



Cold Spring Harbor Laboratory

## APPLICATION FOR EMPLOYMENT

Cold Spring Harbor Laboratory, P.O. Box 100, One Bungtown Road, Cold Spring Harbor, N.Y. 11724-2201

## Employment Application

### Cold Spring Harbor Laboratory (CSHL) is an Equal Opportunity Employer / Affirmative Action Employer

<b>Personal Data</b> (Please print clearly or type)				Date:
Last Name:		First Name:		Initial:
Have you ever used another name? If yes, please provide other name(s):			If you have a private e-mail address, please provide it below:	
Current Address – Street (No P.O. Box)	City:	State	Zip	Telephone w/area code:
Has CSHL ever employed you? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, indicate dates of employment From: _____ To: _____ CSHL Employee # _____		Do you have any family members employed at Cold Spring Harbor Laboratory? <input type="checkbox"/> Yes <input type="checkbox"/> No Name: _____ Relationship: _____		
What position are you applying for?		Desired Pay?		Availability?
If you are under the age of 18, do you have a valid Student Employment Certificate (Working Papers)? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Note: Applicants who answer "No" will not be disqualified for consideration and will be required to provide this certificate if employment is offered.</i>				

### Education (You may be asked to provide transcripts and a waiver allowing access to educational records)

	Name, City and State	Degree	Major	Did you graduate?
High School				<input type="checkbox"/> Yes <input type="checkbox"/> No
College (s)				<input type="checkbox"/> Yes <input type="checkbox"/> No
Graduate School (s)				<input type="checkbox"/> Yes <input type="checkbox"/> No
Other(s)				<input type="checkbox"/> Yes <input type="checkbox"/> No

### References (List professional references only)

Name	Title	Organization	Work Phone

### Patents, Inventions and/or Publications


### Need for Work Authorization: (Please answer the following questions only as instructed below.)

1. Are you currently authorized to work for any employer in the U.S. on a full-time basis?  Yes  No
  2. If you are authorized to work for all employers in the US on a full-time basis, will you now or in the future require sponsorship for an employment-authorized visa status?  Yes  No
- If you are offered employment by CSHL, you must complete and sign the I-9 form required by the U.S. Immigration and Naturalization Service no later than your first day of employment and provide documentation to verify your identity and eligibility to work in the U.S. within three (3) business days of your date of hire.

## Employment Information

### Employment History

List full-time, part-time, or voluntary work including military service, starting with the most recent position. Complete entirely - do not write, "See Resume." If necessary, please use additional paper. (Please print clearly or type.)

[1]	Employer:	If Contract/Temp. position, please list agency & address:	
	Address (city & state)	Telephone w/area code:	Type of Business:
	Date Started:	Starting Salary:	Starting Position:
	Date Ended:	Ending Salary:	Ending Position:
	Name and title of supervisor:		Reason for Leaving:
	Briefly describe your responsibilities:		
[2]	Employer:	If Contract/Temp. position, please list agency & address:	
	Address (city & state)	Telephone w/area code:	Type of Business:
	Date Started:	Starting Salary:	Starting Position:
	Date Ended:	Ending Salary:	Ending Position:
	Name and title of supervisor:		Reason for Leaving:
	Briefly describe your responsibilities:		
[3]	Employer:	If Contract/Temp. position, please list agency & address:	
	Address (city & state)	Telephone w/area code:	Type of Business:
	Date Started:	Starting Salary:	Starting Position:
	Date Ended:	Ending Salary:	Ending Position:
	Name and title of supervisor:		Reason for Leaving:
	Briefly describe your responsibilities:		
[4]	Employer:	If Contract/Temp. position, please list agency & address:	
	Address (city & state)	Telephone w/area code:	Type of Business:
	Date Started:	Starting Salary:	Starting Position:
	Date Ended:	Ending Salary:	Ending Position:
	Name and title of supervisor:		Reason for Leaving:
	Briefly describe your responsibilities:		
	Please explain any gaps in your employment history of more than 90 days:		May we contact your present employer while you are currently employed?
			<input type="checkbox"/> Yes <input type="checkbox"/> No
	Do not contact Employer Number(s) <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4		Reason(s):

## Convictions

1. Have you ever been convicted of or pleaded guilty to a felony or misdemeanor?

Answer "NO" if your conviction or plea of guilty: (a) was sealed, expunged, or reversed on appeal; (b) was for a violation, infraction, or other petty offense such as "disorderly conduct;" (c) resulted in a youthful offender or juvenile delinquency finding; or (d) if you withdrew your plea after completing a court program and were not convicted of a misdemeanor or felony.

Yes

No Record

If you answer "yes", please supply additional information as to the reason(s) for the positive response on a separate page.

Applicants will not be summarily rejected because of a conviction record.

## Authorization to Conduct Background Check, Agreements, Release and other Acknowledgements

1. I have received, read, and understand the "Background Check Disclosure" and "Background Check Authorization and Release" provided to me. I understand that any employment by CSHL is conditioned upon a satisfactory check of my background, references and verification of the information I have provided to CSHL. I authorize all previous employers, educational institutions, consumer reporting agencies and other persons listed herein to provide requested information about me to CSHL.
2. I understand that as a condition of any offer of employment that I will be required to sign the CSHL Conflict of Interest Disclosure, CSHL Invention Agreement, patent agreements and other intellectual property agreements. I understand that any employment offer will be contingent upon my agreeing to maintain confidentiality of all CSHL proprietary information and to assign to CSHL all rights in any invention (including computer software) covered by the CSHL Invention Agreement. I understand that all scientific reagents, materials and records, including copies, are property of CSHL and may only be taken upon prior written consent of CSHL. If employed, I agree to sign an appropriate agreement further embodying these conditions.
3. I understand that acceptance of any offer of employment does not create a contractual obligation of CSHL, expressed or implied, to continue to employ me in the future. I further understand that my employment shall be "at-will," and may be terminated at any time, with or without cause and without prior notice either by CSHL or myself. Any prior or other agreements to the contrary are hereby superseded. I further understand that should I become employed, the at-will nature of my employment cannot be modified, except by a written agreement signed by the President of CSHL. In addition, I agree that the terms and conditions of my employment, including compensation, can be changed at any time for any reason at the option of CSHL.
4. I consent to take any pre or post-employment examinations permitted by applicable law as may be required by CSHL, including medical and physical, and release CSHL from any liability that may arise from such examinations.
5. I give permission to CSHL to verify all information I have provided on this application. By signing below, I confirm that all information provided by me to CSHL, in any form, is to the best of my knowledge, true, correct and complete. I also understand that any misrepresentation made by me to CSHL or failure to disclose information requested on the application will exclude me from further consideration as a candidate for employment or advancement, and may result in my dismissal, if I am hired or advanced by CSHL before such misrepresentation or omission is identified.

**I hereby certify that I have read and understand the foregoing disclosures, authorizations, releases, agreements and acknowledgements:**

\_\_\_\_\_  
**Applicant Signature**

\_\_\_\_\_  
**Date**

Cold Spring Harbor Laboratory is an Equal Employment Opportunity Employer, and does not discriminate on the basis of race, color, religion, sex, sexual orientation, national origin, age, marital status, gender identity or expression, genetic information, disability, veteran status, citizenship status, or any other factors prohibited by applicable law. Cold Spring Harbor Laboratory takes affirmative action in support of its policy to employ and advance in employment individuals who are minorities, women, protected veterans, and individuals with disabilities.

### Referral Source

Advertisement

Internet (site) \_\_\_\_\_

Other \_\_\_\_\_

Employment Agency

CSHL employee referral (name) \_\_\_\_\_



BACKGROUND CHECK AUTHORIZATION AND RELEASE

I, \_\_\_\_\_, hereby authorize Cold Spring Harbor Laboratory and/or its employees, directors, agents and officers to make a check of my background, references, character, reputation, work performance, past employment, education, credit history, criminal or police records, civil and administrative actions and driving history, including those maintained by both public and private organizations and all public records for employment purposes now and, if applicable, during the tenure of my employment with Cold Spring Harbor Laboratory.

This authorization shall remain on file and serve as a continuing authorization for Cold Spring Harbor Laboratory to conduct such an investigation, including procuring such reports when and as deemed necessary by Cold Spring Harbor Laboratory for employment purposes at any time during my employment.

I authorize obtaining and furnishing of "consumer reports" and "investigative consumer reports," as those terms are defined by the Fair Credit Reporting Act, for employment purposes to Cold Spring Harbor Laboratory and/or its employees, directors, agents and officers. I release to the maximum extent permitted by law Cold Spring Harbor Laboratory and any person or entity which provides information pursuant to this authorization from any and all liabilities, claims or law suits.

I confirm that I have received a copy of Article 23-A of the New York Correction Law, which governs the licensure and employment of persons previously convicted of one or more criminal offenses. I further confirm that I have received a copy of the Summary of Rights under the Fair Credit Reporting Act, as prepared by the Consumer and Financial Protection Bureau. The following is my true and complete legal name and all information is true and correct to the best of my knowledge.

\_\_\_\_\_  
Full Name (Printed)

\_\_\_\_\_  
Maiden Name or Other Names Used

\_\_\_\_\_  
Present Address

How Long?

\_\_\_\_\_  
City/State

Zip

\_\_\_\_\_  
Former Address

How Long?

\_\_\_\_\_  
City/State

Zip

\_\_\_\_\_  
Driver's License Number

\_\_\_\_\_  
State of License

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Cold Spring Harbor Laboratory is an Equal Employment Opportunity Employer, and does not discriminate on the basis of race, color, religion, sex, sexual orientation, national origin, age, marital status, gender identity or expression, genetic information, disability, veteran status, citizenship status, or any other factors prohibited by applicable law. Cold Spring Harbor Laboratory takes affirmative action in support of its policy to employ and advance in employment individuals who are minorities, women, protected veterans, and individuals with disabilities.



Cold Spring Harbor Laboratory

## Background Check Disclosure

When considering your application for employment, when making a decision whether to offer you employment, when deciding whether to continue your employment (if you are hired), and when making other employment-related decisions affecting you, Cold Spring Harbor Laboratory (CSHL) may conduct a background check. This background check may include the request and use of a “consumer report” or an “investigative consumer report” from a “consumer reporting agency” (“Agency”). These terms are defined in a law called the Fair Credit Reporting Act (“FCRA”). As an applicant for employment or as an employee of CSHL, you are considered a “consumer” with certain rights under the FCRA.

An Agency is a person or business that assembles or evaluates consumer credit information or other information on consumers for the purpose of furnishing “consumer reports” and “investigative consumer reports” to others such as employers like CSHL.

A “consumer report” is the communication of any information by an Agency bearing on a consumer’s credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics or mode of living which is used or collected for the purpose of serving as a factor in establishing the consumer’s eligibility for employment purposes. This could include the inspection of information pertaining to work history, education, criminal, civil and administrative actions, driving history, and consumer credit records. In some cases, CSHL may request an “investigative consumer report.” Such a report includes information obtained through personal interviews with neighbors, friends, or associates of the consumer about a consumer’s character, general reputation, personal characteristics, or mode of living. You have the right to make a written request for disclosure of the nature and scope of any investigative consumer report that has been requested.

Upon written request you will be informed whether or not a consumer report was requested, and if such report was requested, the name and address of the consumer reporting agency that furnished the report.

Please sign and date below to signify receipt and understanding of this Disclosure.

\_\_\_\_\_  
Name (Please Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Para información en español, visite [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) o escribe a la Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

## A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under FCRA. **For more information, including information about additional rights, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.**

- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment – or to take another adverse action against you – must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your “file disclosure”). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
  - a person has taken adverse action against you because of information in your credit report;
  - you are the victim of identity theft and place a fraud alert in your file;
  - your file contains inaccurate information as a result of fraud;
  - you are on public assistance;
  - you are unemployed but expect to apply for employment within 60 days.

In addition, all consumers are entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) for additional information.

- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) for an explanation of dispute procedures.
- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete, or unverifiable information must be removed or corrected, usually

within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.

- **Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.
- **Access to your file is limited.** A consumer reporting agency may provide information about you only to people with a valid need – usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.
- **You must give your consent for reports to be provided to employers.** A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore).
- **You may limit “prescreened” offers of credit and insurance you get based on information in your credit report.** Unsolicited “prescreened” offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt out with the nationwide credit bureaus at 1-888-5-OPTOUT (1-888-567-8688).
- The following FCRA right applies with respect to nationwide consumer reporting agencies:

#### CONSUMERS HAVE THE RIGHT TO OBTAIN A SECURITY FREEZE

**You have a right to place a “security freeze” on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization.** The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit.

As an alternative to a security freeze, you have the right to place an initial or extended fraud alert on your credit file at no cost. An initial fraud alert is a 1-year alert that is placed on a consumer’s credit file. Upon seeing a fraud alert display on a consumer’s credit file, a business is required to take steps to verify the consumer’s identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting 7 years.

A security freeze does not apply to a person or entity, or its affiliates, or collection agencies acting on behalf of the person or entity, with which you have an existing account that requests information in your credit report for the purposes of reviewing or collecting the account. Reviewing the account includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

- **You may seek damages from violators.** If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.
- **Identity theft victims and active duty military personnel have additional rights.** For more information, visit [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore).



**States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. For information about your federal rights, contact:**

TYPE OF BUSINESS:	CONTACT:
<p>1.a. Banks, savings associations, and credit unions with total assets of over \$10 billion and their affiliates</p> <p>b. Such affiliates that are not banks, savings associations, or credit unions also should list, in addition to the CFPB:</p>	<p>a. Consumer Financial Protection Bureau 1700 G Street, N.W. Washington, DC 20552</p> <p>b. Federal Trade Commission Consumer Response Center 600 Pennsylvania Avenue, N.W. Washington, DC 20580 (877) 382-4357</p>
<p>2. To the extent not included in item 1 above:</p> <p>a. National banks, federal savings associations, and federal branches and federal agencies of foreign banks</p> <p>b. State member banks, branches and agencies of foreign banks (other than federal branches, federal agencies, and Insured State Branches of Foreign Banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act.</p> <p>c. Nonmember Insured Banks, Insured State Branches of Foreign Banks, and insured state savings associations</p> <p>d. Federal Credit Unions</p>	<p>a. Office of the Comptroller of the Currency Customer Assistance Group 1301 McKinney Street, Suite 3450 Houston, TX 77010-9050</p> <p>b. Federal Reserve Consumer Help Center P.O. Box 1200 Minneapolis, MN 55480</p> <p>c. FDIC Consumer Response Center 1100 Walnut Street, Box #11 Kansas City, MO 64106</p> <p>d. National Credit Union Administration Office of Consumer Financial Protection (OCFP) Division of Consumer Compliance Policy and Outreach 1775 Duke Street Alexandria, VA 22314</p>
<p>3. Air carriers</p>	<p>Asst. General Counsel for Aviation Enforcement &amp; Proceedings Aviation Consumer Protection Division Department of Transportation 1200 New Jersey Avenue, S.E. Washington, DC 20590</p>
<p>4. Creditors Subject to the Surface Transportation Board</p>	<p>Office of Proceedings, Surface Transportation Board Department of Transportation 395 E Street, S.W. Washington, DC 20423</p>
<p>5. Creditors Subject to the Packers and Stockyards Act, 1921</p>	<p>Nearest Packers and Stockyards Administration area supervisor</p>
<p>6. Small Business Investment Companies</p>	<p>Associate Deputy Administrator for Capital Access United States Small Business Administration 409 Third Street, S.W., Suite 8200 Washington, DC 20416</p>
<p>7. Brokers and Dealers</p>	<p>Securities and Exchange Commission 100 F Street, N.E. Washington, DC 20549</p>
<p>8. Federal Land Banks, Federal Land Bank Associations, Federal Intermediate Credit Banks, and Production Credit Associations</p>	<p>Farm Credit Administration 1501 Farm Credit Drive McLean, VA 22102-5090</p>
<p>9. Retailers, Finance Companies, and All Other Creditors Not Listed Above</p>	<p>Federal Trade Commission Consumer Response Center 600 Pennsylvania Avenue, N.W. Washington, DC 20580 (877) 382-4357</p>



**VOLUNTARY APPLICANT/EMPLOYEE SELF IDENTIFICATION**

Name \_\_\_\_\_ Date \_\_\_\_\_  
Last First Middle

Address \_\_\_\_\_  
Number and Street

\_\_\_\_\_  
City County State Zip Code

Cold Spring Harbor Laboratory is subject to certain governmental recordkeeping and reporting requirements for the administration of civil rights laws and regulations. In order to comply with these laws, Cold Spring Harbor Laboratory invites you to voluntarily self-identify your sex, ethnicity, and race. Submission of this information is voluntary and refusal to provide it will not subject you to any adverse treatment. The information will be kept confidential and will only be used in accordance with the provisions of applicable laws, executive orders, and regulations, including those that require the information to be summarized and reported to the federal government for civil rights enforcement. When reported, data will not identify any specific individual. If you do not wish to furnish this information, please initial in the section below.

Please check the appropriate boxes:

- Sex  Female  Male

- Ethnicity\* - Are you Hispanic or Latino?  Yes  No

Race \* - What race/races do you consider yourself to be? Check only one.

- White (Not Hispanic or Latino)
- Black or African American (Not Hispanic or Latino)
- Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino)
- Asian (Not Hispanic or Latino)
- American Indian or Alaskan Native (Not Hispanic or Latino)
- Two or More Races (Not Hispanic or Latino)

\* Definitions of ethnicity and race categories are on the reverse of this form.

Please initial below only if you do not wish to furnish the above information.

I do not wish to furnish this information. \_\_\_\_\_  
Initials

\_\_\_\_\_  
Applicant or Employee Signature:

\_\_\_\_\_  
Date

For HR Use Only  
Employee # \_\_\_\_\_

## **RACE/ETHNIC CATEGORIES**

### **Ethnicity**

*Hispanic or Latino* – A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

### **Race**

*White (Not Hispanic or Latino)* – A persons having origins in any of the original peoples of Europe, the Middle East or North Africa.

*Black or African American (Not Hispanic or Latino)* - A person having origins in any of the Black racial groups of Africa.

*Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino)* – A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

*Asian (Not Hispanic or Latino)* – A persons having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

*American Indian or Alaska Native (Not Hispanic or Latino)* - A persons having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

*Two or More Races (Not Hispanic or Latino)* – All persons who identify with more than one of the above five races.

NEW YORK CORRECTION LAW  
ARTICLE 23-A

LICENSURE AND EMPLOYMENT OF PERSONS PREVIOUSLY  
CONVICTED OF ONE OR MORE CRIMINAL OFFENSES

**Section 750. Definitions.**

**751. Applicability.**

**752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited.**

**753. Factors to be considered concerning a previous criminal conviction; presumption.**

**754. Written statement upon denial of license or employment.**

**755. Enforcement.**

§750. **Definitions.** For the purposes of this article, the following terms shall have the following meanings:

(1) "Public agency" means the state or any local subdivision thereof, or any state or local department, agency, board or commission.

(2) "Private employer" means any person, company, corporation, labor organization or association which employs ten or more persons.

(3) "Direct relationship" means that the nature of criminal conduct for which the person was convicted has a direct bearing on his fitness or ability to perform one or more of the duties or responsibilities necessarily related to the license, opportunity, or job in question.

(4) "License" means any certificate, license, permit or grant of permission required by the laws of this state, its political subdivisions or instrumentalities as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. Provided, however, that "license" shall not, for the purposes of this article, include any license or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm.

(5) "Employment" means any occupation, vocation or employment, or any form of vocational or educational training. Provided, however, that "employment" shall not, for the purposes of this article, include membership in any law enforcement agency.

§751. **Applicability.** The provisions of this article shall apply to any application by any person for a license or employment at any public or private employer, who has previously been convicted of one or more criminal offenses in this state or in any other jurisdiction, and to any license or employment held by any person whose conviction of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license, except where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed by an executive pardon, certificate of relief from disabilities or certificate of good conduct. Nothing in this article shall be construed to affect any right an employer may have with respect to an intentional misrepresentation in connection with an application for employment made by a prospective employee or previously made by a current employee.

§752. **Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited.** No application for any license or employment, and no employment or license held by an individual, to which the provisions of this article are applicable, shall be denied or acted upon adversely by reason of the

individual's having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of "good moral character" when such finding is based upon the fact that the individual has previously been convicted of one or more criminal offenses, unless:

(1) There is a direct relationship between one or more of the previous criminal offenses and the specific license or employment sought or held by the individual; or

(2) the issuance or continuation of the license or the granting or continuation of the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

**§753. Factors to be considered concerning a previous criminal conviction; presumption.**

1. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors:

(a) The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses.

(b) The specific duties and responsibilities necessarily related to the license or employment sought or held by the person.

(c) The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities.

(d) The time which has elapsed since the occurrence of the criminal offense or offenses.

(e) The age of the person at the time of occurrence of the criminal offense or offenses.

(f) The seriousness of the offense or offenses.

(g) Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.

(h) The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public.

2. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall also give consideration to a certificate of relief from disabilities or a certificate of good conduct issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified therein.

**§754. Written statement upon denial of license or employment.** At the request of any person previously convicted of one or more criminal offenses who has been denied a license or employment, a public agency or private employer shall provide, within thirty days of a request, a written statement setting forth the reasons for such denial.

**§755. Enforcement.**

1. In relation to actions by public agencies, the provisions of this article shall be enforceable by a proceeding brought pursuant to article seventy-eight of the civil practice law and rules.

2. In relation to actions by private employers, the provisions of this article shall be enforceable by the division of human rights pursuant to the powers and procedures set forth in article fifteen of the executive law, and, concurrently, by the New York city commission on human rights.