

BACKGROUND SCREENING COMPLIANCE CHECKLIST

Get It Right, Each & Every Time!

Employment Background Screening requires that the applicant sign a compliant Release Authorization form prior to running the report. The QuickApp does this electronically, however the manual format requires the uploading of the compliant authorization form to the online order.

If employment is denied as a result of a background check, there is a required three-step process to follow under the federal Fair Credit Reporting Act (FCRA). It starts prior to making a not-to-hire decision and is the only way to protect the candidates' (and your) rights.

- Pre-Adverse Action Notification (sent prior to making a final decision)
- Individual Applicant Assessment (in an internal document)
- Final Adverse Action - Employment Denial -or- Rescinding the Job Offer

The candidate **MUST** receive a copy of their background check report and their federal rights so that they are able to address any inaccuracies. **These notifications are not optional!**

Step #1 / Pre-Adverse Action DO's:

- Include a copy of the background report, the FCRA required "Summary of Rights" and state notices with your Pre-Adverse Action Notification. Included is the Consumer Reporting Agency (HireSafe) contact information so the candidate can dispute the reported information. With the QuickApp this first letter is automatically sent by HireSafe to the applicants' supplied email address.
- Give the candidate adequate time to respond and dispute. Wait a reasonable amount of time (at least 5 business days) from the date that the Pre-Adverse Action notification was viewed by the applicant before making a final decision.
- Consider keeping the job open or making a conditional offer while any disputed re-investigation is pending.

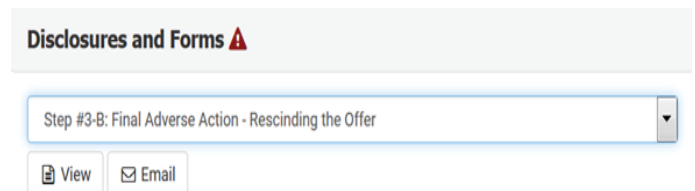
Step #2 / Individual Applicant Assessment DO's:

- Recommended by the EEOC (and now required in CA) to prevent discriminatory hiring practices. It allows a candidate to explain why a criminal record shouldn't disqualify them for the job they seek.
- Take into consideration the nature of the crime committed; how long ago it occurred; positive steps taken towards rehabilitation; how a particular crime could render the candidate as an unacceptable level of risk.
- Take into consideration locations with "Ban the Box" laws that require a reason for an adverse hiring decision.

Step #3A -or- #3B / Final Adverse Action DO's:

- If the candidate will not be hired, send either the Final Adverse Action-Employment Denial (#3A) or the Final Adverse Action-Rescinding the Job Offer notification (#3B). These email letters are provided by HireSafe, however it is the clients' responsibility to send them to the applicant through the HireSafe online platform found in the Report Results page; Disclosures & Forms menu box.

The HireSafe platform makes it as simple as a mouse-click to maintain compliance. The emails are documented in the report as an audit log. No need for trips to the post office to send registered mail letters.



Here are the DO NOT's:

- DO NOT procure a background screening report without a signed authorization on a compliant Release Authorization form.
- DO NOT make a final "do not hire" decision on a candidate before the Pre-Adverse Action notice has been viewed by the applicant.
- DO NOT rely on verbal or otherwise undocumented Adverse Action steps.
- DO NOT deny a chance to challenge the report accuracy or skip the Individual Applicant Assessment before making a final decision.



FOR MORE INFORMATION ON ADVERSE ACTION OR OTHER COMPLIANCE BEST PRACTICES, PLEASE CONTACT US AT: 888-792-4472 -or- research@hiresafe.com

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