

## Background Check Disclosure and Authorization Form

In the interest of maintaining the safety and security of our customers, employees, and property, \_\_\_\_\_ **[company name]** will order a “consumer report” (background report) on you in connection with your employment application, and if you are hired, or if you already work for the company, we may also order additional background reports on you for employment purposes if necessary.

The background check company, \_\_\_\_\_ **[company name]**, will prepare the background report for the Company. The background check company is located at \_\_\_\_\_ **[physical address]** and can be reached by phone at \_\_\_\_\_ **[phone number]**, by email at \_\_\_\_\_ **[email address]**, and online at \_\_\_\_\_ **[website]**.

The background report may contain information concerning your character, general reputation, personal characteristics, mode of living, and credit standing.

The types of information that may be ordered include but are not limited to: Social Security number verification; criminal, public, educational and, as appropriate, driving records checks; verification of prior employment; reference, licensing, and certification checks; credit reports; drug testing results; and if applicable, worker’s compensation injuries.

Workers’ compensation information will only be requested in compliance with the federal Americans with Disabilities Act and/or any other applicable federal, state, or local laws and only after a conditional job offer is made.

Credit history will only be requested when permitted by law and where such information is substantially related to the duties and responsibilities of the position for which you are applying.

The information may be obtained from private and public record sources, including personal interviews with your associates, friends, and neighbors. (An “investigative consumer report” is a background report that includes information from such personal interviews, except in California where that term means any background report that is not a credit report).

The nature and scope of the most common form of investigative consumer report is an investigation into your education and/or employment history conducted by the Background Check Company or another outside organization.

You may request more information about the nature and scope of an investigative consumer report, if any, by telephoning the Company at \_\_\_\_\_ **(phone number)**.

A summary of your rights under the Fair Credit Reporting Act is also being provided to you with this form.



**STATE LAW NOTICES**

If you live or work for the Company in the states listed below, please note the following:

**CALIFORNIA:** You may view the file that the Background Check Company has for you and order a copy of the file upon submitting proper identification and paying copying costs by coming to their offices during normal business hours and on reasonable notice, or by certified mail or mail. You may also ask for a file summary by telephone. The Background Check Company can answer questions about information in your file, including any coded information. If you come in person, another person can come with you, so long as that person can show proper identification.

**MAINE:** If you ask us, you have the right to know whether the Company ordered an investigative consumer report on you. You may request the name, address, and telephone number of the nearest office for the Background Check Company. You will get this information within 5 business days of our receipt of your request. You have the right to ask the Background Check Company for a free copy of the report.

**MARYLAND:** If the Company obtains credit history information on you, it will be used to evaluate whether you would present an unacceptable risk of theft or other dishonest behavior in the job for which you are being considered.

**MASSACHUSETTS/NEW JERSEY:** If you submit a request to us in writing, you have the right to know whether the Company ordered an investigative consumer report from the Background Check Company. You may inspect and order a free copy of the report by contacting the Background Check Company.

**MINNESOTA:** If you submit a request to us in writing, you have the right to get from the Company a complete and accurate disclosure of the nature and scope of the consumer report or investigative consumer report ordered, if any.

**NEW YORK:** If you submit a request to us in writing, you have the right to know whether the Company ordered a consumer report or an investigative consumer report from the Background Check Company, and you will be provided with the name and address of the Background Check Company. You may inspect and order a free copy of the reports by contacting the Background Check Company. By signing below, you certify you have received a copy of [Article 23A of the New York Correction Law](#) is being provided with this form.

**OREGON:** If the Company obtains credit history information on you, it will be used to evaluate whether you would present an unacceptable risk of theft or other dishonest behavior in the job for which you are being considered.

**WASHINGTON STATE:** If you submit a request to us in writing, you have the right to get from the Company a complete and accurate disclosure of the nature and scope of the investigative consumer report we ordered, if any. You also have the right to ask the Background Check Company for a written summary of your rights under the Washington Fair Credit Reporting Act. If the Company obtains information bearing on your creditworthiness, credit standing, or credit capacity, it will be used to evaluate whether you would present an unacceptable risk of theft or other dishonest behavior in the job for which you are being considered.



## Authorization for Background Checks

After reading the Background Check Disclosure above, I, \_\_\_\_\_ **[applicant name]**, hereby authorize **[company name]** and/or its agents to conduct a background check which may be used to determine my eligibility for employment, promotion, or retention. I understand that this report may contain personal information gained through personal interviews or found in any state or local files and public records, including but not limited to information about my character, reputation, living conditions, consumer reports, education, criminal record, drug testing, and previous employment.

I understand that the purpose of this background check is to verify the information included in my application and to obtain additional information that may be pertinent to my qualifications for employment. I understand that this disclosure is all-encompassing, allowing **[company name]** to obtain background reports from third-party organizations throughout the course of my employment to the extent permitted by the law.

I understand that this background check is necessary if I wish to meet all the criteria for the position of **[job title]** at **[company name]** and that a successful background check is not a guarantee of employment. I also understand that I have the right, upon written request within a reasonable timeframe, to request a copy of my background report.

I agree that **[company name]** may contact my references, previous employers, and any applicable third party to confirm all the details that have been included in my application, and I hereby release all parties from any liabilities on account of this disclosure. I further authorize that a photocopy of this authorization may be considered as valid as the original.

I would like to receive a free copy of my background check report (California, Minnesota, and Oklahoma applicants only).

Full Name: \_\_\_\_\_ Date of Birth: \_\_/\_\_/\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Driver's License Number: \_\_\_\_\_ Issuing State: \_\_\_\_\_

Address(es) for the last 7 years: (please use the reverse of the page if you need more space)

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## A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your key rights under the FCRA.

For more information, including your additional rights, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) or write to Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment — or to take another adverse action against you — must inform you, and must give you the name, address, and phone number of the agency that provided the information.
- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your “file disclosure”). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
  - A person has taken adverse action against you because of information in your credit report;
  - you are the victim of identity theft and need to place a fraud alert in your file;
  - your file contains inaccurate information as a result of fraud;
  - you are on public assistance; and/or
  - you are unemployed but expect to apply for employment within 60 days.

In addition, all consumers are entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) for additional information.

- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your creditworthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See



[www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) for an explanation of dispute procedures.

- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete, or unverifiable information must be corrected or removed, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.
- **Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information that is more than seven years old or bankruptcies that are more than 10 years old.
- **Access to your file is limited.** A consumer reporting agency may **only** provide information about you to people with a valid need — usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.
- **You must consent for reports to be provided to employers.** A consumer reporting agency may share information about you with your employer, or a potential employer, without you providing written consent. Written consent is generally not required in the trucking industry. For more information, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore).
- **You may limit “prescreened” offers of credit and insurance you get based on information in your credit report.** Unsolicited “prescreened” offers of credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt out of the nationwide credit bureaus at 1-888-5-OPTOUT (1-888-567-8688).
- The following FCRA right applies with respect to nationwide consumer reporting agencies:

#### **CONSUMERS HAVE THE RIGHT TO OBTAIN A SECURITY FREEZE**

**You have a right to place a “security freeze” on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization.**

The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent.

However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit.

As an alternative to a security freeze, you have the right to place an initial or extended fraud alert on your credit file at no cost. An initial fraud alert is a 1-year alert that is



placed on a consumer's credit file. Upon seeing a fraud alert display on a consumer's credit file, a business is required to take steps to verify the consumer's identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting 7 years.

A security freeze does not apply to a person or entity, or its affiliates, or collection agencies acting on behalf of the person or entity, with which you have an existing account that requests information in your credit report for the purposes of reviewing or collecting the account. Reviewing the account includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

- **You may seek damages from violators.** If a consumer reporting agency or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.
- **Identity theft victims and active-duty military personnel have additional rights.** For more information, visit [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore).

States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your [state](#) or local consumer protection agency or your state attorney general.

