

ALEC EXPOSED

"ALEC" has long been a secretive collaboration between Big Business and "conservative" politicians. Behind closed doors, they ghostwrite "model" bills to be introduced in state capitols across the country. This agenda—underwritten by global corporations—includes major tax loopholes for big industries and the super rich, proposals to offshore U.S. jobs and gut minimum wage, and efforts to weaken public health, safety, and environmental protections. Although many of these bills have become law, until now, their origin has been largely unknown. With **ALEC EXPOSED**, the Center for Media and Democracy hopes more Americans will study the bills to understand the depth and breadth of how big corporations are changing the legal rules and undermining democracy across the nation.

ALEC's Corporate Board
—in recent past or present

- AT&T Services, Inc.
- centerpoint360
- UPS
- Bayer Corporation
- GlaxoSmithKline
- Energy Future Holdings
- Johnson & Johnson
- Coca-Cola Company
- PhRMA
- Kraft Foods, Inc.
- Coca-Cola Co.
- Pfizer Inc.
- Reed Elsevier, Inc.
- DIAGEO
- Peabody Energy
- Intuit, Inc.
- Koch Industries, Inc.
- ExxonMobil
- Verizon
- Reynolds American Inc.
- Wal-Mart Stores, Inc.
- Salt River Project
- Altria Client Services, Inc.
- American Bail Coalition
- State Farm Insurance

For more on these corporations, search at www.SourceWatch.org.

DID YOU KNOW? Corporations VOTED to adopt this. Through ALEC, global companies work as "equals" in "unison" with politicians to write laws to govern your life. Big Business has "a VOICE and a VOTE," according to newly exposed documents. **DO YOU?**

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Resolution on Criminal-Background Checks

WHEREAS, the members of the American Legislative Exchange Council ("ALEC") oppose unnecessary and burdensome government regulations on commerce and individual citizens;

WHEREAS, ALEC supports laws that incentivize the employer community to *voluntarily* adopt programs and policies in furtherance of appropriate societal objectives without significant public-sector cost, regulation, enforcement, and/or staffing;

WHEREAS, ALEC supports laws that incentivize the employer community to *voluntarily* adopt programs and policies in furtherance of appropriate societal objectives without placing significant new cost and procedural burdens on employers, and/or intruding unnecessarily and/or inappropriately into the private sector;

WHEREAS, ALEC believes in tort liability reform, responsible and appropriate means of reducing litigation, and a promotion of these goals by incentivizing employers to engage in exemplary practices by providing a shield to legal liability if they act in good faith in regard to such exemplary practices;

WHEREAS, ALEC endorses providing tax credits to employers as an incentive to do criminal background checks, *and* to do criminal-background checks the most appropriate way;

WHEREAS, ALEC endorses providing a workers' compensation discount to employers as an incentive to do criminal-background checks, *and* to do criminal-background checks the most appropriate way;

WHEREAS, ALEC believes the state legislatures overall should endorse, encourage, incentivize, and/or require the employer community to engage in criminal-background-check programs as a matter of public policy, and should oppose any attempt to prohibit or unduly restrict this practice;

WHEREAS, the use of criminal-background checks in employment helps ensure greater public safety and health;

WHEREAS, the rights of the individual would be better protected by ensuring that employers who choose to conduct criminal-background checks do so in a fair, responsible, accurate, and equitable manner;

WHEREAS, the use of criminal-background checks assists employers in making more informed and more appropriate hiring and employment decisions;

WHEREAS, criminal-background checks on job applicants are common and increasing in practice by employers to try to protect their employees, their customers, and the public at-large, to minimize their exposure to potential legal liability, and to protect their assets;

WHEREAS, reasonable and responsible attempts to prevent the inclusion of high-risk individuals with a history of convictions for serious crimes, especially in situations where a repeat of their criminal offenses would create the most harm (high at-risk populations such as youth, the elderly, the disabled, and those receiving medical treatment), are appropriate *and* necessary, and ALEC recognizes that reliable criminal-background checks can be a critically important safeguard in this regard;

NOW THEREFORE BE IT RESOLVED, that the American Legislative Exchange Council calls upon state legislatures to enact state laws which: (1) *voluntarily* incentivize those employers who choose to conduct criminal-background checks to do so in accordance with model practices to ensure fairness and accuracy in return for a significant legal benefit – a shield from legal liability for acting in good faith on criminal-background-check results regarding adverse employment actions, including denial of employment to job applicants; (2) *voluntarily* incentivize those employers who choose to conduct criminal-background checks to do so in accordance with model practices to ensure fairness and accuracy by providing tax credits on state corporate tax filings for their reasonable, appropriate, and verifiable costs of conducting criminal-

Did you know that global corporation Kraft Foods served as corporate co-chair in 2011?

background checks; and (3) *voluntarily* incentivize those employers who choose to conduct criminal-background checks to do so in accordance with model practices to ensure fairness and accuracy by providing a significant discount on their workers' compensation premiums (for example, 15 percent), recognizing that this is – first and foremost – an employee and public safety and health issue;

NOW THEREFORE BE IT FURTHER RESOLVED, that the American Legislative Exchange Council calls upon state legislatures to enact state laws that *require* criminal-background checks for certain classifications of public- and private-sector employees, specifically those with significant exposure to high-risk populations or for whom repeated engagement in criminal activity could have a highly detrimental impact, including those working: with youth, the elderly, and the disabled; in health-care-related positions; with job responsibilities which involve, in significant part, the operation of over-the-road vehicles; in, or being considered for, safety-sensitive positions; with access to a significant level of cash, negotiable instruments, pharmaceuticals, and/or other valuables; in law enforcement, private-sector security, or defense; in public-sector positions; for government contractors; and/or with a high degree of trust, responsibility to the public, management authority, confidentiality, access to proprietary information, and/or a nexus to employer or public safety, health, and/or well being;

BE IT FURTHER RESOLVED, state legislatures should study the following criteria:

1. If state recordkeeping on criminal records is significantly accurate and up-to-date;
2. If additional funding for staffing, computers, and/or other resources is necessary and appropriate regarding in-state criminal records data collection, preservation, and dissemination;
3. If access to neighboring state criminal records for individuals can be reasonably and appropriately accomplished; and/or
4. If an appropriate state mechanism for expungement of criminal records for lesser and dated offenses exists and is appropriate procedurally to accommodate requests by individuals with convictions to apply for such expungement.

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