

## **Do Not Distribute Disclaimer and Instructions to Candidates**

**DISCLAIMER: Sample documents such as this one are not intended, and should not be construed as legal advice. Employers should consult their own attorney about their compliance obligations under the Fair Credit Reporting Act (15 U.S.C. § 1681 *et seq.*) (FCRA) and applicable state laws related to employment screening.**

### **Client Instructions:**

- 1) These sample documents are for FCRA purposes only and are intended for the ordering of “consumer reports” related to employment purposes only.**
- 2) The disclosure and authorization documents must be presented as a stand-alone document and any state disclosures should be presented to job applicants separately.**
- 3) Please take note the following states have special notices contained within this document (which may have signature sections):**
  - CONNECTICUT**
  - NEW YORK**
  - CALIFORNIA**
  - VERMONT**
  - MINNESOTA**
  - OKLAHOMA**
  - RHODE ISLAND**
  - WASHINGTON**

## **Do Not Distribute Disclaimer and Instructions to Candidates**

DO NOT NUMBER THE PAGES

EACH DOCUMENT SHOULD BE ON SEPARATE PAGES

## **Disclosure Regarding Connecticut Criminal Records**

The applicant is not required to disclose the existence of any erased criminal history record information. Erased criminal history record information are records pertaining to a finding of delinquency or that a child was a member of a family with service needs, an adjudication as a youthful offender, a criminal charge that has been dismissed or nolle, a criminal charge for which the person has been found not guilty or a conviction for which the person received an absolute pardon or criminal records that are erased pursuant to statute or by other operations of law. Any person with erased criminal history record information shall be deemed to have never been arrested within the meaning of the general statutes with respect to the proceedings do erased and may so swear under oath.

## STATE SPECIFIC NOTICES AND DISCLOSURES BACKGROUND INVESTIGATION

**Pursuant to state law, the following disclosures are provided to state residents or when the employment is located within one of these states.**

**NEW YORK:** If you are a New York resident or applying for employment at a location within the State of New York, by signing below you acknowledge receipt of a copy of Article 23-A of the New York Correction Law. You have the right to inspect and receive a copy of any investigative consumer report requested by the Company by contacting Security Services of CT, Inc. (SSC, Inc.) Background Screening & Investigations Department, 25 Controls Drive, Shelton, CT 06484, Toll Free: (800)-360-3688, (203) 925-6186, [www.SSCBSI.com](http://www.SSCBSI.com).

**NEW YORK CITY:** You acknowledge and authorize the Employer to provide any notices required by federal, state or local law to you at the address(es) and/or email address(es) you provided to the Employer.

**RHODE ISLAND:** If you are a Rhode Island resident or applying for employment at a location within the State of Rhode Island, the Company may request a credit report from a consumer reporting agency in connection with your application.

**VERMONT:** If you are a Vermont resident or applying for employment at a location within the State of Vermont, by signing below you acknowledge receipt of the NOTICE – BACKGROUND INVESTIGATION AND USE OF CREDIT INFORMATION.

**WASHINGTON STATE:** If you are a Washington resident or applying for employment at a location within the State of Washington, you have the right to request a written summary of your rights and remedies under the Washington Fair Credit Reporting Act from Security Services of CT, Inc. (SSC, Inc.) Background Screening & Investigations Department, 25 Controls Drive, Shelton, CT 06484, Toll Free: (800)-360-3688, (203) 925-6186, [www.SSCBSI.com](http://www.SSCBSI.com).

**MINNESOTA and OKLAHOMA:** If you are resident of Minnesota or Oklahoma or applying for employment in one of these states, please check the box if you would like to receive a copy of your consumer report, free of charge, if one is obtained by the Company.

Check box to receive report

Print Name (including middle name):
Signature:
Date:
<i>If under the age of 18, a parent/guardian signature must ALSO be obtained.</i> Parent/Guardian Signature:
Relationship to Candidate:

**NOTICE – BACKGROUND INVESTIGATION**  
**NEW YORK RESIDENTS OR EMPLOYEES**

This summary of the provisions of the New York Correction Law is being provided to you pursuant to state law.

**NEW YORK CORRECTION LAW - ARTICLE 23-A**  
**Licensure and Employment of Persons Previously**  
**Convicted of One or More Criminal Offenses**

**§ 750. Definitions**

For the purposes of this article, the following terms shall have the following meanings:

- (1) “Public agency” means the state or any local subdivision thereof, or any state or local department, agency, board or commission.
- (2) “Private employer” means any person, company, corporation, labor organization or association which employs ten or more persons.
- (3) “Direct relationship” means that the nature of criminal conduct for which the person was convicted has a direct bearing on his fitness or ability to perform one or more of the duties or responsibilities necessarily related to the license, opportunity, or job in question.
- (4) “License” means any certificate, license, permit or grant of permission required by the laws of this state, its political subdivisions or instrumentalities as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. Provided, however, that “license” shall not, for the purposes of this article, include any license or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm.
- (5) “Employment” means any occupation, vocation or employment, or any form of vocational or educational training. Provided, however, that “employment” shall not, for the purposes of this article, include membership in any law enforcement agency.

**§ 751. Applicability**

The provisions of this article shall apply to any application by any person for a license or employment at any public or private employer, who has previously been convicted of one or more criminal offenses in this state or in any other jurisdiction, and to any license or employment held by any person whose conviction of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license, except where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed by an executive pardon, certificate of relief from disabilities or certificate of good conduct. Nothing in this article shall be construed to affect any right an employer may have with respect to an intentional misrepresentation in connection with an application for employment made by a prospective employee or previously made by a current employee.

**§ 752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited**

No application for any license or employment, and no employment or license held by an individual, to which the provisions of this article are applicable, shall be denied or acted upon adversely by reason of the individual's having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of "good moral character" when such finding is based upon the fact that the individual has previously been convicted of one or more criminal offenses, unless:

- (1) there is a direct relationship between one or more of the previous criminal offenses and the specific license or employment sought or held by the individual; or
- (2) the issuance or continuation of the license or the granting or continuation of the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

**§ 753. Factors to be considered concerning a previous criminal conviction; presumption**

1. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors:

- (a) The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses.
- (b) The specific duties and responsibilities necessarily related to the license or employment sought or held by the person.
- (c) The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities.
- (d) The time which has elapsed since the occurrence of the criminal offense or offenses.
- (e) The age of the person at the time of occurrence of the criminal offense or offenses.
- (f) The seriousness of the offense or offenses.
- (g) Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.
- (h) The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public.

2. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall also give consideration to a certificate of relief from disabilities or a certificate of good conduct issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified therein.

#### **§ 754. Written statement upon denial of license or employment**

At the request of any person previously convicted of one or more criminal offenses who has been denied a license or employment, a public agency or private employer shall provide, within thirty days of a request, a written statement setting forth the reasons for such denial.

#### **§ 755. Enforcement**

1. In relation to actions by public agencies, the provisions of this article shall be enforceable by a proceeding brought pursuant to article seventy-eight of the civil practice law and rules.
2. In relation to actions by private employers, the provisions of this article shall be enforceable by the division of human rights pursuant to the powers and procedures set forth in article fifteen of the executive law, and, concurrently, by the New York city commission on human rights.

**NOTICE REGARDING CREDIT CHECKS PER CITY OF NEW YORK LAW**

Company Name: \_\_\_\_\_

The company name listed above ("The Company") intends to obtain information for employment screening purposes from a consumer reporting agency (CRA). I understand that a consumer report may be obtained from the following CRA: Security Services of CT, Inc. (SSC, Inc.) Background Screening & Investigations Department, 25 Controls Drive, Shelton, CT 06484, Toll Free: 1 (800)-360-3688, (203) 925-6186, [www.SSCBSI.com](http://www.SSCBSI.com).

A copy of their privacy policy may be requested. Pursuant to the city of New York administrative code Section 8-102, subdivision 29, the Company informs you that it may obtain a credit report about you from the above named CRA because you are seeking employment in the following position(s), or for the following reason(s):

- A position with (i) signatory authority over third party funds or assets valued at \$10,000 or more, or (ii) fiduciary responsibility to the employer and authority to enter into financial agreements valued at \$10,000 or more on behalf of the employer;
- A position with regular duties allowing an employee to modify digital security systems designed to prevent the unauthorized use of the employer's or client's networks or databases;
- A non-clerical position with regular access to trade secrets or national security/intelligence information;
- The employer is required to use an individual's consumer credit history for employment purposes under state or federal law/regulations or by a self-regulatory organization (as defined by the Securities Exchange Act of 1934);
- A position as a police officer or peace officer, or various positions with a law enforcement or investigative function at the Department of Investigation or subject to background investigation by the Department of Investigation;
- A position requiring bonding under federal, state, or city law (e.g., certain positions in finance);
- A position requiring security clearance under federal or any state law.

**ACKNOWLEDGEMENT**

I acknowledge receipt of the **Notice Regarding Credit Checks Per New York City Law** and **A Summary of Your Rights Under the Fair Credit Reporting Act** and certify that I have read and understand these documents. I hereby authorize the Company to obtain a credit report from the above named CRA. I further acknowledge that a telephonic facsimile (FAX) or photographic copy of this authorization shall be as valid as the original.

Print Name (including middle name):
Signature:
Date:

**DISCLOSURE REGARDING INVESTIGATIVE CONSUMER REPORTS AS  
REQUIRED BY**

**CALIFORNIA LAW**

Company Name: \_\_\_\_\_

Please be advised that COMPANY NAME listed above (the “Company”) will procure one or more investigative consumer reports about you for employment purposes, including for decisions regarding hiring, promotion, reassignment, or retention as an employee. Such reports may include information on your character, general reputation, personal characteristics, and mode of living.

The investigation will be conducted by:

Security Services of CT, Inc. (SSC, Inc.)  
Background Screening & Investigations Department  
25 Controls Drive  
Shelton, CT 06484  
Toll Free: 1 (800)-360-3688  
(203) 925-6186  
www.SSCBSI.com

The nature and scope of these reports may include, but are not limited to, information relating to your criminal history or other public records, driving and/or motor vehicle records, education or employment history, social media, drug/alcohol test results, social security number and address history or other background checks, and the reports will be used for employment screening purposes.

**AUTHORIZATION FOR INVESTIGATIVE CONSUMER REPORTS**

By signing below, I hereby authorize the Company to procure investigative consumer reports concerning me for employment purposes at all times prior to my employment and, if I am hired/employed, throughout the duration of my employment, as permitted by law and unless revoked by me in writing.

Check the box if you would like to receive a copy of the investigative consumer report, free of charge, if one is obtained by the Company.

Print Name (including middle name):
Signature:
Date:

## NOTICE – BACKGROUND INVESTIGATION

### CALIFORNIA RESIDENTS

This summary of the provisions of California Civil Code section 1786.22 is being provided to you pursuant to state law.

Your employer intends to obtain information about you from an investigative consumer reporting agency, as defined under California law, for employment purposes.

Under California law you are entitled to visually inspect all files maintained about you by an investigative consumer reporting agency (ICRA), such as Security Services of CT, Inc. (SSC, Inc.) Background Screening & Investigations Department, upon request and presentation of proper identification during normal business hours and on reasonable notice as follows:

- **In person.** You may request a copy of your file. The ICRA may charge you for the actual copying costs associated with providing you with a copy of your file.
- **By telephone.** A summary of all information contained in the ICRA's file about you will be provided to you via telephone, if you have made a written request for telephone disclosure, and the toll charge, if any, for the telephone call is prepaid by or charged directly to you.
- **By certified mail.** You may make a written request for copies to be sent to a specified addressee. ICRA's complying with requests for certified mailings shall not be liable for disclosures to third parties caused by mishandling of mail after such mailings leave the ICRA.

“Proper Identification” includes documents such as a valid driver's license, social security account number, military identification card, and credit cards. If an ICRA is unable to reasonably identify you on the basis of these documents, they may require additional information concerning your employment and personal or family history in order to verify your identity.

The ICRA will provide trained personnel to explain any information furnished to you and will provide a written explanation of any coded information contained in files maintained on you. This written explanation will be provided whenever a file is provided to you for visual inspection.

You may be accompanied by one other person of your choosing, who must furnish reasonable identification. An ICRA may require you to furnish a written statement granting permission to the ICRA to discuss your file in such person's presence.

**NOTICE REGARDING CREDIT CHECKS PER  
CALIFORNIA LAW**

Pursuant to Section 1024.5 of the California Labor Code, the Company informs you that it may obtain a credit report about you from Security Services of CT, Inc. 25 Controls Drive, Shelton, CT 06484, Toll Free: 1 (800)-360-3688, www.SSCBSI.com, because you are seeking to work in the following position CHECKED/SELECTED by the Company:

- The Company will not obtain a consumer credit report on you
  
- A managerial position employee covered by the executive exemption set forth in subparagraph (1) of paragraph of Section 1 of Wage Order 4 of the Industrial Welfare Commission;
- A position in the state Department of Justice;
- A sworn peace officer or other law enforcement;
- A position for which the information contained in the report is required by law to be disclosed or obtained;
- A position that involves regular access to specified personal information for any purpose other than the routine solicitation and processing of credit card applications in a retail establishment, such as bank or credit card account information, social security number, or date of birth;
- A position which the person can enter into financial transactions on behalf of the company;
- A position that involves access to confidential or proprietary information; or
- A position that involves regular access to \$10,000 or more of cash.

**THE UNDERSIGNED HEREBY ACKNOWLEDGES THAT HE/SHE HAS READ THE FOREGOING NOTICE.**

Print Name (including middle name):
Signature:
Date:

**Note to Employer:**

**Check appropriate box above and leave a copy of this notice with the applicant/employee.**

## NOTICE – BACKGROUND INVESTIGATION

### WASHINGTON STATE RESIDENTS

**Washington State Residents or Employees** – this summary of the provisions of the Washington State Fair Credit Reporting Act (WFCRA) is being provided to you pursuant to state law. The WFCRA is designed to promote accuracy, fairness, consumer confidentiality and the proper use of credit data by each consumer reporting agency (CRA) in accordance with the requirements of the WFCRA.

The WFCRA is modeled after, and generally provides the same rights as, the federal Fair Credit Reporting Act (FCRA) (15 U.S.C. § 1681 *et seq.*) A summary of your rights under the FCRA is available at [http://files.consumerfinance.gov/f/201504\\_cfpb\\_summary\\_your-rights-under-fcra.pdf](http://files.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf).

The complete text of the WFCRA RCW 19.182, can be obtained from the:

Washington Code Revisers Office  
P.O. Box 40551  
Olympia, WA 98504

Online at <http://apps.leg.wa.gov/rcw/default.aspx?cite=19.182&full=true%20-%2019.182.070>.

One significant distinction between the FCRA and the WFCRA is that in Washington, an employer may not obtain a consumer report that indicates the consumer's credit worthiness, credit standing, or credit capacity, unless (1) the information is substantially job related and the employer's reason(s) for using the information are disclosed in writing, or (2) the information is required by law.

The following is a summary of your major rights under the WFCRA:

- **You will be required to provide proper identification before reviewing your consumer file.** Proper identification may include your Social Security number. You may request to review your file at any time. A CRA will make disclosures of your file available to you during normal business hours and on reasonable notice. File disclosures may be done in person or by telephone, if you have made a written request and pay the toll charge, as applicable, or by any other reasonable means. A CRA will provide trained personnel to explain to you any information in your consumer report. Upon request, and proper identification, you may be permitted to bring one additional person with you to review your consumer file. If the CRA provides you with a credit score, the agency will also provide you with an explanation for that credit score.
- **You have a right to know what is in your file.** Upon proper identification, you may request and obtain all the information about you in the CRA's files, although medical information may be withheld, and instead will be disclosed to a health care provider of your choice. Your health care provider may disclose your medical information to you

directly. Your file disclosure will include all items of information the CRA maintains about you, including sources of information (except sources acquired solely for use in an investigative report). The file will also identify each person who procured your consumer report for employment purposes during the two-year period preceding your request, or any person who procured your report for any other purpose within the six-months prior to your request. When applicable, a record of inquiries the CRA received identifying you in a credit transaction that was not initiated by you in the six-months prior to your file disclosure request. Each of these records will include the name of the person or trade name of the business that sought your consumer file, and upon your request, their respective addresses.

- **You are entitled to one free consumer report every 12 months, upon request.** In many cases, your file disclosure will be free. You may be charged a limited fee for a second or subsequent report requested by you during a 12 month period. You will also not be charged for:
  - a consumer report if a person has taken adverse action against you because of information in your report;
  - the reinvestigation of information you dispute; or
  - corrected reports resulting from the deletion of inaccurate or unverifiable information.
- **You must be told if information in your file has been used against you.** If a person takes an adverse action against you that is based, in whole or in part, on information contained in a consumer report, that person must tell you (usually, through a written notice), and must give you the name, address, and telephone number of the CRA that provided the information.
- **You have a right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and you notify the CRA directly of the dispute, the CRA will reinvestigate without charge and record the current status of the disputed information before the end of thirty business days, unless your dispute is frivolous. Upon completion of the reinvestigation, within five business days of the CRA's decision, the agency will provide you notice in writing or through another authorized means, of the results of the reinvestigation. If the CRA determines that your dispute is frivolous the agency will inform you of that determination, along with its reasons, and your rights under the WFCRA within five business days.
- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Upon completion of the reinvestigation, if the information you disputed is found to be inaccurate or cannot be verified, the CRA must delete the information and notify you of the correction. Information that has been found to be inaccurate will not be reinserted into your consumer file, unless the furnisher of the information verifies the accuracy and completeness of that information. In such circumstances, you will be notified, within thirty business days that the information is being reinserted into your file. If the reinvestigation does not resolve your dispute, you may file with the CRA a brief statement (that may be limited to 100 words) setting forth the nature

of your dispute. The statement will be placed in your consumer file and in any subsequent report containing the information you disputed.

- **You have the right to request that users of your consumer report be notified of any disputed information they previously received within the statutory time frame.** After certain disputed information has been deleted or you have filed a statement of dispute, you may request that the CRA provides notification of that deleted item or item of dispute to any person you designate who has, within two years received your consumer report for employment purposes, or who has within six months received your report for any other purpose, if the furnished report contained the deleted or disputed information.
- **Consumer reporting agencies may not report outdated negative information.** In most cases, a CRA may not report negative information that is more than seven years old, or bankruptcies that are more than ten years old.
- **You have the right to advanced disclosure of any fees.** Any charges for file disclosures or other requested actions to be taken by the CRA must be disclosed to you before the information is provided or the action is taken.
- **Access to your file is limited.** A CRA may provide information about you only to people with a valid need – usually to consider an application with a creditor, insurer, employer, landlord, court or government agency, or in accordance with your written instructions.
- **You must be notified if reports are provided to employers.** A CRA may not give out information about you to employers without your knowledge. A potential employer must make a clear and conspicuous disclosure in writing to you or obtain your consent before obtaining a report. A current employer may not receive a report unless it has given you written notice that reports may be used for employment purposes.
- **You must be notified in writing if a person seeks an investigative consumer report about you.** An investigative consumer report may include information as to your character, general reputation, personal characteristics, and mode of living. Within a reasonable period of time after receiving such notice, you may request, in writing, a disclosure as to the nature and scope of the investigation requested—which will be delivered to you within five days of your request.
- **You may limit “prescreened” offers of credit and insurance you get based on information in your credit report.** You may elect not to receive unsolicited “prescreened” offers for credit and insurance by using the CRA’s notification system to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-5-OPTOUT (1-888-567-8688).
- **You may place a security freeze on your credit report.** Under certain circumstances, you may request that a security freeze be placed on your credit report to prevent it from being shared with potential creditors or insurance companies when making determinations related to your eligibility for credit.

- **You may be able to block information resulting from identity theft from appearing on your credit report.** If you are a victim of identity theft, certain CRAs must permanently block misinformation resulting from that theft from appearing on your credit report. You must provide the CRA with a copy of a police report as evidence of your claim before it can place the block on your report.
- **You may seek damages from violators.** If a CRA, a user of consumer reports, or a furnisher of information to a CRA violates the WFCRA, and you have a legal basis for a claim under the WFCRA, you may be able to bring a legal action in court to assert your rights under the WFCRA. The applicable statute of limitations is specified in Wash. Stat. § 19.182.120—which is generally two years from the date the cause of action accrued. Consumers who prevail on claims to enforce the WCFRA may obtain actual damages, monetary penalties, reasonable attorneys’ fees, costs, and other relief.

For questions or concerns regarding the WFCRA, please contact:

Office of the Attorney General  
Consumer Protection Division  
800 5th Avenue, Suite 2000  
Seattle, Washington 98104-3188  
Phone 1-800-551-4636 or (206) 464-6684  
Statewide Toll-Free TDD: 800-833-6388

Any complaints by consumers under state law may be directed to:

The Attorney General’s Office via U.S. Mail or Online.

Information and forms related to filing a consumer complaint can be found at:

<http://www.atg.wa.gov/FileAComplaint.aspx>

Additional information about consumer issues can be found at:

<http://www.atg.wa.gov/consumer-issues>

## **NOTICE – BACKGROUND INVESTIGATION AND USE OF CREDIT INFORMATION**

### **VERMONT RESIDENTS**

**Vermont Residents or Employees** – this summary of the provisions of the 21 V.S.A. § 495i is being provided to you pursuant to state law.

Your employer intends to obtain a credit report or credit history about you from a credit reporting agency for employment purposes. In doing so it meets one of the following exemptions allowing it to obtain such information related to your employment or position:

- The information is required by State or federal law.
  
- The position of employment involves access to confidential financial information.
  
- The employer is a financial institution as defined in 8 V.S.A. § 11101(32) or a credit union as defined in 8 V.S.A. § 30101(3).
  
- The position of employment is that of a law enforcement officer as defined in 20 V.S.A. § 2358, emergency medical personnel as defined in 24 V.S.A. § 2651(6), or a firefighter as defined in 20 V.S.A. § 3151(3).
  
- The position of employment requires a financial fiduciary responsibility to the employer or a client of the employer, including the authority to issue payments, collect debts, transfer money, or enter into contracts.
  
- The employer can demonstrate that the information is a valid and reliable predictor of employee performance in a specific position of employment.
  
- The position of employment involves access to the employer's payroll information.

An employer that is permitted to obtain a credit report or credit history may not use an employee's or applicant's credit report or history as the sole factor in decisions regarding employment, compensation, or a term, condition, or privilege of employment.