**Fair Chance to Compete Act**

The Fair Chance to Compete for Jobs Act (Fair Chance Act) prohibits federal agencies and contractors acting on their behalf, from requesting an applicant’s criminal history record before that individual receives a conditional offer of employment. The Fair Chance Act ensures every applicant receives a fair chance at employment, allowing the merits of an individual, including their qualifications and skills, to be the primary criteria for hiring. The Fair Chance Act was designed help qualified workers with arrests or conviction records compete fairly for employment in federal agencies.

The regulations can be found in [5 Code of Federal Regulations (C.F.R.) Part 920](https://www.ecfr.gov/current/title-5/chapter-I/subchapter-B/part-920).

**Exceptions**

In accordance with [5 U.S.C. 9202(c)](https://www.govinfo.gov/content/pkg/USCODE-2022-title5/pdf/USCODE-2022-title5-partIII-subpartH-chap92-sec9202.pdf) and [5 C.F.R. 920.201](https://www.ecfr.gov/current/title-5/chapter-I/subchapter-B/part-920/subpart-B/section-920.201), certain positions are exempt from the Fair Chance Act. The Fair Chance Act’s prohibition regarding criminal history inquiries before conditional offers of employment does not apply to:

* Applicants being appointed to positions that require a determination of eligibility for access to classified information;
* The assignment to, or retention in, sensitive national security duties or positions; or
* Federal law enforcement officers or dual-status military technician positions.

**How to File a Complaint**

Applicants who believe they have been subjected to a violation of the Fair Chance Act may submit a complaint to the Agency within 30 calendar days of the alleged violation. The complaint must be written and submitted by email to HumanResourcesDivision@FRTIB.GOV, and must include:

* The name and contact information of the employee or contractor who made the contact with the applicant (if known);
* The date when contact was made;
* Details regarding the job opportunity announcement applied to; and
* Copies of any documents or evidence related to the complaint.