

	Pre-Amendment Fair Chance Ordinance	Amended Fair Chance Ordinance (effective 10/1/18)
How many employees needed for ordinance to apply?	20	5
When can employer ask about criminal history?	After <u>either</u> a live interview with the candidate <u>or</u> a conditional offer of employment	Only after the employer makes a conditional offer of employment.
What is the penalty for violations?	(1) No penalty for first violation; (2) Up to \$50 penalty for second violation; and (3) Up to \$100 penalty for subsequent violations	(1) Up to \$500 for first violation; (2) Up to \$1,000 for second violation; and (3) Up to \$2,000 for subsequent violations
With regard to penalties, what if a violation impacts multiple people? For example, the application for a particular position asks all applicants their conviction history.	The violation is counted as a single violation	The violation is counted as one violation as to each impacted person, but employer is assessed the same administrative penalty for each violation
Who can sue over violations?	Only the San Francisco City Attorney	The employee or applicant whose rights have been violated
Who gets the penalty payments funds?	The City of San Francisco	The person impacted by the violation
Are liquidated damages available?	Yes, in a civil action in the amount of \$50 to each person whose rights were violated for each day such violation was permitted to continue	Yes, in a civil action in the amount of \$500 to each person whose rights were violated for each day such violation was permitted to continue