

Employment Restrictions for Formerly Incarcerated People

➤ WISCONSIN: STATE-GUIDED RESTRICTIONS



- ◆ In Wisconsin, persons convicted of crimes against life and bodily security or crimes against children cannot obtain a teacher's license
- ◆ Formerly Incarcerated people cannot possess firearms so cannot be police officers or correctional officers
- ◆ Formerly Incarcerated people cannot hold public office
- ◆ Driver's license statutes specify possible loss of driver's license due to felony conviction
- ◆ FAA rules specify that offenders are restricted from many airport jobs (especially those with access to airplanes)
- ◆ Felons may not be eligible for the armed services, Job Corps or AmeriCorps

FEA (Fair Employment Act): *The intent of Wisconsin's Fair Employment Act is that ex-felons may not be discriminated against in consideration for employment based on their record of conviction or pending arrest (unless a nexus can be shown). There are, however, specific amendments to the Fair Employment Act which are listed below. An ex-felon may be denied, revoked or refused renewal of license for:*

- *Private Investigator*
- *Security Guard*
- *Private Detective*
- *Security Alarm Installer*
- *Liquor License (if convicted of certain drug-related offenses)*

Additionally, the Wisconsin Caregiver Law identifies specific offenses that affect caregiver eligibility. There is also a provision for rehabilitation review of these offenders. The specific list of offenses and the review procedure may be researched at the following site: http://www.legis.state.wi.us/rsb/code/hfs/hfs012_app_a.pdf

➤ FEDERALLY-GUIDED RESTRICTIONS



FEDERAL STATUTES:

Conviction may result in:

- ◆ Loss of a federal license, such as custom broker's license, export license, license to export defense articles and services, merchant mariner's document, license or certification of registry, licenses of persons convicted of drug offense and locomotive engineer's license
- ◆ Denial of registration to manufacture, distribute or conduct research on controlled substances

COMMODITY TRADING COMMISSION:

May refuse to register if convicted in the past ten years of any array of crimes including gambling and federal tax offenses:

- ◆ Futures commission merchant
- ◆ Introducing broker
- ◆ Commodity-trading advisor

SECURITIES EXCHANGE COMMISSION:

May refuse to register if convicted in the past ten years of any array of crimes including gambling and federal tax offenses:

- ◆ Investment advisors

BANKING, COMMODITIES AND SECURITIES:

May not become or continue as a director, officer, employee, or controlling stockholder of a federally insured depository institution if convicted of any criminal offense involving:

- ◆ Dishonesty
- ◆ Breach of trust
- ◆ Money Laundering

LABOR ORGANIZATIONS:

Convictions of any of the following offenses disqualify a person from several capacities with labor organizations:

- ◆ Robbery
- ◆ Bribery
- ◆ Drug violations
- ◆ Murder

DEFENSE CONTRACTORS OR SUBCONTRACTORS:

Conviction of any of the following, arising out of a contract with the Department of Defense, may prohibit high level employment for at least five years:

- ◆ Fraud
- ◆ Felony

Additional References Regarding Employment Restrictions:

You may check the following references in regards to employment restrictions:

- ◆ The Wisconsin Caregiver Law:
The Wisconsin Caregiver Law identifies specific offenses that affect caregiver eligibility. There is also a provision for rehabilitation review of these offenders. The specific list of offenses and the review procedure may be researched at the following site:
<http://www.dhfs.state.wi.us/caregiver/StatutesINDEX.HTM>
- ◆ The Wisconsin Fair Employment Act:
http://www.dwd.state.wi.us/er/discrimination_civil_rights/fair_employment_law.htm
- ◆ The United States Volunteers for Children Act which gives access to FBI files for background checks for employment of persons who work with vulnerable populations.
- ◆ Wisconsin Department of Regulation and Licensing: Requirements are listed specifically with each occupation.<http://drl.wi.gov/prof/apps.htm>
- ◆ United States Domestic Violence Act which includes firearms prohibitions.