

# Fair Chance to Compete for Jobs Act of 2019

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Release Date: December 11, 2023

## About the Fair Chance Act

- The Fair Chance to Compete for Jobs Act of 2019 (Fair Chance Act) in 5 United States Code (U.S.C.) Chapter 92, prohibits federal agencies and federal contractors acting on their behalf from requesting an applicant's criminal history information before the agency makes a conditional offer of employment to the applicant.
- The regulations found in [5 Code of Federal Regulations \(C.F.R.\) Part 920](#), became effective on October 2, 2023. The regulations assist agencies in carrying out the provisions of the Fair Chance Act.
- Unless otherwise required by law, an employee of an agency may not request, in oral or written form, that an applicant for an appointment to a position in the civil service disclose criminal history record information regarding the applicant before the appointing authority extends a conditional offer of employment to the applicant.
- In addition, [5 C.F.R. Part 754](#) provides a complaint process for applicants who believe they have been subjected to a violation of the Fair Chance Act and hold accountable Federal employees found to have committed such a violation.

## How to report an alleged violation of the Fair Chance Act?

- An applicant may submit a complaint, or any other information relating to an agency's alleged non-compliance with the Fair Chance Act.
- The complaint must be submitted to the agency within **30** calendar days of the date of alleged non-compliance with the Fair Chance Act by an employee of the agency.
- Alleged violations of the Fair Chance Act should be reported to FEMA's Office of Professional Responsibility (OPR):
  - Email: [FEMA-Misconduct@fema.dhs.gov](mailto:FEMA-Misconduct@fema.dhs.gov)
  - Phone: 833-TELL-OPR (833-835-5677)
  - Mail: Office of Professional Responsibility, 400 C Street SW, 7SW-1609, Washington DC 20472.
- OPR investigators will have 60 days from the date the complaint was filed to complete the investigation.



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