

**Couse Title:** Information Fluency in the Workplace and Beyond

**Course Identification:** LIS 30010

**Instructor:** Greg Byerly

**Course Completed:** Fall 2013

**Assignment Title:** Final Exam

**Assignment Description:**

This assignment was our final exam for the class. We had to demonstrate advanced knowledge of a topic and utilize the skills we had learned in the class. We needed to do extensive research on a real work place scenario that our boss would ask us about.

**Reflection:**

I chose this piece because it shows that I can do extensive research on a topic. It is also a real world scenario that demonstrates my ability to complete a task for a boss. Looking back I would have probably added more color and pictures to the slideshow, but the assignment was only supposed to be demonstrating information so it wouldn't have helped my grade. I got a 99% (A) on this assignment.

# FINAL PROJECT

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# Scenario

The boss in an office building is getting applications from people who have felonies on their record. He thinks there is a company policy against it but he isn't sure. Some of these people seem like they could be good fits for the company, regardless of their record. He wants to know what kind of laws are there for felons re entering the work places. He also wants to know if there are specific laws for specific work industries.

# Question

- What do prospective companies need to know and keep in mind when hiring felons, and should they or shouldn't they hire them?
- What laws are some laws or statistics that may help in deciding?

# Statistics and Things to Think About

- BJS estimates that 69% of people arrested have prior arrests
  - Could this mean they have poor judgment?
- 83% of felons are male
- 95% of people convicted in 2006 pled guilty
  - Does this mean they admitted to their mistakes?
- Average prison sentence is 4 years 11 months
  - If they spent that long in prison has it changed how they perceive things?

# What Employers Need to Know

- HR Insights Blog points out some things that employers need to know to avoid lawsuits
  - Inquiries about felonies should be limited to job related offences
  - Employers should avoid policies that automatically discredit all felons
  - Employers should make sure their policies don't inadvertently discriminate a protected group (ex. race)
  - Employers should take the offence into consideration and allow the applicant to explain themselves and the situation

# Keeping the Company Safe

- Nixon brings up a lot of points in his book, *Background Screening and Investigations: Managing Hiring Risk from the HR and Security Perspectives* (2008 Elsevier).
- He looks at things from a security stand point and instructs employers on effective and legal background checking and how to manage risk and security in the workplace.
- He says background checks are on-going and people working in a company should be under constant scrutiny.
- It reminds us to be aware of who we are hiring and that we need to protect the company, but makes people with any kind of blemish on their record sound like bad people that cannot be trusted.

# Maintaining a Balanced View

- Nixon may have some good points but it is a little extreme to discredit anyone who has committed a crime.
- This approach is very impersonal and does not look at the individual as a human being capable of change.
- Exact numbers are hard to find, but sources say that felons make up roughly 15 to 25% of Americans ([http://wiki.answers.com/Q/How\\_many\\_convicted\\_felons\\_are\\_in\\_the\\_us](http://wiki.answers.com/Q/How_many_convicted_felons_are_in_the_us)) so that could potentially be a quarter of our population being discredited based on mistakes they made years ago.



# Balanced View Continued

- Procon.org plays devils advocate and has a page that breaks down reasons for and against giving felons rights.
- One point made is that can a felon's judgment be trusted?
  - We allow felons to buy alcohol, marry, drive, reproduce, buy property, and practice their freedom of religion. So why shouldn't they be allowed to vote, own guns, or get jobs if we trust their judgment in other aspects?
  - On the other hand it points out that we don't allow children to vote and work because they cannot be trusted and felons have made lapses in judgment when committing crimes.

It also points out that the number of felons in the US is disproportionately racial minorities so we could be indirectly discriminating against minorities.

# Obstacles Felons Face

- Most felons think that they can only get jobs that are manual labor, require no skills, or are under the table. But rank.com and exoffenders.net provide lists of companies that hire felons.
- On the other hand, most companies that do hire felons look into the severity, time frame, and number of offences. That means they don't hire all felons, there is some discretion (exoffenders.net).
- They also get stigmatized and are looked down upon even after they have moved on and no longer think of themselves as criminals.

# More Obstacles

- Meredith talks about some important things in her New York Times article, she says that in New York at one point only 40% of convicted felons were employed.
  - What are the rest doing?
  - Wouldn't we be helping society by employing them so they don't reoffend?

Certain industries like welding have a shortage of workers and need people to fill positions so they might not care about felonies.

She quoted Mr. Green and his sentiment probably resonates with many felons "I felt that if somebody would give me a chance, I could prove myself."

# Legislature

- The only federal laws that exist on hiring felons include the 14<sup>th</sup> amendment which only permits disenfranchisement and not discrimination when it comes to employment (Employment discrimination against person with criminal records).
- Only 7 states prohibit felons from working public jobs.
- According to the Civil Rights Act, employers must show a legitimate business necessity to not hire someone to avoid discrimination suits.
- Statutes prohibit hiring felons in positions in the healthcare and child care industries and where their morals could be questioned.

# Different Standards

- There are certain industries that explicitly ban felons from working in them. Elected positions, teaching, and most government positions can not be held by felons (Heitz).
- Jobs requiring licensure could be denied to felons (<http://www.cga.ct.gov/2005/rpt/2005-R-0311.htm>).
- Even industries that traditionally were perceived to hire any one are beginning not to hire felons. Many trucking companies won't hire felons if their insurance companies won't insure the drivers with a record.
- Deciding on whether or not to hire felons depends on the job description, functions performed, and the environment in which they will be working.

# Conclusion and Recommendations

- Hiring felons is a complicated issue.
- It would greatly help out many Americans struggling to get back on their feet and reintegrate in society.
- They shouldn't be automatically disqualified because of their record.
- Whoever is doing the hiring must do careful and legal background checks and assess the individual on a personal level to make sure that their past will not affect their ability to perform the job functions.

# Conclusion continued

A lot of people out there have felonies on their records. Many of these people admit they made a mistake. They feel that they have paid their debt to society and just want to move on with their lives and careers. Some have families to support and bills piling up so they need to get their lives straightened out and find a place that will hire them. Companies need to be able to distinguish between these people and other felons who are lifelong offenders and haven't made the decision to turn their lives around yet. Not all people who commit crimes are the same but laws and policies seem to treat them all the same.

# Process and Resources

- I had to find research from several different medium including books, journal articles, and websites.
- I found information geared towards employers and felons who are looking for jobs.
- I tried to find information that was not partial and that had different sides.
- I feel like this gave me well rounded platform to start on and made my conclusion an informed one.