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ACLU OF RI POSITION: SUPPORT

TESTIMONY ON 23-H 5634, AN ACT RELATING TO BACKGROUND CHECKS OF VOLUNTEERS AND INTERNS May 3, 2023

The ACLU of RI wishes to express its strong support for this legislation which would waive the costs of criminal background checks for individuals seeking employment in a number of childcare positions.

Rhode Island General Laws §28-6.3-1 has long provided that “[n]o employer or agent of any employer shall charge a fee for the filing of an employment application.” Too often, though, that law has been undermined by other statutes, like those this bill would address, that require job applicants – and even volunteers – to pay for the “privilege” of being fingerprinted and having to prove their innocence. The requirement is all the more egregious since the occupations for which this fee payment is demanded are often low-paying and female-dominated jobs and positions.

The General Assembly had good reason to ban employment application fees, but having to pay for a background check is, for all intents and purpose, precisely that kind of fee. If the state believes that a criminal record check is an essential component of being hired for a job, the state should take the responsibility for paying for it.

Because we believe that this bill furthers the policy contained in §28-6.3-1 and recognizes the unfairness of requiring job applicants to pay for this vetting, we urge passage of this legislation.

Thank you for your consideration.