



MAINE
Unitarian Universalist
State Advocacy Network

*"Giving voice to Unitarian
Universalist values in the
public arena through a
statewide advocacy and public
policy network anchored in our
faith and animated by its
principles."*

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April 7, 2021

Senator Hickman, Representative Sylvester and members of the Joint Standing Committee on Labor & Housing:

Thank you for the opportunity to testify in support of LD 1167. My name is Jane Makela and I speak on behalf of the Maine Unitarian Universalist State Advocacy Network from a faith tradition that affirms the inherent worth and dignity of every person. That principle is no less applicable to a person with a conviction on his record.

I also speak as a retired management-side employment lawyer, having spent a good bit of my career assisting employer clients of all sizes to accomplish their hiring objectives and defending their decisions when challenged. But I regularly reminded them that the safest and soundest hiring decisions are those you can demonstrate to be based on the actual requirements of the job in question.

But my advice to employer clients would likely not have included what I stand before you now to say, having learned of the unending handicap a criminal record imposes—that removing an employment application question that invites automatic conviction-based disqualification is the just and equitable thing to do---both for those with a conviction on their record and for our society as a whole.

My sympathies once would have been with those who argue that employers are already overloaded with restrictions: Are they now going to be required to give some special kid-gloves treatment to formerly convicted persons? On the contrary, it is only the smallest of moves that this bill calls for—one that could literally be accomplished with nothing more than a few keyboard strokes, or for the old-school paper-bound among us, a black sharpie!

This bill doesn't require employers to hire or give any preference to a person with a conviction history, it doesn't say that an employer can't ask in an interview about criminal records or ultimately reject an applicant for no reason other than a past conviction—regrettable as that would be.

And, on the other side of the scale, far too many people complete their incarceration only to begin a whole new life sentence that bars them from becoming productive members of society because they can't find jobs and suffer all the consequences of that jobless status: you can't get a **job** if you can't get an **interview** or other assessment of whether you have the qualifications actually required to do the job.

Every one of us can point to something we accomplished only because someone gave us a chance, maybe even a second chance—or at least they didn't close the door on us when they otherwise could have. I urge you to keep that experience in mind as you consider this opportunity to make a fair chance in employment a reality here.