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**Public Comment: Regulation #16A-66 – Consideration of Criminal Convictions
IRRC Number 3361**

Bureau of Professional and Occupational Affairs

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Pennsylvania is in a workforce crisis. Employers are desperately seeking to fill vacant positions and connect to available workers. Pennsylvania workers seek access to family-sustaining employment and life changing opportunities. Pennsylvania's economy relies on maximizing a competitive and available labor force – every potential worker matters.

The proposed regulations (#16A-66) fall short of the legislative intent of Act 53 for standardizing decision-making and allows the very same loophole that existed prior to Act 53 to remain in licensing board and commission processes. By clarifying proposed regulations and establishing uniform timelines, Pennsylvania employers will have access to more qualified applicants to fill the many quality job opportunities available in Pennsylvania.

Act 53 of 2020 was established to provide transparency and clarity under [“one common set of rules” for all licensing boards and commissions by removing “unnecessary barriers to employment and entrepreneurship”](#).

Specifically, PWDA asks for the proposed regulations **to include uniform time limits in the schedules for how long a particular crime is to be “directly related” to a particular profession or occupation.** Within its proposal, the Agency counters this recommendation by stating the legislative definition doesn't require such a limit. [Volumes of research has been conducted](#) that prove recidivism risk reduction is a real thing and it is bound by time. Ignoring real-world evidence-based research for vague policy counters the purpose of occupational license reform and the intent of Act 53. In addition, the lists of “directly related” offenses are overly broad and contract the legislative intent.

Pennsylvanians on a path to productive employment requiring forms of licensures, registration or certification often pay for education, training, and related career readiness development even before seeking approval from licensing boards. To then be determined unfit to be licensed resulting from subjective opinions, leaves them in debt without the license, certificate, registration, or permit and even deeper depths to climb out of. PWDA asks for the proposed regulations to **account for the indebtedness resulting from career readiness activities such as education and training to be factored into the decision-making processes of board and commission denials**; even go so far as exploring opportunities for reimbursement and waivers.

In a time when Pennsylvania employers are experiencing critical workforce shortages, pathways to family-sustaining employment and productive tax-paying citizenship must be afforded to all able-bodied Pennsylvanians. **We oppose the proposed regulations in their current form.**

Sincerely,

Carrie Amann, Executive Director