

TESTIMONY OF THE CONNECTICUT RESTAURANT ASSOCIATION

IN OPPOSITION TO
HB 5060 AACTHE USE OF CRIMINAL RECORDS FOR THE PURPOSE OF DENYING A
PROMOTION TO AN INDIVIDUAL EMPLOYED IN THE FOOD SERVICE OR RETAIL
INSUSTRIES

Before the Labor Committee, February 19, 2010

Connecticut law currently restricts the ability of all employers to deny employment to a prospective employee solely on the basis that the prospective employee had a prior arrest or criminal conviction, the records of which have been erased by court order or pardon.

HB 5060 would expand that restriction to apply (1) to promotions of existing employees and (2) only in the restaurant and retail business.

The CRA is concerned that such an expansion could create unintended consequences. While on its face, such an expansion may seem reasonable, our members are concerned about promoting certain employees when the position they may be seeking would not be compatible based on their prior criminal record.

Our members are always concerned about maintaining a safe work environment for ALL of their employees. Employers need to have flexibility in making promotion decisions. The law would restrict that and would impact the employer's ability to make the best decisions for its workforce, its customers and its business.

In addition, the bill unfairly applies only to the restaurant and retail industries.

For these reasons, we urge you to reject HB 5060.