

“BAN THE BOX” APPLICATION PROCESS VS TRADITIONAL QUESTIONS FOR JUSTICE-INVOLVED WOMEN IN VERMONT

Women in the justice system often face unique challenges, including the stigma of criminal records, economic hardship, and limited access to stable employment. Traditional hiring practices, which frequently require early disclosure of criminal history, can perpetuate these struggles, leaving many qualified candidates overlooked. It is illegal in Vermont to require applicants to disclose their involvement in the criminal justice system early in the hiring process. The following table provides a comparative overview of traditional hiring practices and "Ban the Box" processes, highlighting the transformative impact of these policies on justice-involved women. Employers in Vermont and beyond can use this guide to better understand how adopting fair hiring practices not only complies with evolving legal standards but also fosters inclusive and equitable workplaces.

Aspect	Traditional Questions about Criminal History	"Ban the Box" Application Processes
Timing of Disclosure	Requires applicants to disclose criminal history early (e.g., on the application).	Postpones disclosure until later stages, such as interviews or after conditional offers.
Focus on Rehabilitation	Often disregards the applicant's rehabilitation efforts or current qualifications.	Allows applicants to highlight skills and qualifications before discussing past offenses.
Bias and Stigma	Reinforces stigma by filtering out applicants with any criminal history early.	Reduces initial bias, giving applicants a fair chance to present their qualifications.
Impact on Employment Rates	Contributes to higher unemployment rates for justice-involved women due to immediate disqualification.	Increases opportunities for employment by removing early-stage barriers.
Disproportionate Impact	Adversely impacts marginalized groups, including women of color and single mothers, who are overrepresented in the justice system.	Promotes equity by delaying potentially discriminatory practices.
Transparency in Hiring	Can create mistrust as applicants feel judged solely by their past.	Builds trust by emphasizing qualifications and skills first.
Support for Applicants	Provides little to no context or guidance for applicants to explain their criminal history.	Offers opportunities to discuss criminal history with context during later stages.
Legal Compliance	May conflict with fair hiring practices in jurisdictions with Ban the Box laws.	Complies with Ban the Box laws in applicable regions.