AN ACT

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in criminal history record information, further providing for use of records for employment.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 9125 of Title 18 of the Pennsylvania Consolidated Statutes is amended to read:

§ 9125. Use of records for employment.

(a) General rule.--Whenever an employer is in receipt of information which is part of [an employment applicant's] the criminal history record information file of an employment applicant or an employee, it may use that information for the purpose of deciding whether or not to [hire the applicant] begin or continue employment, only in accordance with this section.

(b) Use of information.--Felony and misdemeanor convictions may be considered by the employer only to the extent to which they relate to [the applicant's] suitability for employment in
the position [for which he has] applied for or held.

(c) Notice.--

(1) The employer shall notify in writing the applicant if the decision not to hire the applicant is based in whole or in part on criminal history record information.

(2) The employer shall notify in writing the employee if an adverse employment decision is based in whole or in part on criminal history record information.

Section 2. This act shall take effect in 30 days.