



Second Chance Hiring

A CASE STUDY OF URO'S
BEYOND THE BOX CERTIFICATION

WRITTEN BY:

DR. PAULA IOANIDE

CONTRIBUTING WRITERS:

IAN GREER & BETSYE CAUGHEY VIOLETTE

PRESENTED BY:

ULTIMATE RE-ENTRY OPPORTUNITY
TAILI MUGAMBEE, DIR.



MISSION & VISION

Building Equitable Employment Futures for Justice System-Impacted People

Mission

Create a pipeline for businesses ready to hire - and retain - skilled, motivated, formerly incarcerated folks.

Vision

Re-integrate the formerly incarcerated into quality, living wage jobs that increase their sustenance, belonging, agency, and pride. Reduce recidivism, homelessness, and socioeconomic resilience.



Beyond the Box Certification Working Group:

URO would like to thank the sustained participation, expertise and devotion of its Employment Working Group members, who devoted countless hours to designing and implementing this pilot initiative: **Jacquelyn Mouillesseaux, Thomas Tee Jones, Ian Greer, Betsye Caughey Violette, Bruce Flaherty, and Paula Ioanide.**

TABLE OF CONTENTS



04	Beyond the Box Certification
07	Key Lessons Learned
09	Navigational Support for Reentry Employees
10	Recommendations to Tompkins County Employers & Community Partners
12	Moosewood Restaurant: A Pilot Program Case Study
20	Appendix

BEYOND THE BOX CERTIFICATION

Beyond the Box Initiative

The Beyond the Box Certification (BTB Certification) is obtained by organizations who engage in a one-year transformational process in partnership with Ultimate Reentry Opportunity (URO) to improve hiring and retention rates of people with past criminal legal system involvement.



In working toward becoming Beyond the Box Certified, the employer commits to more than “banning the box,” or the process of eliminating the check box on job applications that asks candidates about their past criminal history. The BTB Certification process focuses on fostering fair, equitable and inclusive workplace policies, practices, and cultures where all employees can thrive. We work from the data-driven knowledge that making workplaces supportive and equitable for people with past criminal records (hereafter, “people in reentry”) ultimately yields a positive impact for all employees and employers.

With funding from Tompkins County, in 2024, Moosewood Restaurant became URO's first Beyond the Box Certified employer. This report offers the lessons learned from that pilot initiative and recommendations for other employers and stakeholders passionate about enhancing Second Chance employment in Tompkins County, New York and beyond.

Understanding the Challenge

Job growth is projected in many industries in the Southern Tier over the next six years. According to the New York State Department of Labor's analysis, the Southern Tier is projected to add over 19,000 jobs to the region's economy between 2020 to 2030 in construction, manufacturing, wholesale trade, transportation and warehousing, professional and business services, educational services, health care, and other services.ⁱ

While job growth may be cause for economic optimism, the Southern Tier, and Tompkins County in particular, faces specific challenges to meeting the demands of this projected job growth: a lack of affordable housing stock coupled with soaring housing costs,ⁱⁱ increased costs due to inflation, and wages that have not kept up with these rising costs. As such, employers are facing increasing challenges to finding new labor sources and ways of attracting talent to their organizations in Tompkins County and beyond.

Recognizing the Opportunity

On the other hand, there is a pool of employees looking for a second chance to rebuild their lives: people with past criminal justice system involvement. In the United States, about one in three adults has a criminal record.ⁱⁱⁱ In Tompkins County, that would add up to roughly 26,000 people with past criminal histories.^{iv}

For these job seekers, there are significant challenges in finding fair job opportunities. Local job markets also face deep racial inequalities.^v Thus, engaging in second chance employment is crucial to remove barriers to good jobs in order to increase both fairness and economic growth.

BEYOND THE BOX CERTIFICATION

Innovation the Solution

URO, an organization focused on changing systems to keep people out of the jail and prison pipeline, conceptualized the Beyond the Box Certification and piloted the initiative outlined in this report because past studies, expert-driven feedback, and employer perspectives offered at URO's Reentry Job Fairs identified the following crucial components needed for success:

1. Employers needed data-driven technical assistance to improve their policies, practices and cultures to attract and support employees in reentry
2. Employers needed to balance their responsibility to engage in second hiring practices for people with past criminal histories with their obligations to keep other employees safe
3. Employees with past justice-system involvement needed support identifying reentry-friendly employers and navigating barriers to sustaining employment

URO knew that the BTB Certification could not be a cosmetic or superficial engagement. It needed to be feasible and actionable for employers. But it also needed to be in-depth enough to make a substantive difference to justice-impacted job seekers and employees, who often sit at the intersection of other forms of marginalization based on disability, racial bias, gender identity bias, and socioeconomic status.



KEY LESSONS LEARNED



Customized Integration

- Employers need technical assistance and expertise on integrating best practices for second chance/BTB employment into their policies, procedures, and workplace cultures, particularly management.
- While high level Second Chance hiring and retention practices are broadly available for employers to access, understanding how to customize these to the employer's industry-specific needs and the size of the business/organization is best achieved through in-depth engagement with a Consultant.
- While training offers a start for shifting organizational cultures, they are insufficient interventions for substantive change.
- We found throughout the pilot we needed to adapt the BTB Certification to be flexible, adaptive, and feasible to the employer's needs.
- A certification process that is too rigid or too superficial will not make a substantial difference to employers.



Intensive Navigational Support

-
- Long-term, relationship-based, trauma-informed navigational support is needed for justice system-impacted employees to reduce barriers to accessing services.
 - This support is needed beyond what any single employer can provide.
 - Social, medical, and housing services often have significant application and documentation processes that are difficult to navigate for justice-impacted individuals who are less likely to have digital and bureaucratic literacy.
 - Such support can rarely be offered by an employer. Governmental and business stakeholders should join forces to fund a cohort of navigational support workers who have lived experience, diverse backgrounds, knowledge of social services, and expertise working with reentry and/or vulnerable populations.

KEY LESSONS LEARNED

Housing

- Centrally-located, affordable, transitional and permanent housing for people in reentry continues to be the single most significant factor to sustaining employment.
 - Without stable and affordable housing, justice impacted people cannot focus on employment and growth.
-



Navigational Support for Reentry Employees

Reentry Employee Challenges at Moosewood

The Beyond the Box initiative provided one year of navigational support to Moosewood justice system impacted employees to identify workplace and external barriers to sustained employment. Despite Moosewood's supportive environment, external challenges remain significant obstacles to reentry success.



Employment Barriers

Limited education and job skills hinder career growth, and adjusting to steady work after incarceration remains a challenge.

Skill and Community Gaps

- Digital Literacy: Lack of computer skills makes accessing resources and communication harder.
- Financial Literacy: Managing money is a struggle without guidance.
- Community Integration: Limited support for connecting with local resources leads to feelings of isolation.

Housing Instability

High living costs in Ithaca make finding affordable housing difficult. While Moosewood-supported housing helps, issues like security deposits, poor communication, and maintenance problems create stress.

Trauma from Incarceration

Many reentry employees face lingering effects like distrust, hypervigilance, and difficulty communicating. Long-term case management is needed to provide consistent support.

Moosewood provides valuable opportunities for reentry employees, but systemic issues like housing, trauma, and skill gaps limit success. Addressing these challenges requires a holistic approach that includes consistent, long-term case management, educational resources, and community integrative initiatives. By taking these steps, Moosewood can enhance its role as a leader in reentry navigation.

Recommendations to Tompkins County Employers & Community Partners



Strengthening Housing Support

Building of Affordable Housing

A coalition of developers, community based organizations, and governmental actors should create a coalition to increase the pace at which affordable housing is developed in Ithaca.

Housing Fund

BTB Certified Employers and employers interested in hiring and retaining justice impacted people and/or other vulnerable employees should consider creating a security deposit assistance fund to reduce barriers to accessing housing.

Tenant Advocacy

Identify a community-based housing navigator to assist with lease agreements, maintenance requests, and conflict resolution, a critical component to sustaining employment.



Enhancing Workplace Support

Mentorship Program

Pair employees with mentors who can provide compassionate guidance, encouragement, and support in navigating workplace challenges.

Flexible Scheduling

Allow for adjustments in work schedules to accommodate GED classes, mental health appointments, and/or court mandated appointments.

Trauma-Informed Training

Equip staff and supervisors with training on trauma-informed practices to foster a supportive and understanding work environment.

Recommendations to Tompkins County Employers & Community Partners



3

Expanding Educational and Literacy Resources

Digital Literacy Workshops

Provide training in basic computer skills, online navigation, and digital tools essential for daily life and employment.

Financial Counseling

Partner with local organizations to offer budgeting workshops and one-on-one financial counseling.

On-Site GED Tutoring

Offer in-house GED preparation classes to reduce logistical barriers for employees.



4

Investing in Long-Term Support

Case Management Services

Employ dedicated case managers to provide consistent, personalized support for reentering individuals over an extended period. If this is not feasible for the employer, partner with community based navigational support workers to provide these services proactively.

Community Building Initiatives

Facilitate regular group activities and workshops to help employees build connections and foster a sense of belonging in the broader community.

Reentry Coalition

Form a coalition with other employers and reentry programs to share resources, strategies, and success stories.

MOOSEWOOD RESTAURANT:

A Pilot Program Case Study in Beyond the Box Certification



- 13 Employer Assessment Findings
- 15 Workplace Strengths
- 15 Workplace Opportunities
- 16 Interviews with Justice-Impacted Employees
- 14 Recommendations to Employer
- 18 Completed Trainings
- 19 Strategic Action Development Plan
- 19 Implementation Roadmap

Employer Assessment Findings

At the beginning of the BTB Certification process, we used three core elements to assess Moosewood Restaurant's strengths and opportunities for hiring and retaining people with past justice system involvement as well as diversity, equity and inclusion more broadly.

- First, we reviewed their employee handbook with Second Chance best practices in mind.
- Second, we conducted an in-person employee culture assessment survey on topics like workplace belonging, equitable practices and procedures, inclusive management, and working across differences.
- Third, the consultant who worked closely with the employer throughout the pilot held a series of meetings with Moosewood's owner and managers to better understand the everyday management practices in the workplace.
- Fourth, we conducted voluntary in-depth interviews with employees who had past justice system involvement.

These assessments revealed that Moosewood had unique strengths and opportunities at the onset of the pilot initiative. For a much more detailed overview of these assessment elements and our corresponding findings, see Appendix B.^{vi}



Employer Assessment Findings

Policy Review Highlights

Second Chance Hiring Practices

Moosewood's policies align strongly with best practices. The job application avoids asking about past criminal history, encouraging applications from individuals with records. Additionally, background checks are not conducted at the job offer stage, further reducing barriers for potential candidates.

Managerial Consistency

Since the handbook allows for significant managerial discretion and interpretation, aligning expectations for job responsibilities, performance standards, and accountability is essential to ensure equitable consistency across the organization.

Behavioral Guidelines and Grievance Process

The handbook provides clear expectations for workplace behavior, including categories for minor and major infractions and their consequences. It also includes a transparent grievance process with designated points of contact for escalation.

Leave and Absence Policies

Leave requests are straightforward, requiring reasonable advance notice, especially during peak seasons, ensuring clarity for both staff and management. This is a strength for people who may continue to need scheduling flexibility to address court supervision and/or mandated appointments.

Employer Assessment Findings

Workplace Strengths

Belonging

Employees feel welcomed, can be authentic, and believe the workplace embraces customers from marginalized communities (e.g., people of color, LGBTQ+ individuals, people with disabilities). Managers and the owner are committed to creating a supportive environment, drawing from the owner's experience with vulnerable populations.

Management

Employees feel their managers listen to diverse perspectives, provide constructive feedback, and treat them fairly. Fair hiring practices support diverse and marginalized groups, including those with past justice system involvement.

Team Dynamics

Employees feel confident addressing non-inclusive behaviors and collaborating across differences. Managers also view team relationships as positive and supportive.

Workplace Opportunities

Equity and Processes

- Mixed feedback on fair pay and performance evaluations.
- Need for clearer job roles, standards of excellence, updated training, and consistent accountability for all employees, including leadership.

Management

- Lower ratings for communication clarity and accountability in addressing issues.
- Managers recognize the need for better communication and capacity building to uphold standards of excellence.

Team Dynamics

- Some employees lack confidence in tough conversations and note feelings of exclusion for marginalized groups.
- Managers aim to enhance professionalism and coworker interactions.

Employer Assessment Findings

Interviews with Justice-Impacted Employees

Generally, justice-impacted employees had positive experiences at Moosewood:^{vii}

Supportive Environment

- The restaurant owner personally facilitated finding housing for two employees.
- Co-workers were welcoming and respectful despite awareness of their incarceration history.

Job Application Process

Moosewood's application was straightforward, contrasting with challenges at other institutions, where online processes posed obstacles.

Workplace Feedback

Employees appreciated the supportive and friendly atmosphere, describing coworkers as "happy-go-lucky."

Challenges at Moosewood

Low Wages

01

- Despite housing support, low pay necessitated second jobs, leading to long hours.
- Financial strain impacted personal needs, like car repairs.

Workplace Communication

02

- One worker experienced frustration due to a coworker leaving tasks uncommunicated, increasing workload unpredictably.

Note that we only interviewed 3 justice-impacted employees, so the findings in this section are based on a very small sample and should not be taken as the general perspective of any justice-impacted employee.

Recommendations to Employer

Based on the findings from the four elements of the assessment, we developed the following feasible and actionable recommendations to Moosewood:

Trainings

01

- Conduct at least two additional all staff trainings for the BTB learning and development curriculum (see Phase III, Appendix A), highlighting best practices for fostering inclusive workplace environments for people in reentry as well as people with higher likelihood of experiencing bias in the workplace.

Guidelines & Practices

02

- Enhance equitable guidelines and practices (thereby reducing the potential for discretionary managerial bias toward justice-impacted employees and/or people with higher likelihood of experiencing bias) by:
 - a. Clarifying roles and responsibilities
 - b. Building in job expectations and standards of performance within front-of-house and back-of-house training protocols
 - c. Improving accountability mechanisms and practices that adhered to policies and high performance standards
 - d. Empower managers to increasingly delegate responsibilities downstream to allow for increased oversight and high performance standard.

Communications

03

- Enhance communication among managers and staff, offering transparency and clear rationales for changes and expectations.
-

Completed Trainings

Staff: Challenging Non-Inclusive Behaviors in the Workplace

We conducted one all staff in-person training on to improve employee confidence to 1) identify non-inclusive behaviors; 2) understand how non-inclusive behaviors impact co-workers and organizational health; 3) best practices to respectfully address and mitigate non-inclusive behaviors when they take place. Employees offered valuable discussion, conversations and questions. Feedback to the training was overwhelmingly positive.

Management: Practicing Inclusive Management

Consultant worked with management over a series of in-person coaching sessions with the managers and owner to identify key areas for capacity building. Areas of focus included identifying challenges to developing equitable processes, practicing accountability measures, and engaging in effective, inclusive communication. All these elements are key to ensuring a supportive environment not only for justice impacted employees but for all employees.

Many of these management challenges were caused by the fast-paced and economically volatile dimensions of the restaurant industry, leaving little time for strategic development and implementation.

Similarly, Consultant worked with the owner over a series of 1:1 coaching sessions to chart a pathway for increasing the owner's capacity to focus on business growth that would enable developing supportive structures for people in reentry (e.g. housing for Moosewood employees) rather than the day-to-day operations of the restaurant.

The result of these sessions led to the creation of the Strategic Roadmap and Implementation outlined in the next sections.

Strategic Action Development Plan

Recognizing the best practice of reducing conscious and unconscious forms of bias in the workplace by embedding equity within its guidelines and procedures, Moosewood Restaurant adopted a clear vision for equity, two clear strategic goals, key objectives, and feasible action steps for each objective.^{viii} They then prioritized the objectives and identified the most important implementation action items for impact.

Strategic Equity Vision: At Moosewood, we model equity so that all team members can thrive. Our rich restaurant culture welcomes and values all people, especially those who face marginalization and/or barriers to accessing and sustaining employment.

Goal 1: Improve equity across Moosewood by creating clear processes and guidelines for each position's training protocols and job responsibilities.

Goal 2: Improve communication and managerial accountability to foster equity, collaboration, and excellence in quality.

Implementation Roadmap

Once Consultant facilitated internal alignment among the owner and management about the strategic action plan vision, goals, objectives, and action items, we built a user-friendly tracking system to indicate a) who is responsible for each action item, b) a timeline for completing the various actions over a 12 month period.

To respect the internal details and specifics of the employer's strategic action plan, we share only the broad vision and goals of the plan in this public report.

APPENDICES



21 **Appendix A:**
Beyond the Box Pilot Initiative
Overview

25 **Appendix B:**
Beyond the Box Assessment
Overview

29 **Appendix C:**
Breaking Barriers for Fair
Workplaces
Background Research on Beyond the
Box's Mission

APPENDIX A: BEYOND THE BOX PILOT INITIATIVE OVERVIEW

URO's Beyond the Box (BTB) Certification initiative is a comprehensive program designed to help employers create inclusive workplaces for individuals with past involvement in the criminal legal system. The goal of the program is to move beyond "banning the box:" simply removing criminal history questions from job applications. Instead, it encourages employers to examine and revise policies, management practices, and workplace culture to ensure that they are welcoming, supportive, and equitable for all employees, including those with a criminal background. This approach adopted by the Beyond the Box pilot is that improving the overall work environment for people with *any* form of marginalization, including past justice-system involvement, ultimately yields a more equitable workplace for *all* employees.

The initiative was conceptualized in five phases:

01

PHASE I: BASELINE ASSESSMENT

In this phase, employers assess their current workplace culture through a combination of surveys, interviews, and policy reviews. Employees are invited to participate in a survey that gauges the inclusivity of the workplace, covering topics such as equitable hiring policies, employee compensation, team dynamics, and belonging. Voluntary one-on-one interviews with reentry employees provide deeper insights into workplace culture. In-depth engagement with management helps provide organizational insights into industry-specific challenges and opportunities. Additionally, the employer's handbook, management practices, and policies are reviewed to identify areas of strength and growth.



02

PHASE II: PRESENTATION OF FINDINGS & RECOMMENDATIONS

Once the baseline assessment is completed, URO presents the employer with key assessment findings and actionable recommendations for becoming a model second chance employer. This often entails improving policies, procedures, management practices, and workplace cultures that provide positive benefits to all employees. The employer agrees to implement three to five key changes based on these findings, working collaboratively with URO throughout the process.

03

PHASE III: TRAININGS

Improvements in workplace culture are often facilitated through all staff training sessions (to the extent that this is feasible for the employer). Employers can choose from the following trainings on key topics central for becoming a model second chance employer:

Trauma-Informed Approaches

Understanding how past trauma can impact employees and how to create supportive environments.

Barriers for People in Reentry

Understanding the specific challenges that individuals with criminal histories face when reintegrating into the workforce.

Fostering Inclusion in the Workplace

Addressing unconscious biases and fostering a more accepting workplace.

Inclusive Management

Teaching managers how to effectively lead a diverse team and support reentry employees.

Employers are encouraged to complete at least two of these training modules to meet the standards of the Beyond the Box initiative.

04

PHASE IV: IMPLEMENTATION ASSISTANCE

In this phase, URO provides hands-on support to employers as they implement changes based on the recommendations the employer has decided to pursue. This includes helping revise workplace policies related to hiring, retention, and support for reentry employees. URO also assists in coaching managers and guiding them through best practices for fostering an inclusive culture. For reentry employees at the business/organization, URO offers additional navigational support to ensure they have the resources and guidance needed to succeed in their roles, including connecting them with partner organizations for further assistance.

05

PHASE V: POST-INTERVENTION ASSESSMENT

If feasible, URO assists the employer to track and measure progress made on the recommendations for improvement. This helps determine whether the changes have been effective and identifies any remaining areas of growth. A final report is generated, summarizing the progress made and the policies implemented. The report also includes recommendations for sustaining and building on the positive changes.



Referral of Employees to Beyond the Box Employers

URO also partners with workforce and community based organizations to connect justice-involved job seekers with Beyond the Box employers. Employers are notified when such candidates apply, but the decision to hire remains with the employer.

Key Roles and Partners

The program involves several key roles:

- **Employer's Consultant:** An expert in second chance employment, equitable processes, and workplace inclusion works closely with the employer to assess and improve their practices, offering technical assistance toward implementation.
- **Research Team:** Assists with the baseline and post-intervention assessments to measure progress.
- **Navigational Support Specialist:** Supports employees in reentry by helping them navigate the workplace, overcome barriers, and connect with necessary resources.
- **Referring Partners:** Organizations that refer job seekers with criminal justice involvement to Beyond the Box employers and assist with addressing barriers to sustained employment.

Overall, the Beyond the Box Certification process not only helps employers create more inclusive workplaces but also provides individuals with criminal justice backgrounds the opportunity to reintegrate into the workforce successfully, benefiting everyone within the organization.

APPENDIX B: BEYOND THE BOX ASSESSMENT OVERVIEW

Employee Culture Survey

We surveyed Moosewood staff during an in-person survey on topics of belonging, equitable practices, and inclusive management practices. All 18 staff members who attended the training where the survey was offered completed the survey. This reflects approximately 51% of all Moosewood employees at the time.

Strengths

Belonging

- High agreement (85%) that employees feel welcomed and can bring their authentic selves to work.
- Strong acknowledgment (70%) that clients from historically marginalized communities experience belonging.

Management

- Managers are valued for listening to diverse views (75%) and providing constructive feedback (70%).
- Majority (73%) feel their managers treat employees fairly and consistently.

Equity and Processes

- Clear understanding of policies (78%) and recognition of fair hiring practices for diverse and marginalized groups (90%+ agreement).
- Strong support for inclusive hiring, particularly for those with criminal justice system involvement (85%).

Team Dynamics

- Staff members' confidence in identifying and responding to non-inclusive behaviors (78% agreement).
- Majority feel comfortable collaborating through differences (75%).

Areas for Growth

Belonging

- Some employees expressed uncertainty or disagreement regarding a sense of belonging, suggesting room for enhanced inclusive practices.
- Responses indicating disagreement or neutrality on questions regarding belonging at Moosewood were as follows:
 - I feel as if I belong at Moosewood: 5.3%
 - I can be my full, authentic self at work: 5.3%
 - People with diverse backgrounds and lived experiences are welcomed to work at Moosewood: 5.3%
 - Moosewood welcomes and creates a sense of belonging for clients from historically marginalized communities: 7.9%

Management

- Communication clarity and accountability in moments of harm were rated lower (57%), pointing to a need for improved accountability measurements and consistent communication.

Equity and Processes

- Mixed responses on fair pay (50% agreement) and evaluation of job performance (55%), indicating concerns over compensation equity and recognition.

Team Dynamics

- Some employees lack confidence in addressing tough conversations, with 20% expressing hesitation.
-

One-on-One Interviews with Moosewood Employees in Reentry

Thematic Analysis

The Beyond the Box initiative, in its early stages, included one-on-one interviews with three formerly incarcerated men employed at Moosewood Restaurant, referred by the navigational support contractor, Betsye Violette. The interviews, biographical in nature, explored their life stories, criminal justice experiences, work history, interactions with re-entry services, and their employment at Moosewood. The insights focus more on their pre-employment lives than on their work experiences at the restaurant due to the limited scope of follow-up interviews.

Demographics and Background: The men, aged 30 to 50, identify as mixed race (two) and Black (one). Shared characteristics include difficult childhoods, criminal justice involvement, homelessness, geographic mobility, and unstable work histories.

Common Experiences

1. Challenging Childhoods

- All three experienced foster care; two were given up by single mothers, and one grew up overseas away from family.
- Two reported parental substance abuse.

2. Criminal Justice Involvement

- Early arrests and incarceration, starting in their teens.
- One served 15 years for a violent offense; others faced property-related charges.
- Strong connections with re-entry services began during incarceration.

3. Homelessness

- Two were expelled from foster care due to legal troubles.
- Experiences included street living and couch-surfing upon moving to Ithaca.

4. Geographic Mobility

- All three moved to Ithaca, leaving behind difficult personal circumstances.
- They had limited local connections, relying primarily on re-entry services and Moosewood for social support.

5. Precarious Work Histories

- None had a stable career in food service. Jobs ranged from fast food, recycling, and landscaping to custodial work and prison labor.
- Arrests disrupted employment, with one describing workplace arrest as a traumatic experience.

Employment at Moosewood

Generally, the men had positive experiences at Moosewood:

Supportive Environment

- The restaurant owner personally facilitated finding housing for two employees.
- Co-workers were welcoming and respectful despite awareness of their incarceration history.

Job Application Process

- Moosewood's application was straightforward, contrasting with challenges at institutions like Cornell, where online processes posed obstacles.

Workplace Feedback

- Employees appreciated the supportive and friendly atmosphere, describing coworkers as "happy-go-lucky."

Challenges at Moosewood

Low Wages

- Despite housing support, low pay necessitated second jobs, leading to long hours.
- Financial strain impacted personal needs, like car repairs.

Workplace Communication

- One worker experienced frustration due to a coworker leaving tasks uncommunicated, increasing workload unpredictably.

Conclusion

The interviews highlight the program's potential to positively impact individuals transitioning from incarceration. However, addressing systemic challenges like wages and workplace communication could enhance outcomes for future participants.

APPENDIX C: BREAKING BARRIERS FOR FAIR WORKPLACES: Background Research on Beyond the Box's Mission

The Impact of Criminal Records

Criminal records often create serious challenges for individuals looking for work. These challenges don't just apply to people with major offenses or prison time but also to those with minor offenses^{ix} or errors on their records.^x The most common problem is hiring discrimination, but it also affects pay^{xi} and job quality.^{xii}

Even with recent reforms, laws often reinforce these challenges. For example, many professions exclude people with criminal records through licensing rules.^{xiii} Since so many people are affected, these penalties contribute to broader social and economic inequality.

Who Is Affected Most?

The effects of criminal records are not the same for everyone. Black workers are more likely to have criminal records and face greater discrimination when applying for jobs compared to white workers.^{xiv} Additionally, incarceration is linked to mental health conditions and disabilities, making reentry into the workforce even harder.^{xv} Beyond jobs, criminal records can block access to housing, public benefits, and other resources needed to rebuild lives.

Legal Reforms and Progress

Efforts to support individuals with criminal records are gaining momentum. In New York State, people with criminal records are recognized as a “protected class,” meaning discrimination against them is often illegal. Other reforms include:

Clean Slate Law

The Clean Slate Act in New York State is designed to automatically seal certain criminal records after a specified waiting period—three years after sentencing for misdemeanors and eight years for felonies—provided individuals maintain a clean record and are no longer on probation or parole.^{xvi} The law took effect on November 16, 2024, and aims to help individuals with past convictions access employment, housing, and education opportunities by preventing these records from appearing in civil background checks.^{xvii} Research shows that sealing criminal records reduces the chance of reoffending and improves job opportunities.^{xviii}

Second Chance Hiring Initiatives

New York State has implemented several initiatives to promote the employment of individuals with criminal records. The "Work for Success" program, for example, aims to reduce recidivism, promote economic development, and improve public safety by assisting people with prior criminal convictions in finding employment.^{xix}

Additionally, organizations like the Second Chance Business Coalition work to provide employers with resources to hire people with criminal records, promoting the benefits of second chance employment.^{xx}

These efforts are part of a broader movement to support second chance hiring, recognizing the economic and social benefits of integrating formerly incarcerated individuals into the workforce.^{xxi}

In 2012, the Equal Employment Opportunity Commission (EEOC) mandated employers to conduct individualized assessments rather than blanket exclusions. These assessments evaluate the nature and relevance of a candidate’s criminal history, encouraging fairer hiring practices (ACLU, 2017).

Ban the Box Laws

Introduced in the late 1990s, "Ban the Box" (BTB) policies aimed to prevent employers from asking about criminal histories on initial job applications (but did not at the background check stage). This approach intended to encourage applications from individuals with records and give them a fair chance to progress to interviews.

However, studies on the impact of Ban the Box have shown mixed results. A study by Agan and Starr (2016) involving over 15,000 fictional job applications found that racial disparities widened post-BTB. Before BTB, White applicants received 7% more callbacks than Black applicants; after BTB, White applicants received 45% more callbacks.

Research by Doleac and Hansen (2017) highlighted that BTB policies decreased employment rates for young Black (-5.1%) and Latino men (-2.9%) without college degrees. Conversely, older Black men and Black women with college degrees experienced increased employment probabilities. In other words, employers who cannot access criminal history may use race as a proxy for presumed criminality for Black and Latine applicants, particularly young men. This was reflected in a study by Pager et al. (2009), which found that White applicants with criminal records had higher callback rates (17%) than Black applicants without records (14%).

While BTB policies were well-intentioned, they have not universally improved employment outcomes for individuals with criminal records. Addressing systemic racial biases and fostering equitable hiring practices through additional measures like individualized assessments is critical to ensuring fair opportunities for all job applicants.

Challenges in Practice

Legal reforms are only part of the solution. Implementation varies across regions, and many people don't know their rights or how to access relief like record sealing.^{xxii} Employers also struggle with unclear laws, leading to continued discrimination.^{xxiii} A low-paying or unstable job doesn't help prevent reoffending the way a stable, well-paying job does.^{xxiv}

How Reentry Programs Help

Re-entry programs aim to bridge the gap between legal rights and real-world practices. Beyond the Box focuses on making workplaces supportive for people with criminal records. This includes improving workplace policies, ensuring fair and equitable management practices, and fostering inclusive workplace cultures.

By addressing these issues, the Beyond the Box Certification helps create a fairer, more equitable job market—one where everyone has the chance to thrive.



ENDNOTES:

ⁱ <https://acrobat.adobe.com/id/urn:aaid:sc:US:a0e41008-e855-4b1c-9332-2f27bdb64312>

ⁱⁱ <https://ithacavoices.org/2023/11/tompkins-county-housing-production-still-falling-far-short-of-needs-after-another-year/>

ⁱⁱⁱ (Prescott & Starr, 2020)

^{iv} <https://datausa.io/profile/geo/tompkins-county-ny#demographics>

^v (Eaglesham et al., 2023)

^{vi} Importantly, the BTB Certification might not need such an extensive assessment process for every employer who seeks certification. It was uniquely important to build in a rigorous assessment and evaluation process for the pilot initiative so that we could accurately modify the certification process as URO considered scaling the certification to other employers.

^{vii} Note that we only interviewed 3 justice-impacted employees, so the findings in this section are based on a very small sample and should not be taken as the general perspective of any justice-impacted employee.

^{viii} To respect the internal details and specifics of the employer's strategic action plan, we share only the broad vision and goals of the plan in this public report.

^{ix} (Vuolo et al., 2017)

^x (Wells et al., 2020)

^{xi} (Western, 2002)

^{xii} (Uggen, 1999)

^{xiii} (Saleh et al., 2023)

^{xiv} (Pager, 2003)

^{xv} (Schnittker et al., 2012)

^{xvi} [New York Assembly](#)

^{xvii} [New York State Unified Court System](#)

^{xviii} (Denver et al., 2017; Prescott & Starr, 2020)

^{xix} [Department of Labor](#)

^{xx} [Second Chance Business Coalition](#)

^{xxi} [The Business Council of New York State](#)

^{xxii} (Chien, 2020; Ewald, 2022)

^{xxiii} (Lageson et al., 2015)

^{xxiv} (Uggen, 1999)

WORKS CITED:

- Agan, A., & Starr, S. (2017). The Effect of Criminal Records on Access to Employment. *American Economic Review*, 107(5), 560–564. <https://doi.org/10.1257/aer.p20171003>
- Chien, C. (2020). America’s Paper Prisons: The Second Chance Gap. *Michigan Law Review*, 119(3), 519–611. <https://www.jstor.org/stable/45386452>
- Denver, M., Siwach, G., & Bushway, S. D. (2017). A New Look at the Employment and Recidivism Relationship Through the Lens of a Criminal Background Check. *Criminology*, 55(1), 174–204. <https://doi.org/10.1111/1745-9125.12130>
- Doleac, J. L., & Hansen, B. (2020). The Unintended Consequences of “Ban the Box”: Statistical Discrimination and Employment Outcomes When Criminal Histories Are Hidden. *Journal of Labor Economics*, 38(2), 321–374. <https://doi.org/10.1086/705880>
- Eaglesham, R., Greer, I., Klingel, S., O’Brady, S., Osterreich, S., Rodriguez, M. E., Vidal, M., & Weaver, R. (2023). A Living wage for Tompkins County? Tompkins County Living Wage Working Group Feasibility Study. <https://hdl.handle.net/1813/116090>
- Ewald, A. (2022). “These Are the Things That You Have to Learn”: The Misinformation Problem and Collateral Consequences Facing People with Conviction Histories in the United States (SSRN Scholarly Paper No. 3929665). Social Science Research Network. <https://doi.org/10.2139/ssrn.3929665>
- Lageson, S. E., Vuolo, M., & Uggen, C. (2015). Legal Ambiguity in Managerial Assessments of Criminal Records. *Law & Social Inquiry*, 40(1), 175–204. <https://doi.org/10.1111/lsi.12066>
- Pager, D. (2003). The Mark of a Criminal Record. *American Journal of Sociology*, 108(5). <https://doi.org/10.1086/374403>
- Pager, D. (2008). *Marked: Race, Crime, and Finding Work in an Era of Mass Incarceration*. University of Chicago Press.
- Prescott, J. J., & Starr, S. B. (2020). Expungement of Criminal Convictions: An Empirical Study. *Harvard Law Review*, 133(8), 2460. <https://heinonline.org/HOL/Page?handle=hein.journals/hlr133&id=2492&div=&collection=>

WORKS CITED:

Saleh, M., McNutt, T., Anderson Jr., J., Mulroy, E., Na, S., & Zhou, S. (2023). “Civil Death” and Labor Market Alienation: Comparative Analysis of Legislation Limiting Access to Work for the Justice Impacted in OECD Countries (SSRN Scholarly Paper No. 4513000). Social Science Research Network. <https://doi.org/10.2139/ssrn.4513000>

Schnittker, J., Massoglia, M., & Uggen, C. (2012). Out and Down: Incarceration and Psychiatric Disorders. *Journal of Health and Social Behavior*, 53(4), 448–464. <https://doi.org/10.1177/0022146512453928>

Uggen, C. (1999). Ex-Offenders and the Conformist Alternative: A Job Quality Model of Work and Crime*. *Social Problems*, 46(1), 127–151. <https://doi.org/10.2307/3097165>

Vuolo, M., Lageson, S., & Uggen, C. (2017). Criminal Record Questions in the Era of “Ban the Box.” *Criminology & Public Policy*, 16(1), 139–165. <https://doi.org/10.1111/1745-9133.12250>

Wells, M., York Cornwell, E., Barrington, L., Bigler, E., Enayati, H., & Vilhuber, L. (2020). Criminal Record Inaccuracies and the Impact of a Record Education Intervention on Employment-Related Outcomes. *Cornell Criminal Records Panel Study (CRPS) Reports*. <https://hdl.handle.net/1813/103780>

Western, B. (2002). The Impact of Incarceration on Wage Mobility and Inequality. *American Sociological Review*, 67(4), 526–546. <https://doi.org/10.1177/000312240206700403>



FOR INQUIRIES, CONTACT US.

www.uro-tc.org



ULTIMATE
REENTRY
OPPORTUNITY

502 West State St. Suite 7, Ithaca, NY 14850

URO is a fiscally sponsored project of the Center for Transformative Action (CTA).
CTA, an education-based 501(c)3, is legally and financially responsible for all our activities.

