

Consideration of Criminal History during the Application Process

Kimco does not rely on an applicant's criminal history as grounds for disqualification at the inception of employment, particularly if the applicant's past offenses bear no rational relationship to the job sought. Kimco utilizes tailored policies and procedures that provide for individualized assessments of the applicant's circumstances.

While Kimco may still conduct criminal background checks for applicants prior to making hiring decisions, it evaluates the candidate's criminal record in light of the nature and gravity of the offense, the time that has passed since the offense was committed, and nature of the job sought. Numerous other factors are also taken into account, including but not limited to the applicant's age at the time of conviction, evidence that the person has held similar employment post-conviction without incident, rehabilitation efforts undertaken by the applicant, and the length and consistency of the person's employment history before and after conviction.

Kimco also affords the applicant an opportunity to explain the facts and circumstances surrounding a criminal conviction. Applicants are notified of the results of the criminal background check, provided a copy of the criminal record report, and given a period of time during which the applicant has the opportunity to explain the situation. Providing applicants with the opportunity to explain may expose, among other things, the possibility that the record was made in error, identifies the wrong person, or is otherwise incomplete.