microsoft Excel, Word, Outlook, Lexis-Nexis or Westlaw

BENEFITS TO STUDENTS

- Develop both legal research and literature search skills
- Expand analytical skills
- Work on project can be the basis for a senior research thesis (2 previous fellows have used their summer work develop their honors thesis topics)

APPLICATION PROCESS

Student should indicate interest by submitting the attached form, a resume, writing sample, faculty recommendation, and a paragraph explaining the student’s interest in this work. A personal interview is required; this can be completed via telephone.
APPLICATION

ILR Undergraduate Research Fellows Program—2015-2016

LABOR & EMPLOYMENT LAW PROGRAM

Name: ____________________________________________________________

E-Mail Address: ____________________________________________________

Campus Address: __________________________________________________

Telephone: _________________________________________________________

Current Year at ILR (check 1)   Sophomore_____   Junior _____
                              Freshman _____

Professor who will supervise you:   Esta R. Bigler, Esq. (NYC)__________________________

Project Title: ____________ CRIMINAL RECORDS DISCRIMINATION IN EMPLOYMENT

Application is for:   Summer 2015 _______   Academic Year 2015-2016 ________

Applications should be submitted to Lynn Coffey-Edelman at lsc4@cornell.edu (212-340-2842) by Friday, April 10, 2015.