## Exemption Questionnaire Tool

### Objective
This questionnaire is a tool that is used to assist and guide you (the employer/organization) as to what positions you are recruiting for may be “Exempt.” When positions are exempt, you may ask for background checking documents/information (e.g. Police & Court Clearances). This form is not mandatory, and is a tool for helping to determine exempt status.

### Directions
Answer the questions below. If you answer "no" to any of the questions, then you are Exempt:

1. **What is the size of your organization or workforce?**
   - [ ] 16 or more employees – go to question 2
   - [ ] 15 employees or less – Your organization is exempt

2. **Is there a law or regulation that requires your organization to consider criminal history for the position recruiting for?**
   - [ ] Yes, the position is exempt
   - [ ] No – go to question 3

3. **Is the position your organization is recruiting for connected to a federal or local government program designed to encourage the employment of those with criminal histories?**
   - [ ] Yes, the position is exempt
   - [ ] No – go to question 4

4. **Does the position your organization is recruiting for require the selectee to provide direct services to minors?**
   - [ ] Yes, the position is exempt
   - [ ] No – go to question 5

5. **Does the position your organization is recruiting for have regular duties which require that at least 75% of the selectee’s time be spent performing duties within 100 feet of minors?**
   - [ ] Yes, the position is exempt
   - [ ] No – FAIR CHANCES ACT APPLIES

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Company Name: __________________________
Position recruiting for: ________________________

Phone Number: ___________________________
E-mail Address: ___________________________