Re/THINKING JUSTICE SERIES #employmentreport

SENTENCED TO UNEMPLOYMENT

The workforce exclusion of Ontarians with criminal records

jhs

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A NOTE ON LANGUAGE

Criminal Legal System: In this report we are using the term “criminal legal system” which describes the collective institutions of policing, courts, and corrections (e.g., prisons/jails, community supervision). While these systems are also commonly referred to as the criminal justice system, we want to acknowledge in our choice of language that for many people, in particular Black and Indigenous people, this system has never been “just”.

SYSTEMIC ACKNOWLEDGMENT

When recognizing the systemic challenges within the Canadian criminal legal system, it is essential to acknowledge the historical and present-day impacts of colonialism and systemic discrimination, which includes but is not limited to the over-representation of Black and Indigenous people throughout the criminal legal system.

Black and Indigenous populations face higher levels of policing, incarceration, and biased treatment, with Black people being overrepresented by more than 3 times that of the general population and Indigenous people by more than 6 times.

This overrepresentation exacerbates pre-existing structural barriers rooted in systemic racism and colonialism. The intersection of racial disparities and the presence of a criminal record creates distinct challenges for Black and Indigenous populations, especially when it comes to obtaining employment.

Despite the growing understanding of how racial identity influences individuals with criminal records in Canada, it is not reflected in hiring practices. We hope this acknowledgement contextualizes the research found in our report and serves as a reminder of our shared responsibility to engage in open dialogue, challenge biases, and work collaboratively toward dismantling the systems of oppression that result in persisting inequities in our criminal legal system.

EXECUTIVE SUMMARY

More than one million people in Ontario have a criminal record.[1] For some, a criminal record reflects a past mistake that they have been punished for; for others it's the result of systemic barriers and circumstances. In either case, a criminal record does not define a person's character or reflect their potential.

Employment is one of the most important protective factors in reducing reoffending, yet current legislative policies and practices allow for the arbitrary and routine exclusion of Ontarians with criminal records from the labour market.

This report outlines recommendations to remove roadblocks and systemic barriers, allowing job seekers with criminal records in Ontario to meaningfully provide for themselves and their families. Based on consultations with experts, including people with lived experience, service providers, lawyers and policy professionals, the following key issues and recommended solutions are outlined.

Key Issue #1: No guidance on record checks for employers

Solution: Legislated guidance on criminal record checks

- **Recommendation:** *Amend the Employment Standards Act (ESA) to set out requirements for the use of criminal record checks in the hiring process. A series of amendments to the ESA are recommended to provide guidance on the use of criminal record checks and the treatment of criminal records in an employment context to promote fairness, clarity and rights-respecting record check policies.*

Key Issue #2: Discrimination against people with criminal records is legal in Ontario

Solution: Update Ontario's human rights framework to prohibit discrimination based on criminal records

- **Recommendation:** *Amend the Ontario Human Rights Code with the following:*

1. *The term "record of offences" should be replaced by "police record."*
2. *"Police record" should include criminal charges and convictions, with or without a record suspension, and other police record information, including non-criminal contact with police.*

Key Issue #3: Information on the internet is resulting in indefinite discrimination

Solution: Consideration of the Right to be Forgotten in a Canadian context

- **Recommendation:** *The Canadian government, in consultation with the community and key experts, should launch an official study on the right to be forgotten and its application in the Canadian context.*

Key Issue #4: Job seekers with criminal records have specific needs and challenges

Solution: Expand investments in employment programming tailored to job seekers with criminal records

- **Recommendation:** *The Provincial government should increase investment in employment programming specifically for job seekers with criminal records. Metrics should include broader indicators of well-being and progress, not just employment and educational outcomes, and allow for flexible timelines.*

INTRODUCTION

More than one million Ontarians have a criminal record.[2] The difference between Ontarians with a criminal record and those without is often not character, but circumstances, many beyond their control. Conflict with the law may arise from conditions of poverty, mental health conditions, trauma, homelessness and social isolation. Compounding disadvantages contribute to someone getting a criminal record and make it harder to move on from one.

A criminal record is often not a reflection of who someone is, but rather the barriers they have faced. Regardless of how it's acquired, a criminal record can profoundly impact individuals' lives and livelihoods long after their cases are resolved and their sentences are served. One of the most significant impacts is employment prospects, where individuals with criminal records face stigma that can limit their access to jobs, hindering their ability to provide for themselves and contribute to society.

This exclusion affects the individuals and has broader societal implications, limiting economic contributions, straining public resources, and undermining efforts to reduce reoffending. Addressing these challenges requires tailored interventions, inclusive employment policies, and systemic changes to ensure a criminal record does not permanently close the door to opportunity and success.

Amidst economic uncertainty, reducing undue barriers to employment for job seekers with criminal records sets Ontario up for success. In a time when labour shortages and rising costs are challenging employers across various sectors, tapping into the often over-looked talent pool of people with criminal records is smart economic strategy. Helping more Ontarians get a job is beneficial for communities and builds the economy.

This report builds on previous research that explores the impact of criminal records on employment and is based on comprehensive discussions with people with lived experience, service providers, community service agencies, lawyers and policy professionals. Stemming from these consultations, this report outlines actionable recommendations and best practices to reduce barriers and improve outcomes for job seekers with criminal records. By using this collective expertise to inform policy, Ontario can support its labour force and allow people to provide for themselves and their families.

THE BARRIER OF A CRIMINAL RECORD

Employment reduces reoffending rates, prevents victimization, supports reintegration, expands social capital and promotes public safety.[3] However, for people with criminal records, finding meaningful, well-paying, stable work remains a significant challenge.[4]

JHSO's research study, ***Not in My Workplace*****,** which surveyed 400 hiring managers across Canada, found that many employers hold negative perceptions of people with criminal records. Many respondents believed that those with criminal records posed a greater risk or liability, had lower credentials, and are difficult and dishonest employees compared to those without a record. When asked about their willingness to hire those with criminal records, more than half (51%) indicated they would not. Only 27% of respondents had ever hired someone with a criminal record.[5] Criminal record checks are commonplace with 54% of respondents reporting that their company requires a criminal record check for either all or some of their new employees and 60% of respondents indicated they believe a record check should be required for all job applicants.[6]

Discrimination in the labour market against individuals with criminal records is deeply rooted in stigma and widespread negative stereotypes, often fueled by concerns about reputational and legal liability. This results in blanket record check policies and the undue exclusion of any candidate with a criminal record, regardless of its age or relevancy to the position being applied for. In fact, our research shows that 42% of employers in Canada reject applicants with criminal records, based on a past record of any kind. This practice unfairly shuts out Ontarians with criminal records from opportunities to rebuild their lives, further entrenching social and economic inequalities.

IMPACTS OF LABOUR MARKET EXCLUSION

The barriers resulting from a criminal record contribute to poor long-term employment and economic outcomes. The unemployment rate among individuals recently released from incarceration is almost five times higher than that of the general population.[7] Overall, the economic outcomes of individuals who served sentences in a federal institution are worse than the general population. In a study by Public Safety Canada and the Correctional Service of

Canada, 14 years after release from incarceration, only half of previously incarcerated individuals had found employment.[8] Furthermore, the median income among the studied group was $0, with an average income of $14,000, less than half of the annual income for the general Canadian population.[9]

Not only do employment barriers contribute to poverty, but employment can also form a core element of one's identity and self-worth, and when individuals are excluded from the workforce, they may experience negative impacts on self-perception, mental health, and well-being.[10] It has been consistently found that employment provides individuals with heightened self-esteem, feelings of independence, financial stability, and a sense of pro-social responsibility.[11]

COMPOUNDING BARRIERS

Criminal record checks disproportionately impact Black and Indigenous people by reinforcing longstanding systematic barriers that exist due to racism and colonialism.

Black people have been systematically dehumanized and associated with aggression, violence and danger.[12] Historical inequities have contributed to poorer outcomes in health, employment, education, housing and contributed to the overincarceration of Black people in Canada.[13] For Indigenous people, intergenerational trauma from residential schools and the 60's Scoop as well as the ongoing impacts of colonialism contribute to poor health outcomes, mental health and substance use conditions, interpersonal violence and victimization, and family breakdown and involvement with the criminal legal system.[14]

Over-policing, lack of access to quality legal representation and over-incarceration leave Black and Indigenous people at an unequal disadvantage for having a criminal record.[15] This over-representation is a consequence of systematic racism, not a reflection of disproportionate criminality among Black and Indigenous communities. As a result of this overrepresentation in the criminal legal system, Black and Indigenous people are also overrepresented in the population of individuals living with a criminal record and are disproportionately being left out of employment opportunities.[16] This can reinforce systemic racism in employment when criminal record checks are used for screening potential hires, perpetuating cycles of poverty by blocking access to employment.

Indigenous employment rates in Canada fall well below non-Indigenous employment rates, and Indigenous people are more likely to live in poverty than non-Indigenous people.[17] Black Canadians have a higher unemployment rate and lower employment rate compared to other Canadians.[18] The average unemployment rate for individuals with a criminal record is 50% but further

exploration into this number highlights racial inequities. White individuals have an unemployment rate of 38%, while Black and Indigenous individuals experience significantly higher rates of unemployment, around 60% and 54%, respectively.[19]

A research study comparing callback rates for job candidates with and without a criminal record, for both White and Black candidates, found that having a criminal record reduced the likelihood of receiving a callback or job offer by nearly 50%.[20] The impact of a criminal record was even more severe for Black job seekers for whom a criminal record carries double the penalty compared to White applicants.[21]

The Truth and Reconciliation Commission has drawn attention to the chronic unemployment or underemployment of Indigenous communities.[22] Within the recommendations of the Commission is a call to action for the federal government to issue a joint strategy with Indigenous groups to eliminate educational and employment gaps for Indigenous people.[23] Breaking down barriers related to criminal records, particularly for Black and Indigenous people aligns with larger strategies and reconciliation efforts.

RETHINKING CRIMINAL RECORD CHECKS IN HIRING

In our 2024 research study, ***Not in My Workplace***, we found that despite prevalent discrimination by employers against people with criminal records, hiring managers with *actual* experience hiring and working with individuals with criminal records had more positive views of them. This is supported by research from the United States that finds that employees with criminal records are more loyal, having a 13% lower turnover rate than employees without a criminal record. This research also shows that the quality of talent of workers with a criminal record was the same or higher than workers without criminal records, and the cost of hiring individuals with criminal records was the same or lower than that of hiring workers without criminal records.[24]

A criminal record check presents a snapshot of a person's history. It provides limited, or no context about the situation and offence, nor how or why the incident occurred, or any growth and transformation the individual has had since. Individuals with criminal records represent a diverse group of people with varying experience, backgrounds, interests, and skills. When employers use record checks for all positions and screen out individuals with any record, they miss out on a pool of loyal, qualified candidates.

Criminal records can stem from various experiences and disadvantages. Reducing barriers to employment for individuals with criminal records will allow more Ontarians to move on from their past, reduce poverty and homelessness and fill critical labour market shortages with qualified employees. Outlined in this

report are proposals to guide employers in their use of criminal record checks, prevent undue discrimination and exclusion based on a criminal record and promote opportunities for job seekers with criminal records.

For more of JHSO's research on Canadian employer practices, see Not in My Workplace. For more research and resources on employment and criminal records, see JHSO's Police Record Hub.

CURRENT PROJECT

This project builds on previous JHSO research projects, particularly the report, ***Not in My Workplace****: Addressing Workplace Exclusion of Individuals with Criminal Records* that aimed to understand the perspectives of hiring managers on hiring individuals with criminal records and illustrates the challenges faced by job seekers with criminal records in Canada.

This work focused on building out focused recommendations to address barriers for job seekers. Key issues and recommendations detailed in this report were informed by consultations with **56** key experts from across the province, including people with criminal records, service providers, policy professionals, lawyers, and other parties with relevant experience and insights.

Between summer and fall of 2024, the project team held in-person consultations in Thunder Bay, Sault Ste. Marie, Sudbury and Ottawa. Other focus groups and interviews were held virtually over Microsoft Teams or over the phone.

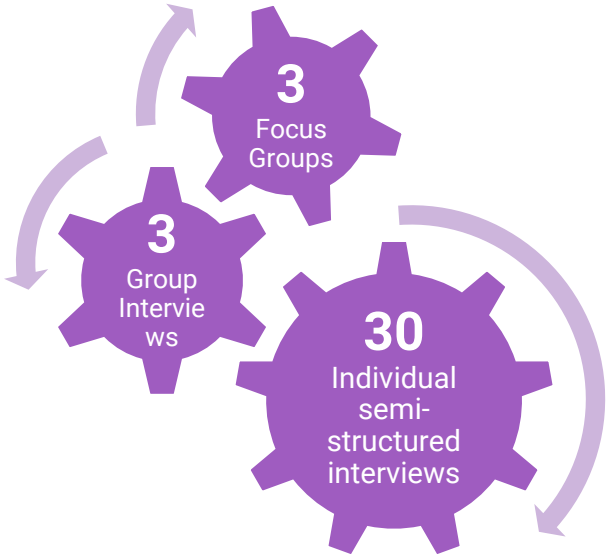
2 **Academics**

3 **Lawyers**

22 **Service Providers (20) and Record Check provider organizations (2)**

5 **Provincial or Representative Organizations – including Indigenous representative organizations, policy, advocacy and legal organizations.**

24 **people with lived experience**



The research team conducted a thematic analysis to identify key patterns and themes emerging from the interview and focus group findings, which are detailed below.

KEY ISSUE #1: NO GUIDANCE ON RECORD CHECKS FOR EMPLOYERS

Criminal record checks provide information about a person's involvement with the police, courts and corrections. They are widely used as screening tools for a variety of purposes, including travel, volunteer work, education and employment. In Ontario, there is legislative guidance for providers of criminal record checks, called the *Police Record Check Reform Act (PRCRA)* that sets out three different types of checks and the degree of information that can be disclosed on each. However, there is no legislated guidance for employers on conducting record checks for employment purposes.

The *PRCRA* transformed the process of criminal record checks and provided a clear and consistent set of standards on how criminal record checks are conducted across the province.

The PRCRA outlines three levels of record checks, each disclosing different levels of information. The first and most basic is a Criminal Record Check, which is commonly used for employment, volunteering and other general purposes. It provides information on adult convictions. The second level of check is the Criminal Record and Judicial Matters Check. This check discloses convictions and any outstanding entries, such as charges, arrest warrants, peace bonds, and discharges.

Criminal Record Check

This check has become routine in employment screening nationwide. It is done based on name, date of birth, place of birth, and sex.

The requestor may receive some details (e.g. the date, the charge). However, any additional details about the charge can only be accessed by the police.

- Retrieves adult convictions for offences under federal criminal laws.
- Does not include acquittals, discharges, youth convictions or summary convictions more than 5 years old. Non-criminal convictions are also not included.

Criminal Record & Judicial Matters Check

Includes everything in a criminal record check but also includes information that may or may not have resulted in a conviction.

The requestor may receive some details (e.g. the date, the charge). However, any additional details about the charge can only be accessed by the police.

- Includes active information about arrests, warrants, peace bonds, probation or pending charges.
- Includes convictions where a discharge was granted.

  Does not disclose an absolute discharge more than one year old, or a conditional discharge more than three years old.

Vulnerable Sector Check

Includes everything listed in the previous two checks, but also includes pardoned or suspended convictions for sexual offences under Schedule 1 of the Criminal Records Act.

This check can only be requested by a candidate who will be working with vulnerable populations, where prescribed by law.

- Includes charges that result in a finding of not criminally responsible on account of mental disorder, as well as non-conviction information from withdrawn or dismissed charges (in exceptional circumstances).
- Includes convictions under Schedule 1 of the Criminal Records act even when a pardon or suspension was granted.

For more information on types of record checks please visit www.policerecordhub.ca or www.fairchances.ca.

The last type of check is the Vulnerable Sector Check, which is meant only for positions where there is authority over and/or trust with vulnerable populations such as children, seniors or individuals with disabilities. This check is the most comprehensive and intrusive. This check discloses convictions, current charges and judicial orders, non-conviction records only if they relate to a pattern of predation towards vulnerable individuals, and in some cases, will unseal a record for sexual offences for which a record suspension (pardon) has been granted.

One of the key issues affecting people with criminal records is the practice of blanket record check policies for job opportunities. Criminal record checks are commonly used for most or all positions, with any flag on a check leading to outright exclusion of that candidate.[25] The topic of criminal record checks arose in every interview. Those who had navigated finding a job with a criminal record recalled how incredibly difficult it was to do so.

> *"I know it was wrong, but should that [disadvantage] you for the rest of your life to have any kind of meaningful positions?"*
>
> **- Participant with lived experience**

The employment process is often very stressful for individuals with criminal records as their options are limited and the individual may experience feelings of shame and fear about having to address their past. Even for individuals who have old records (e.g., over 10 years), the impact of that conviction on their employment prospects is often significant and long-lasting. For job postings where it is ambiguous whether a record check is required, individuals with criminal records may decide not to apply as they may feel hopeless about their chances.

It is often widespread stigma and unfounded misconceptions about individuals with criminal records that are at the core of hiring decisions pertaining to candidates with criminal records. We heard that many employers and members of the public lack an understanding of the criminal legal system, the experience of reintegration and how to interpret a criminal record. A lack of understanding about how people become involved with the criminal legal system was also raised. For some people, a reckless act (e.g., stealing a bike) as a young person can create a lasting stain on their record. Some people, particularly women, have criminal records as a result of experiences with human trafficking and can be left making the choice between returning to unsafe environments or not affording necessities if job opportunities do not pan out. In cases of intimate partner violence, both partners may be charged due to mandatory charging policies, which can criminalize survivors.[26] It was noted that high rates of poverty in Indigenous communities can lead to criminal activity out of necessity,

particularly for women and girls with familial responsibilities. For some young people, involvement with gangs was almost unavoidable based on their environment, leading to criminal records and experiences of incarceration. Understanding the varied experiences and contexts for criminal legal involvement helps prevent blanket judgments on character:

> *"Half the time people are a part of a gang and they don't even know it. They just grew up in that neighborhood, and those are their friends, you know? So, I think that people have a misconception around how young people become criminally involved."*
>
> **- Participant**

It was noted that employers must make difficult decisions related to hiring, taking into consideration their other employees and their clients. Employers understandably consider safety, reputation, insurance or funding requirements when making hiring decisions. However, the decision to automatically exclude individuals with criminal records is causing employers to miss out on a skilled, committed pool of candidates:

> *"And then you guys are screaming for more workers. I'm telling you guys, the best workers you guys can find are in jail. But at the same time, are you guys going to use their past and say, well, you can't do this, you can't do that".*
>
> **- Participant with lived experience**

Employment is a critical factor in preventing re-offending and promoting successful re-entry. Policies and practices that promote undue exclusion of job seekers with criminal records prevent them from engaging in pro-social behaviours and supporting themselves and their families. This can lead to re-offending out of necessity and can entrench people into poverty. Allowing people to move on from their past creates safer communities for everyone:

> *"I definitely think that employment is specifically correlated to a lot of the reoffending. Right. Because people end up getting out of jail, no support system, nobody to help them get money".*
>
> **- Participant with lived experience**

SOLUTION: LEGISLATED GUIDANCE ON CRIMINAL RECORD CHECKS

Recommendation: Amend the *Employment Standards Act* (*ESA*) to set out requirements for the posting and conducting of criminal record checks in the hiring process. The following are proposed amendments to the *ESA*, guiding the use of criminal record checks and the treatment of criminal records in an employment context to promote fairness, clarity and rights-respecting record check policies.

1. Every publicly advertised job posting should include information about whether a criminal record check will be required and, if so, which level of check.
2. If a criminal record check is required for the position, the job posting should indicate which types of convictions will be considered relevant. In determining which types of convictions would be relevant, only those convictions with a direct relationship between the offence and the position should be considered.
3. If a criminal record check is required but will *not* be an automatic disqualifying factor, this should be stated in the job posting.
4. Criminal record checks should only be conducted after a conditional offer of employment has been made.
5. Employers should establish policies to limit access to criminal record check results to only those who require it (i.e. Human Resources or hiring managers), protecting the worker's privacy.

The *Police Record Checks Reform Act* (PRCRA) provides necessary legislative guidance to record check providers on the disclosure of criminal record information to ensure fairness and consistency in the disclosure of criminal record information. However, there is currently no legislative guidance for employers in Ontario on the appropriate and fair use of criminal record checks. This is resulting in the implementation of blanket record check policies and the exclusion of all job seekers with criminal records.

The *Employment Standards Act* (*ESA*) came into effect in 2000 and regulates employment in the province. It establishes minimum standards in the workplace, including rules around wages, maximum working hours, minimum wage, overtime, vacation and leaves of absence and more.[27] Recent amendments to the *ESA* have added guidance on hiring practices including requirements for employers to list expected range of salary, disclosure around use of AI in screening applicants and prohibitions against requiring Canadian job experience.[28] All of these changes bring greater transparency and fairness to job applicants. The lack of regulation of employer practices around record checks creates a major barrier to getting otherwise qualified workers into jobs, especially for in-demand industries. Often a lack of transparency at the application or job

posting phase translates into candidates with criminal records self-selecting out of the competition altogether. There is an opportunity to build on recent amendments to the *ESA* to include guidelines around the use of criminal record checks. Including clear guidelines and direction about the appropriate use of criminal record checks within the *ESA* would significantly enhance employer understanding of when and how these checks should be used. This legislative change would ideally be undertaken concurrent to an amendment to the *Ontario Human Rights Code*, discussed next.

Including information in the posting about whether a criminal record check is required and when it is done prevents undue anxiety in the application process experienced by job seekers that are unsure if and when it will come up. Stating whether a criminal record is a disqualifying factor and what types of results will be considered helps address the issue of job seekers self-selecting out of job opportunities and provides clarity and transparency about the necessary requirements for the position. This would encourage more people to apply and help ensure a strong pool of candidates for the employer to choose from.

When conducting a criminal record check on a candidate, it should only be done once a conditional offer of employment has been made. Processing a record check after an offer has been made allows the candidate to be considered on their merit, skills and suitability as opposed to being based solely on their record. This measure also reduces the potential for bias or stereotypes that might come up if a candidate's record is disclosed early in the hiring process.

Finally, to protect the privacy and dignity of employees, employers should implement policies to strictly limit access to criminal record check results. Results of a record check should be limited to the HR department or hiring managers depending on the structure of the organization. Wherever possible, the supervising managers should not have access to information about an employee's record. This measure ensures that sensitive information is handled responsibly and minimizes the prejudice that could result from unnecessary wide disclosure. Some companies use third party record check providers to manage criminal record checks for prospective employees. Companies can work with third party providers to apply these guidelines and limit the information that is disclosed and whom at the company it is disclosed to.

Many organizations rely on criminal record checks as a routine part of their hiring process, yet lack clear, standardized policies and procedures around their use. These amendments to the *ESA* would ensure employers are actively creating record check policies and considering how they conform to provincial standards, preventing against the blanket use of criminal record checks as a means of disqualifying anyone with past criminal legal involvement.

To accompany changes to the *ESA*, the provincial government should develop educational materials to help ensure compliance. Materials should align with the principles of fair chance hiring and emphasize how to interpret criminal record information in the context of a candidate's qualifications, experience and relevance to the role. There should also be clear guidance about what employers can ask about criminal records to promote clarity and consistency.

The Fair Chances Coalition is a group of cross-sector Canadian employers, HR professionals, recruitment-related businesses and nonprofits who are committed to advancing workplace equity and opportunity for all Canadians, including those with criminal records.

Fair Chance Hiring does not mean preferential treatment, and it does not mean lowering the bar. Instead, it's about creating a level playing field by giving employers the knowledge and awareness they need to individually assess applicants who may have criminal records. Different industries have different considerations and obligations when it comes to Fair Chance Hiring practices. The good news is there's an entry point for everyone. Even in roles or sectors that require criminal record checks, small changes to hiring practices can lead to more equitable and effective recruitment.

For more on the Fair Chances Coalition and how to implement fair chance hiring, visit www.FairChances.ca.

FAIR CHANCES COALITION

Building on these changes to record check practices, Ontario should also explore options implemented in other jurisdictions to create parameters around the use and reporting of criminal records. The provincial government should consider a system similar to the one in the United Kingdom, where a government program called the Disclosure and Barring Service (DBS) determines what positions are eligible for a criminal record check and the level of check allowed.[29] This tool allows employers and individuals to check if a record check is required for the role and what kind of check is required. This would be complementary to the proposed amendments to the *Employment Standards Act* and further promote fairness and clarity around the use of criminal record checks.

Other jurisdictions across the US have introduced legislation and policies to address the discrimination of people with criminal records in the labour market. Several US states limit the reporting period of criminal records to seven years so that after that time, a person's criminal history cannot be shared with prospective

employers.[30] US states like New York have also passed Clean Slate Laws to allow eligible conviction records to be automatically sealed after a prescribed amount of time. In New York it is after three years for misdemeanors (equivalent to summary convictions in Canada), and eight years for felony convictions (what we would call indictable convictions).[31] These Bills are part of a growing movement in the US to reduce the barriers to employment for people with criminal records.

The following is an example of a job posting that would be compliant with the proposed *ESA* amendments:

SAMPLE JOB POSTING: Finance and Administrative Clerk

Location: Ottawa, ON
Job Type: Full-Time, Permanent
Salary: $48,000–$55,000 annually

About the Role:
We are seeking a detail-oriented and trustworthy Finance and Administrative Clerk to support our finance team in processing transactions, maintaining accurate records, and assisting with day-to-day financial operations. This role requires strong organizational skills, discretion, and accuracy in handling sensitive financial information.

Key Responsibilities:

- Process invoices, expense claims, and accounts payable/receivable transactions
- Assist with payroll preparation and data entry
- Maintain financial filing systems and documentation
- Reconcile accounts and support monthly reporting
- Provide general administrative support to the finance department

Qualifications:

- Experience in bookkeeping, finance, or administration
- Proficiency with accounting software and Microsoft Excel
- Strong attention to detail and accuracy
- Ability to handle confidential information with integrity
- Post-secondary education in accounting, finance, or a related field is an asset

Criminal Record Check Information:
A criminal record check (Level 1 – Criminal Record Check) will be required after a conditional offer of employment is made. Only convictions directly relevant to the responsibilities of the position, such as those involving fraud, theft, or financial mismanagement, will be considered. Having a criminal record will not automatically disqualify a candidate. We assess each situation individually based on context, circumstances and relevance to the role.

Privacy Statement:
All criminal record check information will be reviewed only by designated Human Resources personnel. We are committed to protecting applicants' privacy and will handle all information appropriately.

How to Apply:
Please submit your resume and a short cover letter by [application deadline]. We encourage applications from people with diverse lived experiences and backgrounds.

KEY ISSUE #2: DISCRIMINATION AGAINST PEOPLE WITH CRIMINAL RECORDS IS LEGAL

Another factor allowing for the unfair exclusion of job seekers with criminal records is a lack of human rights protections in Ontario against discrimination based on criminal records.

Ontario has a human rights framework, *Human Rights Code*, which prohibits discrimination based on protected grounds that include age, race, disability, family status, gender identity and sexual orientation. One of the protected grounds in the current iteration of the *Human Rights Code* is "record of offences". This applies solely in an employment context and only pertains to convictions that have received a record suspension (pardon) and provincial offences, like traffic tickets. That means that discrimination is not against the *Code* if it is outside of an employment context or based on convictions that have not received a record suspension. Put simply, an employer can legally discriminate against a job candidate without a record suspension in Ontario. Information that police collect that is not convictions, like outstanding charges, arrests, peace bonds or discharges, is also not included in the definition of the protected ground.

Ontario falls short of other provinces in terms of human rights protections. British Columbia protects against discrimination in employment based on a "criminal or summary conviction offence that is unrelated to the employment or to the intended employment of that person".[32] Prince Edward Island, Quebec, Newfoundland and Labrador and the Yukon Territories all have similar protections against discrimination based on criminal convictions that are not relevant to the position or type of employment.

The Ontario *Human Rights Code* protects against discrimination only where the individual has received a record suspension, but the road to accessing a record suspension is not an easy one. A record suspension is granted to individuals upon receipt of a successful application, if eligibility requirements are met. In Canada, the process of getting a record suspension is costly, cumbersome and lengthy, leaving many people unable to avail themselves of this option to move on from their records. While the application fees associated with a record suspension have decreased, there are still costs associated with fingerprints, and acquiring the appropriate paperwork that can create a financial barrier for many people. The eligibility wait times are also long – 5 years for summary convictions and 10 years for indictable convictions – leaving individuals to contend with their record for many years. It leaves many people with criminal legal involvement without any human rights framework to prevent discrimination based on their criminal record.

"I know I made a mistake. I know that I'm not that person now. But people always ask you, oh, what about your criminal record? It's always that stamp."

- Participant with lived experience

'For resources on record suspensions check out the Police Record Hub.

SOLUTION: UPDATED HUMAN RIGHTS FRAMEWORK TO PROHIBIT DISCRIMINATION BASED ON CRIMINAL RECORDS

Recommendation: Amend the Ontario *Human Rights Code* with the following:

1. The term "record of offences" should be replaced by "police record".
2. "Police record" should include charges and convictions, with or without a record suspension, and other police record information, including contact with police where there is no connection to the employment or intended employment.

The narrow definition of record of offences in the Ontario *Human Rights Code* allows for the legitimate discrimination and exclusion of people with criminal records. Expanding the *Human Rights Code* to replace "record of offences" with "police record" and broadening its definition is essential to address systemic barriers to employment faced by individuals with criminal records. The current narrow definition excludes many forms of police record information, such as charges without convictions or convictions that have not received a record suspension, which are often used unfairly to deny individuals job opportunities. By explicitly including all forms of police record information under protected grounds, employers would be compelled to critically assess the relevance of such information to the job in question, demonstrating a particular record's connection to bona fide job requirements, thereby reducing arbitrary discrimination. This amendment would also provide a mechanism for individuals to challenge unfair practices and decisions, fostering greater equity, promoting reintegration, and enabling meaningful participation in the workforce.

KEY ISSUE #3: INFORMATION ON THE INTERNET RESULTING IN INDEFINITE DISCRIMINATION

Criminal record checks are not the only way to learn about someone's past. Through consultations, it was found that internet searches are also a common way employers uncover information about an individual's past criminal legal involvement. Internet searches are commonly done on prospective applicants, and the results often lead to labels, assumptions and exclusion from job opportunities. When asked about the impact of online news articles, one individual noted that news stories never follow up on the outcome of charges, they only show one part of an individual's story:

> *"News articles and [online] stuff just put what they want to put, right? They don't put the beginning, they will never put the end."*
>
> - **Participant with lived experience**

It was noted that there are frequently articles or public posts of arrests and charges laid but they provide an incomplete story. Individuals may have their charges withdrawn or dismissed but online articles will not be updated to reflect that. Articles may be dated but individuals will still use information they find to make judgements about applicants, colleagues or community members. Respondents with lived experience highlighted the detrimental impact of having their charges or information related to their criminal case available online in perpetuity. Participants shared many accounts of individuals being fired from their jobs that they were doing well at because a colleague or community member found out about their criminal legal involvement and complained to management.

> *"For example, I got a client a job. They were amazing at their job. They were actually moving up in the industry. They got promoted twice within a four-month period. And then a disgruntled staff member who didn't get the position decided to Google this individual and then raise their torches and pitchforks. They caused such a stink that the individual got terminated because it caused too much of a rift between employees. And so not only did he lose out on two promotions and security, he also lost out on a sense of anonymity, like it was something that happened over a decade ago. And it didn't stop there. I found out from the employer several months later that the other individual who actually raised trouble, actually posted on social media about this individual and shared links to stories*

about their past. So, they were also causing defamation on social media. So, then they got written up. They didn't lose their job, they just got written up and got put on a warning. And so, this one individual who was victimized because of his past lost everything, and the person who caused the trouble got a write-up."

- Participant

When an individual's livelihood is on the line and employment plays such an instrumental role for rehabilitation, the ability to search a person's past and upend their lives from the comfort of their own home should be limited:

"Google is the biggest culprit of exposing somebody and I feel like this shouldn't be that easy to expose somebody. I feel like somebody just off the street shouldn't be able to pull up a name and say, oh, I know what you did last summer."

- Participant

SOLUTION: CONSIDERATION OF THE RIGHT TO BE FORGOTTEN IN A CANADIAN CONTEXT

Recommendation: The Canadian government, in consultation with the community and key experts, should launch an official study on the right to be forgotten and its application in the Canadian context.

The "Right to be Forgotten" or "Right to Erasure" gives an individual the right to request that organizations remove their personal data from information networks. This right was first recognized by the European Union in 2014, following a legal case in Spain where an individual's outdated legal proceedings continued to surface in Google search results 10 years after the proceedings.[33] Google EU was then ordered to remove the information. France, Germany and the United Kingdom recognize the "Right to Erasure" and have submitted the most requests overall.[34]

Within Canada, the province of Quebec grants individuals a version of the "Right to be Forgotten".[35] Within Quebec, individuals can request that an organization or person cease disseminating or de-index any hyperlink attached to their name. This right gives people two options: stop the information from being shared by having the website owner delete the webpage containing the information or have it de-indexed. De-indexing means that a search engine ensures that the page no longer appears when someone is looked up online. The page is not deleted, but it becomes harder to find.

There are specific conditions under which individuals can request their information be deleted or delisted. They must demonstrate that the continued

availability of the information causes significant harm to their reputation or privacy, outweighing any public interest in the information. Grounds for the use of the “Right to Erasure” include instances where the person was a minor at the time of the offence and where the information is sensitive, outdated or inaccurate. The cases where the “Right to Erasure” have been enforced have been information about “spent” legal convictions, defamatory social media posts, allegations from newspapers that are later disproven, images of individuals that attract disparaging comments, and images or videos of people used without their knowledge for malicious purposes.

The “Right to be Forgotten” is directly relevant to the discussion around privacy and the ability to rebuild one’s life with a criminal record. It is challenging to secure stable employment when past offences continue to surface and result in stigma, harassment or termination. A right to privacy protects those with records and those who do not want old, damaging and irrelevant information on the internet. With the pervasiveness of the internet in our day and age, there must be measures introduced to allow individuals to have some control over what exists about them online, so it does not damage their real-life indefinitely.

KEY ISSUE #4: JOB SEEKERS WITH CRIMINAL RECORDS HAVE SPECIFIC NEEDS AND CHALLENGES

The compounding and unique needs for people with criminal records were raised throughout the consultations. Some individuals with criminal legal involvement may only have the added barrier of a criminal record to contend with, but others may require additional support in the form of soft skills, mental health support, housing services, food security and other needs that impact job readiness.

Employment Ontario has three streams for employment programs: A, B and C. Stream A on one end of the spectrum focuses on online employment activities and in-person supports while Stream C offers tailored case management to promote job readiness for job seekers with higher levels of need.

In 2019, the Ontario government began a major transformation of its provincially funded social assistance and employment programs, a project referred to as the Employment Services Transformation (EST). A new service delivery model integrated social assistance employment services into Employment Ontario with the intention to holistically support individuals through life stabilizations and move them towards employment and independence.[36] However, concerns are being raised about whether the processes and success indicators developed under the new model are aligned with the vision and effective in supporting the needs of job seekers, particularly those with more intensive needs.

> *"Well, Stream C are going to be job seekers who are going to be the furthest away from the labour market. And often that's where our justice involved individuals will fall because it's not just that they have justice involvement, they might have disability, they might be experiencing housing precarity, they might have substance abuse, all of that, right? So, individuals in stream A will need more light touch supports. Stream B, you know, can be comprehensive. They might need us to open the doors for them. Stream C, they'll need more. We're talking like motivation development. You know, it could be, could take us six months to get a client engaged in service."*
>
> -**Participant**

Tailored employment programs are essential to address the unique and often complex challenges faced by individuals with criminal records in their job search. Many would benefit from additional guidance on how to disclose and discuss their criminal history and might need support finding employers open to considering their applications. Others with more acute needs require comprehensive wraparound services to enhance job readiness. Regardless of

individual circumstances, overcoming the barriers imposed by a criminal record is critical in helping individuals navigate the job market successfully:

> *"But sort of having gone through, to some extent, the trauma of having a criminal record and going to jail and serving time and coming out with a criminal record, that is pretty traumatizing for a lot of folks. So, you kind of need to build people up again. And I think those pre-employment training programs are important."*
>
> - **Participant**

Finding a job with a criminal record is already challenging, but the barriers are compounded for Black and Indigenous people, individuals living with mental health conditions, and those with disabilities. Individuals can face systemic racism, ableism, or other forms of discrimination that intersect with the stigma of a criminal record, creating distinct experiences of exclusion. Understanding intersectional experiences and challenges in the job search and using a culturally safe and specific approach to employment supports is critical:

> *"…there's just these layers of discrimination in the employment market anyway, that Indigenous, black, racialized younger people, people with disabilities, people with mental health, are already being discriminated against in the labour market, and then the criminal record is just another layer on top of that."*
>
> - **Participant**

Another challenge is the limited industries that are available and willing to hire people with criminal records. Labour and trades were noted as being industries that are more open to hiring people with criminal legal involvement, however, not everyone is suited to that type of employment. People have varied skills and interests that they are not able to apply to the labour force because of the discrimination they face based on their criminal record:

> *"I think that any employment training resources need to reflect the reality that people with records can do more than just show up on a job site and move bricks from one part of the job site to another."*
>
> **- Participant**

SOLUTION: EXPANDED INVESTMENTS INTO EMPLOYMENT PROGRAMMING TAILORED TO JOB SEEKERS WITH CRIMINAL RECORDS

Recommendation: The Provincial government should increase investment into employment programming specifically for job seekers with criminal records. Metrics for employment programming for job seekers with criminal records should include broader indicators of well-being and progress, not just employment and educational outcomes, and allow for flexible timelines, particularly for Stream C job seekers.

Targeted programming for people with criminal records in Ontario should be invested in appropriately and reflect the high level of case management required in order to achieve successful job placement outcomes. The Ministry of Labour's Skills Development Fund has provided some funding for employment programs with a focus on projects helping job seekers with criminal records[37], but there's a need for sustaining streams of funding to keep these programs operating.

For targeted employment programs to be effective, they need to be accessible, flexible, offer meaningful support, provide opportunities for employment advancement, and address the varied needs of those with criminal records. These programs may start at a level of practical job readiness skills and focus on literacy or basic education, assistance with securing identification, and help to manage parole or release conditions that can limit availability.

Holistic programming that addresses personal development, including mental health, substance use support, skill building, and mentorship, helps set individuals up for success. These programs give those with criminal records a chance to gain stable employment, help reestablish identity, build self-worth, and allow them to contribute meaningfully to their communities.

The following are some key features of successful programming for job seekers with criminal records:

PRE-EMPLOYMENT SUPPORT

Pre-employment supports provide foundational skills and the confidence needed to effectively seek employment. People with criminal records may have gaps in their resumes or deficiencies in certain skills, and they may struggle with trauma and a lack of self-worth. Pre-employment supports lay the groundwork for long-term success by addressing both practical and personal challenges an individual may face:

"I think that a lot of the work that takes place in our programs is really about reinstalling confidence in the young people because they've been told that they can't. They can't. They can't."

- Participant

Pre-employment support can include life skills, literacy, upskilling, resume building and interview skills. Life skills like time management, financial literacy, stress management, workplace etiquette, conflict resolution, and self-advocacy help individuals with personal challenges and allow them to build the communication strategies required for employment success. Upskilling opportunities like certifications, micro-credentials, and other educational opportunities enable individuals to access more varied and meaningful employment opportunities and make candidates more competitive for their desired roles. Resume and interview skills building helps individuals showcase their qualifications and build their confidence to effectively address concerns about their prior involvement with the criminal courts or correctional system:

"My resume had always been poor, so the lack of education on how to present a proper resume is always one of the biggest things that I've seen. I've been in supervisory positions where I've seen resumes with all sorts of typing errors, etc. If we could educate those on how to do that as well. Even if it's small, it would go a long way."

- Participant with lived experience

"The other thing is communication, how to talk to managers, how to talk in an interview. Because a lot of my first few interviews, I did not know how to do it right. I'm pretty sure that's what caused a lot of my failures. Interview communication is one. So, if you have an interview coach, would help because I'm sure a lot of these [people] coming out of prison don't know how to communicate on that level."

- Participant with lived experience

Some employment programs in Ontario support individuals who are incarcerated in provincial correctional institutions, although employment services are typically more common in federal institutions. The prevailing feedback from service providers and people with lived experience is that more opportunities should be given to provincially-incarcerated people to participate in pre-employment

supports to promote job readiness upon release. Pre-employment support during incarceration should include access to literacy classes, diploma programs and certificates to facilitate the path to employment upon release.

Allowing community agencies to enter the institutions is beneficial both for pre-employment supports and relationship building as it allows for rapport building and lets the incarcerated person know that someone will be there when they get out to help them.

It was noted that there are currently challenges in some institutions to get access. Others noted that currently a service provider may work with someone while they are incarcerated but they may be released to a different community leaving the individual without any warm connections in the place they are released into. Providing community agencies with increased access to institutions and ensuring communication between community agencies and correctional staff would help address this:

> *"That's something that I would press upon. Like the idea that in an ideal world we're building, jails aren't just for punishment. Like jails are for growth too. Right?"*
>
> **- Participant**

> *"How do we provide people who are about to be released the tools inside to write a resume? If you can walk out of a prison with a resume in hand, or at least some sort of tools to assist you to prepare yourself for employment, that would be a big step up."*
>
> **- Participant with lived experience**

INDIVIDUALIZED, WRAP AROUND SUPPORTS

Some individuals with criminal records require support to address basic needs and acute issues before and/or during employment. People experiencing poverty might need food, shelter or medical care before they can meaningfully seek employment. Having to first address the critical needs of clients accessing employment support is not uncommon when supporting vulnerable community members with criminal records. Some people may require help with getting ID or their social insurance numbers. Others may need assistance with accessing transportation, mental health services, substance use support and childcare to be successful in their job search.

"The housing piece is huge. You often can't, you know, in a perfect world, let's find a place, let's find you some stable housing. Then, we'll focus on the job search. But the reality for people is, you know, it often comes hand in hand. Right. That they're doing both."

- **Participant**

"I got diagnosed with severe PTSD and anxiety. I have my good days, but I also have my bad days. I think that plays a role in even just obtaining a job and keeping a job."

- Participant with lived experience

Ensuring that the support offered is specific to the individual's needs is crucial for positive outcomes. Successful employment programs have embedded wrap-around supports into their client care by providing access to support staff within the organization or referrals to other community agencies to meet individual needs. Social workers connected to employment programs can help with life stabilization. Peer support programs can help individuals with connections and ensure a practical and relevant approach. Some individuals with criminal records may have experiences of trauma and adverse treatment that create a sense of distrust towards service providers. Working with someone who has gone through similar experiences in a peer model can help build rapport and make the individual more open to receiving help:

"There are people that come out of jail that never worked on themselves. So, when they come out now, they don't know how to function. Their mindset is still in that system. And when somebody's trying to help, they feel like, okay, is this person out to get me? I can't speak my opinion."

- Participant with lived experience

Individuals often need help with equipment. Some people may need a cell phone or access to a computer to apply to postings and receive responses. Some employment programs offer soap, shampoo, or clothes to individuals to help clients put their best foot forward in an interview. Construction jobs require steel-toe boots and hard hats that can be costly and inaccessible, so many employment programs provide the equipment or partner with community agencies to do so.

JHS Ottawa - Hire Power Employment Services

JHS Ottawa's **Hire Power Employment Program** assists unemployed and underemployed individuals who have been in conflict with the law, or at risk of becoming involved in the criminal legal system, to prepare for, obtain and maintain employment. The program supports individuals in securing meaningful employment, developing employment skills and achieving healthy work/life balance. Services provided include employment coaching, job development and placement, job retention support, professional resumes and cover letters, and career assessments. Through the support of highly skilled job developers, clients are connected to meaningful employment opportunities with ongoing support for the employee and employer to promote job retention.

METRICS AND TIMELINES

Recognizing the complex and often acute needs that job seekers with criminal records may present, the success metrics may look different than those of other job seekers.

Success metrics for employment support programs for this population should include broader indicators of well-being and progress, such as mental health improvements and independent living, not just employment, training and educational outcomes. Suppose someone started as closed, distrustful and unable to communicate a few months into the program. In that case, they may have shown progress through consistently coming to appointments, accessing services like counselling and opening up to their case worker. They may not have landed a job, but their actions and behaviours are indicators of success and progress.

The timelines may also look different from those of other clients. Community service providers often do much more intensive work with clients with criminal records than those without. Progress is not always linear, and there may be setbacks. For someone who was deeply institutionalized or had cycled through homelessness and incarceration, the pre-employment support and stabilization services they require may be extensive, meaning it will likely take longer to get to the point of meaningful employment. Providing employment support without a strong foundation of wraparound care often results in the swift loss of jobs or other adverse outcomes.

"When he first came in, he was so defensive, you could barely get him through the door. Anxiety was through the roof, even just talking to me because he didn't feel like he could trust anybody. And over time, he's been building that trust and that confidence, and he's become quite comfortable with me. And now that's extending to other folks in our programs as well, but still working slowly, slowly, slowly to build that confidence in meeting employers and meeting prospective networking opportunities."

- Participant

Community agencies should be adequately resourced and given flexibility to provide the necessary care and case management to promote long-term success. Successful employment programs focus on the potential for career advancement, supporting long-term employment and generational change. This approach, while successful, requires more resourcing. Investing time and money produces significant returns as individuals who receive intensive support and find well-paying jobs uplift themselves and their families and contribute to income taxes, likely far more than they received in public support.

EMPLOYER RELATIONSHIP BUILDING

Employment programs have found success in building relationships with employers. Building relationships allows service providers to educate employers and clear up misconceptions about how people end up with criminal records and the realities of working with someone with a criminal record. There may be hesitancy initially that often subsides with experience and allows service providers to refer clients to employers they know will give them a fair chance based on merit, not limited by the presence of their criminal record.

"So, I've been a job developer for a really long time, and the one thing that I always ask my new employers is, what do you need? You know, if you tell me what you actually need, and then when I go back, I can say to them, well, you know, you said you needed this, and this person has this. Right. And it, but again, it is about the relationship."

- Participant

Relationship building is also essential on an ongoing basis. When an individual does get hired, providing ongoing support to the client and employee can help

with retention. Challenges may arise during the initial phase of employment, including difficulties adjusting to company culture or interpersonal issues. Ongoing support for both the employer and client can help bridge understanding gaps and alleviate concerns. The ongoing support may also make the candidate more competitive in the eyes of an employer.

JHSO's **Fair Chances Job Developer Toolkit** includes free practical resources for employment services staff and job developers to address the unique challenges of job seekers with criminal records. Resources include advocacy tools to help job developers navigate employer engagement for people with criminal records, pitch job candidates, troubleshoot common issues and ensure successful onboarding and job retention.

See: https://www.fairchances.ca/jobdevelopers

SPECIFIC DESIGN FOR BLACK PEOPLE AND INDIGENOUS POPULATIONS

Systemic issues disproportionately impact Black and Indigenous populations within the criminal legal system, which makes focusing on their reintegration and economic stability a key priority. Culturally relevant supports can foster trust and promote positive outcomes for individuals.

For Indigenous communities, traditional practices and ceremonies are essential for healing. Wraparound supports that recognize intergenerational trauma and provide counselling support with a culturally appropriate lens build a foundation to work on employment and educational goals successfully. As the Indigenous population is younger than the rest of the population[38], access to early employment and educational opportunities is critical.

Employment can play a critical role in advancing reconciliation with Indigenous people by addressing longstanding economic disparities rooted in colonization,

residential schools, and systemic discrimination. Meaningful employment opportunities can promote self-determination, financial security, and community well-being for Indigenous individuals and families. Employment services must be trauma informed and culturally competent, in order to meaningfully support Indigenous job seekers. Indigenous organizations should be resourced to provide programming for First Nations, Inuit and Métis job seekers with the appropriate wrap-around supports.

Apatisiwin Employment Program

Apatisiwin is a program offered through Ontario's Friendship Centres. Apatisiwin offers employment and training services and supports through 19 funded and non-funded program interventions. Interventions are defined as an action plan activity, within a specific timeframe, co-developed by a direct-service user and an Employment or Youth Employment Counsellor. Action plans are intended to assist direct-service users with their employment and training goals such as: securing employment or self-employment, returning to school, staying in school, becoming ready to enter the labour force, and improving their overall employability. Apatisiwin Employment and Youth Employment Counsellors work with community members to conduct trauma informed and strength-based assessments to help determine and administer appropriate interventions, monitor outcomes, and conduct follow up. Apatisiwin also offers employment related workshops, presentations, establishes partnerships with local employers and also supports job development and community-based projects (based on local community needs and labour market trends). Apatisiwin provides enhanced supports for "in-school-youth" which includes early interventions (for those in grades K-12). Apatisiwin program and services are offered through culturally-relevant approaches.

For Black communities, programming that acknowledges the impact of anti-Black racism and provides Black mentorship opportunities can combat negative self-worth and promote growth with a foundation of cultural understanding and appreciation. These approaches help build employment skills and reinforce identity and community connection, which can be essential to the healing and reintegration process. Black organizations providing culturally relevant supports should be adequately resourced to provide programming and supports.

"The culturally relevant piece is also critical because a lot of people are told that their blackness is a negative."

- Participant

Supporting Black and Indigenous job seekers with meaningful employment with opportunities for upward mobility improves individual outcomes and creates generational change. Supporting a young person in accessing a career allows them to create opportunities for their children in the future. Appropriate employment supports are crucial for reconciliation and addressing systemic inequities and the impact extends across generations.

CEE Centre for Young Black Professionals

The CEE Centre For Young Black Professionals is a Toronto based charity that is dedicated to addressing the economic and social barriers that affect Black youth aged 14 and over who are not in employment, education, or training (NEET). Their programs are aimed at improving careers, education, and empowerment (CEE) rooted in approaches that are holistic, person-centered, trauma-informed, and culturally relevant. To action this, they collaborate with Black youth, their families, employers, and the broader community.

Their mission is to create a society and economy in which Black youth achieve financial prosperity and high quality of life for themselves and their families to contribute to the advancement of Canada.

In their employment programs, they focus on workforce development and upward mobility opportunities to create generational change and address systemic inequities in the Black population in Canada.

For JHSO learnings from piloting employment programming for Black, Indigenous and newcomer populations, see the report EMPowering Equity.

CONCLUSION

There are skilled experts across Ontario, both those with lived experience and those that work closely alongside them, with deep knowledge of navigating the job market with a criminal record. They know firsthand the stigma, structural barriers and policy gaps that continue to shut people out of employment opportunities and are working to overcome them. Their insights and expertise are invaluable in shaping policies that are both practical and impactful.

Removing the employment barriers faced by people with criminal records is not just about fairness, it's a necessary step toward addressing social and economic inequities. It is also critical to ensure that the 1 million Ontarians with criminal records can actively and meaningfully engage in the labour market today. The four recommendations outlined in this report – establishing legislated guidance on criminal record checks, updating the human rights framework to prohibit discrimination, exploring the "Right to be Forgotten" in Canada, and expanding investments in tailored employment programming – form a comprehensive strategy to promote access and opportunity for more Ontarians. Together, these measures would provide necessary protections against discrimination and empower individuals to overcome systemic obstacles and rebuild their lives through meaningful work.

Implementing these measures would help ensure that a criminal record does not become a life sentence of exclusion. A criminal record often reflects the barriers a person has faced, not their potential. By implementing these recommendations, Ontario can unlock the potential of thousands, build stronger, safer communities and create a more inclusive economy for us all.

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