



CERTIFICATE OF EMPLOYABILITY

If a criminal conviction is keeping you from getting a job and you can't get an expungement, a certificate of employability may help.

What is a certificate of employability?

A certificate of employability is an order by a judge saying that a person with a past felony conviction is honest, respectable, and truthful.

What does a certificate of employability do?

A certificate of employability can help you get a license or certificate that you need to get a job. Once the certificate is issued, the licensing agency cannot refuse to give you a license just based on your criminal history. The agency is still free to consider the circumstances of your conviction and deny the license even if you have the certificate.

How do I get a certificate of employability?

You file a petition with the circuit court in the county where you live or where the crime happened. You will have to pay a fee to file your petition. The petition must have:

1. Your name, date of birth, and social security number;
 2. Other names you've gone by and social security numbers associated with your other names;
 3. Your home address, city, county, state, and zip code;
 4. How long you've lived in Tennessee;
 5. The crime(s) that is/are keeping you from getting a job or license and the year when you were convicted or plead guilty;
 6. Your employment history with the employer's name, dates of employment, and your job position;
 7. The names of your references;
 8. The name of your family members or close friends who support your reentry plan;
 9. Why you think the certificate of employability should be granted.
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Does a certificate of employability make employers more likely to hire me?

While a certificate of employability does not force employers to hire you, it can make employers more likely to hire you. The certificate of employability gives your employer a legal defense if it is sued because of you. Plus, the fact that a judge says that you are a person of good character is a great reference!

Who can apply for a certificate of employability?

You can apply for a certificate of employability if you were convicted or plead guilty to a crime, including felonies, and have completed your sentence. This means that you must have completed your incarceration, parole, probation, diversion, or community correction supervision and have paid all court costs, fines, or restitution. If you were sentenced to community supervision for life (CSL), then you cannot get a certificate of employability.

Can a petition for a certificate of employability be challenged?

Yes. You must send a copy of your petition to the District Attorney and the United States Attorney of the county and district where you live and the District Attorney (or the United States Attorney if the conviction was federal) of the county where you were convicted. They have 20 days to challenge the petition. The District Attorney of the county where you were convicted also has to send the petition to the victims of your crime.

How does the judge decide if I get the certificate?

The judge must find that:

1. You are honest, respectable, and truthful
2. The certificate will help you get a job or a license;
3. You really need the certificate to live a law-abiding life; and
4. Granting the petition would not pose a risk to the public safety or anyone else.

Can a certificate of employability be revoked?

The certificate of employability can be revoked if you are convicted of or plead guilty to a felony after your certificate of employability is issued.

For more information or to apply for assistance visit

www.wtls.org

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