



# CERTIFICATE OF QUALIFICATION FOR EMPLOYMENT (CQE)

What Employers Need to Know

## WHAT IS A CQE?

Ohio law contains hundreds of legal restrictions that make it difficult for employers to hire and employ people with criminal records.

A **certificate of qualification for employment (CQE)** is a **legal tool in Ohio** that helps people who have been impacted by the criminal legal system to overcome barriers to acquiring a job after they reenter society. A CQE gives employers the discretion to hire rehabilitated people with CQEs, knowing that employers are legally protected from negligent hiring liability if they choose to hire a CQE holder.

## WHY ARE CQEs IMPORTANT?

More than 850 laws restrict an Ohioan's ability to maintain a stable job if they have a criminal record.

850  
laws

1.3M

Approximately 1 in 4 (1.3 million) Ohio jobs are not available to people with a conviction.

Ohio loses \$3.34 billion GDP annually because qualified workers are excluded from criminal-record-based barriers.

\$3.34B

## HOW DOES A CQE BENEFIT EMPLOYERS?

- CQEs expand the pool of qualified job applicants.

CQEs remove mandatory state legal barriers—laws that absolutely prevent the person with the specific criminal record from working a certain job or obtaining a certain professional license. With a CQE, the employer or licensing board is required to individually assess a CQE holder to determine whether they are fit for the job or professional license. CQEs create flexibility.

CQEs create a “rebuttable presumption of rehabilitation” when a person applies for a job or professional license. This means that a person’s criminal convictions are insufficient evidence that the person is unfit for the job, license, or certificate opportunity.

- CQEs protect employers from negligent-hiring liability.

When a job applicant has a CQE, the employer is protected from negligent hiring liability lawsuits because the court is ensuring that the CQE holder is rehabilitated and safe for hire.

- CQEs do not guarantee a job or licensing. It allows, but does not require, employers to hire CQE holders.

### CQEs cannot do any the following:

- Erase a criminal record
- Require employers to hire to people with CQEs
- Affect sex offense registry requirements
- Affect federal or another state’s barriers

# CQE Process Roadmap



CQE holders successfully complete a rigorous application process, showing their rehabilitation, and identifying their employment goals. Applications are thoroughly reviewed by a Court of Common Pleas with potential input from prosecutors and multiple judges. CQEs are only granted if the individual has successfully maintained a crime-free record for a legally-prescribed waiting period.

## Step 1: Check eligibility to apply

- Under Ohio Revised Code 2953.25, a person can file an application for a CQE if the applicable waiting period has passed:
  - 1 year for a felony, or
    - If incarcerated for felony, 1 year after release from incarceration and all supervision.
    - If not incarcerated for felony, 1 year after release from all other sanctions.
  - 6 months for a misdemeanor.
    - If incarcerated for misdemeanor, 6 months after release from incarceration and all supervision.
    - If not incarcerated for misdemeanor, 6 months after release from all sanctions.
- A limited list of severe offenses can bar a person from getting a CQE or healthcare-related licenses.

## Step 2: Identify records and desired jobs

- An applicant must gather information about *all* their criminal offenses and think through the kinds of professional licenses they want to obtain and jobs they want to work.
- *A CQE will not remove federal or another state's employment barriers.*

## Step 3: Apply for a CQE online

- The multi-part form application is submitted online using the Department of Rehabilitation and Corrections (DRC) website for CQE applications: [ohreentry.intelligrants.com/](http://ohreentry.intelligrants.com/).
- After the person creates an account on that website, there is a lengthy, multi-part form to complete.
- The CQE law requires most applicants to first have their applications screened by the DRC. The applicant must wait for an email indicating that the DRC is satisfied their application is complete.

## Step 4: File application in court

- **It is the applicant's responsibility to print off the complete application from [ohreentry.intelligrants.com/](http://ohreentry.intelligrants.com/) and file it with supporting documents, like letters of recommendation, in the court of common pleas:**
  - If they live in Ohio, they file in the county they live.
  - If they do not live in Ohio, they file in the county where they were convicted.
- Depending on the court, there is a \$50-100 filing fee for CQE petitions. If they do not have enough income to pay the filing fee, they can **ask the court for a filing fee waiver.**

## Step 5: Court investigation and possible hearing

- The court will gather information from every other Ohio court where the applicant has a conviction. There is no time limit on the investigation process.
- After the court completes its investigation, it has 60 days to make a decision.
- The prosecutor may object or seek input from any crime victims from the applicant's past offenses.
- **The court may hold a hearing for the CQE application, but it is not required to.**

## Step 6: CQE granted! (Or not.)

- If the court decides in the applicant's favor, it will issue an order to the DRC to give a CQE. **The court order is not the CQE. The applicant must go back to [ohreentry.intelligrants.com/](http://ohreentry.intelligrants.com/) to save and print the actual CQE.**
- Any employer can verify the validity of a CQE by contacting the DRC at (614) 971-9178 or emailing [DRC.OfficeofReentry@drc.ohio.gov](mailto:DRC.OfficeofReentry@drc.ohio.gov).
- If the court denies a CQE, the applicant may appeal. The court may put conditions on the applicant reapplying, such as completing certain programs or waiting longer to demonstrate rehabilitation.
- A CQE will be revoked if the holder is later convicted of a felony offense.