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The Equal Employment Right of Individuals with Criminal Records

—Research Based on the Current Situation in China

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Abstract

This thesis examines the fulfillment and implementation of the equal employment right of individuals with criminal records in China. It argues that the individuals with criminal records should be considered as the vulnerable groups in labour market and desire special arrangements to fulfill their equal employment rights. With a discussion of the historical development of the equal employment right based on human rights law and labour law, this thesis gives a clear definition of the equal employment rights of the ex-offenders. And by analyzing the legal relations concerning the equal employment right of the individual with criminal records from a lawyer's view, it points out the specific requirements and significance of fulfilling equal employment rights of the ex-offenders. Then, this thesis discusses the barriers faced by individuals with criminal records when seeking for equal employment in China, which mainly includes unfavorable legislations and regulations, inadequate public administration service, insufficient judicial remedy and other social and economical barriers. Lastly, this thesis tries to propose a set of potential strategies to improve the protection and promotion of the equal employment right of ex-offenders with a reference to the successful practice in other regions or states.

Key Words: Criminal Record, Equal Employment Right, Human Rights, China

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