

Employers can find out about your record

Most employers are not allowed to get information about your youth record from the police. But they have other ways of finding out if you have been in trouble with the law.



An employer might ask you if you have a youth record

They sometimes do. If they ask about a youth record and you don't answer, they might think you have something to hide. **They will probably give the job to someone else.**

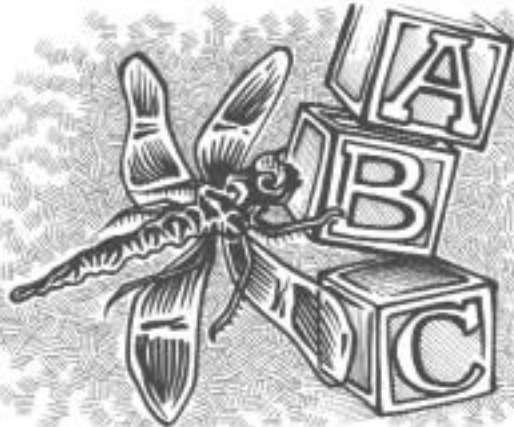




An employer can ask you to do a police record check

The police are not supposed to give any employer, except a government employer, information about your record even if you say they can. Some employers will, however, ask you to get proof that you have no record. An employer may ask you to sign a special form asking the police to send you the results of your police record check. Or an employer may ask you to go to the police and get a copy of your record. If you ask the police for a copy of your own record, the police will give it to you. Once you have it, you can give it to anyone you want. **Employers know this.**

You have the right to refuse to have a record check done. An employer doesn't have a right to insist on this. But, if you refuse, the employer might think it is because you have something to hide. There will usually be other people applying for the job who will be willing and able to provide a clean record check.



Word gets around

In many communities people know most of what goes on. Word can get around about any trouble you have with the law even though your name will never be published in the newspaper or made generally public. **Employers in the community could hear about it.**



Employers can **REFUSE** to **HIRE** you

During the time your record is open, an employer who finds out about it can refuse to hire you. This means that if you have been found guilty of a less serious crime, you might lose jobs because of your record **for up to 3 years after** you have finished your sentence.

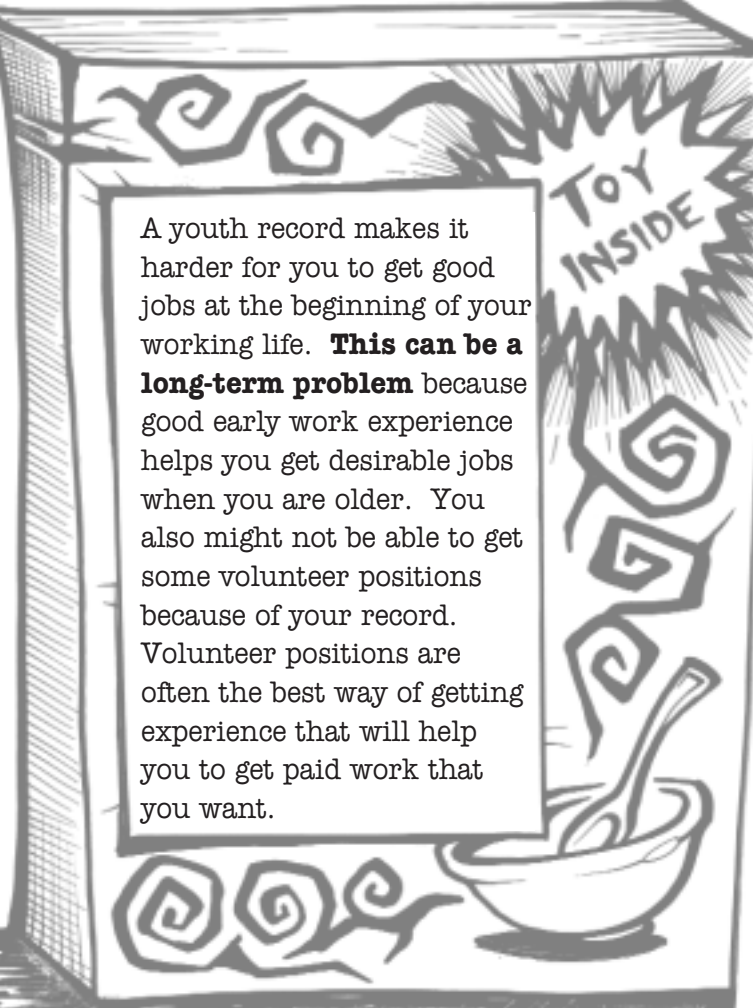
If your sentence includes probation, then your record will be open for 3 years after your probation ends. If you have been found guilty of a more serious crime, your record might get in the way of jobs you want **for 5 years after** you finish your sentence.



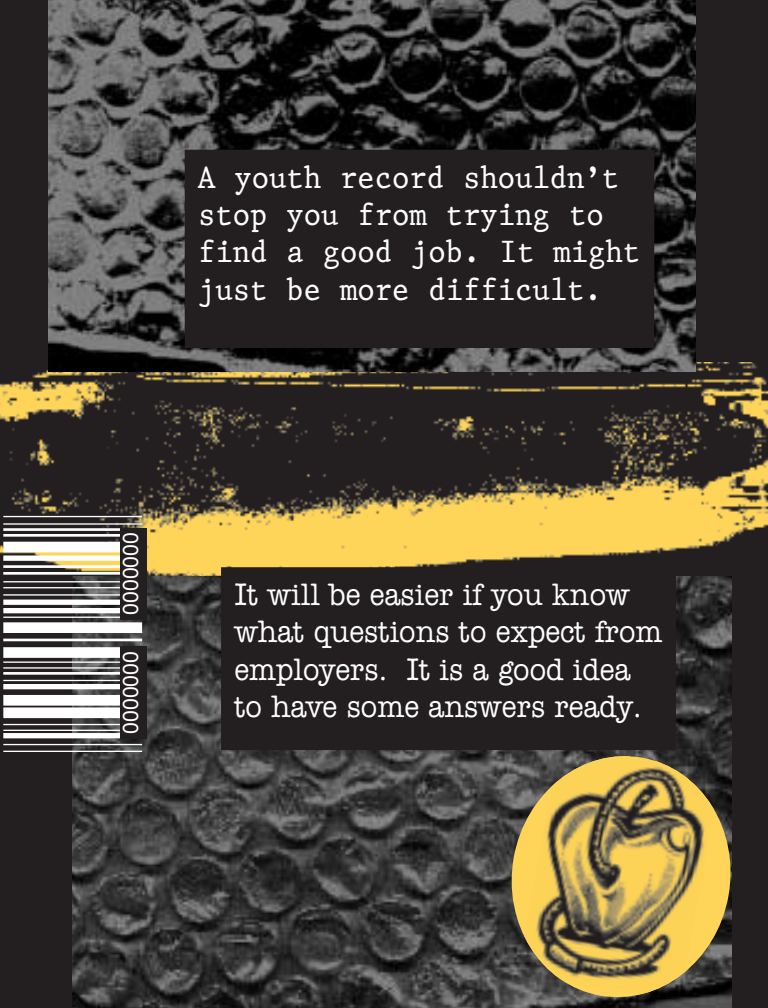
After your record is closed, it is against the law for an employer not to hire you because you committed an offence as a youth. Even if an employer finds out that you have been in trouble with the law, **they can't refuse to hire you simply because you have a closed youth record.**

But until it is closed, most employers can decide not to hire you at all. They can also decide not to hire you for certain positions because of the type of crime you committed. For example, if you stole something, you might not be hired as a cashier. If you already have the job, and your employer finds out that you lied about having a record, **they can fire you.**




A stylized illustration of a box with a 'TOY INSIDE' label and a bowl with a spoon. The box is decorated with spiral patterns and has a jagged, starburst-like shape above the text 'TOY INSIDE'. Below the box is a bowl with a spoon inside it. The entire illustration is in black and white.

A youth record makes it harder for you to get good jobs at the beginning of your working life. **This can be a long-term problem** because good early work experience helps you get desirable jobs when you are older. You also might not be able to get some volunteer positions because of your record. Volunteer positions are often the best way of getting experience that will help you to get paid work that you want.

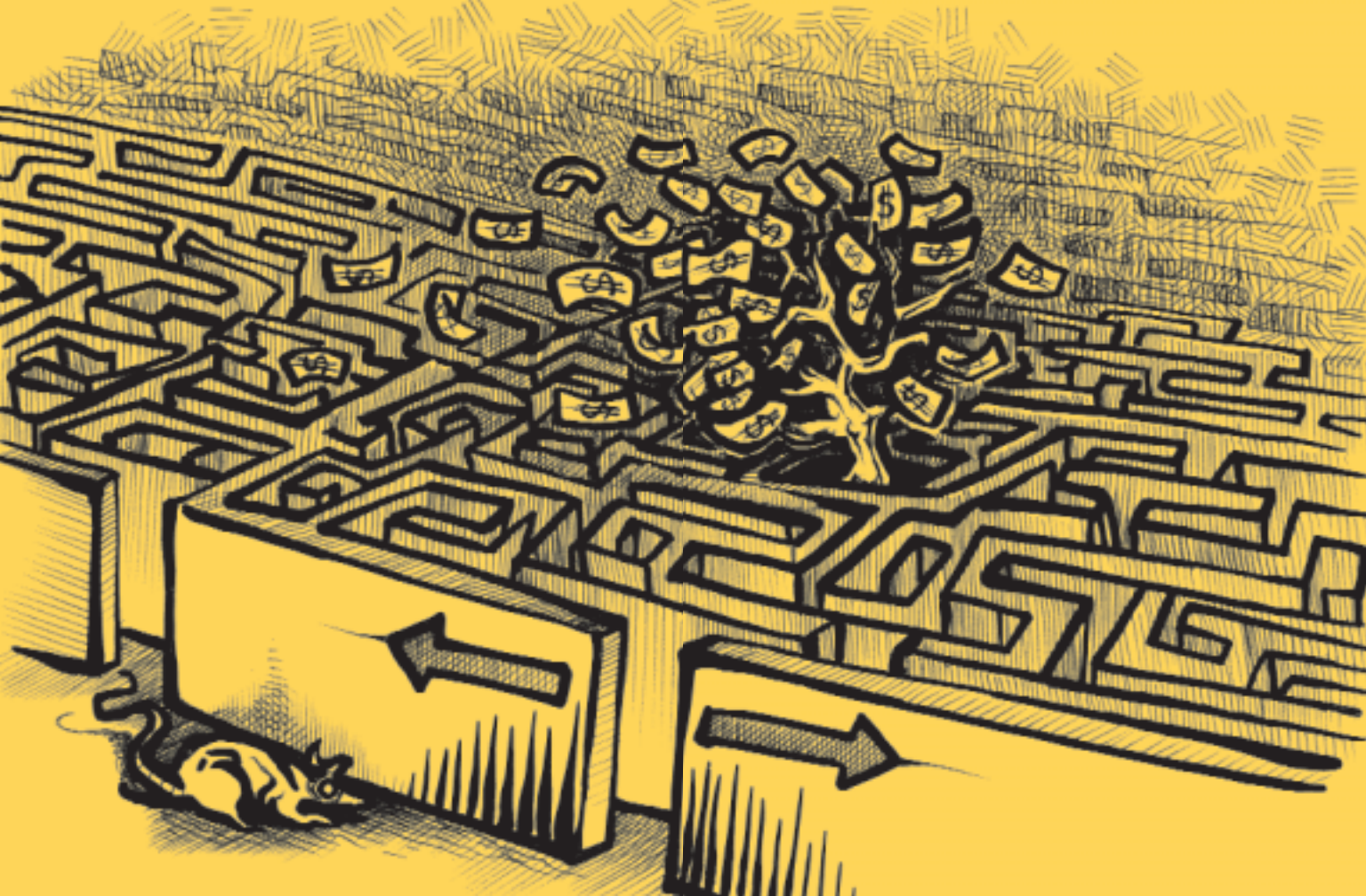
A dark background with a repeating pattern of small, circular, textured shapes, resembling a honeycomb or a similar natural pattern. The pattern is in shades of gray and black.

A youth record shouldn't stop you from trying to find a good job. It might just be more difficult.

A thick, horizontal yellow brushstroke graphic that spans across the middle of the page, partially overlapping the dark background and the text boxes.

It will be easier if you know what questions to expect from employers. It is a good idea to have some answers ready.





How to answer questions

Q Do you have a criminal record?

A You can honestly say that you do not. Your record is a “youth record” and not a “criminal record”.

Q Have you ever been convicted of a criminal offence?



A You can honestly answer “no”. Youth are not “convicted”. Youth are “found guilty”.

that employers might ask you

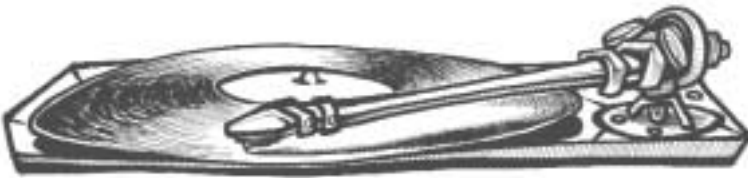
Q Have you been found guilty of a criminal offence?

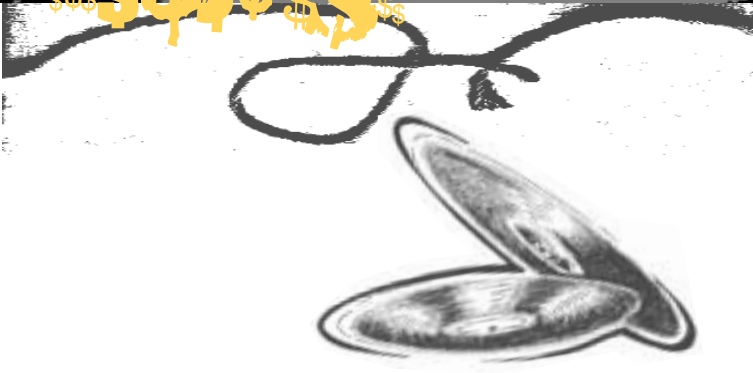
A While you are still carrying out any part of your sentence, you must answer “yes” to this question.

After you have finished your sentence, including probation, you can answer “no” to this question. This is because the law says that, for most purposes, once you have finished your sentence, it is the same as if you have never been charged or found guilty.

However, you may want to answer “yes” to this question even if you have finished your sentence, including probation, if your youth record is not yet closed. This is because you will not be able to get proof of a “clean record” until your youth record is closed.

If you have gone through an alternative program rather than being sentenced by the court, you can honestly say at any time that you haven’t been found guilty of an offence. You can say this even if you are still in the alternative program.





Q Do you have a youth record or a youth court record? **?**



A Before your record is closed, you will have to answer “yes” to this question. After your record is closed, you can honestly say that you don’t have a youth record or a youth court record. You can even say that you have never committed a criminal offence.

Q Are you bondable? **?**



A In most cases, that is a technical question that many people don’t know how to answer. You could say that you don’t know what it means.

Not all employers ask questions like these. Not all employers care if you have been involved in the youth justice system. But some do care, and some do ask. It is best to be prepared. It is even better if you don’t have any past involvement with the law to worry about.

This pamphlet has general information only. Each situation is unique. The law can also change. As well, policies and practices can change or vary. If you have a legal problem, contact a lawyer.



This pamphlet is part of a series produced by Community Legal Education Ontario (CLEO). CLEO has publications on other areas of law as well. Most are free. For an order form call **416-408-4420, extension 33** or visit our web site at **<www.cleo.on.ca>**.

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