

DIVISION OF ALCOHOL AND TOBACCO CONTROL

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INDUSTRY CIRCULAR

Employment of Convicted Felons

Issued: 03/05/2018

Recently the Division has received an increasing number of questions regarding whether or not a convicted felon is allowed to work in a liquor licensed establishment. Because there has been a lot of confusion regarding this issue, ATC is taking the initiative to provide information in this circular regarding convicted felons and their ability to work in liquor licensed establishments.

Section 311.060.2 changed in 2009, and provides “(2) No license issued under this chapter shall be denied, suspended, revoked or otherwise affected based solely on the fact that an employee of the licensee has been convicted of a felony unrelated to the manufacture or sale of intoxicating liquor. Each employer shall report the identity of any employee convicted of a felony to the division of liquor control.”

As a general rule, manufacturers, solicitors, wholesalers and retailers may employ a convicted felon to perform any duties, .i.e., warehouse, sales, clerk, waitress/waiter, bartender, checker, etc. The only requirement, by statute, is that licensees must notify ATC of the identity of the employee if they are a convicted felon. ATC has provided a form on the website “[Employment of Convicted Felons Notification Report Form](#)” that should be submitted to the Division upon employment of a convicted felon. The licensee must notify ATC within 10 days if the employee is terminated or leaves employment.

In addition Regulations are currently being reviewed and updated to reflect changes in the law that allow convicted felons to work in the liquor industry.

If you have questions, please contact the Division for clarification.