**LawNY® Reentry Services**

LawNY® serves individuals reentering society from incarceration and those with criminal records. Priority is given to those seeking to obtain or maintain employment, including but not limited to, the following issues:

- Denial or Termination of Employment due to Criminal Record
- Denial or Ineligibility for Licensure, Clearances, or Contracts Due to Criminal Record
- Disqualification from Higher Education Due to Criminal Record
- Rap Sheet Corrections
- Certificates of Rehabilitation

**We can help!**

LawNY can answer questions you might have regarding how your criminal record may impact your employment.

If you would like your assistance, please contact our office by phone at: (585) 325-2520 or apply online at lawny.org.

**Hablamos Español**

If you only speak Spanish or you are more at ease speaking Spanish, you may speak with our Spanish speaking staff.

Si usted solamente habla español, o se siente más cómodo hablando español, usted puede hablar con nuestros empleados quienes hablan Español.

**INTERPRETERS IN OTHER LANGUAGES AVAILABLE UPON REQUEST.**

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**Legal Assistance of Western New York, Inc.®**

The Rochester Office of Legal Assistance of Western New York, Inc.® (LawNY®) was created in 1968 to provide free legal advice and representation in non-criminal matters to low-income people. LawNY® is a not-for-profit law firm governed by a Board of Directors comprised of local attorneys and low-income people appointed by various community organizations.

We serve residents of 14 counties throughout western New York. What we can help with depends on the county you live in.

We receive government grants and private funds to pay for our work. **You will not be charged a fee for our services.**

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This brochure is intended for information only, and not as legal advice. For more detailed assistance please contact an attorney.
Can I be Denied Employment Because I Have a Criminal Record?
Under New York State law, it is illegal for an employer to deny a person a job just because of their criminal convictions, unless:

- The circumstances of the conviction(s) have a direct relationship to the duties and responsibilities of the job.
- OR
- Hiring someone would create an unreasonable risk to property, or to the health and safety of certain people or the general public.

These restrictions do not apply to employers with 9 or fewer employees and law enforcement agencies. Additionally, those with one or more currently pending arrests or accusations are not protected by these rules.

What can an employer not ask me?
An employer cannot ask an applicant, or an employee, if they have ever, in the past, been arrested or if they have ever had a criminal accusation filed against them in court.

An employer cannot ask an applicant, or an employee, for information about an arrest or accusation that is no longer pending.

An employer cannot ask an applicant, or an employee, if they have any sealed criminal records or about youthful offender adjudications.

Certificates of Rehabilitation & Sealing
A Certificate of Rehabilitation is a factor an employer must consider when evaluating your application for employment. As there are limited ways to seal a criminal record in New York it may be helpful to obtain a Certificate of Rehabilitation.

New York State allows individuals with criminal records to apply for certificates of rehabilitation, and in some specific instances sealing. In order to find out if you qualify for either a certificate or sealing you should obtain a copy of your RAP sheet and review it.

What are Certificates of Rehabilitation?
- A Certificate of Rehabilitation creates the presumption of rehabilitation to the specified offense. Certificates are a useful tool when applying for a job.
- Certificates can remove the automatic disqualifications required by law for certain jobs or licenses.
- Having a Certificate does not prevent a potential employer from considering your convictions. However, employers must also consider the Certificate when basing an employment decision on your background check.

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