



2021 GETTING TALENT BACK TO WORK REPORT

A Workplace Survey on Hiring and Working
with People with Criminal Records





EXECUTIVE SUMMARY

81%

of business leaders and 85% of HR professionals believe workers with criminal records perform their jobs about the same or better than workers without criminal records.

4 in 5

(81%) of HR professionals believe the quality of hire of workers with criminal records is about the same or better than workers without—up from 67% who said the same in 2018.

81%

of HR professionals felt the cost-per-hire of workers with criminal records was about the same or less than workers without criminal records (74% in 2018).

73%

of business leaders and 75% of HR professionals said workers with criminal records were just as or more dependable than workers without criminal records.

COVID-19 PANDEMIC

71% of HR professionals said they have been hiring individuals with criminal records at about the same rate as before the pandemic.

OVER HALF

(53%) of HR professionals said they would be willing to hire individuals with criminal records (up from 37% in 2018); 38% of business leaders agreed (up from 33% in 2018).

66%

Nearly two-thirds (66%) of HR professionals said they would be willing to work with individuals with criminal records – up from 49% who said they would be willing in 2018.

56%

Over half of business leaders said they would be willing to work with individuals with criminal records (55% in 2018); 57% of individual contributors agreed (51% in 2018).

2 IN 3

HR professionals said their organization has hired individuals with criminal records (66% in 2018) and 15% said their organization has not (20% in 2018).

NEARLY HALF

Nearly half (49%) of business leaders said their organization should offer training or guidance to workers with criminal records to facilitate their transition.

INTRODUCTION AND PURPOSE

In 2018, the Society for Human Resource Management (SHRM) partnered with the Charles Koch Institute to launch groundbreaking research¹ on individuals with criminal records in the workforce, including a holistic approach to understanding the knowledge and perspectives shared by HR professionals, business leaders, and individual contributors about this talent pool—an approach similar to the research presented in this report. Using this research, SHRM and the SHRM Foundation later unveiled the Getting Talent Back to Work initiative², which offers resources to working professionals and employers on second-chance hiring. While these resources were provided to address a serious workplace and societal challenge of getting individuals with criminal records back to work, no one could have predicted how fast the world of work, and the world itself, would change in less than three years—creating the need to again understand what employers think about individuals with criminal records.

Amid one of the lowest periods of unemployment on record³ at just 3.5%, many employers in 2018 struggled to find and retain the talent they needed to be successful. When the Covid-19 pandemic struck, however, U.S. unemployment skyrocketed to a high of 14.8%⁴ and businesses were forced to face the challenges of operating throughout the crisis. Today, as the U.S. and the world slowly regain a sense of normalcy and hope due to expanding vaccine rollouts, employers are once again confronted with filling the skills gap at their workplace. Furthermore, employers everywhere have been increasingly pressured to decide where they stand on social and political issues⁵—a trend that could become a new standard practice for businesses⁶.

With these old and new workplace challenges in mind, the time has come to once again address how employers are thinking about this large, untapped talent pool. It is estimated that nearly 1 in 3 Americans (more than 70 million people) have a criminal record⁷. To address this important issue, SHRM, the SHRM Foundation, and the Charles Koch Institute partnered again to commission additional research on this topic. Using data collected from HR professionals and nationally representative data from C-suite members, managers, and individual contributors, the research presented here provides insights behind the knowledge and perspectives employers and employees have about individuals with criminal records and highlights the shifts observed since 2018.

1. <https://www.shrm.org/hr-today/trends-and-forecasting/research-and-surveys/Pages/Second-Chances.aspx>
2. <https://www.gettingtalentbacktowork.org/>
3. <https://www.washingtonpost.com/business/2019/05/03/us-economy-added-jobs-april-unemployment-fell-percent-lowest-since/>
4. <https://data.bls.gov/timeseries/LNS14000000>
5. <https://www.wsj.com/articles/with-georgia-voting-law-the-business-of-business-becomes-politics-11618027250>
6. <https://hbr.org/2020/06/were-entering-the-age-of-corporate-social-justice>
7. <https://www.brennancenter.org/our-work/research-reports/conviction-imprisonment-and-lost-earnings-how-involvement-criminal>

NOTE: C-Suite members reported here include only those whose primary function is outside of human resources. Chief Human Resource Officers (CHRO) and those in similar positions are included as HR professionals.



CURRENT STATE OF INDIVIDUALS WITH CRIMINAL RECORDS AT WORK

Before exploring how individuals with criminal records are perceived at work by employers, it is necessary to first understand how people from this talent pool are represented in today’s workforce. Worldwide events in 2020 such as rising calls for social justice⁸ and the Covid-19 pandemic have changed the world of work dramatically⁹—seemingly overnight. It is important to first determine what impacts these recent worldwide events may have had on this talent pool.

Approximately two-thirds (66%) of HR professionals indicated their organization has hired individuals with a criminal record—the same percentage as in 2018. While this may indicate little to no progress over the last three years, the number of HR professionals who claimed their organization had not hired any individuals with criminal records decreased by five percentage points from 2018 to 2021. Furthermore, over three-quarters (76%) of HR professionals from organizations with 500 or more employees said they had hired individuals with criminal records. Additionally, 84% of HR professionals in the manufacturing, construction, and utilities industry said their organization had hired individuals with criminal records—the most of any industry.

As with HR professionals, the percentage of business leaders who said their organization had hired individuals with criminal records remained about the same: 41% of business leaders said their organization had done so in 2021, up slightly from 39% in 2018. In addition, and also following the trend seen among HR professionals, the number of business leaders who said their organization had not hired individuals with criminal records was 21% in 2021—down eight percentage points from 2018.

As was the case in 2018, many individual contributors were unsure whether their organization had hired individuals with criminal records. Over half of such respondents in 2021 (56%) said they were unsure, down slightly from 60% who were unsure in 2018. In 2021, however, over a quarter (28%) of individual contributors said their organization had hired candidates with a criminal record, compared with 17% who said their organization had done so in 2018.

Figure 1a. HR professionals - Has the organization where you work hired individuals with criminal records?

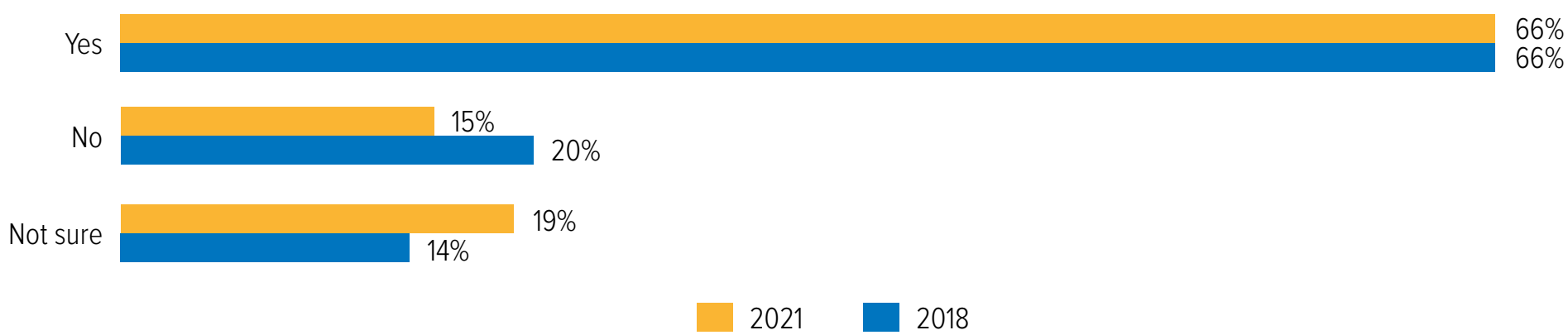


Figure 1b: Business leaders - Has the organization where you work hired individuals with criminal records?

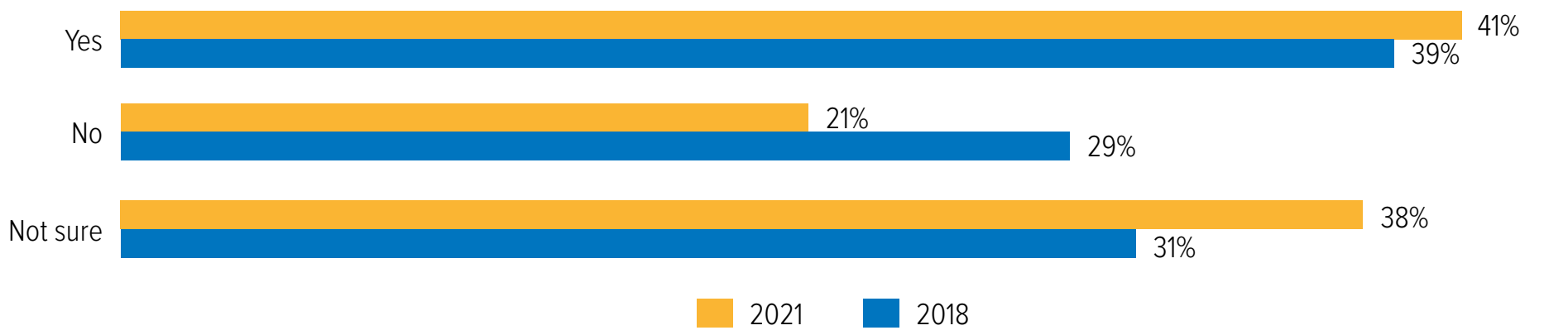
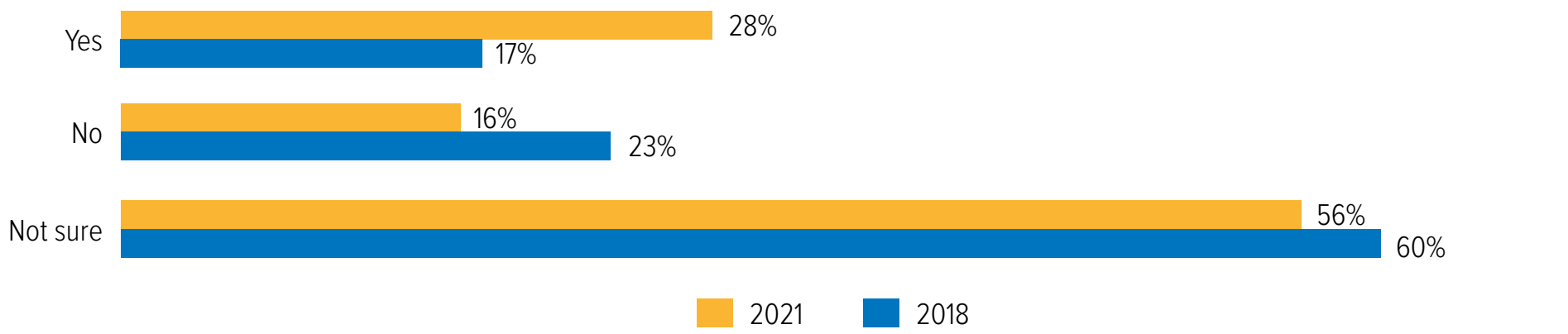


Figure 1c: Individual contributors - Has the organization where you work hired individuals with criminal records?

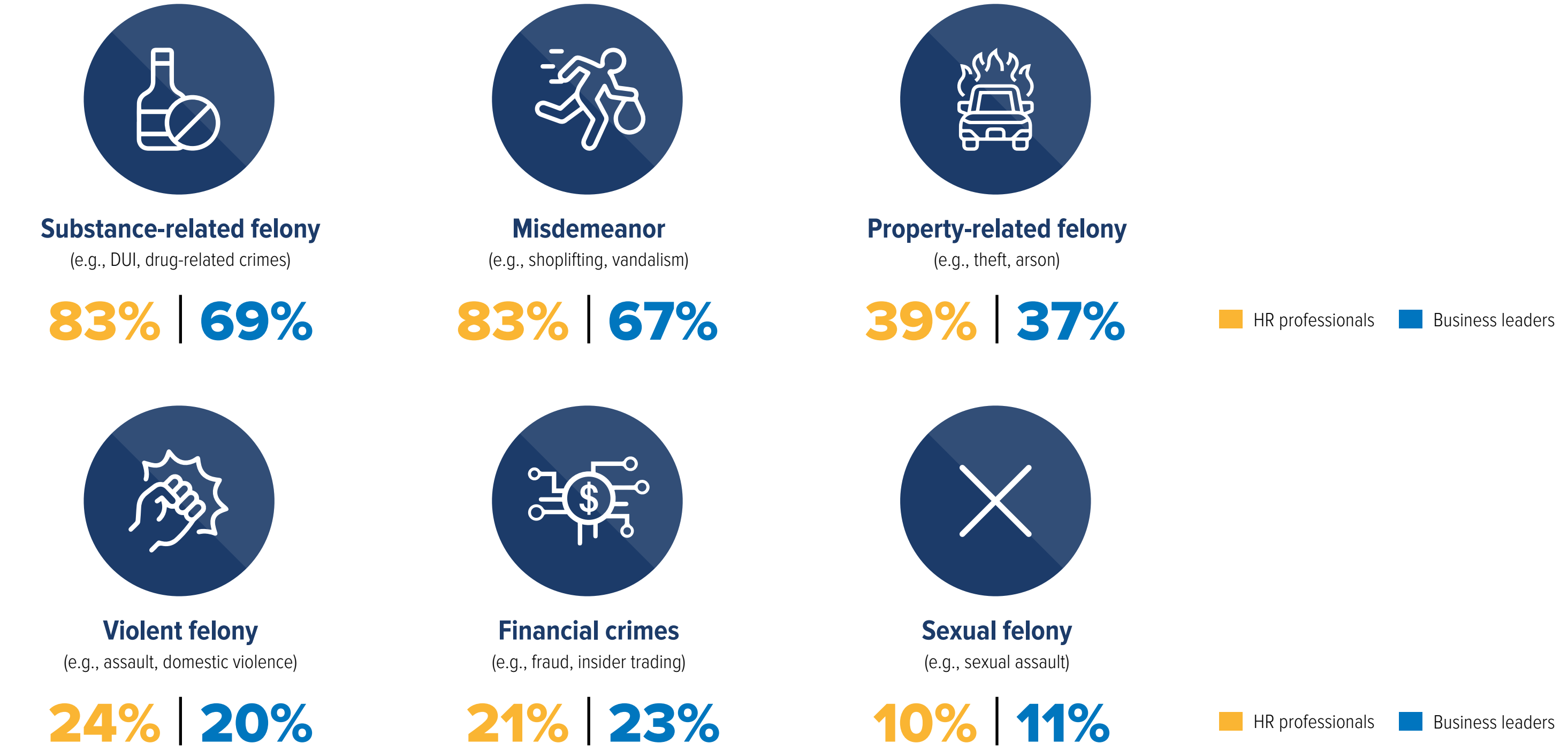


8. <https://togetherforwardatwork.shrm.org/>
9. SHRM: Covid 19 Research - How the pandemic is challenging and changing employers



Among HR professionals whose organizations have hired individuals with criminal records, 83% said the individuals have a substance-related felony in their background and the same percentage said the individuals have a misdemeanor (e.g., shoplifting, vandalism, etc.) in their background. This trend is similar across business leaders: Substance-related felonies (69%) and misdemeanors (67%) emerged as the top types of criminal records present among individuals with criminal histories hired by their organization.

Figure 2: Types of criminal records represented, according to employers that have hired workers with criminal records



A majority of employers said the Covid-19 pandemic has not had a significant impact on hiring individuals with criminal records. At organizations that hired individuals from this talent pool, 71% of HR professionals said they have been hiring employees with criminal records at about the same rate as before the pandemic. Only 3% of HR professionals said they have hired more individuals with criminal records during the public health crisis, while 7% said they have hired fewer. Additionally, 90% of HR professionals whose organizations had not frozen all hiring said hiring individuals with criminal records was neither easier nor more difficult than it was prior to Covid-19, while 7% said it is more difficult now.

Nearly two-thirds (64%) of C-suite members and half (50%) of managers from organizations that have hired individuals with criminal records said their organization has been hiring from this talent pool at about the same rate as before the pandemic. Additionally, at organizations that have not frozen hiring, 82% of managers said hiring individuals with criminal records was neither easier nor more difficult than it was prior to the pandemic. C-suite members feel more mixed: Among those whose organizations had not frozen hiring, 36% said they found hiring from this talent pool to be neither easier nor more difficult, while 40% said it is easier to hire individuals with criminal records now than before the pandemic and 24% said it is more difficult.

Respondents were less certain about the pandemic’s impact on their organization’s recruitment of individuals with criminal records. Nearly one-third (30%) of HR professionals and half of managers (50%) said they were unsure whether their organization has been recruiting from this talent pool during the pandemic. Over half of the managers sampled indicated they were not involved in their organization’s hiring decisions—perhaps helping to explain their level of uncertainty around recruitment of individuals with criminal records. Almost half (47%) of all HR professionals and 41% of C-suite members said their organization has been actively recruiting from this talent pool at about the same rate as before the pandemic. Among all employers that have not frozen recruitment as a result of the public health crisis, the majority felt the pandemic has not made it either easier or more difficult to recruit individuals with criminal records; the exception was C-suite members, who once again were mixed on this topic.

These results show that the Covid-19 pandemic seems to have had minimal impacts on organizations’ ability to continue hiring individuals with criminal records. Recruitment, however, seems to have taken a greater hit, with fewer employers reporting they have continued to recruit from this talent pool at the rate they did prior to the pandemic. Additionally, more organizations reported they had frozen all recruitment than had frozen hiring. **How, then, might the pandemic have affected employers’ willingness to hire or work with individuals with criminal records?**

Figure 3: Frequency of hiring individuals with criminal records during vs. before the Covid-19 pandemic among organizations that have hired from this talent pool

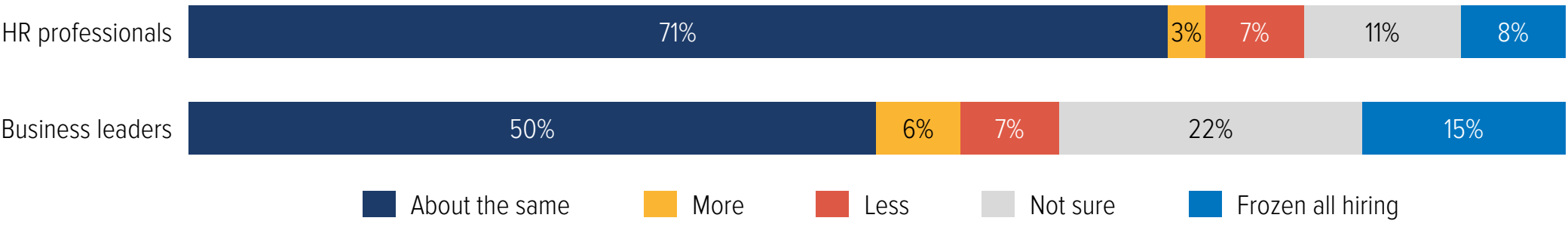


Figure 4: Frequency of recruiting individuals with criminal records during vs. before the Covid-19 pandemic among all employers

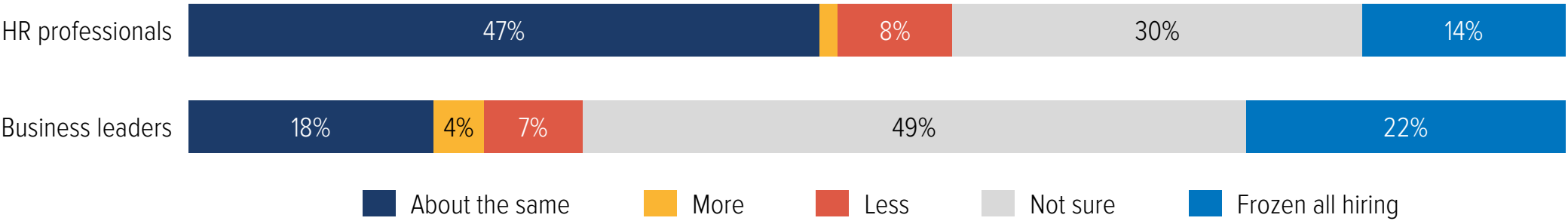


Figure 5: Employers’ feelings on hiring individuals with criminal records during vs. before the Covid-19 pandemic

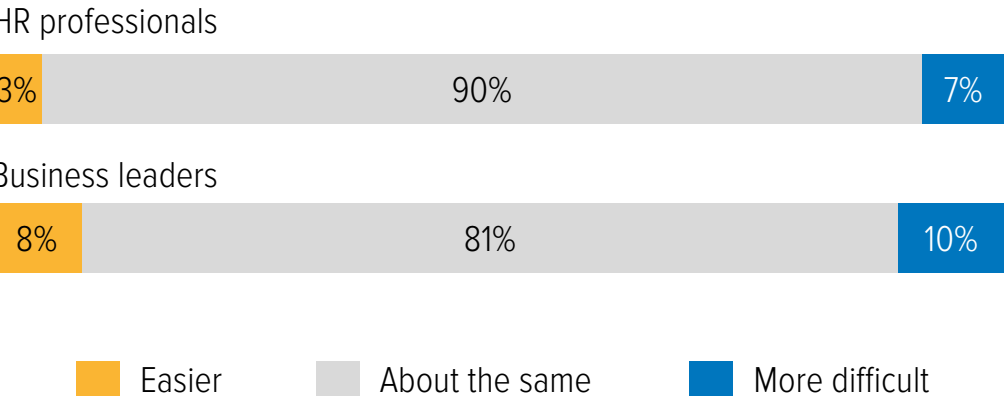
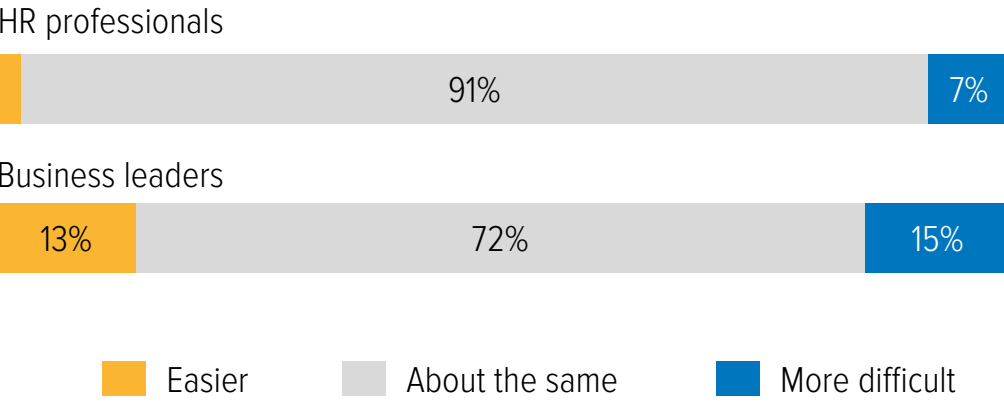


Figure 6: Employers’ feelings on recruiting individuals with criminal records during vs. before the Covid-19 pandemic

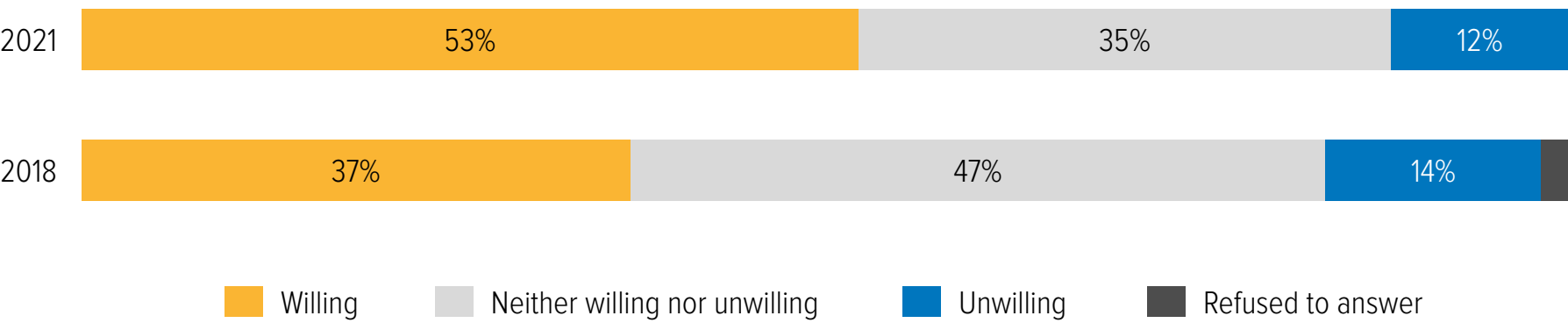


WILLINGNESS TO WORK WITH AND HIRE INDIVIDUALS WITH CRIMINAL RECORDS

HR professionals expressed a much greater willingness to hire individuals with criminal records compared to three years ago. Over half (53%) of HR professionals sampled said they would be willing to hire individuals with criminal records, compared with just over a third (37%) in 2018. Only 12% in 2021 said they would be unwilling to do so. Additionally, while the number of HR professionals who were unwilling to hire individuals with criminal records fell only slightly from 2018, the percentage who were neither willing nor unwilling was much less in 2021 compared to 2018. When asked the degree to which they felt the Covid-19 pandemic made an impact on their willingness to hire individuals with criminal records, HR professionals overwhelmingly reported that the pandemic had no impact on their feelings toward hiring from this group. In fact, 94% of HR professionals said the pandemic had not changed their feelings on the matter and 4% said it had increased their willingness—providing further evidence that positive sentiment regarding hiring individuals with criminal records has increased among HR professionals since 2018.

HR professionals overwhelmingly reported that the pandemic had no impact on their feelings toward hiring people with criminal records.

Figure 7a: HR professionals - How willing are you personally to hire individuals with criminal records?



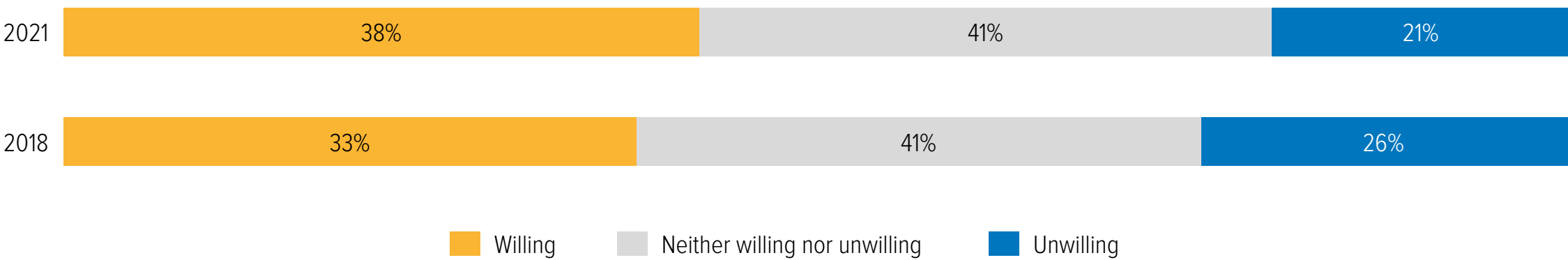


HR professionals from the manufacturing, construction, and utilities industry, as well as the retail trade, wholesale trade, transportation, warehousing, and other services industry, were the most likely to say they were willing to hire individuals with criminal records, with 61% from both groups indicating willingness.

Furthermore, HR professionals from organizations with 500 or more employees (60%) were more likely to say they would be willing to hire individuals from this talent pool than HR professionals from organizations with less than 99 employees, where fewer than half (46%) said the same.

Business leaders also expressed a greater willingness in 2021 than in 2018 to hire workers with criminal records, though this shift is not seen to be as dramatic as the results from HR professionals. Over one-third (38%) of business leaders indicated they would be willing to hire individuals with criminal records, up from 33% who said the same in 2018. In addition, business leaders were less likely to say they were unwilling to hire from this talent pool in 2021 than in 2018 (21% versus 26%), and the percentage of business leaders who said they were neither willing nor unwilling to do so remained the same across both years (41%). Similarly, the vast majority of business leaders indicated their level of willingness to hire individuals with criminal records has not changed since the Covid-19 pandemic: 83% of business leaders reported no change in their attitude toward hiring from this group, while 7% feel more willing to hire from this talent pool and 8% feel less willing.

Figure 7b: Business leaders - How willing are you personally to hire individuals with criminal records?

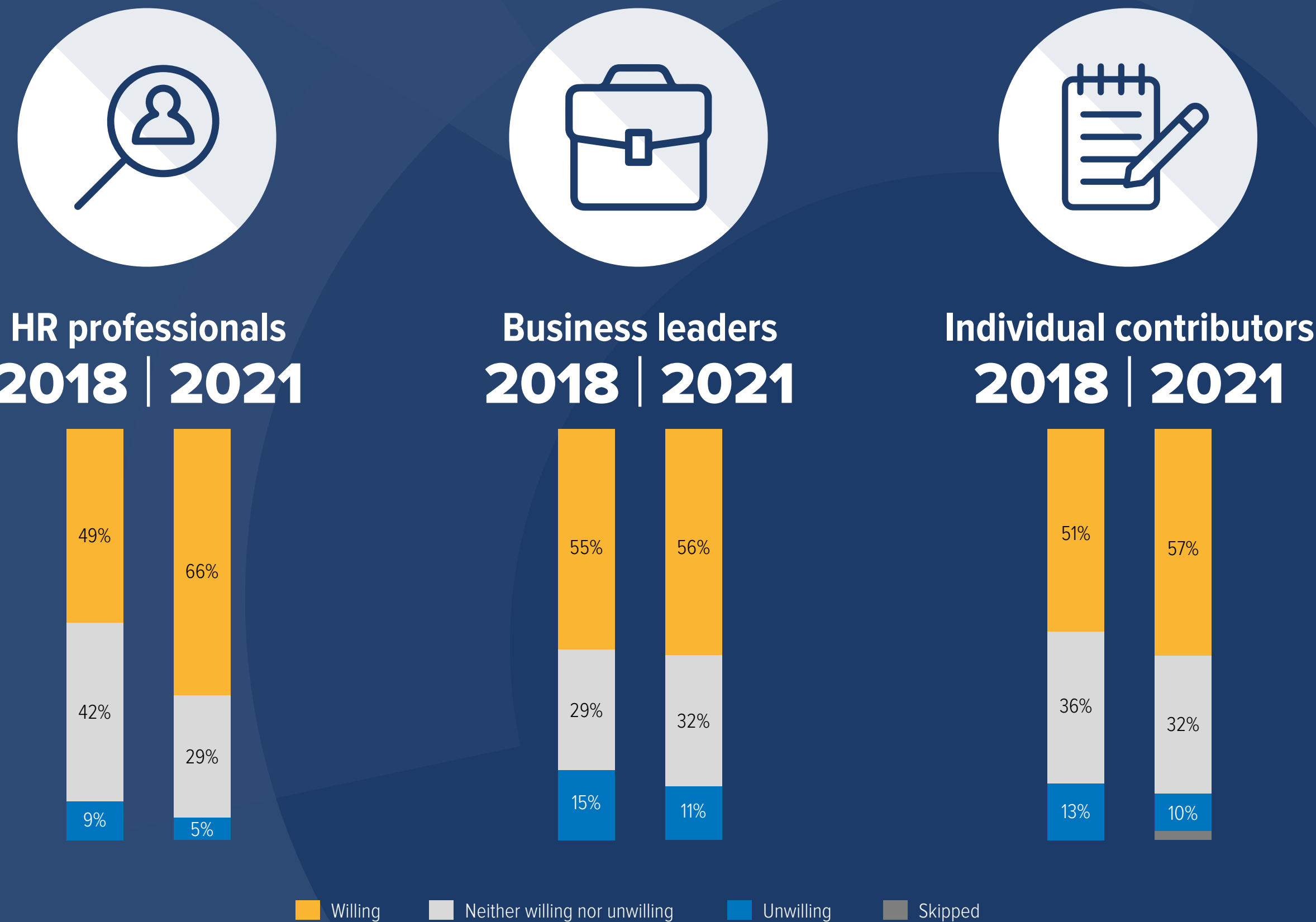


When asked to rate how willing they believed their co-workers would be to hire individuals with criminal records, one-third (33%) of HR professionals said they believed their co-workers would be willing to do so. In 2018, less than a quarter (22%) said they thought this was the case. The shift for business leaders went the other direction. Only 19% of business leaders in 2021 thought their co-workers would be willing to hire individuals with criminal records, down from 36% who felt this way in 2018.

HR professionals and business leaders were also asked to rate how willing they would be to work with individuals with criminal records, and to what degree the Covid-19 pandemic might have impacted their feelings toward working with this population. Around two-thirds (66%) of HR professionals indicated they would be willing to work with individuals from this talent pool, up from less than half (49%) who felt this way in 2018. While this result indicates an increase in willingness by HR professionals, what is perhaps even more striking is the change in the number of HR professionals who said they were neither willing nor unwilling. In 2018, 42% said they felt neutral about working with individuals with criminal records, while less than one-third (29%) felt this way in 2021, further indicating an increase in willingness among HR professionals. Over half of business leaders (56%) said they would be willing to work with individuals with criminal records, while only 11% said they would be unwilling to do so—again showing a slight increase in overall willingness compared with 2018 numbers. When asked how the Covid-19 pandemic has influenced their willingness to work with individuals with criminal records, HR professionals and business leaders said the pandemic has had little impact on their attitudes toward working with people from this talent pool. Large majorities of HR professionals (95%) and business leaders (88%) said their level of willingness was unchanged by the pandemic.

Individual contributors were also asked to indicate how willing they are to work with individuals with criminal records. Over half (57%) indicated they would be willing to work with these individuals, up from 51% in 2018. Additionally, only 10% of individual contributors said they would be unwilling to work with people from this talent pool. In 2018, 13% of individual contributors said they would be unwilling to do so. Like HR professionals and business leaders, individual contributors were also asked the degree to which they felt the Covid-19 pandemic has changed their willingness to work with individuals from this group, and 90% indicated the pandemic has had no impact on their willingness to do so. Just 5% of individual contributors said the pandemic has made them more willing to work with individuals with criminal records.

Figure 8: How willing are you personally to work with individuals with criminal records?



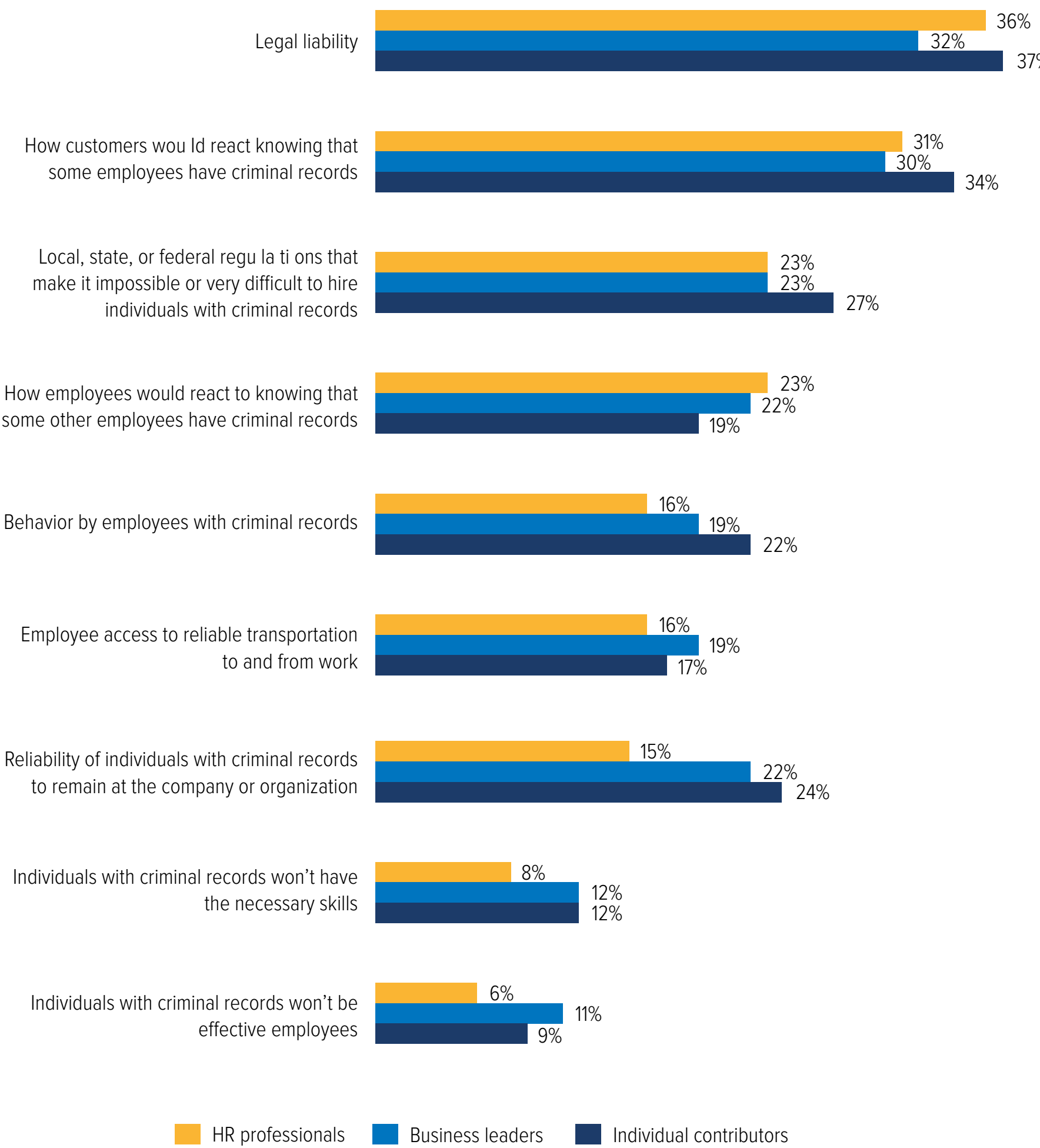
BARRIERS AND STIGMA SURROUNDING INDIVIDUALS WITH CRIMINAL RECORDS

Individuals with criminal records face unique and persistent challenges with associated stigmas and stereotypes that may inhibit their ability to gain meaningful employment¹⁰. To investigate this further, employers and individual contributors were asked about concerns they believe organizations possess when it comes to hiring individuals with criminal records. Leading results across all samples included the legal liability of hiring these individuals and the potential impact on company brand if customers were to learn some employees have criminal records. Full results are available in Figure 9. Generally, concerns were consistent with 2018 results; however, one of the largest changes was an eight percentage points decrease among individual contributors who said legal liability is a challenge (34% in 2021 versus 42% in 2018).

While concerns varied some across industries, the top concerns of all HR professionals, business leaders, and individual contributors generally fell into the two major areas of legality and company brand. To a lesser degree, employers and employees think personal attributes, such as individuals with criminal records being effective employees or having necessary skills, are among the major concerns of workplaces when it comes to hiring from this talent pool. Knowing this, how do employers that have hired individuals with criminal records feel these workers compare to workers without criminal records?

10. <https://shrm.org/foundation/about/Documents/SHRM%20Foundation%20Walmart%20Untapped%20Research.pdf>

Figure 9: Which of these areas do you think organizations are “very” concerned about with respect to hiring individuals with criminal records?





Employers that have hired individuals with criminal records were asked how workers from this talent pool compare to workers without criminal records across several key elements of employment. When asked to rate individuals' quality of hire, 81% of HR professionals said workers with criminal records were of a comparable or better quality than workers without a criminal record, up from 2018 when 67% said so. Nearly three-quarters (74%) of business leaders said individuals with criminal records are of a comparable or better quality than those without criminal records. However, fewer business leaders felt this way in 2021 than in 2018, when 82% thought so. Taken alone, 88% of C-suite members said quality of hire for individuals with criminal records was about the same as or better than that of workers without criminal records; over half (53%) said workers with criminal records were of better or much better quality than workers without criminal records.

Employers were also asked to rate how workers with criminal records compare to those without criminal records in terms of cost-per-hire. A large majority (81%) of HR professionals said workers with criminal records cost about the same as or less than workers without criminal records, up from 2018 results when 74% reported as such. Business leaders felt similarly: Nearly three-quarters (74%) said the cost-per-hire of workers with criminal records was about the same as or less than that of workers without criminal records. (The same percentage of business leaders felt this way in 2018.)

Figure 10: Quality of hire - "About the same or better"

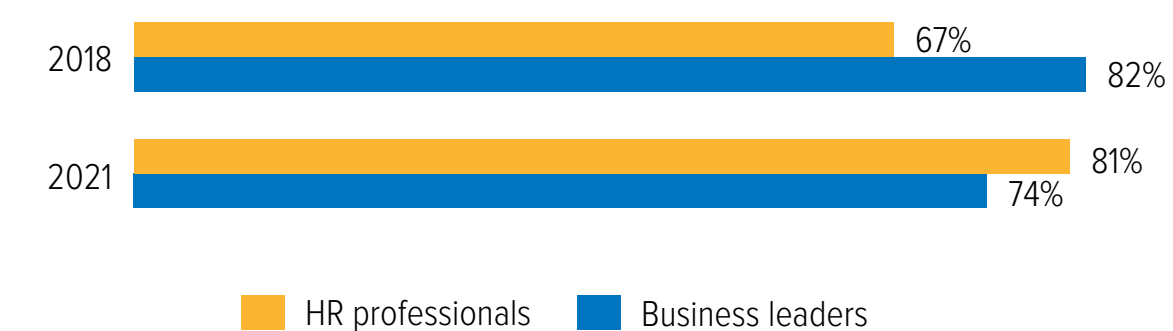
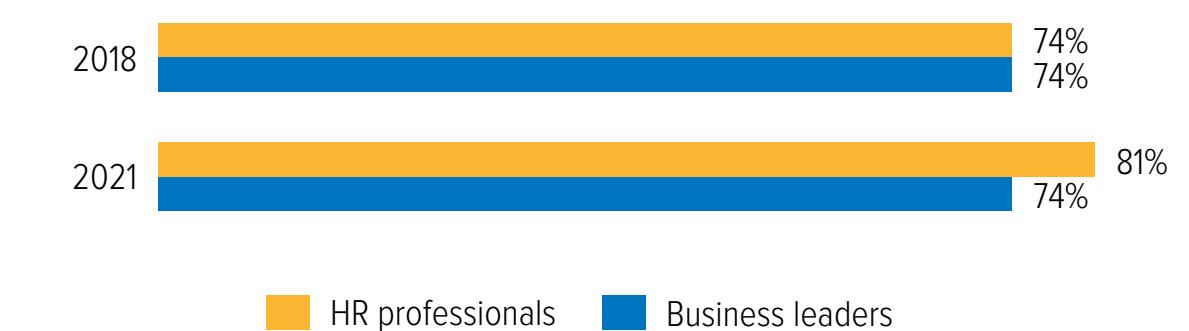
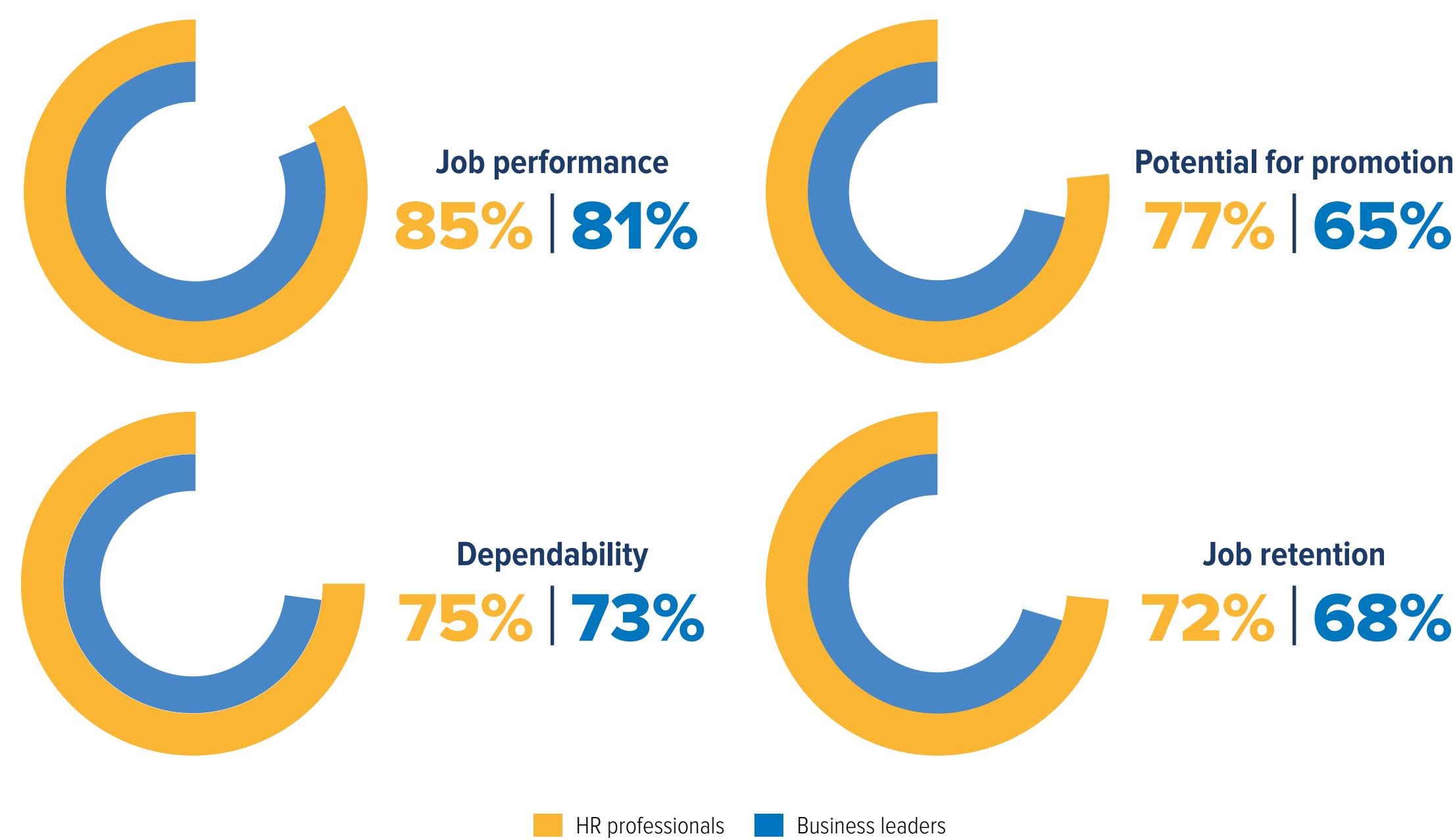


Figure 11: Cost-per-hire - "About the same or less"



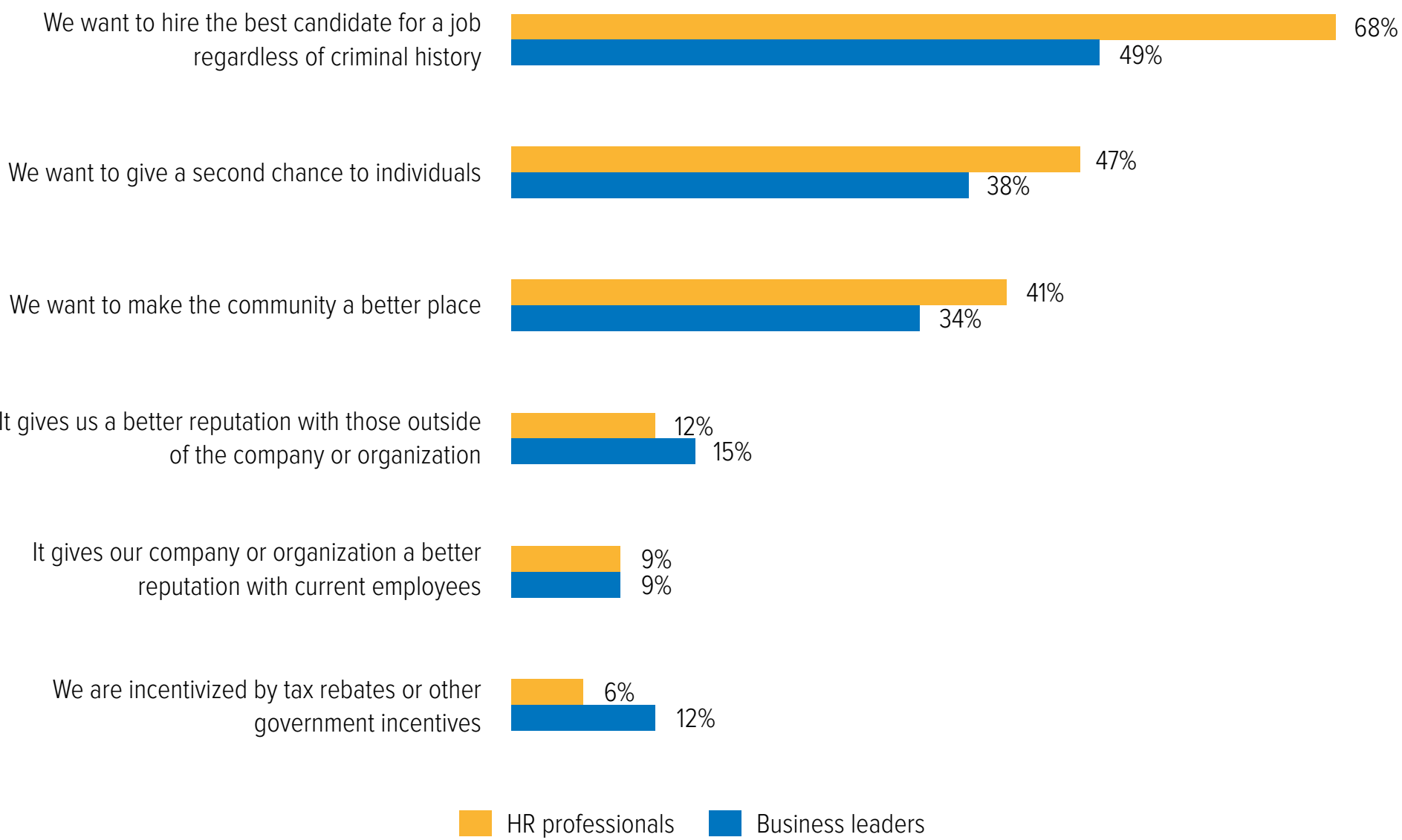
In 2021, business leaders and HR professionals were asked to rate how workers with criminal records compare to workers without criminal records across several other crucial employment factors, including job retention, dependability, potential for promotion, and job performance. Across all these employment areas, business leaders and HR professionals reported a strong belief that workers with criminal records ranked just as well as or better than workers who do not have criminal records. Full results are displayed in Figure 12. One noteworthy result concerning job performance, arguably one of the strongest factors of effective employment, showed that 85% of HR professionals and 81% of business leaders believe workers with criminal records perform their jobs just as well as or better than workers without criminal records.

Figure 12: Percentage of HR professionals and business leaders who rate workers with criminal records “as good as or better than” workers without criminal records on various employment factors



In addition, employers that have hired individuals with criminal records were asked about the factors that influenced their decision to do so. Over two-thirds of HR professionals (68%) and nearly half of business leaders (49%) believe their organization’s desire to hire the best candidate for the job, regardless of criminal history, played a large role in the decision to hire from this talent pool. Additionally, over a third of business leaders (38%) and nearly half of HR professionals (47%) said their organization wants to provide individuals with second chances. Finally, 34% of business leaders and 41% of HR professionals said they believe their organization’s desire to make the community a better place played a large role in the decision to hire individuals with criminal records. Neither HR professionals nor business leaders thought factors such as their organization’s reputation and tax incentives played a large role in the decision to hire from this talent pool. Evaluated alone, nearly two-thirds (64%) of C-suite members felt their organization’s decision was significantly influenced by its desire to hire the best candidate regardless of criminal history, and almost half (48%) said it was because their organization wanted to provide second chances.

Figure 13: Employers’ reasons for hiring individuals with criminal records



Since 2018, national initiatives and advocacy efforts have remained a part of the conversation around second-chance hiring. The best-known initiative is arguably the “ban-the-box” movement, which advocates for employers to remove criminal history sections on initial job applications. In 2021, the number of HR professionals who said they were familiar with the term “ban the box” increased to over three-quarters (78%), compared with 68% who said they were familiar with this term in 2018. However, just 13% of business leaders and 8% of individual contributors reported they were familiar with this term; these numbers were relatively unchanged from 14% and 9%, respectively, in 2018.

Despite employers’ general approval of hiring and working with those who have criminal records, one of the greatest challenges individuals from this talent pool face is getting past the initial application stage—especially if applicants are required to indicate their criminal history right away¹¹. In 2018, over two-thirds (68%) of business leaders and nearly half of HR professionals (46%) said their organization requires applicants to indicate their criminal history on the initial application. These numbers decreased slightly in 2021, when 63% of business leaders and 38% of HR professionals indicated their organization requires this information, while 18% and 56%, respectively, indicated their organization does not. Furthermore, around two-thirds of HR professionals in the professional, scientific, and technical services/public communication industry (68%) and in the finance, insurance and real estate industry (65%) reported they do not ask applicants about their criminal history on the initial application.

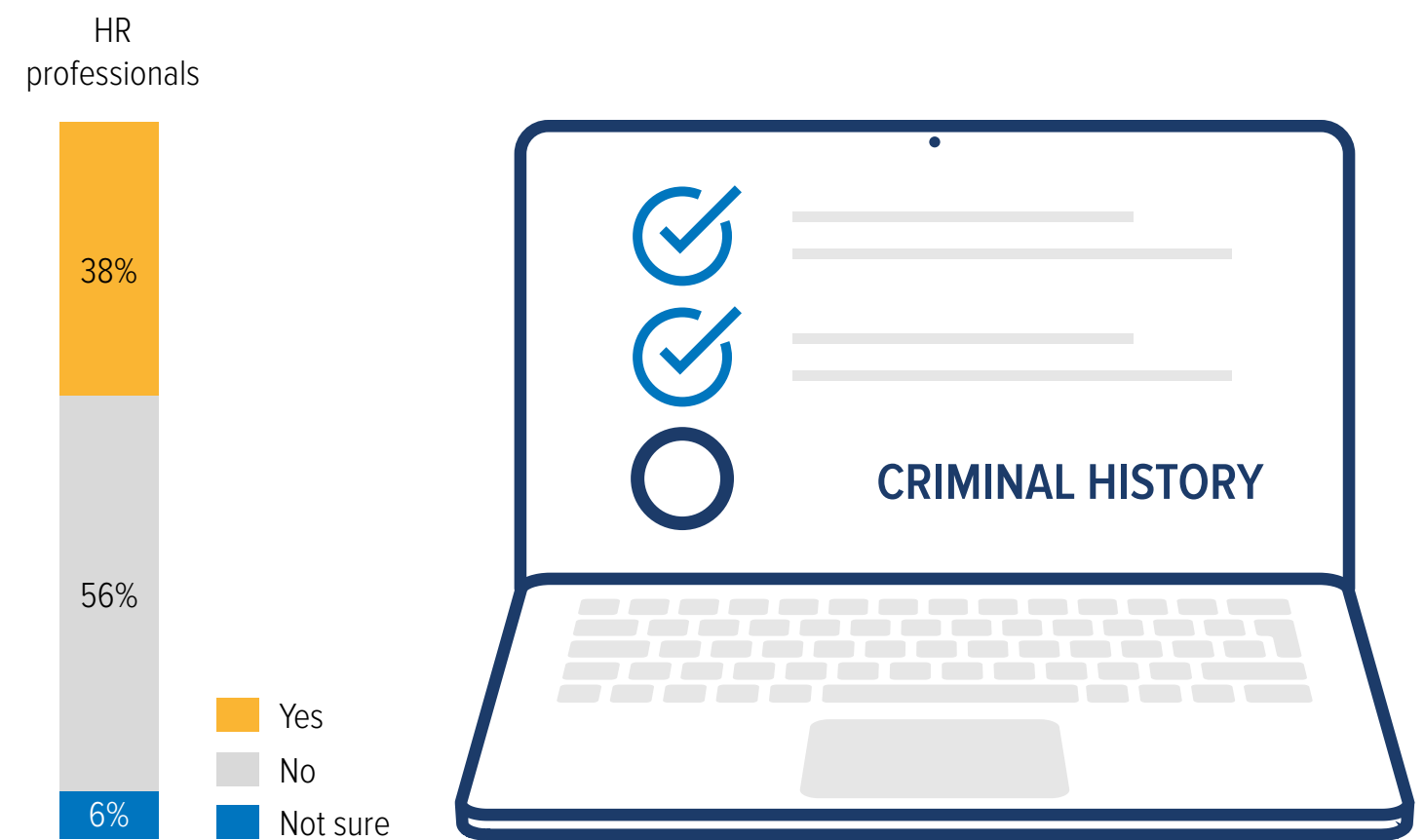
Among organizations that require applicants to indicate their criminal history on the initial application, 70% of HR professionals and 43% of business leaders said their organization would make special considerations, such as displaying a greater understanding about gaps in employment history, if an applicant disclosed a criminal history. Only 16% of HR professionals and 19% of business leaders said their organization would not make additional considerations when an applicant was required to indicate criminal history on the initial application.

11. <https://www.shrm.org/resourcesandtools/hr-topics/talent-acquisition/pages/hiring-people-with-criminal-backgrounds-is-easier-than-you-think.aspx>

Figure 14: Percentage of employers and employees who said they were familiar with the term “ban the box”



Figure 15: Does your organization require job applicants to indicate their criminal history on the initial job application?



Business leaders and HR professionals who indicated their organization does not ask about criminal history on the initial job application were asked to explain why not. The belief that this information is not necessary during the application process and the desire to have the best talent apply to their organization, regardless of criminal history, emerged as the top reasons—though there were slight variations between business leaders and HR professionals. Full results are available in Figure 16.

With regard to pre-hire screenings, 83% of HR professionals reported their organization uses criminal history checks to vet job candidates, up from 73% in 2018. Among the HR professionals who said their organization conducts criminal history checks, 84% said they will consider the length of time since the crime was committed when an applicant is found to have a criminal record and only 5% said their organization would not consider this. Additionally, more HR professionals said their organization conducts drug tests as a part of pre-hire screening in 2021 (57%) than in 2018 (50%). When asked what actions would be taken if an applicant failed a pre-hire screening, over half of HR professionals (52%) said they would remove the individual from the applicant pool, a slight decrease from 2018 when 54% of HR professionals said they would remove the applicant.

Figure 16: Reasons why employers do not ask for criminal history on the initial job application

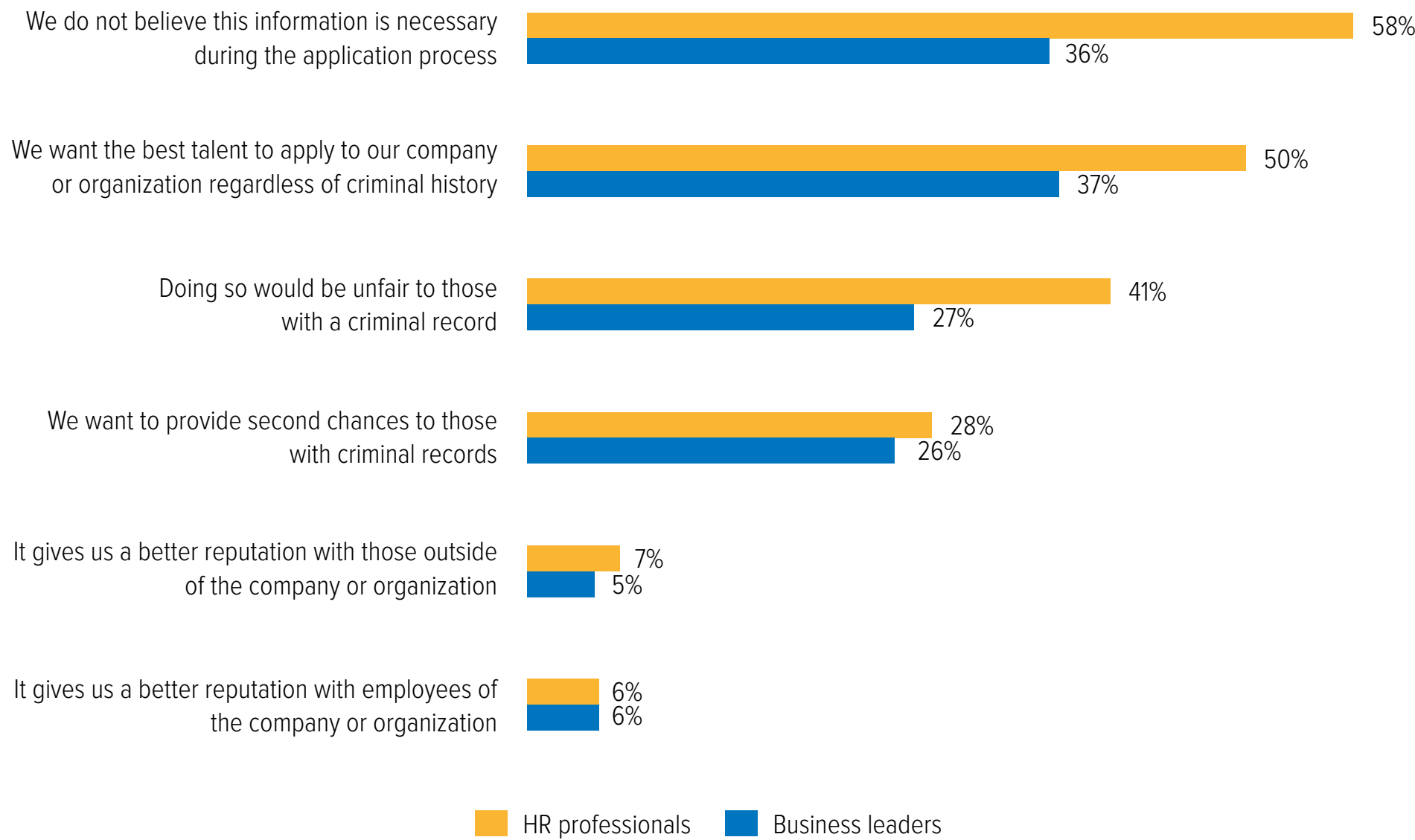
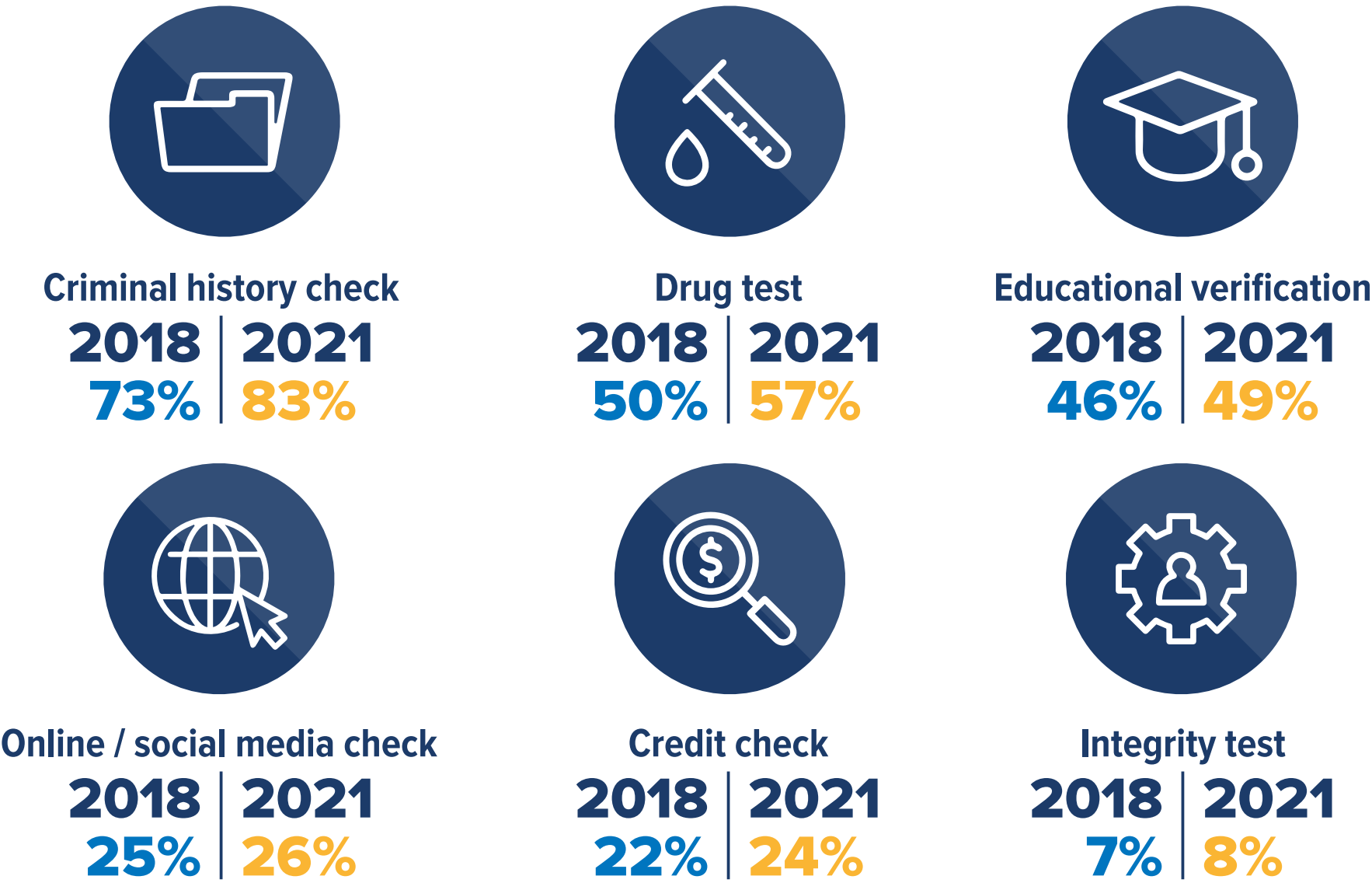


Figure 17: HR professionals - Type of pre-hire screenings used at their organization



Employers were asked what their organization would do if a current employee were to be convicted of a felony. For the most part, HR professionals and managers were unsure whether their organization would suspend or terminate an employee following a felony conviction.

Presented with the same scenario of an employee receiving a felony conviction, individual contributors were asked what actions their organization should take in response. Among all individual contributors, less than a quarter said their organization should suspend (24%) or terminate the employee (21%). One-third of individual contributors (33%) said their organization should give the employee a warning. Additionally, most individual contributors said their organization should speak to the employee about the charges (76%) and verify the company’s policy regarding felony convictions (80%).

Figure 18a: HR professionals - When a current employee is convicted of a felony, what actions are taken?

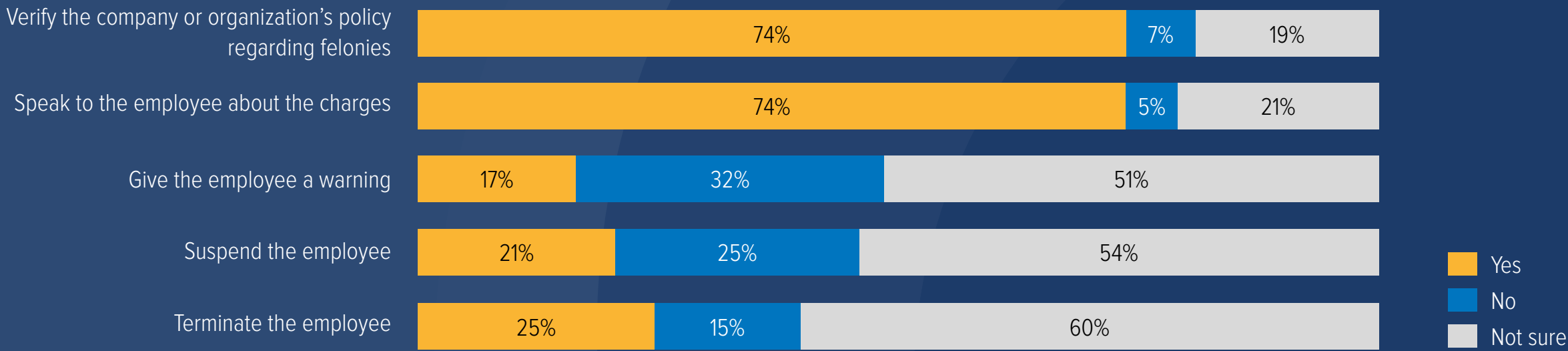
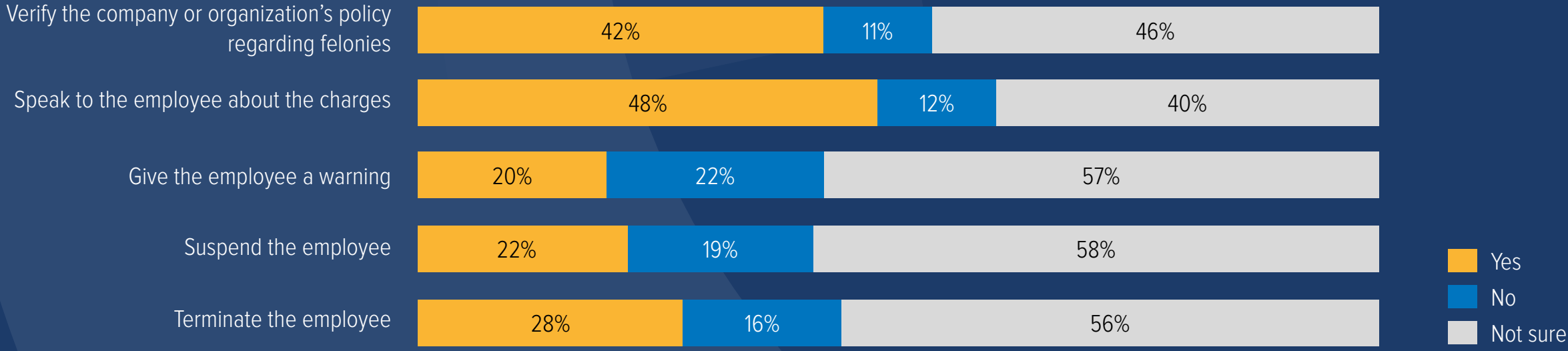


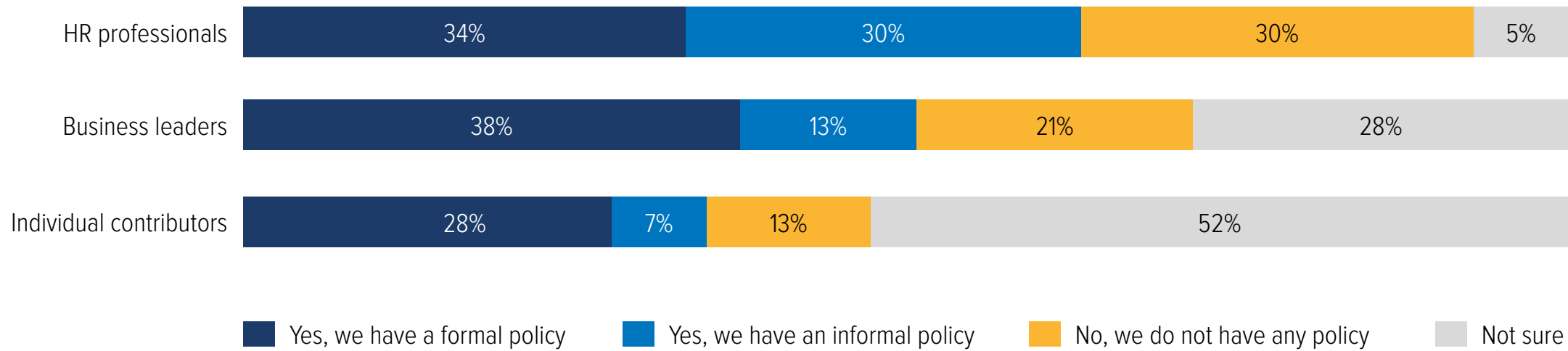
Figure 18b: Managers - When a current employee is convicted of a felony, what actions are taken?



ORGANIZATIONAL GUIDANCE ON INDIVIDUALS WITH CRIMINAL RECORDS

With respect to organizational policies around second-chance hiring, over one-third (34%) of HR professionals said their organization has a formal policy in place and another 30% said their organization has an informal policy. However, 30% of HR professionals said their organization does not have any policies that address hiring individuals with criminal records. Further, almost half (47%) of HR professionals from organizations with less than 100 employees said they do not have any policies established in this space. Among business leaders, over half (51%) said their organization has either a formal or informal policy, but over a quarter of business leaders (28%) were unsure if any such policies existed—around the same percentage who were unsure in 2018. Over half of individual contributors (52%) said they were unsure whether their organization had any policies regarding hiring individuals with criminal records (similar to 2018 results), while 35% said their organization had a formal or informal policy.

Figure 19: Does your organization have a policy regarding hiring individuals with criminal records?



Employers and employees were also asked to rate their organization’s communication regarding established policies, approaches, or perspectives on hiring individuals with criminal records. HR professionals reported the strongest results of all sample groups, with 60% believing their organization made these policies, approaches, or perspectives clear to them, up from 46% in 2018. Half (50%) of business leaders said these policies and approaches were made clear to them (versus 39% in 2018), while only 39% of individual contributors said so. A larger number of individual contributors (61%) said policies, approaches, or perspectives on hiring individuals with criminal records were unclear at their organization (consistent with the 60% who said the same in 2018). Additionally, nearly three-quarters of individual contributors (74%) working for organizations in the professional, scientific, and technical services/public communication industry said communication on this subject was unclear to them. Finally, while communicating policies, approaches, or perspectives for any subject is typically left to HR or leadership at an organization, many individual contributors reported these organizational representatives have not provided effective communication with regard to hiring individuals with criminal records. Only 21% of individual contributors said their organization’s HR department had communicated with employees on this topic, and 18% indicated that senior leadership had done so.

In addition to providing little communication about their policies, approaches, and perspectives on hiring workers with criminal records, organizations that have hired individuals from this talent pool offer little guidance on working effectively with these individuals, according to respondents. Among HR professionals, only 9% indicated their organization provides some form of training, guidance, or mentorship opportunities to employees on how to work effectively with individuals with criminal records. About the same number of individual contributors (10%) said their organization provides this training or guidance, and 29% of business leaders said their organization offers these opportunities. While many respondents indicated their organization did not offer these opportunities, the data did reveal a slight increase from 2018 when 4% of HR professionals and 22% of business leaders indicated their organization offered such training.

Figure 20a: Individual contributors - Has your organization’s HR department or senior leadership communicated its policies on hiring individuals with criminal records?

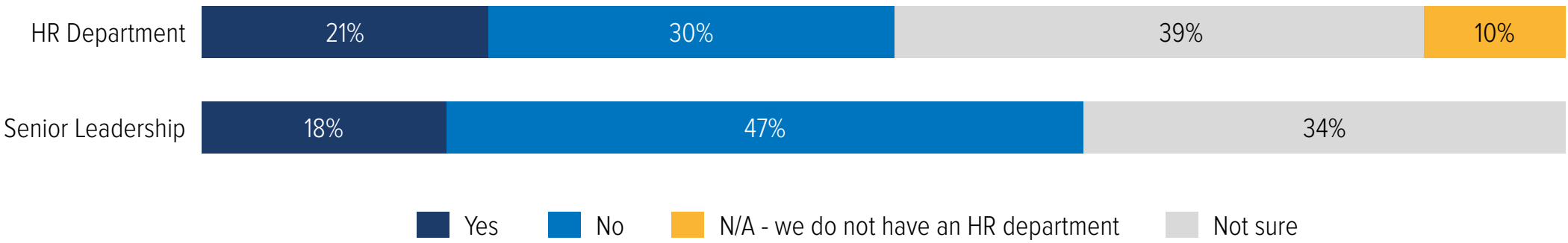
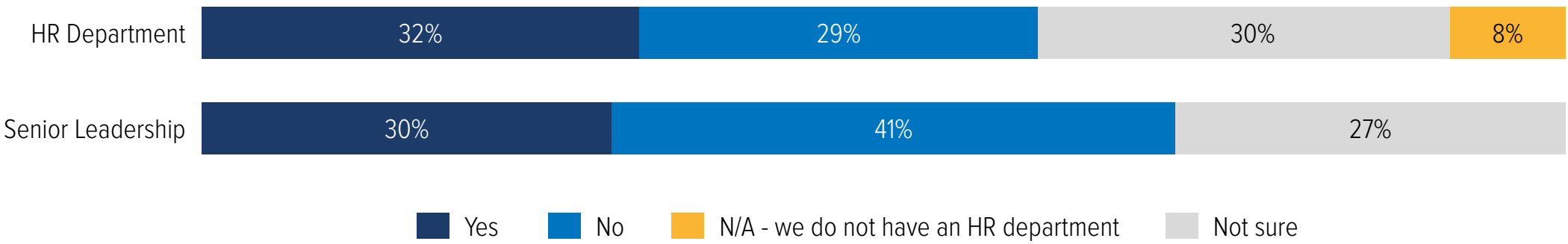


Figure 20b: Managers - Has your organization’s HR department or senior leadership communicated its policies on hiring individuals with criminal records?





Nearly half (49%) of business leaders said their organization should offer training, guidance, or mentorship opportunities to workers with criminal records as they return to work.

Regardless of whether their organization has hired individuals with criminal records, employers and employees were asked if they believed their organization should offer employees with the opportunity to receive training, guidance, or mentorship on working effectively with individuals from this talent pool. Over a third (39%) of HR professionals and 43% of business leaders felt their organization should do so. Additionally, nearly half (48%) of individual contributors said their organization should offer employees with training, guidance, or mentorship opportunities on how to work effectively with individuals who have criminal records.

Survey respondents whose organizations have hired individuals with criminal records were asked if their workplace also provided guidance to second-chance hires to facilitate their transition back to work. Again, few employers and employees indicated their organization offers these opportunities—just 8% of HR professionals and 9% of individual contributors. Nearly a quarter of business leaders (23%) said their organization does so.

All survey respondents were asked whether they believe their organization should offer transitional training, guidance, or mentorship opportunities to workers with criminal records. Nearly half of business leaders (49%) said their organization should offer these opportunities, up from 2018 when 38% said the same. Almost half of individual contributors (49%) said their organizations should offer these opportunities, which is approximately the same number who felt this way in 2018 (48%). Over a third (38%) of HR professionals said their organization should offer training, guidance, or mentorship opportunities to workers with criminal records to facilitate their transition back to work, up from 2018 when less than a quarter (24%) felt that way.

HR professionals and business leaders indicated they would be much more willing to hire a job candidate with a criminal record if that candidate had a consistent work history.

Finally, employers were asked what would make them more willing to hire individuals with criminal records to work at their organization. HR professionals and business leaders ranked a candidate's capabilities to perform the job as a top selection criterion. Specifically, 58% of HR professionals and 44% of business leaders said a candidate with a demonstrated, consistent work history would make them much more willing to hire that candidate. HR professionals from the manufacturing, construction, and utilities industry found this an even more compelling reason than those from other industries; nearly two-thirds from this sector (64%) indicated a consistent work history would make them much more willing to hire someone with a criminal record. Additionally, both HR professionals and business leaders again indicated they would be much more willing to hire a job candidate with a criminal record if that candidate presented verifiable positive employment references and if the individual received training or education while incarcerated.

When asked where they would turn to learn about hiring individuals with criminal records, over half of business leaders (54%) said they would seek advice from their organization's HR department. Among HR professionals, 77% said they would turn to SHRM for advice on hiring from this talent pool. When asked where else they would turn, 60% of these HR professionals said employment lawyers and 16% said consultants with expertise in this field.

LOOKING FORWARD

As the U.S. economy continues to recover from the impacts of the Covid-19 pandemic, businesses must continue to look to individuals with criminal records as a source of talent who can contribute to enterprise success. While uncertainty remains among some employers, this research has shown that many are open to the idea of their organization hiring employees from this talent pool and to the idea of working with these individuals. In fact, when asked directly, 46% of HR professionals and 34% of business leaders said their organization would at least be open to the idea of second-chance hiring and around a quarter (24%) of both said their organization's attitude would be neutral. Additionally, many employers with second-chance hires indicate these employees do not align with negative stereotypes and stigmas assigned to this group but rather the opposite. Many employers said employees who have criminal backgrounds are just as capable as or more capable than workers without criminal records in performing and remaining at their jobs. This research serves as another step toward creating more-inclusive workplaces for individuals with criminal records, but more work needs to be done.

To create opportunities for individuals with criminal records to flourish at work, organizations must be willing to learn about this talent group and provide them the chance to do well. With the insights outlined from this research, employers can empower individuals with criminal records to obtain meaningful employment and build a life of prosperity.

To learn more about hiring individuals with criminal records and how your organization can do more or get started, visit www.gettingtalentbacktowork.org.

STUDY METHOD

The survey of individual contributors, managers, and executives was fielded February 15 – March 29, 2021, by NORC at the University of Chicago for the Society for Human Resource Management (SHRM) and the Charles Koch Institute. Online interviews were conducted with 1,041 individual contributors, 1,001 managers, and 222 executives. All interviews were conducted using the AmeriSpeak Panel®, NORC at the University of Chicago’s nationally representative, probability-based panel, with the exception of a portion of the executive sample (142 interviews) that was supported by Dynata’s non-probability online panel. The margin of error is approximately ± 2.94 percentage points at the 95% confidence level.

For comparability purposes, managers and executives who were interviewed using the probability-based AmeriSpeak® Panel were combined and weighted to the U.S. working population for analysis purposes. This group is referred to as “business leaders” throughout the report. Independent executive data are not weighted when reported.

The survey of HR professionals was fielded by SHRM to a random sample of active SHRM members from February 2 – March 2, 2021. In total, 1,174 members responded to the survey. Academics, students, consultants, and retired HR professionals were excluded from the sample. Respondents represented organizations of all sizes—from between two and more than 25,000 employees—in a variety of industries and sectors across the United States. This data is unweighted.





ABOUT



SHRM, the Society for Human Resource Management, creates better workplaces where employers and employees thrive together. As the voice of all things work, workers and the workplace, SHRM is the foremost expert, convener and thought leader on issues impacting today's evolving workplaces. With 300,000+ HR and business executive members in 165 countries, SHRM impacts the lives of more than 115 million workers and families globally. Visit us at shrm.org or follow us on Twitter and Instagram @SHRMPress.



The SHRM Foundation's mission is to mobilize the power of HR and activate the generosity of donors to lead positive social change impacting all things work. The Foundation is committed to elevating and empowering HR as a social force through its innovative solutions to workplace inclusion challenges, programming designed to inspire and empower the next generation of HR leaders, and awarding scholarships and professional development grants to educate and develop students and HR professionals. The SHRM Foundation is a 501(c)(3) nonprofit affiliate of the Society for Human Resource Management.



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