

March 25, 2019

The Honorable Elijah Cummings
Chairman
House Oversight and Reform Committee
2154 Rayburn House Office Building
Washington, DC 20515

The Honorable Jim Jordan
Ranking Member
House Oversight and Reform Committee
2154 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Cummings and Ranking Member Jordan:

Walmart appreciates the opportunity to provide the Committee with information about the Company's "fair chance" hiring practices.

Walmart seeks to hire the most qualified candidates and our policies require that all background checks be performed in accordance with applicable federal, state and local laws. As a responsible, family-friendly retailer, Walmart also seeks to maintain a safe shopping and work environment for our associates, customers and members. To that end, Walmart - like virtually all established companies - screens candidates before onboarding them by conducting job interviews and routine pre-employment background checks and drug tests in certain safety sensitive positions.

First, and fundamentally, the program is not a barrier to employment for the vast majority of candidates. That is, the vast majority of candidates pass the background check, including the criminal background check, and are eligible to begin employment (assuming they also satisfy the other conditions of employment).

Second, Walmart affords an individualized process to all candidates who have a prior criminal record. Summarizing:

- Approximately ten years ago, Walmart removed from its job application any questions about a candidate's prior criminal record. Walmart also trains interviewers not to ask any questions about a candidate's prior criminal record and, nationwide, defers the background check until after extending conditional job offers to candidates.
- Once the candidate accepts the conditional job offer, the candidate is asked to authorize a background check in accordance with federal and state law. The process is designed to be consensual and transparent.
- Only trained and designated personnel at Walmart's corporate headquarters receive and review the background reports furnished by the background report providers (known as

“consumer reporting agencies”); the background reports are not available to personnel or the hiring managers in the field. They are maintained strictly in confidence.

- In evaluating candidates, Walmart also disregards certain criminal records, such as arrests and older conviction records. Furthermore, before any final hiring decision is made, Walmart provides candidates who have a criminal record with legal notices and a meaningful opportunity to submit information to put the record in context, including, but not limited to, information about mitigation and rehabilitation.
- Additionally, even if Walmart determines that a candidate is not suitable for hire at the time of the candidate’s application, the candidate can re-apply for employment after 60 days. And when candidates re-apply, the hiring process starts over anew; the prior background check does not bar employment (which is important, because Walmart considers, among other things, the time that has passed since conviction, and between job applications, a prior conviction may age out of consideration).

In sum, we believe our program provides candidates the ability to create a career path, even for those with a previous criminal conviction. We will continue to assess and enhance our program to offer appropriate opportunities—while keeping the safety and security of our customers and associates the top priority.

Sincerely,



Bruce C. Harris
Vice President, Federal Government Affairs
Walmart Inc.