



ANDREW J. BRUCK

Acting Attorney General



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New Jersey Department of Law & Public Safety

– Andrew J. Bruck, *Acting Attorney General*

New Jersey Department of Labor & Workforce Development

– Robert Asaro-Angelo, *Commissioner*

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Letter Agreements

Ferraro Foods

RoadRunner Logistics

Simco

TRENTON – Acting Attorney General Andrew J. Bruck and Commissioner of the Department of Labor and Workforce Development Robert Asaro-Angelo announced today that fifteen companies have agreed to stop including language about applicants' criminal history in their job advertisements and/or make other changes to their hiring practices.

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half the state's population but more than three-quarters of its prison population. Because of such racial disparities in the criminal justice system, restrictions on job opportunities for those with criminal histories can fall disproportionately on people of color.

"Here in New Jersey, we believe that a criminal record shouldn't be a permanent barrier to employment, and that once you've paid your debt to society, you're entitled to a fair shake when looking for work," said Acting Attorney General Bruck. "With the enforcement sweep we're announcing today, we're sending a clear message to employers that they need to comply with the law, so that people with criminal records can reintegrate into the community, join the workforce, and provide for themselves and their families."

"Once a person has completed their sentence and has returned to their community, it is incumbent upon us to remove barriers to employment, and to provide job training and career support," added Commissioner Asaro-Angelo. "Research has shown that a steady job is a strong deterrent to recidivism, and without meaningful work, individuals with prior justice system involvement often recidivate."

The Opportunity to Compete Act is designed to aid persons with criminal histories to reintegrate into the community, become productive members of the workforce, and provide for their families and themselves.

The law generally prohibits employers from requiring that a job applicant complete any form during the initial application process that asks about their criminal record. It also prohibits an employer from making any other

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found to have violated the law's ban on the use of language in employment advertising that explicitly states that the employer will not consider an applicant who has been arrested or convicted of one or more crimes or offenses.

The companies entering into Assurances of Voluntary Compliance are:

- **Ferraro Foods, Inc.**, based in Piscataway, used the jobs website Indeed.com to advertise for sales representative positions in multiple mid-Atlantic locations. In each instance, the ads included the following text: "Must maintain Criminal History free of Misdemeanors and Felonies."
- **Roadrunner Logistics, Inc.** posted an employment ad on Indeed.com seeking a delivery driver to be based in Newark. The posting stated explicitly, "No criminal record" and "Must have a clean background check."
- **Simco Logistics, Inc. (d/b/a Jack and Jill Ice Cream)** advertised on Indeed.com for a sales representative position based in Linden, and included the following language: "Must have a clean Background Check – no criminal convictions."

Under the agreements with the three companies, they must immediately cease any employment advertising that excludes applicants with criminal backgrounds, adopt written policies that are fully compliant with the OTCA, and pay penalties.



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going forward, and two have agreed to include explicit explanations of applicable background check requirements. Additionally, one of the twelve companies has agreed to modify their online job application form in use.

These changes to the companies' job advertisements are designed to reduce the likelihood that individuals with criminal histories will be deterred from applying for employment.

Director of the Division of Wage and Hour Enforcement David Biglin handled this matter for the Department of Labor and Workforce Development. Assistant Attorney General Mayur P. Saxena, Section Chief Peter A. Basso, and Deputy Attorneys General Mary E. Kenah and John-Paul Proctor of the Affirmative Civil Rights and Labor Enforcement Section in the Division of Law's Affirmative Civil Enforcement Practice Group represented the Department of Labor and Workforce Development in this matter.

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