

Employment Interactive Worksheet

JASON is a 35 year-old man who was released four years ago from prison after serving ten years for a violent felony. He had a job interview at a supply store, during which he was asked if he had ever been arrested. When the employer ran a background check on him he received a copy and a notice of adverse action, but no opportunity to correct the information. Jason's copy of the background check showed his felony conviction as well as a few arrests that never led to conviction. When Jason spoke to some of his friends who interviewed for the same job, they all said that the employer hadn't run a background check on them. Jason suspects he was singled out for the background check because of his race.

1. Was the private employer allowed to ask Jason if he'd ever been arrested?
2. Should Jason's conviction be appearing on a commercial background check? Should the arrests?
3. How can Jason correct the information on his background check?
4. Is it possible Jason was discriminated against illegally? What can he do?