

Thank you for your interest in Cutsforth, LLC.

As part of our standard onboarding process, Cutsforth, LLC conducts post-offer background checks to ensure a safe and secure working environment. Under Washington State law, we may not ask about or obtain your criminal history until after a conditional offer of employment has been extended.

In accordance with the Washington State Fair Chance Act (RCW 49.94), we are providing you with this written notice regarding your rights during this process:

- **Fair Evaluation:** We do not utilize blanket exclusions. A criminal record does not automatically disqualify you from employment.
- **Individual Assessment:** If your background check reveals a criminal history, we will conduct an individualized assessment. We will carefully consider the nature of the offense, the time elapsed since the offense, and its direct relevance to the specific duties of the position.
- **Your Right to Respond:** If we consider taking adverse action based on the results, we will notify you in writing. You will have a minimum of two (2) business days to explain the context, provide evidence of rehabilitation, or show that the record is inaccurate before a final decision is made.

If you are extended a conditional offer, we will conduct a background check and provide you with a copy of the report.

If you voluntarily disclose criminal history at any point during the interview process, we will use this notice to remind you of your protections under state law.

For more information on your rights during the hiring process, please review the attached **Washington Attorney General Fair Chance Act Guide**, which outlines your full rights under the law. You can also access this guide directly online at: [www.atg.wa.gov/fair-chance-act](http://www.atg.wa.gov/fair-chance-act).

Sincerely,

Cutsforth, LLC

# Washington Fair Chance Act

/////// A Guide for Employers & Job Applicants \\\\\\\\\\\

## What is the Fair Chance Act?

The Washington Fair Chance Act - RCW chapter 49.94 - protects job applicants with a criminal record. The law prohibits employers from automatically or categorically excluding workers from consideration before determining that they are otherwise qualified for the position. The law went into effect in June 2018.

## Requirements

### **Job Advertisements**

Employers\* may not advertise job openings in a way that excludes people with criminal records from applying. A job announcement cannot state “no felons,” “no criminal backgrounds,” or communicate a similar message.

### **Job Applications**

Job applications may not include any question seeking information about an applicant’s criminal record.

### **Hiring Process**

Until there is an initial determination that an applicant is otherwise qualified for the position, Washington employers may not:

1. Inquire verbally or in writing about an applicant’s criminal record;
2. Receive information through a criminal history background check;
3. Otherwise obtain information about an applicant’s criminal record; or
4. Implement policies or practices that automatically or categorically exclude job applicants with a criminal record, including rejecting applicants for failure to disclose a criminal record.

## Filing a Complaint

You can file a complaint about a potential violation of the Fair Chance Act with the Attorney General’s Office by emailing us at [fairchancejobs@atg.wa.gov](mailto:fairchancejobs@atg.wa.gov), calling (833) 660-4877, or using the online form linked at the bottom of our Fair Chance Act webpage at [www.atg.wa.gov/fair-chance-act](http://www.atg.wa.gov/fair-chance-act). A staff member will follow up with you. Anyone may file a complaint under the Fair Chance Act, not only job applicants.

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*\*The Fair Chance Act does not apply to employers hiring someone who will or may have unsupervised access to children under 18, vulnerable adults, or vulnerable persons, as defined by law; law enforcement or criminal justice agencies; financial institutions; national or registered securities entities; employers seeking non-employee volunteers; or other employers who are permitted or required by law to ask about and consider information about an applicant’s criminal record for employment purposes.*

Washington State Attorney General’s Office  
Wing Luke Civil Rights Unit  
[www.atg.wa.gov/wing-luke-civil-rights-division](http://www.atg.wa.gov/wing-luke-civil-rights-division)



*This informational flyer is provided as a resource for general education and is not provided for the purpose of giving legal advice of any kind. Persons with disabilities can request this material be provided in an alternative format by calling our office’s Accessibility Coordinator at (360) 586-7696 or by filling out an online form at [www.atg.wa.gov/ago-accessibility-policy](http://www.atg.wa.gov/ago-accessibility-policy).*