



# ACCELERATING FAIR CHANCE HIRING

AMONG LOS ANGELES EMPLOYERS:

**EMPLOYER FRAMEWORK**



# REPORT OUTLINE

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## Executive Summary

With support from the State of California Workforce Accelerator program, the USC Sol Price Center for Social Innovation partnered with LeadersUp – a national nonprofit focused on ending the youth unemployment crisis – to launch the Accelerating Fair Chance Project with the purpose of addressing unemployment among young people who have been involved in the justice system by identifying employer-led solutions. The goal of this report is to present an Employer Framework for corporations to identify and develop Fair Chance hiring strategies that align with their unique corporate structures and needs.

Based on the Design Thinking method and our project findings, this report offers a guide for employers to evaluate and adapt their own hiring practices and strategize on potential inclusive talent solutions with the goal of accelerating employment opportunities to justice-involved youth. In a world and economy where current events reveal long standing racial inequities in the market and corporations risk losing access to the next generation of diverse talent, this framework is intended to assist employers in:

Examining current diversity, equity and inclusion (DEI) approaches and opportunities to expand their impact by investing in inclusive talent solutions and hiring strategies.

Leveraging institutional expertise to develop a core set of actionable recommendations focused on driving anti-racist hiring and retention strategies while driving bottom-line impact.

Creating a Design Thinking strategy that secures buy-in from front-line recruiters, managers, and C-suite executives.

# Employer Framework to Develop Inclusive Hiring Strategies



## **Clarify your organization's objectives.**

Determine the purpose of adopting Fair Chance hiring strategies within your organization, and what you hope to achieve by adopting said strategies in your organization. Define key performance metrics (KPIs) to measure the success of implementing these strategies. This helps ground your organization's unique strategy in your goals, operationalizes your company's mission and assures accountability.



## **Clarify your audience.**

Identify internal stakeholders – i.e. key decision-makers in the hiring process. Determine how to involve them in adopting inclusive and Fair Chance hiring strategies. Understand justice-involved youth as potential candidates – i.e. where they are coming from, where to reach them, what unique barriers they face. Consider what organizations to partner with to expand your reach among this audience.



### **Document your current hiring strategy.**

Articulate the process and stages of your hiring process (e.g., recruitment, interviewing, onboarding) from beginning to end. Identify your organization's current talent acquisition and development strategies, and what specific talent needs or gaps you currently have.



### **Identify how to shift to a more inclusive hiring strategy.**

Recognize first and foremost that, due to their lived experience, justice-involved youth will not navigate your current hiring process like most other candidates. Anticipate and understand how they may enter and go through the process differently – i.e. how to attract talent, expand opportunities and access in recruitment and how to be sensitive to the unique barriers they face.

Second, recognize that Fair Chance hiring is one part of adopting a more equitable and inclusive hiring process. Consider taking an actively anti-racist approach in talent acquisition and development as a holistic organizational strategy. Partnering with an organization like LeadersUp to evaluate and develop such a strategy can be instrumental here.



### **Finally, identify actionable next steps.**

Once new opportunities for inclusive and Fair Chance hiring are identified, determine how to implement this new strategy within your organization – i.e. a possible timeline, roles and responsibilities, and how to measure established KPIs for accountability and success.

One way to facilitate this process is to design a work session with key stakeholders to ideate potential strategies. See below for a facilitation guide.

# Facilitation Guide

## 1. Who to Involve

To apply a Design Thinking framework to the hiring process, the facilitator must identify who to involve. This should include people involved in the hiring process such as hiring managers, talent acquisition specialists, and human resource representatives. However, organizational leaders should also be engaged to ensure buy-in and empower their employees to think creatively and implement strategies that result from the process. Additionally, employers can partner with local nonprofit or workforce organizations that service justice-involved individuals.

## 2. Provide Definitions

Clear definitions establish a common language in order to have conversations across diverse groups and develop clear objectives; these definitions can also evolve throughout the process. It is equally important to use humanizing language when setting these definitions to avoid stigmatization. Below are some examples:

- Justice-involved youth: A person, between the ages of 18 to 24, who has had interaction with the criminal justice system
- Fair Chance Hiring: An inclusive set of hiring practices which offer greater opportunity for justice-involved individuals to apply and be hired by an employer based on their merit

**Below are language suggestions offered by the Fortune Society, “Words Matter”.**

<b>WORDS TO AVOID</b>	<b>PHRASES TO USE INSTEAD</b>
Offender, Inmate, Felon, Criminal, Convict, Prisoner, Delinquent	Delinquent Person or individual with justice system involvement; Person or individual impacted by the justice system; Person or individual affected by the justice system
Ex-offender, Ex-con, Ex-Offender, Ex-Prisoner	Person or individual with prior justice system involvement; Person or individual previously incarcerated; Person or individual with justice history
Parolee, Probationer, Detainee	Person or individual on parole; Person or individual currently under parole supervision; Person or individual on probation; Person or individual in detention
Juvenile Offender, Juvenile Delinquent	Young person with justice system involvement; Young adult impacted by the justice system
Sex Offender	Person or individual with sex offense conviction(s); Person previously convicted of a sex offense(s)

### 3. Level Setting

To maximize a Design Thinking session, the facilitator can provide some level setting by offering definitions, goals, expected outcomes and context information about how the organization has dealt with justice-involved applicants in the past. A clear connection to the company's mission and values should be underscored to further frame the session. Participants can be asked to come prepared by reviewing materials that can provide a glimpse into the barriers to employment from a justice-involved perspective. This level setting allows participants in the session to be more solution-oriented. For additional content and research that the Price Center and LeadersUp have been a part of with regards to Fair Chance hiring, refer to Appendix A. Below are some examples.

- **Goal:** Identify new talent acquisition strategies that can help expand employment opportunities for justice-involved young adults.
- **Expected Outcomes:** Identify 1-2 new talent acquisition strategies to test.
- Watch this [video](#) to learn more from a justice-involved perspective.



## 4. Developing Strategies

To develop potential interventions, the facilitator can pose a series of questions to encourage creative thinking. These questions allow participants to draw from their own expertise and organizational knowledge to ensure that strategies identified are tailored to the unique structures and needs of the workplace. This can be done in three phases.

### PHASE I

First, identify the “traditional” hiring process. This establishes a baseline for your current hiring structure.

#### Phase I Guiding Questions

What is the breakdown of your hiring process? What are the stages?

*For example: Recruitment, Interviewing, Onboarding*

What are the company’s current talent acquisition strategies?

Where is the company’s current talent gap?

### PHASE II

In the second phase, facilitators should re-introduce the goal of Fair Chance hiring and ask the participants to consider how people with justice involvement might be intentionally or unintentionally excluded from pursuing employment at the organization. Ask the participants to brainstorm alternatives, strategies, and/or “tweaks” that can be integrated into the hiring processes. This phase of the session should have the most time devoted. Reassure participants that there is no such thing as a “bad idea” and make it more manageable by strategizing based on each stage of the hiring process that was previously identified. Depending on the size of the session, facilitators can break participants into smaller groups and assign a note-taker to jot down ideas from the discussion.

It can be helpful to ground the conversation in a potential applicant, by using a tailored profile, to guide the conversation in a specific scenario. Below is an example of a profile and accompanying questions.

### **Applicant Profile:**

#### **Natalie (age 22), Justice-involved individual seeking employment**

#### **About**

Natalie was born and raised in South Los Angeles. As a young woman, Natalie had to learn how to survive on her own. She made choices early on in her life that have followed her into young adulthood. Her records show a DUI from when she was 21 years old. This has impeded on Natalie's personal and professional goals.

Now 22, Natalie is approaching her 2nd year of looking for full-time employment with little success. She has prioritized looking into jobs in the hospitality and service industry. Struggling to take care of her younger brother and ailing mother, Natalie has relied on government assistance programs to make ends meet.

Although she has always had an interest in working with children and families, obtaining any form of employment has become nearly impossible and continues to leave Natalie feeling discouraged and hopeless. Natalie wonders whether she should start to look at alternative ways of supporting her family if companies continue to deny her due to her previous involvement in the justice system.

#### **Natalie's Goals**

- Would like to find full-time employment by the end of the year to provide for her family
- Enroll into community college and work toward obtaining teaching credentials
- Pay for this month's rent as her family is already two months behind

#### **Frustrations**

- Her criminal record continuing to follow her into adulthood
- Limited pool of employment opportunities to choose from due to her record
- Relying on government assistance programs to make ends meet

*"I am not sure how much longer I can look for work when no one will give me a chance. I am just as capable as everyone else."*

**-Natalie**

## Phase II Guiding Questions:

How would you expect someone with Natalie's background to go through the company's hiring process?

*Recruitment? Interview? Onboarding? Offer?*

How can current hiring processes be sensitive to the unique barriers of justice-involved youth?

How can current hiring processes be modified to give greater access to justice-involved youth (Natalie)?

*What would an inclusive hiring process look like?*

Where is there opportunity/flexibility within this hiring stage to attract justice-involved youth (Natalie)?

*What can the company do within this hiring stage to work around the barriers?*

## PHASE III

After taking some time to strategize, the facilitator can synthesize the ideas as a group and write out all the possible ideas that emerge. Then participants can "vote" on which strategies they prefer. Participants do not need to explain why they chose certain ideas over others and can have 2-3 votes they can assign. This step allows the strongest ideas to emerge from the larger brainstorming session.

After identifying the most popular ideas, the facilitator can ask participants to share their thoughts about how each strategy can be implemented and then split the strategies in two categories: easy implementation and hard implementation. Alternatively, the strategies can be ranked by participants based on their perceived feasibility.

### Phase III Guiding Questions

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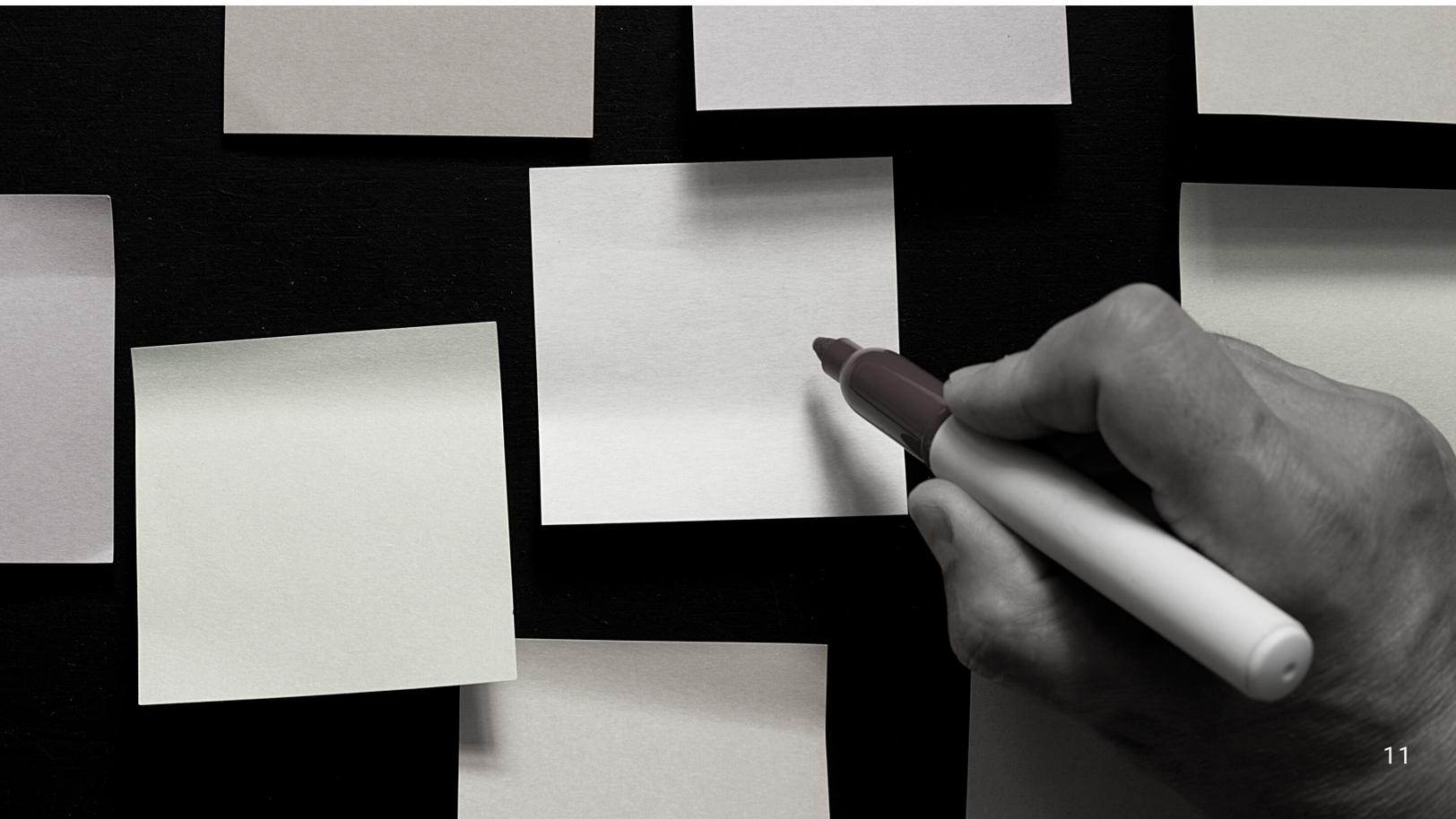
Out of this group, brainstorm which 2-3 ideas you like best.

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What is your perception of how easily these top strategies can be implemented at the organization?

*For the most popular strategies, what steps might be required to adopt this?*

By the end of the session (or series of sessions), the facilitator should have a list of potential Fair Chance strategies. Based on the expertise of the participants, there should be at least one or two strategies that could be considered low-hanging fruit, and others which may require long-term commitments. These strategies can then be taken to corporate leaders for a discussion about how to best move forward with implementation. It is recommended to begin first with one or two strategies on a small scale. By approaching this as an iterative process, the corporation can have the flexibility to determine success and course correction. Regular check-ins and outcomes tracking will allow the corporation to adapt and refine strategies before deciding to implement them across the company.



## 5. Other Considerations



### Implementation

This framework allows for employers to reimagine new hiring structures and adaptations to potentially increase employment opportunities for justice-involved individuals. However, this process should be accompanied by an investment of resources, including time to develop, adopt, monitor, and refine these strategies. Implementing these strategies at the organizational level will only continue to expand the learnings. This framework may also have certain implications for larger companies with bigger organizational structures; for this reason, flexibility for small-scale testing and adjustments will be required before adopting systems level change. Toolkits and best practices as identified by organizations that work directly with justice-involved individuals can supplement these strategies. For a non-comprehensive list of additional resources, please see Appendix B.



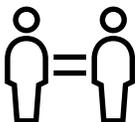
### Retention

While the framework proposed is specific to identifying hiring strategies for justice-involved individuals, it can be adapted to consider retention strategies for this population. Hiring and onboarding are only first step to establishing employment stability.



### Resources

Collaboration with Workforce and Career Development agencies with strong ties to the community can provide added value, including professional development training, on-the job training and additional resources to increase social mobility within the targeted population. Additionally, agencies such as LeadersUp strengthen the supports employers need to ensure identified solutions are holistic and address the acute needs of the populations employers seek to support.



### Racial Equity

Racial equity should be a complementary goal in striving to be a Fair Chance employer. The relationship between the criminal justice system and racial minorities are deeply intertwined. Throughout the Design Thinking process, it is critical for employers to acknowledge the interconnectedness between the two. It is recommended to incorporate clear racial equity goals into the process of developing solutions.

# Acknowledgments

A special thank you to our key partners on this project:



# Appendix A.

## Additional Content on Fair Chance Hiring

**Employer Hiring Incentives for Justice-Involved Individuals**, USC Price Center for Social Innovation (2019).

[https://socialinnovation.usc.edu/social\\_research/new-brief-employer-hiring-incentives-for-justice-involved-individuals/](https://socialinnovation.usc.edu/social_research/new-brief-employer-hiring-incentives-for-justice-involved-individuals/)

This document provides an overview of a selection of resources available to employers when hiring justice-involved individuals. These incentives align with the California Fair Chance Act (Assembly Bill No. 1008) which prohibits most California employers from asking about an applications criminal record history on job applicants prior to making a job offer.

**Policy in a Pandemic: Building an Inclusive Economy for Unemployed Black Youth: A Discussion with LeadersUp CEO Jeffery Wallace** (2020).

[https://socialinnovation.usc.edu/past\\_events/building-an-inclusive-economy-for-unemployed-black-youth](https://socialinnovation.usc.edu/past_events/building-an-inclusive-economy-for-unemployed-black-youth)

On June 10, 2020, Price Center Director Gary Painter and LeadersUp President and CEO Jeffery Wallace had a timely discussion on Building an Inclusive Economy for Unemployed Black Youth. LeadersUp is a talent development accelerator working with companies to develop new, diverse, and inclusive paths to employment, especially for historically economically marginalized talent pools. Throughout the discussion, Mr. Wallace and Professor Painter spoke about the necessity to build anti-racist systems and how social innovation plays a key role in creating Fair Chance hiring – particularly after the COVID-19 pandemic for unemployed Black youth.

**Here's One Way You Can Combat Systematic Racism Today**, Leaders Up Blog Post (September 9, 2020).

<https://www.leadersup.org/post/here-s-one-way-you-can-combat-systemic-racism-today>

**How even a casual brush with the law can permanently mar a young man's life – especially if he's Black** (September 28, 2020), By Gary Painter Professor of Public Policy, University of Southern California.

<https://theconversation.com/how-even-a-casual-brush-with-the-law-can-permanently-mar-a-young-mans-life-especially-if-hes-black-142886>

**Young Adults and the Economic Impact of COVID-19**, Neighborhood Data for Social Change.

<https://theconversation.com/how-even-a-casual-brush-with-the-law-can-permanently-mar-a-young-mans-life-especially-if-hes-black-142886>

**Los Angeles County Fair Chance Hiring Campaign:**

[Fairchance.lacounty.gov](http://Fairchance.lacounty.gov)

# Appendix B.

## Fair Chance Hiring Toolkits and Best Practices

*As identified by organizations that work directly with justice-involved individuals, these resources can supplement strategies developed by employers.*

**Root & Rebound, Reentry Advocates**, California Employers' Fair Chance Hiring Toolkit

[https://www.rootandrebound.org/wp-content/uploads/2020/02/California-Employers\\_-Fair-Chance-Hiring-Toolkit.pdf2](https://www.rootandrebound.org/wp-content/uploads/2020/02/California-Employers_-Fair-Chance-Hiring-Toolkit.pdf2))

**Fair Chance Initiative for Hiring Ordinance (FCIHO):**

<https://bca.lacity.org/fair-chance>

Recommended Links:

- Fair Chance Initiative for Hiring Ordinance Guideline for Employers, Short Form: <https://bca.lacity.org/Uploads/fciho/Fair%20Chance%20Initiative%20for%20Hiring%20Ordinance%20Guideline%20for%20Employers%20%28Short%20Form%29.pdf>
- FCIHO Brochure: <https://bca.lacity.org/Uploads/fciho/FCIHO-brochure-2018-03.pdf>
- FCIHO Factsheet: <https://bca.lacity.org/Uploads/fciho/FCIHO-factsheet-2018-03.pdf>

**National Employment Law Project (NELP)**, Best Practices and Model Policies: Creating a Fair Chance Policy, Retrieve From:

<https://www.nelp.org/wp-content/uploads/Fair-Chance-Ban-the-Box-Best-Practices-Models.pdf>

**Executives' Alliance for Boys and Men of Color, Formerly Incarcerated, Convicted People & Families Movement, and National Employment Law Project (NELP)**, Fair-Chance Hiring in Philanthropy A Step-By-Step Guide (October 2016), Retrieve From:

<https://s27147.pcdn.co/wp-content/uploads/Fair-Chance-Hiring-Philanthropy-Guide.pdf>

**SHRM Foundation**, Getting Talent Back to Work Toolkit - The Resources You Need to Advance the Hiring of Workers with A Criminal Background (2019):

[https://albanyga.shrm.org/sites/albanyga.shrm.org/files/GettingTalentBackToWork\\_Toolkit.pdf](https://albanyga.shrm.org/sites/albanyga.shrm.org/files/GettingTalentBackToWork_Toolkit.pdf)