



# Building New Horizons

OPENING CAREER PATHWAYS FOR PEERS  
WITH CRIMINAL JUSTICE BACKGROUNDS

JULY 2023

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# EXECUTIVE SUMMARY

Behavioral health and public service systems across the nation are integrating peer support services based on the wealth of research showing the value added and cost-saving benefits that peer support brings to advancing recovery for individuals with serious mental illness (SMI), substance use disorders (SUD), or both. Peer support workers—people who apply their lived experience with SMI and/or SUD to help others experiencing similar circumstances—have demonstrated the effectiveness of peer support services in reducing more costly services such as:

hospital admissions and readmissions; the number of inpatient days; the need for a higher level of care (e.g., residential treatment); acute psychotic symptoms; substance use; relapse; and probation, parole, and recidivism for justice-involved individuals. They have also increased participants' treatment engagement and quality of life (Mental Health America, 2018; National Association of State Mental Health Program Directors, 2022; and SAMHSA, n.d.).

Knowledge of these benefits has fueled the growth of peer support in recent years. However, peer support workers continue to face many obstacles in the workforce including a lack of understanding of their role, an undervaluing of their contribution to the organization, ongoing stigma associated with SMI and SUD, insufficient reimbursement, inadequate wages, limited career mobility, and reluctance or refusal to employ individuals due to arrest or conviction records.

Peers with lived experience of both SMI/SUD and justice involvement face substantial employment obstacles, including within behavioral health systems. However, this subset of peers can play an integral role in supporting justice-involved individuals in their recovery journey while also engaging in meaningful employment opportunities that could substantially reduce the current peer workforce shortage. To illustrate, federal data indicates that there are 6.9 million people either on probation, in jails and prisons, or on parole in the United States at **any single point in time** (Office of the Assistant Secretary for Planning and Evaluation, 2023). According to the Bureau

## ABOUT THIS GUIDE

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This guide is intended for employers that provide behavioral health services, including peer support programs, to hire peers/persons with lived experience of SMI/SUD and criminal justice involvement.

The information contained in the guide is designed for organizations—executive leaders, human resources, clinical staff, peer support staff, and legal teams—to **develop recovery-friendly hiring policies and practices to recruit, hire, integrate, and retain peer support workers with a criminal background.**

**The guide is organized into three modules: Pre-Hiring, Hiring, and Post-Hiring.** Each module outlines key takeaways, strategies, and resources to create a more accessible and effective peer workforce. By providing an opportunity for behavioral health program participants to connect with a peer support worker with a shared experience of the criminal justice system, it sends an unwavering message that personal recovery is possible.

**A peer support worker is someone with the lived experience of recovery from a mental health condition, substance use disorder, or both.** They provide support to others experiencing similar challenges through non-clinical, strengths-based support. Peer support workers may be referred to by different names depending upon the setting in which they practice. Common titles include, but are not limited to, peer specialists, peer recovery coaches, peer advocates, and peer recovery support specialists (SAMHSA, n.d.). For simplicity, this guide will refer to any of these positions as peer support workers.

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of Justice Statistics (2017), an estimated 37% of state and federal prisoners and 44% of jail inmates have a mental illness.

Securing gainful employment opportunities post-release is a cornerstone to community reintegration while also effectively reducing recidivism. Unfortunately, studies estimate that in the U.S., between 60% to 75% of individuals exiting the jail or prison system are unemployed one year after release, while over 1 million peer support workers are needed in the behavioral health field (Bureau of Justice Statistics, 2021; American Civil Liberties Union, 2017; and SAMHSA, 2019). The correlation of a significant shortage of peer support workers to the overwhelming number of justice-involved individuals reporting a mental illness, and the high unemployment rate one-year post-release, points to a social and economic solution: **tap into a pool of workers—individuals**

**with both lived experience of SMI/SUD and criminal justice involvement—to increase the peer support workforce pipeline.**



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A person with lived experience  
of both SMI/SUD and justice involvement should  
be treated the same  
as any other employee,  
and the organization should  
proceed without any bias or stigma  
toward this employee.

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It is both vital and beneficial for behavioral health providers to increase their workforces by hiring peer support workers that reflect this vulnerable group. Providing an opportunity for behavioral health program participants to connect with a peer support worker with a shared experience of the criminal justice system sends an unwavering message that personal recovery is possible. Now is the time for behavioral health organizations to tap into this underutilized pool of workers by providing a peer career path for justice-involved individuals with lived experience.

This guide, ***Building New Horizons: Opening Career Pathways for Peers with Criminal Justice Backgrounds***, aims to provide a blueprint to assist organizations—from human resources, clinical staff, peer support staff, and legal teams to executive leadership—to adopt recovery-friendly hiring practices to hire, integrate, and retain peer support workers with a criminal history background. Employers can use the guide to **complement** their current hiring practices with the goal of onboarding peers with justice involvement. Hiring entities should be familiar with their state’s regulations for certified peer support workers and laws regarding hiring individuals with a criminal record.

Even with the strategies outlined in this guide, organizations will still encounter barriers in employing peers with criminal justice backgrounds. Due to the huge impact that peer support workers make on individuals served throughout the behavioral health system, many states and communities have created exceptions despite people’s backgrounds. By viewing applicants as whole people on a case-by-case basis, organizations can advocate and persevere to hire excellent additions to their teams. Organizations that take on this task should be prepared to invest additional time into developing policies and procedures to hire peers with criminal backgrounds.

A person with lived experience of both SMI/SUD and justice involvement should be treated the same as any other employee, and the organization should proceed without any bias or stigma toward this employee. This guide can be a start to the many changes required to create a more accessible and effective peer workforce.

This guide includes three modules:

-  **PRE-HIRING** Overview of federal, state, and local initiatives; peer certification policies; Medicaid funding considerations; and strategies for the recruitment process
-  **HIRING** Tips for reviewing applications, conducting interviews, and onboarding a new peer support worker
-  **POST-HIRING** Best practices regarding integration into the organization, supervision, professional development, and retention

*Note: This guide is intended for hiring entities already implementing peer support workers in their work environment and looking to hire peers with past justice involvement. For organizations new to hiring peer support workers, a catalogued list of resources is identified in "Appendix A" as a launching point for employers to consider when creating a "peer-powered" work culture. The resources highlight areas such as organizational readiness, program development and support, and sustainability. Readers are encouraged to visit the SMI Adviser website [for additional resources for the field of peer support](#).*



## MODULE 1: PRE-HIRING

### Introduction

In 2021, an estimated 14.1 million adults (5.5% of the U.S. population) had a serious mental illness (SMI), defined as a diagnosis of either major depressive disorder, schizophrenia, or bipolar

disorder (SAMHSA, 2022). Many adults with mental illness are over-represented in the criminal justice system. Approximately two in five justice-involved adults report having a mental illness. To illustrate, of the 1.5 million adults in state and federal prisons, 37% reported a mental illness. An estimated 10.6 million adults were admitted to county and city jails in 2017. Of those, approximately 44% reported a mental illness [Hinds, Kang-Brown, & Lu, 2018; and Bureau of Justice Statistics (BJS), 2019]. Major depressive disorder was the primary mental health diagnosis—24% for state and federal prisoners and 31% for county and local jail inmates (BJS, 2017). Annually, over 10.8 million adults (610,000 from state and federal prisons; 10,203,729 from jails) are released from the criminal justice system (Hinds, Kang-Brown, & Lu, 2018; and BJS, 2018), *figure 1*. That equates to 432,000 (43% of the reentering population) individuals reentering the community with a mental illness. The data signifies the urgent

“

“The power of peers with lived experience in the criminal-legal system is in how **their own life perspectives can help others** who have faced arrest and incarceration later navigate the complex waters of finding employment, building community, and moving toward recovery. It is critical that employers support the hiring of these peers, whose **compassion and devotion to helping others** can make all the difference.”

*Debra Pinals, M.D.,*

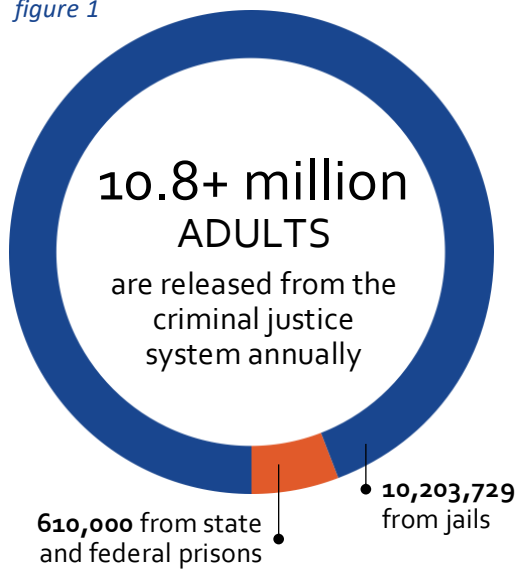
*Medical Director of Behavioral Health and Forensic Programs for the Michigan Department of Health and Human Services*

need for **peer support workers with both lived experience of SMI and criminal justice to support justice-involved individuals reintegrating into the community and connecting to behavioral health services.**

The substantial evidence of peer support workers in successfully advancing the recovery process, reducing recidivism, and increasing treatment engagement has significantly grown the peer support field in recent years (National Association of State Mental Health Program Directors, 2022; Mental Health America, 2018; and SAMHSA, n.d). However, SAMHSA (2019) estimates that over 1 million peer support workers are needed in the behavioral health field to address service delivery demands. For example, one-third of adults living with SMI reported not getting the mental health services they needed. With the prevalence of mental illness among justice-involved individuals, now is the time for behavioral health organizations to expand their hiring practices of peers with both lived experience of SMI and/or substance use disorder (SUD) and justice involvement. Giving program participants the opportunity to engage with a peer support worker



figure 1



1+ million  
PEER SUPPORT WORKERS  
are needed



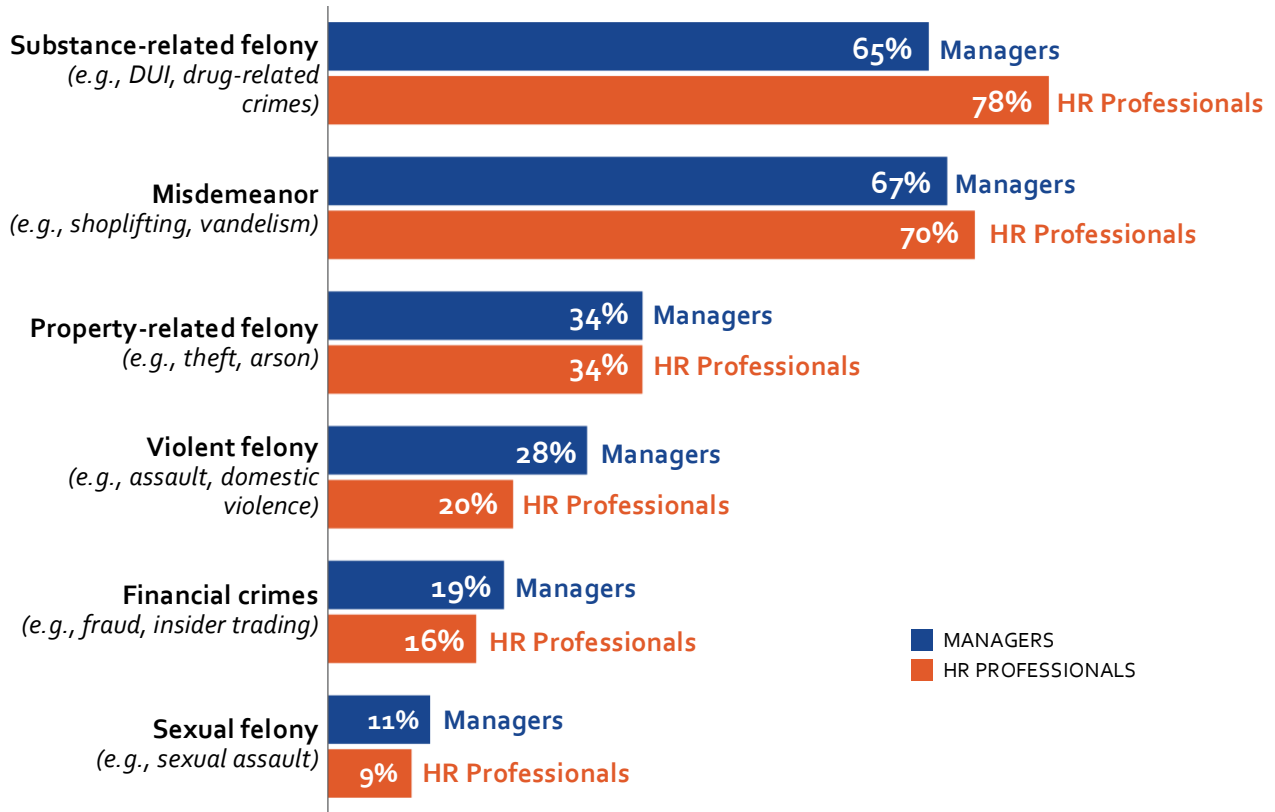
60–75%  
UNEMPLOYMENT  
one year post-incarceration

who has a similar journey of SMI/SUD and criminal justice involvement will provide a message of hope and a model that sustained recovery is achievable.

Although the benefits of peer support workers are well documented in the behavioral health field, individuals with both lived experience of SMI/SUD and criminal justice involvement face monumental obstacles when applying for jobs. Reports estimate that between 60% to 75% of Americans are unemployed one year after release from jail or prison system (BJS, 2021; and American Civil Liberties Union, 2017). In contrast, the peak U.S. unemployment rate was 15% in 2020 (Prison Policy Initiative, 2022). One contributing factor to these high unemployment rates is employers' hesitancy to hire someone with a criminal record due to legal liability, misperception of "once a criminal, always a criminal," and fear of poor performance, relapse, or misconduct. To illustrate, a study from the Society for Human Resource Management (SHRM) and the Charles Koch Institute found that only 5% of managers and 3% of human resources (HR) staff reported that their company actively recruits candidates with a conviction record (Gurchiek, 2018). The SHRM study also found that HR directors and managers were more likely to hire jobseekers with substance-related felonies or misdemeanors than financial and sexual offense crimes (*figure 2*). Many of the convictions shown in Figure 1 are common offenses (e.g., DUIs, petty theft) that people with lived experience of SMI/SUD have encountered during their journey to recovery. Organizations should adopt recovery-friendly hiring practices that promote the whole person and consider that their **experience with the justice system is a strength to the organization and a necessary addition to best serve those in their care.**

This module provides guidance to hiring entities on implementing pre-employment practices and strategies for jobseekers with both lived experience with SMI/SUD and arrest or conviction records. It also provides guidance regarding hiring laws and policies at the federal, state, and local levels such as "Ban the Box" and "Clean Slate" laws; peer certification policies; Medicaid funding considerations; and strategies to prepare for the recruitment process. The goal is for organizations to adopt recovery-friendly hiring practices that focus on the applicant's merits and qualifications for the position including **relevant lived experience with recovery and the criminal justice system as an asset and not a disqualifying factor.**

figure 2: TYPES OF CONVICTION RECORDS EMPLOYERS ARE WILLING TO HIRE



Source: *Society for Human Resources Management* (2018)

# Hiring Policies

## FEDERAL INITIATIVES

Federal policies and guidance have been developed to support employers, including behavioral health organizations, in providing a Second Chance job opportunity for an individual with a conviction record. Second Chance is the hiring practice of offering fair and equal employment opportunities for individuals with criminal records. Educating employers about these federal incentives reduces some of their fears about legal liability and concurrently reduces employment barriers for jobseekers with criminal records who frequently face discrimination when applying for jobs. These federal initiatives include:

**Work Opportunity Tax Credit (WOTC):** The U.S. Department of Labor (DOL) and the Internal Revenue Service offer a business tax credit to employers who hire “formerly incarcerated or those previously convicted of a felony.” For the employer to qualify for the maximum annual tax credit of \$2,400, the new hire must be employed within one year after the conviction or prison release and have worked at least 400 hours. If the employee works between 120 and 399 hours, then the employer is eligible for a 25% tax credit.

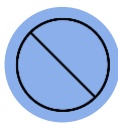
**Federal Bonding Program (FBP):** The U.S. DOL offers free fidelity bond protection as an incentive for employers to hire justice-involved applicants. The bond protection offers compensation related to potential employee theft of property or money, dishonesty, forgery, larceny, or embezzlement resulting in employer loss as a result of the employee’s actions. Each FBP bond covers the first six months of employment and has a \$5,000 limit with a \$0 deductible.

**Title VII of the Civil Rights Act of 1964:** The U.S. Equal Employment Opportunity Commission (EEOC) issued enforcement guidance in 2012 emphasizing that categorical denial of an

applicant due to a criminal record in making employment decisions is discriminatory. The EEOC recommends that employers do not inquire about convictions on job applications. Instead, employers should conduct **individualized assessments of job applicants**. When background screenings are conducted, inquiries should **“be limited to convictions for which exclusion would be job related for the position in question and consistent with business necessity.”**

The commission recommended that employers consider the three *Green* factors to determine which specific criminal charges may affect job-related duties of the position and business necessity. **The three *Green* factors include: the**

**nature of the crime, time of the conviction, and the relevance of the misconduct to the job** [*Green v. Missouri Pacific Railroad*, 549 F.2d 1158 (8<sup>th</sup> Cir. 1977)]. Concurrently, federal law



The EEOC issued enforcement guidance emphasizing that categorical denial of an applicant due to a criminal record in making employment decisions is discriminatory.

49.CFR. § 1572.103 “disqualifying criminal offenses” permanently disqualifies individuals with certain felonies (e.g., espionage, treason, murder) from employment in the banking and transportation sector, and state-licensed employment in the healthcare and education sectors.

**Fair Chance to Compete for Jobs Act of 2019:** Incorporated under the National Defense Authorization Act for Fiscal Year 2020 (Pub. L. 116-92), the Fair Chance Act prohibits federal agencies and private employers that contract with the federal government from requesting criminal background screening before making a conditional employment offer. The U.S. Office of Personnel Management (OPM) has identified some positions that are exempt from this policy. A provision of the law also allows applicants to file a complaint or an appeal with OPM related to compliance of the Fair Chance Act.

**Fair Credit Reporting Act (FCRA):** According to the Federal Trade Commission, FCRA mandates how employers can obtain and use consumer reports—background checks, driving records, and drug test reports created by a third party—for employment purposes. Under the FCRA, employers are mandated to secure written consent from applicants and disclose that the consumers’ reports may be used for employment decisions. If an adverse decision is made based upon the consumers’ reports, the employer must provide the applicant with a copy of their reports and the FCRA’s summary of rights. Additional guidelines for not offering or rescinding employment offers based on information in the consumer reports are detailed in “Module 2: Hiring” in this guide. SHRM developed an FCRA compliance checklist outlined in “Appendix B.”



## HELPFUL RESOURCE

### ***A Healthcare Employer Guide to Hiring People with Arrest and Conviction Records (2016)***

The National Employment Law Project (NELP) and Safer Foundation released a guide that provides step-by-step directions, fact sheets, and best practices for healthcare organizations to use when considering employment of people with arrest or criminal records.

## STATE AND LOCAL INITIATIVES

Many states and localities have enacted “Second Chance” or “Fair Chance” hiring policies, commonly known as ban the box legislation, that are designed to provide greater employment opportunities for jobseekers with criminal backgrounds. Ban the box laws typically prohibit employers from asking about an applicant’s criminal history until a later point in the application, interview, or hiring process.

In 1998, Hawaii became the first state to enact ban the box legislation (§378-2.5) mandating that employers may only inquire and consider an applicant’s criminal history if the conviction record “bears a rational relationship to the duties and responsibilities of the position.” Since then, 36 states, the District of Columbia, and over 150 localities have enacted fair chance hiring practices [National Employment Law Project (NELP), 2021]. NELP has published a fair chance employment guide summarizing local and state ban the box policies. In addition, the Restoration

[of Rights Project](#) is an online resource that summarizes state and federal legislation related to restoration of rights and status following arrest or conviction, including maps and in-depth state profiles on [expungement, sealing, and other record relief](#); and a section on [employment and licensing](#) (see "[Spotlight on Fair Chance Licensing Act](#)").

The momentum of Second Chance Hiring policies has encouraged some states to enact Clean Slate laws which provide greater protection to jobseekers with a criminal record by having their records expunged or sealed from public record systems, depending on the seriousness of the crimes. According to the [Clean Slate Initiative](#), ten states have enacted Clean Slate legislation since 2018 with three states—California, Colorado, and Oklahoma—passing Clean Slate measures in 2022. All ten states provide criminal record relief at varying levels to jobseekers with a conviction record, but the core legislation requires that an individual has been free of convictions for a certain time period (ranging between seven to ten years), the convictions are not of violent or certain sexual offense crimes, and the criminal record relief is either automatic, petition-based, judge-initiated, or a combination of the three models.



## SPOTLIGHT

### *Jobs & Hope*

The [Jobs & Hope West Virginia](#) organization was established in 2019 by the governor and legislature to help alleviate barriers to employment for those with substance use and criminal justice backgrounds. Various employment sectors developed a criminal record matrix based on a template created by NGK Spark Plugs (see "[Appendix C](#)") that identifies felonies as high, medium, and low-risk offenses that will be reviewed on a case-by-case basis instead of automatically filtering out all applicants with a criminal justice background. The matrix supports employers in looking at other applicant information that can attest to the applicant's skills and recovery. Jobs & Hope connects clients with regional training or certification to support placement with behavioral health organizations. Jobs & Hope partners with another organization, the [West Virginia Clearance for Access: Registry & Employment Screening](#) ("West Virginia Cares"), to help the jobseeker work through the background check issue. A collaboration of Jobs & Hope WV, WorkForce WV, and West Virginia Military Authority offers subsidized job placements for West Virginia employers who hire Jobs & Hope participants. Benefits include salary reimbursement for wages up to 1,040 hours and \$25,000 per employee, free drug screening, and additional support services through the Jobs & Hope Transition Agents.

Because stigma around hiring individuals with criminal backgrounds within behavioral health organizations continues to exist, Jobs & Hope works with employers' HR and legal departments to explain the value of hiring individuals with a criminal history. Jobs & Hope shares with potential employers that individuals with criminal histories are forthcoming; the employer can see what they have overcome, and that they now use their past to help others. When given the chance, these employees are often the hardest workers.



## KEY TAKEAWAYS: HIRING POLICIES

- Be familiar with federal, state, and local policies related to hiring individuals with criminal justice backgrounds.
- Base decisions on fair hiring policies and not a universal practice of rejecting applicants because of a criminal record. View each applicant as a whole person, considering their personal experience with recovery as a unique skillset, while also clarifying if any offenses would automatically exclude an applicant from employment.
- Involve peer support workers already employed by the organization or people with lived experience to engage with HR, clinical staff, legal teams, and executive leadership to develop recovery-oriented hiring practices that are inclusive to peers and individuals with both SMI/SUD and justice involvement. If hiring committees are utilized, include peer support workers and those with lived experience.
- Consider that an applicant's lived experience with the justice system is an asset to the organization and a necessary addition to best serve those in their care.
- Include trauma-informed and recovery-oriented language in all hiring policies and materials (see "[Appendix A](#)" for additional resources on recovery-friendly workplaces and trauma-informed practices).

# Peer Certification Regulations— Criminal Background Checks

State certification regulations requiring a criminal background check as part of the application process are a growing concern for peers with criminal justice involvement. According to a report by the [Peer Recovery Center of Excellence](#) (2023), approximately 30 states and territories required a background check or some type of self-disclosure. In response to denying a peer certification

based on criminal history for disqualifying offenses, the report found that ten states automatically disqualified, five states automatically disqualified and provided a case-by-case review, four states provided case-by-case review, and the process was unknown in seven states ([figure 3](#)). The report noted that some states and territories “had automatic disqualification for all offenses or a subset of offenses, and some offenses were disqualified for a specific timeframe based on the nature of the offense.” Organizations should **familiarize themselves with their state’s criminal background check requirements** for peer certifications.

Despite these certification barriers, leaders and advocates in some states have recognized the talent that people with lived experience and criminal justice involvement bring to the recovery field. The Florida Department of Children and Families implemented an [application](#) process for exemption from disqualification. The state’s administrative codes require the revision of background screening requirements for certain peer support workers ([SB 282](#), [HB 795](#)). In addition, Montana and North Carolina make a [case-by-case determination](#) for felony convictions ([see figure 3](#)).

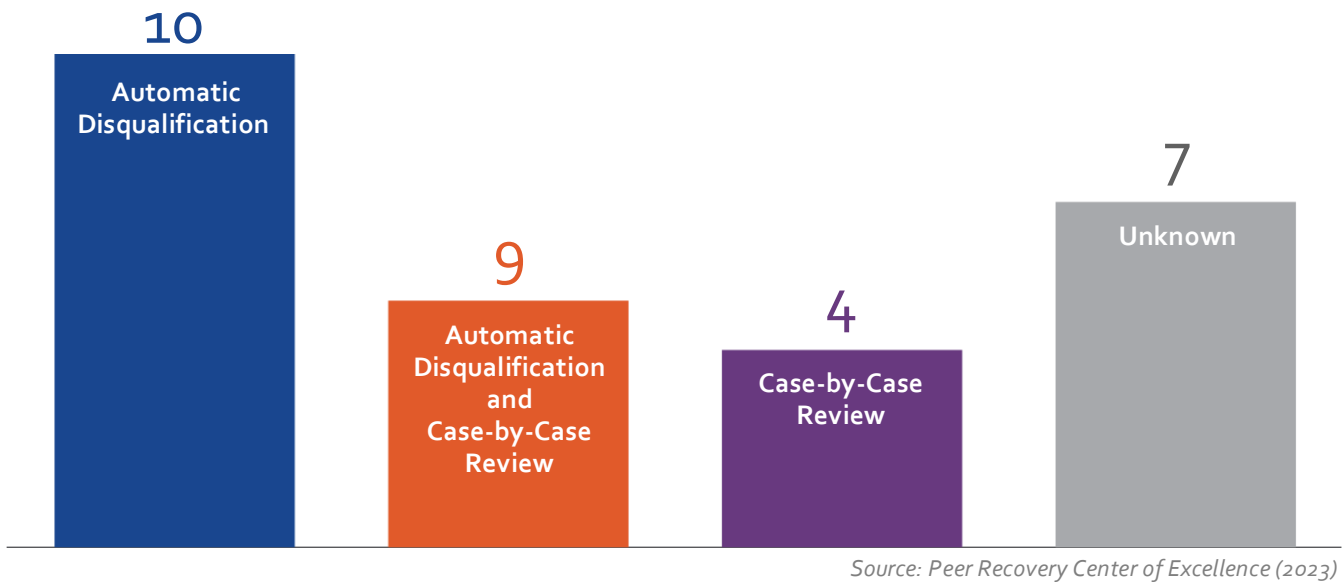
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## EDUCATION REQUIREMENTS FOR PEER CERTIFICATION

Formal education requirements can be a barrier to certification for some peer support workers. [SAMHSA’s National Model Standards for Peer Support Certification](#) (2023) on Formal Education recommends that:

- In lieu of any formal education requirements, prospective certified peer workers should be able to demonstrate literacy and fluency in the language in which they will be providing services, either through required examinations or other application requirements.
- If a prospective certified peer is unable to demonstrate the literacy and/or fluency needed to complete the certification process, it is recommended that state certification entities provide a list of formal educational trainings/ opportunities that may help them achieve certification.

figure 3: RESPONSES TO CRIMINAL BACKGROUND CHECKS WITH DISQUALIFYING OFFENSES



Organizations should advocate for state licensing entities to consider implementing policies that allow for provisional or conditional peer support certification when the state automatically disqualifies an applicant or offers a case-by-case review of an applicant based on their criminal background. The impact of denying a peer certification due to disqualifying offenses in a criminal background greatly hampers the growth of the peer support workforce as a whole and, particularly the growth of the peer workforce with lived experience of SMI/SUD and criminal justice involvement, a critically needed group. Many disqualifying offenses (*shown in figure 4*) are common offenses that people with lived experience have encountered during their recovery journey (e.g., drug-related crimes, DWIs/DUIs, and petty theft); however, Fair Chance Licensing laws can overcome these certification barriers.



figure 4: DISQUALIFYING OFFENSES FOR STATE PEER CERTIFICATION

CATEGORY OF DISQUALIFYING OFFENSES	NUMBER OF STATES DISQUALIFYING
Drug Offenses	7
Abuse, Neglect, Exploitation of the Elderly	5
Abuse, Neglect, Exploitation of People with Developmental Disabilities	5
Abuse, Neglect, Exploitation of Children	5
Abuse, Neglect, Exploitation of Clients/Patients	6
Murder	4
Manslaughter/Vehicular Homicide	4
Assault/Battery	5
Sexual Offense (Adult)	8
Sexual Offense (Child)	8
Kidnapping, False Imprisonment	7
Child Abduction, Parental Kidnapping, Interference with Custody	5
Human Trafficking	2
Prostitution	2
Robbery, Arson, Burglary	7
Stealing, Forgery, Identity Theft or Financial Exploitation of the Elderly or People with Disabilities	3
Terrorism	2
Aiding Escape of Prisoners	2
Conspiracy of Certain Disqualifying Offenses	4
Animal Abuse	3
DWI/Chronic DUI	2
Any Felony	5
Denial of Revocation of Professional Licenses	1
Active Warrant	0
Domestic Violence	3

Source: Peer Recovery Center of Excellence (2023)



## HELPFUL RESOURCES

### Peer Specialists Database

It is recommended that employers visit the Doors to Wellbeing's Peer Specialists Database to learn about each state's criminal background check requirements for peer certification. The database includes information on whether background checks are required and if the criminal record is a disqualification for peer certification. The database allows users to compare specific states. For example, the chart reported that Oklahoma does not require a background check and a conviction record is not a disqualifying factor for certification. In contrast, Ohio requires that prospective peers with lived experience have "a criminal records check that is free from any convictions, excluding minor traffic violations, and has been released from all sanctions, for 3 years prior to application. Individuals with a disqualifying offense shall be permanently excluded from certification and shall not be eligible for a waiver."

### National Model Standards for Peer Support Certification

The National Model Standards for Peer Support Certification (SAMHSA, 2023) includes National Standards on Background Checks that was produced in collaboration with national experts and key stakeholders. The standards are guidelines for hiring entities and state certifying bodies to consider if a background check is required for the peer certification process. The recommendations state:

- Background checks should be the responsibility of hiring organizations rather than part of the peer certification process.
- In instances where a state certification entity chooses to obtain criminal background information on prospective certified peers\*, it is recommended that they:
  - Clearly outline potentially disqualifying offenses.
  - Limit potentially disqualifying offenses to those that pose a risk to the people being served.\*\*
  - Utilize an initial process of self-disclosure that solely focuses on the identification of potentially disqualifying offenses.
  - Conduct background checks for confirmation purposes or where additional information is needed.
  - Review applications flagged for potentially disqualifying offenses on a case-by-case basis.

\* *Particularly for peers that may serve critically vulnerable populations (e.g., youth).*

\*\* *Examples of offenses that may pose a risk include but are not necessarily limited to crimes against children, crimes involving sexual violence, and other forcible felonies. SAMHSA recommends that any mention of, investigation into, or required disclosure of drug and alcohol related crimes, non-violent felonies, and similar offenses be excluded from the mental health and substance use peer certification process.*

Source: SAMHSA's National Model Standards for Peer Support Certification. (2023)



## SPOTLIGHT

### *Fair Chance Licensing Act*

To increase the workforce pipeline in the healthcare sector, many states have enacted "*Fair Chance Licensing*" laws to increase employment opportunities and overcome licensing barriers for individuals with criminal backgrounds. According to the [National Employment Law Project](#) (2016), approximately 70 million Americans with a criminal background face hiring barriers when pursuing a licensing and occupational certification, a requirement for one in four jobs. Occupational licensing standards are established at the state level and require a background check for occupational certifications and licenses for many behavioral health professionals including peer support workers.

The Council of State Governments (n.d.) reports that several states have adopted laws focused on best practices to [expand licensing opportunities for individuals with a criminal background](#). For example, in 2021 Rhode Island passed the Fair Chance Licensing Act, which prohibits state licensing boards from denying applicants an occupational license if the crime or conviction is not substantially related to the license being sought. The [Restoration of Rights Project](#) includes a state-by-state analysis of employment and licensing laws and codes to determine each state's occupational regulations.

## CHILD AND ADULT PROTECTIVE SERVICES RECORDS

During a person's recovery journey, an individual may have a record of abuse, maltreatment, or neglect filed under their state's adult- or child-protected services agency. Therefore, in addition to policies for criminal background screenings, organizations must also consider developing a policy related to records in Child Protective Services (CPS) and Adult Protective Services (APS) registries, as there is no expungement process. Organizations would benefit from developing processes for applicants to provide context, letters of support, and/or other resources for the hiring manager to consider. For example, a record in CPS or APS registration in Nebraska triggers a case-by-case determination for hiring. As of April 2023, the West Virginia House and Senate passed [HB 3287/SB 647](#), a CPS substantiation bill that would put a process in place for someone to have their CPS record sealed after five years (based on outlined factors) for employment purposes. This legislation is an example of a state's recognition and removal of barriers for individuals with CPS backgrounds in gaining employment.

**Agencies should be supportive of CPS/APS appeals the same way they would for other criminal charges.** If an applicant is flagged in CPS/APS, look at them as a whole person, considering their past experiences and unique skillsets.

## JUVENILE JUSTICE RECORDS

Another underlying barrier to employment for individuals with SMI/SUD and justice involvement are crimes that occurred during their youth, often occurring before a proper mental health diagnosis and treatment. In 2020, most juvenile arrests were nonviolent offenses such as simple assault, theft, drug and alcohol offenses, and vandalism (Office of Juvenile Justice and Delinquency Prevention, 2022). Studies suggest that approximately 15% to 30% of youth involved in the juvenile justice system have a diagnosis of depression while 3% to 7% have a diagnosis of bipolar disorder, illustrating the prevalence of SMI in justice-involved youth (Underwood & Washington, 2016).

Juvenile records are typically confidential, but the process and criteria for sealing or expunging vary between jurisdictions. For example, 22 states have codified laws that automatically seal or expunge juvenile records in certain circumstances (e.g., nonviolent offenses). The National Conference of State Legislatures has a [database of expungement laws](#) that can be filtered by state. Even when juvenile records are sealed or expunged, incorrect or outdated records may remain in the court systems' records and appear in criminal background checks, thus potentially creating an employment barrier.

Organizations should **develop a policy for applicants with a juvenile justice record that considers the three *Green* factors** referenced in the "Federal Initiative" section: the nature of the crime, time of the conviction, and the relevance of the misconduct to the job.



### KEY TAKEAWAYS: PEER CERTIFICATION REGULATIONS

- Advocate for state licensing entities to consider implementing policies that allow for provisional or conditional peer support certification when the state automatically disqualifies or offers a case-by-case review of an applicant based on their criminal background.
- Be familiar with state criminal background-check requirements for peer certifications.
- Support CPS/APS appeals in the same way as other criminal charges. If an applicant is flagged in CPS/APS, look at them as a whole person, considering their past experiences and unique skillset.
- Develop a policy for applicants with a juvenile justice record that considers the three *Green* factors: the nature of the crime, time of the conviction, and the relevance of the misconduct to the job.

# Funding Considerations— Medicaid Funding and Beyond

Most states and behavioral health organizations bill peer support services under Medicaid, which is the largest payer source for behavioral services. In a [study from 2019](#), the University of Michigan Behavioral Health Workforce Research Center reported that at least 39 states provide Medicaid reimbursement for mental health or substance use disorder (SUD) peer support services. However, it is important for organizations to understand the Centers for Medicare & Medicaid Services (CMS) regulations that limit reimbursement for peer support workers with conviction records.

Organizations should familiarize themselves with opportunities to bill Medicaid for peer support services, and the CMS regulations that limit reimbursement for peer support workers with conviction records.

The [CMS Guidance](#) under 42 CFR §455.434—Criminal Background Checks—requires State Medicaid Agencies to comply with the following regulations for all providers, including peer support workers. States must:

- Require providers, as a condition of enrollment, to consent to criminal background checks, including fingerprinting, as per the state’s law or a level of screening based on risk of fraud, waste, or abuse as determined for that category of provider.
- Establish categorical risk levels for providers who pose an increased financial risk of fraud, waste, or abuse to the Medicaid program.
- Require a provider, or any person with a 5% or more direct or indirect ownership interest in the provider, to submit a set of fingerprints, in a form and manner to be determined by the State Medicaid agency, within 30 days upon request from CMS or the State Medicaid agency.

42 CFR §455.434 requires that every state have a fingerprint background screening policy for all Medicaid treatment providers, including peer support workers, to be permitted to bill and receive Medicaid reimbursement. It is important for organizations to be familiar with laws regarding background screening policies and their impact on peer support workers with a criminal record. Federal and state laws set the parameters which determine if a peer support worker with a criminal record can bill for peer support services. Frequently these discriminatory policies screen out a dedicated and talented pool of peers with criminal justice involvement.

States are taking proactive policy approaches to overcome the Medicaid billing obstacles under 42 CFR §455.434. A leading state in criminal justice reform and policies, Georgia has passed numerous pieces of legislation to promote opportunities for people with felony backgrounds. The state pulled together stakeholders to compare CMS-identified felonies that disqualify Medicaid billing to Georgia’s laws and interpretations of those laws. This enabled them to develop their own parameters for CMS guidance. Georgia now utilizes a CMS-approved review request process for certain felony disqualifiers that allows for an **individualized assessment/determination process** for peers with criminal backgrounds to qualify for peer support services reimbursement.

For more information, refer to: the [Georgia Council on Criminal Justice Reform](#), the [Georgia Criminal Justice Data Landscape Report](#), and the [City of Atlanta, Justice Reform](#).

In 2021, Colorado passed legislation ([HB 21](#)) that requires their Department of Health and Human Services to allow peer-run recovery organizations to be reimbursed for peer services under Medicaid. The program created by the bill, Peer Support Professionals Behavioral Health, is funded through both state general funds and Medicaid reimbursement. Florida is using opioid settlement funding and state general funds to expand peer support workers including peers with criminal records.

Organizations should **pursue diverse funding streams** to support the various billing pathways of funding peer support workers with criminal records.



## KEY TAKEAWAYS: FUNDING CONSIDERATIONS

- Be familiar with opportunities to bill Medicaid for peer support services and CMS regulations that limit reimbursement for peer support workers with conviction records.
- Pursue diverse funding streams to support the various billing pathways of funding peer support workers with criminal records.

# Recruitment Process

When organizations have a better understanding of the benefits and values of hiring individuals with both lived experience with SMI/SUD and conviction records, they can proceed to the next step of the pre-hiring phase which is to develop a recruitment plan specifically to hire this untapped pool of workers. The recruitment plan typically consists of writing a job description, and advertising or recruiting for the position.

During the recruitment process, specify via job descriptions and advertisements that peer support workers with prior systems involvement, including a criminal background, are encouraged to apply. Throughout the process, organizations should utilize recovery-oriented language that communicates to potential applicants that lived experience of criminal justice involvement will be a value-added skillset.

Including recovery-friendly language in the diversity statement of the job description and/or on the organization's website **communicates to potential candidates that the organization values diversity and inclusivity, including personal lived experiences.** By conveying that the organization is recovery-friendly encourages candidates from diverse backgrounds to apply and may make them more comfortable self-disclosing their criminal background during the hiring process.

## JOB DESCRIPTIONS

The job description not only provides key tasks, responsibilities, and clear expectations of the job performance, it is also useful in outlining legal requirements that ensure compliance. SHRM recommends standardizing the structure of the job description to include:

- job title;
- classification [e.g., exempt or nonexempt under the Fair Labor Standards Act (FLSA)];
- salary grade/range and benefits;
- reporting supervisor's title and position;
- date when the job description was developed or reviewed;
- summary of the job;
- competency/skills;
- supervisory responsibilities;
- work environment (e.g., culture of the company);
- physical demands of the job;
- expected work hours (e.g., full-time, part-time, shift work, overtime);
- travel requirements;
- education, experience, and qualifications;
- affirmative action plan/equal employment opportunity (AAP/EEO) statement; and
- a disclaimer about other duties.

Two examples of peer support job descriptions can be found in “Appendix D” and “Appendix E.”

Consider having peer support workers already employed by the organization provide input into the job description and skills necessary for the position. This will ensure both the recovery-focused language and the specific skill sets needed are included. The organization’s peer support workers likely have a better understanding of the job than the administrators and supervisors.

## ADVERTISING AND RECRUITING

During this phase, the goal is to strategize the best method for advertising and recruiting for the new job opening both internally and externally. Strategies to attract jobseekers with criminal records include: working with internal staff who may know of qualified candidates; collaborating with community partners that assist individuals in reentering the workforce after conviction; and obtaining referrals from community mental health centers, peer organizations, and other community providers. Posting on the organization’s website, community spaces, social media platforms, and employment search engine sites (e.g., Indeed, LinkedIn, ZipRecruiter) are also good avenues for advertisements.

In advertising and recruiting for the peer support worker position, consider including: “Given the nature of the position, personal knowledge, lived experience, and prior systems involvement (e.g., substance use, mental health, criminal justice involvement) is preferred.”



### KEY TAKEAWAYS: RECRUITMENT PROCESS

- Include a diversity statement in the job description or on the organization’s website to help signal to potential candidates that the organization values diversity and inclusivity, including personal lived experiences. This can help encourage candidates from diverse backgrounds to apply and may make them more comfortable self-disclosing their criminal background during the hiring process.
- Consider having peer support workers already employed by the organization provide input into the job description and skills necessary for the position. This will ensure both the recovery-focused language and the specific skill sets needed are included. The organization’s peer support workers likely have a better understanding of the job than the administrators and supervisors.
- Consider including: “Given the nature of the position, personal knowledge, lived experience, and prior systems involvement (e.g., substance use, mental health, criminal justice involvement) is preferred” when advertising and recruiting for the peer support worker position.



# Pre-Hiring Module Summary

Individuals leaving the criminal justice system should be afforded access to meaningful employment opportunities to support successful reentry, continued recovery, and reduce recidivism. Organizations preparing to hire individuals with a criminal justice background should ensure their hiring policies are in accordance with federal, state, and local laws. Individuals with lived experience should be included in expanding employment opportunities, including removing unnecessary questions related to criminal backgrounds from the application; using person-centered rather than stigmatizing language when referencing individuals with conviction records; and developing a recruitment plan to target peers with a criminal background. Hiring practices and decision processes should be universal, focusing on an applicant’s merits, accomplishments, qualifications, and verification of their recovery journey. To fund these positions, organizations should identify appropriate billing pathways (e.g., private funds, state general funds) to support peers with criminal records due to billing and reimbursement limitations under Medicaid. It is essential that employers are transparent and provide clear pathways (i.e., felony background waiver processes) for applicants with criminal backgrounds seeking employment as a peer support worker. Applicants should be informed of any criminal records that are automatically excluded from consideration. The strategies outlined in the “Pre-Hiring” module are intended to assist organizations in adopting recovery-friendly hiring practices that support equal opportunity for employing individuals with both lived experience and criminal records.



## MODULE 2: HIRING

This module provides guidance to hiring entities when reviewing applications, conducting interviews, and onboarding a new peer support worker or a person with lived experience with a serious mental illness (SMI) and/or substance use disorder (SUD) and criminal background. As previously mentioned, the goal is to **focus on the applicant's merits and qualifications for the position including relevant lived experience with the criminal justice system as a strength rather than a disqualifying factor**. This section aims to ensure that organizations are making fair hiring decisions based on the candidate's skillsets, including relevant personal lived experience, while also being open and transparent about specific offenses that would not be a good fit for the position.

### Review of Applications

As an organization starts reviewing applications, it is important to assess each application based on the individual's qualifications and skillsets as defined in the related job description. For many organizations, human resources (HR) reviews the applications first to identify candidates who meet the minimum requirements for the position. In some instances, the hiring manager/supervisor may review the submitted applications. In either case, **it is important for peer support workers or people with lived experience to provide feedback on the application process or directly review applications** to ensure that candidates with both lived experience of SMI/SUD and justice involvement are not prematurely screened out. Although a long gap in employment may reflect when a person was involved with the justice system, the individual should not be preemptively omitted.

Many employers use HR screening tools that use artificial intelligence (AI) to make employment decisions when screening applications. However, it is important for employers to understand the risks of using these AI-based HR screening tools. To help employers understand the risk, the U.S. Equal Employment Opportunity Commission (EEOC) issued technical guidance about the adverse impact of AI employment-decision making tools violating [Title VII of the Civil Rights Act of 1964](#) and [Title I under the Americans with Disabilities Act \(ADA\)](#). For example, an AI chatbot may screen out applicants with employment gaps caused by their justice involvement or medical condition, which according to the EEOC and ADA is discriminatory in nature. The guidance states that employment decision-making procedures must be related to a candidate performing the "essential functions of the job and consistent with business necessity" (U.S. Equal Employment Opportunity Commission, 2023).

As noted in the "Pre-Hiring" module, a promising protocol is for organizations to implement fair hiring practices and policies (e.g., ban the box) during the initial application process. Per the EEOC, employers should not inquire about convictions on job applications. Removing questions about criminal history in the initial stages of the employment process increases the pool of

applicants while also providing an opportunity for employers to make individualized and fair assessments based on the applicant’s qualifications and skillsets. Another promising practice is for hiring entities to collaborate with community organizations focused on workforce reentry for those with both SMI/SUD and justice involvement. These two practices promote a workforce pipeline of job seekers who may otherwise be excluded because of their criminal record.



## SPOTLIGHT

### PeerForce

PeerForce serves as a central coordination hub for Texas peer specialists and certified family partners. PeerForce is a collaborative effort between several communities, and the Centralized Training Infrastructure (CTI) with the University of Texas at San Antonio’s School of Social Work, tasked with supporting the Texas Peer workforce by improving linkages to training and employment opportunities. PeerForce services include:

- Assisting peer specialists and certified family partners in moving through the certification process and looking for training, supervision, or employment opportunities.
- Distributing financial assistance to workforce members for training, supervision, and certification support.
- Working with employers to broadcast peer job opportunities and develop peer-specific recruitment and hiring processes.

Since 2021, PeerForce has supported over 400 individuals in their path to certification and employment and provided recruitment support to over 40 employers. Through these touchpoints, the PeerForce team has broadly assessed employment barriers expressed by peer workers with justice-involved experience. Some of the barriers that were frequently reported include:

- Restrictive background requirements limiting the candidate pool for peer workers.
- Criminal history checks going back too far, which disqualifies peer candidates who may otherwise meet experience and readiness requirements.
- Grant-funded peer positions including additional background restrictions, further restricting an organization’s ability to hire peers with justice-involved experience.
- Limited education about peer support by employers, hindering their ability to appropriately screen and make exceptions for candidates with justice involvement.

In response to these reported barriers, PeerForce utilizes the following strategies when collaborating with employers to increase job opportunities for peer workers with justice-involved history, and to improve organizations’ ability to recruit and hire peer staff:

- Educate organizations on the value of being a background-friendly employer; specifically, the value that peers with justice-involved experience bring to an organization.

*Spotlight continued on next page*

- Encourage employers to develop peer-specific hiring processes, including:
  - Improving screening and assessment of peer candidates through inclusion of other peer staff in hiring processes.
  - Developing inclusive applicant screening policies that look at the “whole person.”
- Share other employer’s strategies for recruitment and hiring peer staff.
- Connect employers with technical-assistance providers if further development of peer services is needed or requested.



## KEY TAKEAWAYS: REVIEW OF APPLICATIONS

- Enable staff who are peer support workers or people with lived experience to provide feedback during the application process, or directly review applications to ensure that candidates with both lived experience of SMI/SUD and justice involvement are not prematurely screened out.
- Familiarize HR staff with the EEOC technical guidance about the risk of using AI-based HR screening tools that make adverse employment decisions that violate Title VII and Title I under the ADA.
- Remove questions about criminal history in the early stages of the employment process to increase the pool of applicants, while also providing an opportunity for employers to make individualized and fair assessments based exclusively on the applicant’s qualifications and skillsets.

# Interviews of Candidates

The next step is to conduct an interview with applicants who have advanced to this phase. Conducting a skills-based interview in lieu of a competency interview is more fruitful in assessing if the candidate has skills that are adaptable and transferable to perform the job-related activities, while also showing a willingness to learn. Certified peer support workers have demonstrated proficiency in peer support core competencies through the certification process. Peers who have not obtained certification due to their criminal backgrounds may have also gained these competencies through volunteer and work experience. Utilize the application and interview stages to determine if any applicant, including non-certified individuals, would be a good fit as a peer support worker in the organization.

If the individual is a newly certified peer support worker beginning their career journey, ask questions to assess how the candidate would apply peer strategies and values (e.g., promoting and valuing recovery, actively listening, being empathetic and open-minded, inspiring hope, fostering a reciprocal relationship in a safe and humble manner, supporting self-determination) to job-related functions (National Association of Peer Supporters, 2019). **Currently employed peer support workers should be involved in developing and/or selecting interview questions and being a part of the interview process.** A peer support worker has the background and expertise to help identify the best candidate for the position. A candidate may also feel more comfortable disclosing their personal journey and past criminal justice involvement with a peer instead of a non-peer interviewer.

Employers should view each applicant as a whole person, considering that both their lived experience and justice involvement is a strength and unique skillset, while also clarifying if any offenses would automatically exclude an applicant from consideration. As previously noted in the [“Pre-Hiring” module](#), organizations should be transparent about which offenses may be unfit for some peer support worker positions. Refer to federal law [49.CFR § 1572.103](#) for a list of permanent and interim disqualifying criminal offenses.

## TIPS AND STRATEGIES FOR ASKING A CANDIDATE ABOUT THEIR RECOVERY JOURNEY

Consider the following strategies and sample interview questions during the interview phase.

- Emphasize to the candidate that their personal experience with recovery is a strength and an important qualification for the peer support worker position, and the interview questions are designed to better understand their skills and qualifications related to the job functions.
- Use trauma-informed and recovery-oriented language to create a safe and non-judgmental environment that allows a candidate to feel comfortable in voluntarily disclosing their criminal background and their recovery experiences. It is important for employers to recognize any unconscious bias when candidates self-disclose their justice involvement and/or recovery journey.
- Focus on job-related questions. The [Americans with Disabilities Act \(ADA\)](#) and the [Equal Employment Opportunity Commission \(EEOC\)](#) prohibit employers from asking a candidate

about their medical history including hospitalizations for mental health or addiction treatment, history of taking medical/sick leave; medical conditions or disabilities; and past or current use of prescriptions including medications for behavioral health conditions. Instead, **employers should focus on job-related questions and assess a candidate's ability to perform the essential functions of the job** with or without reasonable accommodations. However, when asking questions related to personal recovery, sensitive language to use would include:

- Describe how your life experiences bring value to our organization and/or the position you are applying for.
- Tell me how your personal and professional background relates to this position.
- Keep medical information confidential. Title I of the ADA stipulates that **any medical information voluntarily disclosed by the candidate** during the application, interview, and onboarding (i.e., job offer) process **must be kept strictly confidential**. A few exceptions include sharing medical information with other employees involved in the hiring process (e.g., with the hiring manager or supervisor) as it relates to job functions; administering first aid if the medical condition might require emergency treatment; and federal, state, or local officials investigating an ADA complaint, etc.
- Keep criminal record information confidential. Title VII of the Civil Rights Act (EEOC) states that information about an applicant's criminal records must be kept confidential and the information is to only be used "for the purpose for which it was intended." For interview questions about criminal background, the EEOC guidance states, "**limit inquiries to records for which exclusion would be job related for the position in question and consistent with business necessity.**"
- Be open and transparent about specific offenses that are automatically excluded because they are not a good fit for the position. As discussed in the "Pre-Hiring" module, organizations should research federal law 49 CFR § 1572.103 for a list of permanent and interim disqualifying criminal offenses when developing their fair hiring policies. These guidelines can be shared with job seekers to help them determine whether they should apply.
- Be respectful of the candidate's boundaries and privacy. Be sure to let them know their decision of what to share and not share is respected. Inform candidates of their ADA and EEOC rights noting that any medical information self-disclosed or information gathered from a criminal background check during the hiring process is kept strictly confidential.
- Use hiring matrices to fairly assess all candidates for the position and to select the best candidate. The matrix tool will assist employers to objectively evaluate each candidate's skills and qualifications for the position.
- Share personal experiences or perspectives, if relevant. This can help create a sense of mutual understanding and trust.
- Demonstrate empathy, show understanding, and use active listening skills throughout the hiring process.
- Use open-ended questions (rather than yes/no questions that can feel judgmental) and allow the candidate to share their experiences in their own words.

## SAMPLE QUESTIONS

The most important skills for a peer support worker are empathy, communication, active listening, and the ability to connect with individuals who are experiencing substance use or mental health challenges. Following are some interview questions (adapted from Utah State University's list of [skill-based interview questions](#)) to help identify a candidate's skills.

### INTERPERSONAL SKILLS

- Have you ever had to communicate a point to someone who didn't agree with you in a professional setting? What approach did you take?
- How would you describe your approach to building rapport with someone who is experiencing substance use or mental health challenges?
- Can you share a specific example of how you have used your personal experience with substance use or mental health challenges to connect with and support someone?
- How do you handle situations when a client is struggling with intense emotions?
- How do you ensure that you maintain appropriate boundaries while still being supportive and empathetic with clients?
- How do you advocate for vulnerable populations? What approach have you taken, or would you take?

### ADAPTABILITY

- Give an example of a time when you solved a problem using critical thinking.
- Describe a time when you had to adapt to a new situation.
- How do you handle breaks in routine, interruptions, and last-minute changes?
- Have you ever had an experience in which you failed to understand an idea or gain cooperation the first time, but succeeded later? What was the difference?
- Describe a time when your supervisor surprised you with a new responsibility, and how you handled it.
- Describe a time when you had to make a quick decision in a short period of time.
- Tell me about an occasion when your schedule was upset by unforeseen circumstances. What did you do?

### TIME MANAGEMENT/ORGANIZATIONAL SKILLS

- Give an example of your use of time-management skills.
- How do you maintain a healthy work/life balance? Describe the wellness approach that you use when triggers come up.
- How do you prioritize activities within a given timeframe?

- How do you prioritize and manage multiple tasks at the same time? (E.g., “At our organization, you will be managing [*responsibility one*] and [*responsibility two*]. How would you prioritize and handle these tasks?”)

### PERSONAL STRENGTHS/TAKING INITIATIVE

- Give an example of a time when you did more than was required in your job.
- Tell me about a time your effort helped an outcome or idea succeed.
- Give an example of a time when it was necessary to find a creative solution to get a problem solved.
- What is something you have experienced in the past that has given you a feeling of achievement and satisfaction?
- Why do you want to work at this organization and/or in this position?
- Can you tell me about a time when you overcame a significant challenge in your recovery journey?
- What motivates you to do your best?

### PEER SUPPORT (IF THE APPLICANT HAS SERVED IN A PEER SUPPORT ROLE PREVIOUSLY)

- Can you share a time when you had to advocate for a client to receive the care or resources they needed? How did you approach this situation?
- Can you share a time when you had to de-escalate a situation with a client who was experiencing a behavioral health crisis or acting out?
- How do you prioritize self-care and prevent burnout while working in a high-stress, emotionally demanding role?





## KEY TAKEAWAYS: INTERVIEWS OF CANDIDATES

- Adopt recovery-friendly hiring policies that prioritize personal life experience with SMI/SUD recovery and criminal justice involvement as a strength and an important qualification for the job.
- Involve currently employed peer support workers to participate in the hiring process by reviewing applicants, developing interview questions, and participating in the interview.
- Ask open-ended, skill-based interview questions to assess how a candidate would apply peer strategies and values.
- Be knowledgeable about the ADA and EEOC's guidance on: (1) asking questions that are prohibited during the hiring process; (2) asking questions related to the job to assess a candidate's ability to perform the job-related functions; and (3) ensuring that a candidate's criminal records and medical information are kept strictly confidential.
- View an applicant as a whole person, considering that both their lived experience and justice involvement is a strength and unique skillset, while also clarifying if any offenses would automatically exclude an applicant from consideration.

## Onboarding Process

During this hiring phase it is common for employers to conduct a pre-employment background check to verify the candidate's identity. The Fair Credit Reporting Act (FCRA) requires that an employer must obtain written permission from the candidate before conducting a pre-employment background check (see "[Appendix B](#)" for *SHRM's Fair Credit Reporting Act Compliance Checklist*). It is also important for employers to refer to their state labor department or the [Restoration of Rights Project 50-State Comparison: Limits on Use of Criminal Record in Employment, Licensing & Housing](#) to **verify legal compliance when using background checks for making hiring decisions**.

Depending on the employer and the position, a background check may include vetting a candidate's identity, employment history, educational verification, professional licensures and/or certifications, credit report (does not include credit score), professional/personal references, criminal history, and arrest records. Background check procedures should be consistent and fair for all applicants.

When reviewing an applicant's criminal record for employment decisions, it is important to remember the three [Green factors](#) outlined in the EEOC's enforcement guidance on using arrest and conviction records for hiring decisions under the Title VII of the Civil Rights Act of 1964. Hiring entities complying with the EEOC's guidance will ensure they are not making discriminatory hiring decisions based on an applicant's arrest and conviction records when considering the three *Green* factors:

- The nature and gravity of the offense or conduct;
- The time that has passed since the offense, conduct and/or completion of the sentence; and
- The nature of the job held or sought.

## BACKGROUND CHECK: CONSIDERATIONS FOR PRE-ADVERSE AND ADVERSE ACTIONS

An employer may opt not to offer (pre-adverse action) or rescind a job offer (adverse action) based on information gathered during the pre-employment screening process. As noted in the “Pre-Hiring” module, employers are mandated to comply with federal FCRA guidance for any action taken based upon information in the consumer reports (*refer to “Appendix B” for SHRM’s Fair Credit Reporting Act Compliance Checklist*).

Guidelines for *pre-adverse actions* include:

- A written notice accompanying a copy of the background report.
- An opportunity for the applicant to review and explain the information in the background record—background checks may have inaccurate or outdated information that should have been expunged or sealed.
- A copy of FCRA’s Summary of Rights.
- At least five days for the candidate to dispute any erroneous information.

In addition to the four requirements for pre-adverse action, employers must also provide the following when *adverse actions* are taken and an employment offer is rescinded:

- The contact information of the company that conducted the background checks.
- Notice of the candidate’s right to dispute the accuracy of the information that the company furnished.
- The right for the candidate to request an additional free report within 60 days from the company that supplied the background report.

Additional tips to consider during the onboarding stage include:

- Establish company-wide hiring policies that guarantee that the vetting process is identical for all candidates, regardless of medical and/or criminal backgrounds, when requesting hiring documents (e.g., letters of recommendations, personal/professional referrals, medical examination, employment testing, background screening).
- The onboarding process should also be consistent regarding onboarding documents, such as employment contract or acceptance letter, welcome letter, employee handbook, employment assistance program (EAP) benefits enrollment forms, tax forms, etc.



## KEY TAKEAWAYS: ONBOARDING PROCESS

- Be familiar with state and local laws that may restrict a background check before a contingent job offer is made.
- Consider the Green factors regarding arrest and conviction records to ensure non-discriminatory hiring decisions. Assess each applicant on a case-by-case basis when viewing the results of the background check.
- Be transparent about which offenses would be unfit for the position.
- Understand the FCRA guidance mandating what actions employers must take when background information is used to make a pre-adverse or adverse employment decision.
- Ensure that, before a candidate is extended a contingent offer, there is transparency and discussions about the criminal background check process.
- Have an honest conversation with an applicant to explain the situation if an offer needs to be rescinded based on the background check.

## Hiring Module Summary

Employers, employees, and recipients of services will benefit from an employer's actions to become a recovery-friendly organization. The strategies outlined in the "Hiring" module are designed to support organizations in making fair hiring decisions based on candidates' skillsets and relevant personal lived experience. The process will include assessing the candidates' qualifications and skillsets, including relevant personal lived experience with the justice system. If an employer is unable to hire an individual with a record of certain offenses, the employer should be transparent about the process utilized and the rationale for the decision. Adopting hiring practices that support equal opportunity for employing individuals with both lived experience and criminal background demonstrates that employers are invested in the recovery process and complying with federal guidance. This will enable employers to attract candidates that bring a valuable lens and lived experience, which enhances the organization's workforce and the outcomes of the services they provide.



## MODULE 3: POST-HIRING

At this stage, employers have made their first commitment by adopting recovery-friendly hiring practices that have led to the hiring of peers with personal lived experiences of serious mental

illness (SMI) and/or substance use disorder (SUD) and justice involvement. The next goal is to integrate and support the new peer support specialists with their employment journey at the organization. This module will include implementation recommendations to consider during the integration, supervision, retention, and professional development processes.

“

Peer support is a system of giving and receiving help founded on key principles of respect, shared responsibility, and mutual agreement of what is helpful...It is about understanding another's situation empathically through the shared experience of emotional and psychological pain.”

*Shery Mead,  
Mental Health Activist and Founder  
of Intentional Peer Support*

### Integration

After the onboarding and orientation process, the next step is to integrate the new peer support worker into the workplace by fostering an inclusive workplace that supports and respects the role of peer support workers.

Following are strategies to consider for promoting a peer-powered work environment during the integration process:

- Obtain feedback and input from the new peer support worker about their hiring experience during the interview and onboarding process. For example, inquire whether the new employee felt comfortable self-disclosing their background and recovery experience during the interview process. This feedback loop will assist the organization in reevaluating if it truly implemented recovery-friendly hiring practices of the newly hired peers, while also demonstrating in the early stages of the peer support worker's employment that their opinions are valued. As a result, hiring policies may need to be revamped to achieve the goal of being a recovery-friendly employer.
- Demonstrate respect for their boundaries. A new peer support worker may have shared their recovery journey during the interview process but may not wish to self-disclose this information with new colleagues. **It is important for organizations to not coerce or demand a new peer support worker to share their personal story, and to honor their decisions.**
  - As discussed in the “[Hiring](#)” module, any medical or criminal information disclosed during the hiring process must be kept strictly confidential and only shared when necessary ([Title I of the ADA for medical information and Title VII of the Civil Rights Act for criminal records](#)).

- Peer support workers have experience in crafting their stories during their certification process. They are trained to share their own experiences as a tool to connect, offer encouragement, and share a strategy when working with others having similar experiences. It may take time for them to adapt before they are ready to share, if ever.
- Be flexible with the new hire’s schedule to accommodate appointments, such as meetings with their parole or probation officers, medical appointments, etc.
- Assess and address staff’s attitudes, stigma, and unconscious bias toward employees with personal lived experiences of SMI/SUD and justice involvement by conducting trainings and continually evaluating how and if these negative stereotypes and unconscious bias are impacting the organization (see “*Organizational Culture*” for additional tips).
- Provide a peer-powered work environment that values and respects the peer support worker as a team member on clinical teams and with colleagues. A work environment that is supportive and inclusive of peers with personal lived experience of both SMI/SUD and justice involvement demonstrates the organization is a recovery-friendly employer.



## KEY TAKEAWAYS: INTEGRATION

- Create a feedback loop between employees and the organization to ensure that valuable input on the hiring process is integrated into policies and practices.
- Ensure individuals with lived experience are never required or coerced into sharing their personal story.
- Provide a recovery-friendly, flexible work environment with a workforce educated on peer values and the peer role.

## Supervision

Supervision is another critical component of transitioning the new peer support worker into the workplace. Peer advocates recommend that peer support workers be managed by a peer supervisor due to the benefits, including the common understanding of the peer work to prevent role confusion and peer drift, particularly in clinical settings. However, in some instances, a peer support worker is required to be supervised by a licensed clinician due to funding or legal policies.

“Peer drift” refers to when the role of a peer support worker can drift in different directions depending on organizational and individual circumstances. *Organizational peer drift* occurs when non-peer colleagues marginalize peer support workers, which may result in assigning peers to perform tasks that do not align with their job duties and role. Educating other staff on the peer role, code of ethics, and scope of practice can help avoid a peer support worker drifting into a clinical or administrative role. *Individual peer drift* is when the peer support worker acts in a role different from their intended duties, which could include peers taking on characteristics of their colleagues, i.e., drifting towards a clinical role, or when their role is misinterpreted by others, i.e., drifting towards an informal or casual role, (SAMHSA Advisory: *Peer Support in Crisis Care*, 2022).

**Supervisors—whether peers or non-peers—play an essential role in ensuring that the**

**supervised peer support worker is carrying out appropriate peer roles and responsibilities and is not experiencing peer drift.**

Following are tips and models for organizations to adopt when supervising peer support workers.

- **Self-Awareness and Reflection:** Supervisors of peers should practice self-awareness and reflection to provide effective recovery-oriented supervision. Encourage supervisors to evaluate their supervision competencies and identify areas of improvement to better supervise peer support workers. [SAMHSA's Supervisor of Peer Workers Self-Assessment](#) is a good starting point. Work with management to address areas of supervisory improvement.
- **Mentor/Buddy System:** Designate a peer staff member to be mentor/buddy who can be the point of contact to offer guidance and support in navigating the new workplace.
- **Connection:** Ensure the new peer support worker is connected to internal (e.g., a peer staff mentor/buddy or key champions among staff) and external support systems such as the [National Association of Peer Supporters](#), to network with other peer support workers, and [Doors to Wellbeing](#), a state-based database of statewide organizations of peer support workers.
- **Implement a co-supervisor model**, such as “The Five Critical Functions of Supervision” (Edwards, 2018), that supports the unique aspects of supervising a peer support worker. The Five Critical Functions of Supervision include:
  - **Administrative.** Orient supervisee to the organizational culture (e.g., policies and procedures) and day-to-day work responsibilities.
  - **Supportive.** Help strengthen their interpersonal skills to problem-solve; and promote health and wellbeing by cultivating the importance of self-care.
  - **Educative.** Offer educational and learning opportunities to cultivate knowledge and job skills.
  - **Advocacy.** Foster a respectful workplace by promoting the value and role of peer services within the organization.
  - **Evaluative.** Implement a non-hierarchical evaluation process where the supervisor and supervisee are viewed as equals with the goal of having a co-reflective relationship to learn from each other.



## HELPFUL RESOURCES

### ***What is Peer Support Series: Five Critical Functions of Supervision in Practice* and *National Practice Guidelines for Peer Specialists and Supervisors***

Additional information about The Five Critical Functions of Supervision model can be found at the Mental Health Technology Transfer Center—*What is Peer Support Series: Five Critical Functions of Supervision in Practice* (April 2022). The *National Practice Guidelines for Peer Specialists and Supervisors* educates non-peer supervisors about the core peer values and how they apply to supervising peer workers (The National Association of Peer Supports, 2019).

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### ***Peer Support Toolkit (2017)***

This resource from Philadelphia’s Department of Behavioral Health and Intellectual Disability Services’ includes a module on integrating, supervising, and retaining peer providers into their service settings.

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### ***Supervision of Peer Workers***

These guidelines from SAMSHA provide peer supervision education and resources for non-peer supervisors, including discussing challenges that non-peer supervisors might face (e.g., lack of experience/knowledge of peer practices, clinical approach to peer services, or the organization not aligned with recovery-oriented values).

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### ***National Model Standards of Peer Certification (2023)***

This resource from SAMSHA recommends state certification entities to incorporate these strategies for peer supervision:

- Prospective certified peer supervisors have direct experience as a peer worker, relevant lived experience\*, and a deep understanding of the skills, values, and principles of the peer role.
- Certified peer supervisors receive training that includes, at minimum, the recommendations outlined in Model Standards #2 (Training).
- Incorporate the strategies outlined in Model Standards #4 (Formal Education), #8 (Diversity, Equity, Inclusion, and Accessibility), and #9 (Ethics) into peer supervisor certification.
- Partner with hiring entities to develop and implement supervisor-specific career pathways for certified peer workers.

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\* While not a model approach, it is recognized that some organizations may already employ peer supervisors without lived experience and/or experience as a peer worker. For these cases, and when a peer worker is seeking supervisory certification hours within such organizations, SAMSHA recommends that state certification entities incorporate special provisions or allowances that meet the needs of both peer worker, peer supervisor, and hiring organization.



## KEY TAKEAWAYS: SUPERVISION

- Train peer supervisors in peer supervision techniques and to practice self-awareness and reflection to enable them to provide effective, recovery-oriented supervision. If possible, peer support workers should be supervised by another peer.
- Ensure that peer supervisors are actively monitoring that the peer support worker they supervise is carrying out appropriate peer roles and responsibilities, and not experiencing peer drift.
- Provide opportunities for peer support workers to connect with other staff informally (e.g., peer staff mentor/buddy or key champions among staff), and to connect with other educational opportunities (see more in "*Professional Development*").

## Retention

Workplace retention is a vital cornerstone to a thriving organization through attracting and retaining employees. Gallup (McFeely & Wigert, 2019) reports that the average cost of replacing an employee is between one-half to two times the employee's salary. Research revealed that peer support workers working in behavioral health settings reported their reasoning for leaving included the following challenges: non-peer colleagues unclear about the peer work role and boundaries; experiencing personal stigma or observing stigma toward clients from colleagues; low compensation coupled with high job demand; and achieving work-life balance (Almeida, M., Day, A., Smith, B., Bianco, C., & Fortuna, K. 2020).

The following section offers strategies focused on two categories—organizational culture, and health and wellbeing—to address these top challenges in retaining peer support workers.

### ORGANIZATIONAL CULTURE

Cultivating and maintaining a positive organizational culture is a critical element for retaining peer support workers. There should be universal policies and practices for all employees to ensure the same organizational-wide standards and benefits. Some strategies for retention include:

#### ORGANIZATIONAL VALUES

- Create a workplace culture that is inclusive of peers and their services by implementing effective recovery-oriented peer supervision practices and policies.
- Demonstrate a commitment to recovery by ensuring the entire organization has a recovery-oriented approach to all services provided.
- Ensure that peer values (recovery-oriented, person-centered, voluntary, relationship-focused, and trauma-informed) are integral to the organization's approach to services.
- Eliminate stigma and discrimination through new hire orientation and ongoing staff sensitivity training.



- Communicate a belief in what is necessary to support healing, including a safe environment, transparency, voice, collaboration, mutuality, choice, trustworthiness, and empowerment.
- Create a feedback loop for peer support workers to provide input on the organization in areas such as the hiring process, organizational culture policies and procedures, inclusive practices related to individuals with criminal justice backgrounds, and clarity of job roles.

## ORGANIZATIONAL SUPPORT

- Provide role clarity, which promotes job satisfaction and retention.
- Hire more than one peer support provider. This offers opportunities for networking and support, prevents isolation and burnout, and fosters long-term retention.
- Identify organizational policies and practices that hinder recovery or interfere with healing and growth, or disempower people who use services.
- Provide organization-wide education on the role and value of peer support to ensure that peers are respected as skilled colleagues and supported to do their role effectively.

## WORK ENVIRONMENT AND BENEFITS

- Provide competitive pay and benefits (e.g., transportation reimbursement or stipends for continuing education).
- Provide regular opportunities for performance feedback.
- Publicly recognize the positive contributions of the employee to the organization. Give peers the opportunity to share their work with external networks (at conferences, meetings, and other public forums).
- Offer flexible work schedules that recognize an employee’s need for work/life balance.
- Provide individual, flexible, and accessible support during the peer’s transition into the organization.

These strategies are adapted from *Enhancing the Peer Provider Workforce: Recruitment, Supervision and Retention* (NASMHPD, September 2014) and *Strategies for Effective Integration of Peer Support in Mental Health Service Settings* (National Center for Trauma-Informed Care Virtual Learning Network, June 2017).

## HEALTH AND WELLBEING

Workplace wellbeing is strongly associated with retaining employees by addressing self-care, compassion fatigue, and burnout. Retention efforts have a two-fold benefit in strengthening the current workforce and making the organization a more appealing place to work, which benefits recruitment efforts. As previously mentioned, Almeida et al. (2020) found that peer support workers struggling to achieve work/life balance was one of the main reasons peers resigned.

Employee Assistance Programs (EAP) help employees with personal problems that affect their job performance. EAPs can identify and address a wide range of health, financial, and social issues, including mental and/or substance use disorders. Some EAPs concentrate primarily on alcohol, prescription drug, and other drug issues (SAMHSA, 2022). EAPs should be prepared with policies and resources for individuals who might have a setback; it is important for employers to be educated on the best policies and practices to address a behavioral health relapse or other personal challenge experienced by a staff member.



### HELPFUL RESOURCE

#### [988 Crisis Jam on Workforce Care \(March 2023\)](#)

Becky Stoll, Senior VP of Crisis Services at Centerstone, spoke during a *988 Crisis Jam* (Episode 119) about the need for workforce care and offers strategies to leaders of mental health organizations:

**Ask the employee if they need assistance or support in accessing EAP services; check-in to see if the EAP services were helpful; and ask how the organization can best support the employee during this time.**

For example, bring resources to the employee and let them know they are a valued employee.

Support and services for behavioral health relapses should be offered uniformly for all employees. These strategies can include working with HR to have time for temporary leave, creating a work-specific Wellness Recovery Action Plan (WRAP) that is supported by their supervisor/manager and organization, and ensuring employees are protected according to federal, state, and local laws. Organizations should treat a behavioral health relapse like any other medical condition—by respecting the employee’s privacy and dignity.





## HELPFUL RESOURCE

### Surgeon General’s Framework for Mental Health & Well-Being in the Workplace (2022)

The Surgeon General’s Framework outlines five key foundations to better understand and promote all workers’ health and well-being in the workplace. The framework is centered on a *worker’s voice and equity* by outlining key components, practice examples, and resources in the five categories: Protection from Harm; Connection and Community; Work-Life Harmony; Mattering at Work; and Opportunities for Growth.



“A healthy workforce is the foundation for thriving organizations and healthier communities. As we recover from the worst of the pandemic, we have an opportunity and the power to make workplaces engines for mental health and well-being, and this Surgeon General’s Framework shows us how we can start. It will require organizations to rethink how they protect workers from harm, foster a sense of connection among workers, show workers that they matter, make space for their lives outside work, and support their growth. It will be worth it, because the benefits will accrue for workers and organizations alike.”

*U.S. Surgeon General Dr. Vivek Murthy*

figure 5: Five Essentials for Workplace Mental Health & Well-Being



Source: Office of the U.S. Surgeon General (2022)



## KEY TAKEAWAYS: RETENTION

- Create universal policies and practices for all employees to ensure the same organizational-wide standards and benefits.
- Institute Employee Assistance Programs (EAPs) to help employees with personal problems that affect their job performance.

## Professional Development

Training and ongoing educational opportunities for peer support specialists will increase retention, as well as improve the peer support worker's career path, increase the effectiveness of peer-led interventions, and add legitimacy to the profession. When an organization fosters a culture of career growth, all employees are more prepared to do their job, and policies that encourage education and training can expose and motivate employees to pursue roles that they may not have envisioned.

Some strategies for professional development that have been shown to contribute to high performance and retention rates include:

- **Shadowing:** Make time for new hires to shadow various staff members. This practice will allow peer support workers to see other staff's roles and responsibilities on interdisciplinary teams and across the agency, as well as minimize role confusion. If peer(s) are already on staff, having the new peer support worker shadow someone in their role will help in terms of learning job duties, professional development, paperwork, and other skills.
- **Specialized training:** Provide opportunities for ongoing professional growth and capacity building exercises through additional trainings and certifications. Offer training that addresses the special needs of specific populations with which peer support workers engage. Training in specialized and advanced topics will enhance the generalist training that most peers have received.
- **Continuing education:** Seek out meetings and conferences of interest to peers to enable learning from and collaboration with other community organizations and providers. Continuing education is encouraged, if not mandated, for most providers, and peers should have the same opportunities.
- **Organization-wide education:** All peer staff should be invited and expected to attend meetings, training, and professional development opportunities. All trainings should be in line with peer values, and peers should also be invited to develop and present at organization-wide educational opportunities about their roles and practices.

These approaches and strategies are adapted from *DIMENSIONS: Peer Support Program Toolkit* (University of Colorado Anschutz Medical Campus, School of Medicine, Behavioral Health and Wellness Program, June 2015) and *Building Blocks to Peer Program Success: A toolkit for developing HIV peer programs* (August 2009).



### HELPFUL RESOURCE

#### **"Windows of Wisdom: Insights from Experienced Peers"**

Watch a collection of brief videos of experienced peers providing tips on key issues related to peer and recovery support services. Topics include peer supervision, self-care, peer support values, boundaries, and role confusion.



### KEY TAKEAWAYS: PROFESSIONAL DEVELOPMENT

- Provide ongoing training and educational opportunities to improve the peer support worker career path, increase the effectiveness of peer-led interventions, and add legitimacy to the profession.
- Ensure bi-directional learning opportunities between peer and non-peer staff, including inviting peers to present at organization-wide trainings about their roles and practices.

## Post-Hiring Module Summary

A recovery-friendly employer aims to foster a workplace that values and understands the role and voices of peer support workers with personal lived experiences of SMI/SUD and justice involvement. For employers to actively integrate and retain peer support workers, it is vital for employers to internally assess and address the organizational culture (e. g., negative attitudes, stigma, or unconscious bias) toward peer support workers with personal lived experiences of SMI/SUD and justice involvement. An organization is strongest when peers have a nurturing and healthy workforce environment that promotes collaboration, work/life balance, and continuous professional development.

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## APPENDIX A:

# RESOURCES FOR STARTING A PEER SUPPORT PROGRAM

**Recovery Friendly Workplace Toolkit**: The Peer Recovery Center of Excellence created a toolkit that introduces what substance use disorder is, its impact in the workplace, and how to create and support a Recovery Friendly Workplace. The goal of this toolkit is to provide practical tools and information.

**“Integrating Peer Support into Your Organization”**: SAMHSA’s National Center for Trauma-Informed Care and Alternatives to Restraint and Seclusion (NCTIC) in partnership with NASMHPD hosted virtual learning network on integrating peer support into organizations. The [PDF](#) is available for reference, and includes information on why change is required at multiple levels of an organization, and identifying the organizational domains involved in creating a trauma-informed organization

**Organizational Readiness for Using Peer Supports**: Mental Health America hosted this webinar that includes information on cultural readiness, organizational readiness, standards for peer support, models for peer support, and future expansion of peer roles in organizational settings.

**Recovery-Ready Workplace Resource Hub**: The Department of Labor created this “hub” that defines recovery-ready workplace policies and practices, benefits of those policies, and how to become a recovery-ready workplace (including recruiting and employing people in recovery; preventing substance use in the workforce; and addressing stigma).

**Organizational Readiness Assessment for Integration of Peer Staff**: The Center for Innovation in Social Work and Health created an assessment for organizations to determine their readiness to integrate peer staff. These elements include staff, peer, and stakeholder buy-in; organizational values; funding sources; roles and responsibilities, policies and procedures, and advocacy.

**The Comprehensive Peer Support Program Development Guide**: Peer for Progress from the UNC Gillings School of Global Public Health created a guide aimed to assist the development, implementation, evaluation, enhancement, and sustainability of peer support programs. It is a working document that catalogues current resources for peer support programs.

## APPENDIX B:

# FAIR CREDIT REPORTING ACT COMPLIANCE CHECKLIST

*Courtesy of the Society for Human Resource Management*

- Provide written notice in a stand-alone document to the applicant or employee that a background check will be conducted, and the information will be used when making employment decisions.
- If an investigative report that includes personal interviews concerning a person's character, general reputation, personal characteristics, and lifestyle will be conducted, notify the applicant or employee of this in writing and include a statement that the individual has a right to request additional disclosures and a summary of the scope and substance of the investigative report.
- Obtain the applicant or employee's written consent to obtain the background check and/or investigative report.
- Provide certification to the company that is providing the background check information that you have obtained the individual's permission, complied with all FCRA requirements, and will not discriminate or otherwise misuse the information in the report.
- If a decision is made to take an adverse action (i.e., declining to offer employment) based on the background check information, provide the individual with a notice of pre-adverse action that includes a copy of the background check results and a copy of A Summary of Your Rights Under the Fair Credit Reporting Act.
- Allow the individual at least five business days to dispute the information in the background check before making a final employment decision.
- Make a final decision. If an adverse action is taken, provide the applicant or employee with a final notice of adverse action that includes the following:
  - The name, address, and phone number of the consumer reporting company that supplied the report;
  - A statement that the company that supplied the report did not make the decision to take the unfavorable action and can't give specific reasons for it; and
  - A notice of the person's right to dispute the accuracy or completeness of any information the consumer reporting company furnished, and to get an additional free report from the company if the person asks for it within 60 days.
- Retain records as required under state and federal law and dispose of records by burning, pulverizing, or shredding paper documents and disposing of electronic information so that it can't be read or reconstructed.

# APPENDIX C: NGK SPARK PLUGS CRIMINAL RECORD MATRIX TEMPLATE

CRIMINAL OFFENSE MATRIX FOR EMPLOYMENT PURPOSES				
Position Title/Category: Warehouse/Production		YEARS		
OFFENSE		0-3	3-7	7+
Crimes Against Persons	Assault/Battery/Domestic Violence	H	H	H
	Child Abuse/Molestation	H	H	H
	Child Neglect/Child Endangerment	H	H	H
	Child pornography	H	H	H
	Contributing to Delinquency Minor	H	H	H
	Harassment/Telephone Harassment	H	H	H
	Indecent Exposure	H	H	H
	Kidnapping	H	H	H
	Manslaughter	H	H	H
	Murder	H	H	H
	Obscenity/Lude Behavior	H	H	H
	Rape	H	H	H
	Robbery	H	H	H
	Sexual Assault/Sexual Contact w/Minor	H	H	H
Stalking/Menacing	H	H	H	
Financial Crimes	Arson <b>(may also be a property crime)</b>			
	Credit Card Fraud/Abuse			
	Embezzlement			
	Failure to File Tax Return			
	Forgery			
	Fraud/Deceptive Practices			
	Identity Theft			
	Worthless Checks/Uttering			
Property Crimes	Auto Theft	M		
	Burglary/Breaking and Entering/Burglar's Tools	M		
	Criminal Mischief/Damage to Property/Vandalism	M		
	Theft/Larceny/Shoplifting/Possession of Stolen Property/Conversion	M		
Alcohol	Alcohol Consumption/Possession			
	Alcohol Sale to Minor/Overserving/Operating without liquor license			
Computer	Computer Crimes			
Drug Crimes	Drug Possession/Drug Abuse/Poss. of Drug Paraphernalia	H	H	H
	Drug Sale/Distribution/Manufacturing/Felony Possession	H	H	H
Weapons	Weapons Possession/Unlicensed/No Permit			
Traffic	Traffic Offenses — citations/fine only (excl. DWI, vehicular manslaughter, etc.)			
Public Order	Child Support			
	Criminal Contempt			
	Disorderly Conduct			
	Driving While Intoxicated/Under Influence			
	Evading Arrest/Obstructing Justice/Resisting a Peace Officer			
	Fireworks — Sale/Use of			
	Gang-Related Activity			
	Loitering			
	Prostitution/Solicitation			
	Trespassing			
	Unlawful Hunting/Poaching			
Integrity Crimes	Urinating in Public			
	Perjury			
	Abuse of Office			
	False Report			

**Legend: H = High Risk; M = Medium Risk; L = Low Risk**

We will review these on a case-by-case basis

We will review property crimes that occurred within the past 3 yrs

We will review these on a case-by-case basis

REVISED: 6/29/21

## APPENDIX D:

# EXAMPLE OF PEER SUPPORT WORKER JOB DESCRIPTION

*(Generic to fit multiple organizations)*

**Date:**

**Work hours:**

**Position Title:** Peer Support Worker

**Classification:**

**Salary:**

**Supervision:**

**General Description:** Peer support workers model recovery, teach skills, and offer supports to people experiencing mental health challenges who are involved in treatment and/or different phases of their recovery to lead meaningful lives in the community. The goal is to promote recovery, enhance hope and social networking, and to supplement treatment with education, empowerment, and system navigation. The Peer Support Worker is an integral member of the team and provides individualized supportive services to program participants. This may include a wide range of functions as listed below:

### **Essential Responsibilities:**

- Provide supportive services to program participants, i.e., in-person, virtual and/or telephone contact.
- Accompany participants and provide warm hand-off to community-based treatment, housing and supportive services including transitions from jail, hospital, residential treatment facilities, and other residences as well as appointments in the community.
- Utilize transportation systems as necessary, e.g., public transportation, rideshare, or vehicles to assist participants with access to community.
- Provides information to program participants, staff, and other stakeholders as necessary.
- Collaborate and coordinate with team members to ensure successful outcomes for participants utilizing all forms of communication.
- Document interactions with program participants utilizing the identified data system.
- Handle multiple assignments.
- Performs related work as required.

### **Minimum Qualifications:**

High school diploma or GED required. Certification is preferred but will consider applicants working toward certification. Given the nature of the position, personal knowledge, lived experience, and prior systems involvement (e.g., substance use, mental health, or criminal justice involvement) are preferred. Knowledge and personal lived experience in mental health/substance use recovery required; ability to serve as role model of recovery required or any equivalent

combination of education and experience that provides the following knowledge, skills, and abilities:

- Knowledge of community resources in order to assist with linkage to mental health treatment, housing, supportive services, and other community resources.
- Ability to follow directions and communicate effectively.
- Ability to establish and maintain effective relationships with co-workers, and members of other community agencies.
- Must possess, or be able to obtain, a driver's license.
- Ability to use computer software, such as the Microsoft Office Suite and SharePoint.
- Ability to manage time effectively.
- Ability to apply excellent organizational skills.
- Must identify as a person with lived experience.
- Acts as a role model/good example to others.
- Depending on the organization, certain types of lived experience may be more relative to the work.

**Other Responsibilities:** (insert)

**Working Conditions:** Works in an office and community environment.

**Physical Demands:** The work may involve a significant amount of standing, walking, sitting, talking, listening, balancing, stooping, and reaching with hands and arms; must be able to transfer up to 10 pounds.

**Travel Requirements:** Local travel required.

**Affirmative Action Policy:** It is the policy of (insert organization's name) to provide equal employment opportunities without regard to race, color, religion, sex, national origin, age, disability, marital status, veteran status, sexual orientation, genetic information, or any other protected characteristic under applicable law.

# APPENDIX E: PEER SUPPORT JOB DESCRIPTION EXAMPLE



## RECOVERY SUPPORT SPECIALIST

Job Description			
Date:	July 2018	FLSA Status	Non-exempt
Status:	New Job Description Revision	Physical/PPD required	Yes No
Department:		Drives Clients and/or company vehicle	Yes No
Supervision Received	Social Rehabilitation Supervisor	DCF Background check:	Yes No
Supervision Exercised	None		
<p><b>POSITION SUMMARY:</b></p> <p>The Recovery Support Specialist is an advocate who is able to, through personal experience, relate to the client's process of recovery. They provide support and educational opportunities to promote self-advocacy and independence both individually and in groups.</p>			
<p><b>ACCOUNTABLE AND RESPONSIBLE FOR THE FOLLOWING RESULTS:</b></p> <ul style="list-style-type: none"> <li>▪ Represents the clients and the Organization. Provides the clients' perspective for other employees.</li> <li>▪ Assists peers with advocacy issues either individually or in a group setting.</li> <li>▪ Coordinates (insert number) workshops (skills training and/or social) per month. Sets up speakers for topics or presents topics. May include coordination of materials for workshops.</li> <li>▪ Encourages clients to engage in services that will assist them in their recovery. Encourages and assists clients in becoming active participants in their community.</li> <li>▪ Assists clients in securing emotional, vocational, social supports as determined by the clients.</li> <li>▪ Assists clients in accessing services as requested by the client, including housing, employment, and benefits.</li> <li>▪ Works with other staff members to provide crisis assessment and intervention, utilizing clinical and emergency back-up as indicated.</li> <li>▪ Educates clients on vocational issues through workshops and/or individually.</li> <li>▪ Researches educational options and helps clients access them.</li> <li>▪ Participates in leadership group, including planning and producing a monthly calendar of activities.</li> <li>▪ Enters daily service activities into the database and ensure its accuracy.</li> <li>▪ Demonstrates an ability to develop a basic level of competency for providing services to clients with co-occurring disorders.</li> <li>▪ Maintains and updates, on paper or electronically, client case records with required progress notes documenting progress toward service goals and objectives.</li> </ul>			

	<ul style="list-style-type: none"> <li>▪ Attends advocacy meetings through the CACs, RMHB, and KTP.</li> <li>▪ Attends departmental and Organization meetings.</li> <li>▪ Adheres to Organization policies and procedures, including ongoing compliance with accreditation standards.</li> <li>▪ Attends training sessions, workshops, seminars as requested by supervisor, or as needed for professional development, or as required for accreditation or licensing.</li> <li>▪ May be required to use own vehicle on company business or to transport clients.</li> <li>▪ Regular and consistent attendance is an essential function of this position.</li> <li>▪ May perform other assignments and duties as assigned.</li> </ul>																												
<p><b>MINIMUM QUALIFICATIONS</b></p>	<p>High School diploma or Equivalent required; Bachelor’s Degree preferred.</p> <p>Volunteer experience with adults with serious behavioral health issues.</p> <p>Must be comfortable with personal recovery progress.</p> <p>Proven experience working individually and in a group setting.</p> <p>Must be proficient with PCs and Microsoft Office Word &amp; Outlook and if applicable must have the ability to navigate through an electronic health record.</p> <p>Must have and maintain a valid CT driver’s license if relocated to CT as a state resident more than 30 days ago. Must maintain an acceptable driving record and be insurable at a reasonable rate under the Organization’s auto insurance plan.</p> <p>Must possess or have the ability to obtain and maintain a Public Passenger License.</p>																												
<p><b>LICENSURE/ CERTIFICATIONS</b></p>	<p>Ability to obtain and maintain CPR/First Aid certification</p>																												
<p><b>PHYSICAL REQUIREMENTS/ WORK ENVIRONMENT</b></p>	<p>While performing the duties of this job, the employee is regularly required to perform the following essential job functions:</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Light lifting (&lt;20 lbs.)</td> <td style="width: 15%;">Standing</td> <td style="width: 15%;">Sitting</td> <td style="width: 10%;">Seeing</td> </tr> <tr> <td>Moderate lifting (20–50 lbs.)</td> <td>Reaching</td> <td>Walking</td> <td></td> </tr> <tr> <td></td> <td>Hearing</td> <td></td> <td></td> </tr> <tr> <td>Heavy lifting (&gt;50 lbs)</td> <td>Bending</td> <td>Climbing</td> <td></td> </tr> <tr> <td></td> <td>Talking</td> <td></td> <td></td> </tr> <tr> <td>Driving</td> <td>Repetitive Motion</td> <td>Push/Pulling</td> <td></td> </tr> <tr> <td>Other, specify:</td> <td></td> <td></td> <td></td> </tr> </table> <p>The work environment is primarily representative of those an employee encounters while performing the essential functions of the job.</p> <p>Potential exposure to waste and bodily fluids</p> <p>Potential allergenic and/or irritant conditions</p> <p>Retail store may have fluctuating temperatures in donation area</p>	Light lifting (<20 lbs.)	Standing	Sitting	Seeing	Moderate lifting (20–50 lbs.)	Reaching	Walking			Hearing			Heavy lifting (>50 lbs)	Bending	Climbing			Talking			Driving	Repetitive Motion	Push/Pulling		Other, specify:			
Light lifting (<20 lbs.)	Standing	Sitting	Seeing																										
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Heavy lifting (>50 lbs)	Bending	Climbing																											
	Talking																												
Driving	Repetitive Motion	Push/Pulling																											
Other, specify:																													
<p><b>CORE COMPETENCIES</b></p> <p>Behaviors and skills employees are expected to demonstrate to carry</p>	<ul style="list-style-type: none"> <li>▪ <b>Values/Ethics:</b> Ability to act with integrity and respect in personal and organizational practices, treating all people equitably including respecting professional, ethical and people values.</li> </ul>																												

<p>out the mission and goals of BHcare.</p>	<ul style="list-style-type: none"> <li>▪ <b>Communication:</b> Ability to write and speak clearly and succinctly in a variety of communication settings; can get messages across that have the desired effect.</li> <li>▪ <b>Conflict Resolution:</b> Facilitating the prevention and/or resolution of conflict while preserving working relationships while maintaining composure.</li> <li>▪ <b>Organization:</b> Ability to manage multiple projects; determine project urgency, uses goals to guide actions; organizes and schedules tasks effectively.</li> <li>▪ <b>Teamwork:</b> Readily sharing information, knowledge and personal strengths. Seek to understand and build on differing perspectives of others to enhance team efficiency and quality outcomes.</li> <li>▪ <b>Computer:</b> Ability to use computers and other forms of technology. Ability to learn required office software products.</li> <li>▪ <b>Decision Making/Decisiveness:</b> Making and taking responsibility for and demonstrating commitment to appropriate decisions in a timely manner. Ensuring that decisions are made based on policies, rules and organizational directives and solving emerging problems.</li> </ul>
<p>To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.</p>	

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date







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**NASMHPD**