

DISCLAIMER: Please note, sample documents are for informational purposes only and should NOT be construed as legal advice, guidance or counsel. Employers should consult their own attorney about their compliance responsibilities under the FCRA and applicable state/local law. Vcheck Global expressly disclaims any warranties or responsibility or damages associated with or arising out of information provided.

[Company Letterhead]

VIA REGISTERED MAIL AND ELECTRONIC MAIL

[Date]

[Name]

[Street Address]

[City, State, Zip]

Dear [Name]:

A decision is currently pending concerning your employment with [INSERT COMPANY NAME]. This letter is to inform you that we may decide not to employ you based, in whole or in part, on information obtained from the background report that you authorized us to obtain. We enclose a copy of that report for your review, a Summary of Your Rights Under the Fair Credit Reporting Act, as well as, if applicable, other summaries of your rights under state and/or local law **[if applicable: and any other sources of criminal record information the Company has obtained]**. Please review this information carefully.

The background report was provided to us by the following consumer reporting agency ("CRA"):

[CRA NAME]

[CRA ADDRESS]

[CRA PHONE, OTHER CONTACT INFO]

If we may rely upon criminal record history information in whole or in part in our decision-making, the specific criminal record history information that concerns us is as follows:

[Insert either N/A if no criminal record information or specific offense information, such as case number, jurisdiction of crime, title of crime, and disposition date]

[Optional, if applicable: Specifically, we are concerned that the information may reflect falsification or material omission during the hiring process]

[Optional: If not a criminal record that is the adverse item, you could indicate what item concerns you here for clarity and record-keeping purposes, using language such as: The following non-criminal record information in the report is concerning to us: [your drug test results; your alcohol test results; your employment verification results; your education verification results]

You may submit any information you believe we should consider further in connection with our upcoming decision regarding your employment, including any mitigating or rehabilitation factors, or to let us know that you otherwise dispute the accuracy or completeness of any of the background investigation materials attached. You should do this as soon as possible but no later than ten business days from your receipt of this letter if you would like the information to be considered, unless a different time period is specified in the attached state or local law notices. You may contact **[designated point of contact]** to do this or with any other questions you may have. **[Optional: You may also complete the attached Criminal Record Information Worksheet if we have identified criminal record history information above as potentially impacting our employment decision.]**

In addition, if you wish to dispute the accuracy or completeness of the results of your background check report, you should contact the CRA at the address and phone number above.

We will notify you of our final decision in a separate letter if we decide to take adverse action with respect to your

employment. No employee is authorized to make a final decision to take adverse action against you until that letter is sent. Please immediately contact us if you receive any information that conflicts with anything stated in this letter.

Sincerely,

Human Resources

Enclosures:

Background Check Report

A Summary of Your Rights Under the Fair Credit Reporting Act

Local Law Notice Summary Chart

Local Law Notices

Criminal Record Information Worksheet [Optional]

SAMPLE

Para información en español, visite www.consumerfinance.gov/learnmore o escribe a la Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.

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 major rights under FCRA. **For more information, including information about additional rights, go to www.consumerfinance.gov/learnmore or write to: Consumer Financial Protection Bureau, 1700 G Street NW, 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 tell 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 place a fraud alert in your file;
 - your file contains inaccurate information as a result of fraud;
 - you are on public assistance;
 - 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 for additional information.

- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores 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 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 removed or corrected, 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 provide information about you only 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 give your consent for reports to be provided to employers.** A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to 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 for 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 with the nationwide credit bureaus at 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.

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. For information about your federal rights, contact:

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TYPE OF BUSINESS:	CONTACT:
<p>1. a. Banks, savings associations, and credit unions with total assets of over \$10 billion and their affiliates</p> <p>b. Such affiliates that are not banks, savings associations, or credit unions also should list, in addition to the CFPB:</p>	<p>a. Consumer Financial Protection Bureau 1700 G Street NW Washington, DC 20552</p> <p>b. Federal Trade Commission Consumer Response Center 600 Pennsylvania Avenue NW Washington, DC 20580 (877) 382-4357</p>
<p>2. To the extent not included in item 1 above:</p> <p>a. National banks, federal savings associations, and federal branches and federal agencies of foreign banks</p> <p>b. State member banks, branches and agencies of foreign banks (other than federal branches, federal agencies, and Insured State Branches of Foreign Banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act.</p> <p>c. Nonmember Insured Banks, Insured State Branches of Foreign Banks, and insured state savings associations</p> <p>d. Federal Credit Unions</p>	<p>a. Office of the Comptroller of the Currency Customer Assistance Group P.O. Box 53570 Houston, TX 77052</p> <p>b. Federal Reserve Consumer Help Center P.O. Box 1200 Minneapolis, MN 55480</p> <p>c. Division of Depositor and Consumer Protection National Center for Consumer and Depositor Assistance Federal Deposit Insurance Corporation 1100 Walnut Street, Box #11 Kansas City, MO 64106</p> <p>d. National Credit Union Administration Office of Consumer Financial Protection 1775 Duke Street Alexandria, VA 22314</p>
<p>3. Air carriers</p>	<p>Assistant General Counsel for Office of Aviation Consumer Protection Department of Transportation 1200 New Jersey Avenue SE Washington, DC 20590</p>
<p>4. Creditors Subject to the Surface Transportation Board</p>	<p>Office of Public Assistance, Governmental Affairs, and Compliance Surface Transportation Board 395 E Street SW Washington, DC 20423</p>
<p>5. Creditors Subject to the Packers and Stockyards Act, 1921</p>	<p>Nearest Packers and Stockyards Division Regional Office</p>
<p>6. Small Business Investment Companies</p>	<p>Associate Administrator, Office of Capital Access United States Small Business Administration 409 Third Street SW, Suite 8200 Washington, DC 20416</p>
<p>7. Brokers and Dealers</p>	<p>Securities and Exchange Commission 100 F Street NE Washington, DC 20549</p>
<p>8. Institutions that are members of the Farm Credit System</p>	<p>Farm Credit Administration 1501 Farm Credit Drive McLean, VA 22102-5090</p>

TYPE OF BUSINESS:	CONTACT:
9. Retailers, Finance Companies, and All Other Creditors Not Listed Above	Federal Trade Commission Consumer Response Center 600 Pennsylvania Avenue NW Washington, DC 20580 (877) 382-4357

SAMPLE

Local Notices (Attached if applicable)

<u>Jurisdiction of Residence or Employment</u>	<u>Instructions</u>
California	<p>If you respond to the attached letter to the Company and indicate that you believe that criminal record information in the attached background check report is inaccurate or incomplete and have additional information to provide, the Company will provide you an additional five business days to submit that information from the date of your response.</p> <p>Please note, your provision of any additional information to us, including submission of information regarding rehabilitation or mitigation information, is optional. Examples of such evidence includes: (a) the length and consistency of employment history before and after the offense or conduct; (b) the facts or circumstances surrounding the offense or conduct; (c) your current or former participation in self-improvement efforts, such as school, job training, counseling, community service, and/or a rehabilitation program, including in-custody programs; (d) whether trauma, domestic or dating violence, sexual assault, stalking, human trafficking, duress, homelessness, coercive conditions, abuse, or other similar factors contributed to the offense or conduct; (e) your age when the conduct occurred; (f) the likelihood that similar conduct will recur; (g) whether you are bonded under a federal, state, or local bonding program; (h) successful completion, or compliance with the terms and conditions, of probation or parole; (i) employer recommendations; and/or (j) other supporting documents demonstrating rehabilitation or mitigating circumstances, such as letters of recommendation from people who have observed you since your conviction.</p>
Los Angeles (City), California	<p>If the Company identified criminal records as a potential basis for a potential adverse decision in the attached letter, FCIHO Individual Assessment and Reassessment Form (lacity.gov)</p>
Los Angeles County Unincorporated Areas, California	<p>If the Company identified criminal records as a potential basis for an adverse decision in the attached letter, see the enclosed Initialized Individualized Assessment.</p> <p><u>Important Additional Notices of Rights:</u></p> <p>You have the legal right to have at least five (5) business to respond to this communication before the Company can make a final decision on whether to withdraw a conditional offer of employment made to you or make an adverse employment decision pertaining to you.</p> <p>If you timely notify us in response to the attached materials that you: (1) dispute the accuracy of the criminal background report or information that was the basis for our notice, and that you are taking specific steps to obtain evidence supporting that assertion; and/or (2) need additional time to obtain written evidence of rehabilitation or mitigating circumstances, then the Company will provide you an additional ten (10) business days to respond before we make any final decision relating to your employment.</p> <p>You also have an opportunity to present evidence of rehabilitation or mitigating circumstances orally to the Company, via in-person, virtual or telephone contact, if you make that request within five (5) business days from receipt of this communication. We will then ensure that we meet with you within ten (10) business days of your request.</p> <p><u>Timing Rights Under the Los Angeles County Fair Chance Ordinance for Employers:</u></p> <p>For all notices required to be mailed by an employer under the Los Angeles County Fair Chance Ordinance for Employers, the following timelines apply:</p> <p>A. If notice is transmitted through a format that does not provide a confirmation of receipt, such as a</p>

	<p>written notice mailed by an employer without tracking delivery enabled, the notice shall be deemed received five (5) calendar days after the notice is deposited for delivery to a California address, ten (10) calendar days after the notice is deposited for delivery to an address outside of California, and twenty (20) calendar days after the notice is deposited for delivery to an address outside of the United States;</p> <p>B. If notice is transmitted through email, the notice is deemed received two (2) business days after it is sent; however, timelines to respond to the notice will be calculated based on the date the notice was mailed by the employer; and</p> <p>C. Any applicant or employee response required or permitted under Los Angeles County Fair Chance Ordinance for Employers will follow the same mail and email timelines as noted above; however, an applicant or employee has the option to send a response under the Los Angeles County Fair Chance Ordinance for Employers to an employer either by mail or email.</p>
San Francisco, California	See the enclosed Notice of Rights.
Illinois	If the Company identified criminal records as a potential basis for a potential adverse decision in the attached letter, see the attached Illinois Notice.
Massachusetts	See the enclosed: (i) copy of the Company’s Massachusetts Criminal Record Information Policy https://www.mass.gov/doc/cori-model-policy/download ; (ii) the sources of any criminal history records provided to the Company (as reflected in the background report); and (iii) information from the Massachusetts Department of Criminal Justice Information Services (“DCJIS”) concerning the process for correcting a criminal record - https://www.mass.gov/doc/guide-on-correcting-a-criminal-record/download .
New Jersey	See the state Summary of Rights.
New York	See the enclosed copy of Article 23-A of the New York Correction Law.
New York City, New York	If the Company identified criminal records as a potential basis for a potential adverse decision in the attached letter, see the enclosed Fair Chance Notice- https://www.nyc.gov/assets/cchr/downloads/pdf/FairChance_Form23-A_distributed.pdf . You should provide us with any information you have that you believe may bear on any of the factors identified in the enclosed Fair Chance Notice.
Washington	See the state Summary of Rights.

ILLINOIS NOTICE

If we may take an adverse employment action in whole or in part because of criminal record information, the particular criminal records we may rely upon are identified below:

[Insert]

A brief explanation of our reasoning as to why these criminal records are concerning is:

In the position for which you were made a conditional offer, **[describe key risk factors]**. **[Describe brief rationale for why criminal history related to those risk factors]**. As a result, we preliminarily believe there is a substantial relationship between the criminal history noted above and the employment at issue, so we believe employment with us may involve:

___ an unreasonable risk to our **[and our customer's]** property

___ an unreasonable risk to the safety or welfare of the public and our other employees.

We have not made any final employment decisions and you have the right to respond to this notice before any decision is final within the time described in the accompanying letter. Your response may include, but is not limited to, submission of evidence challenging the accuracy of any convictions we have identified or evidence in mitigation, such as rehabilitation.

SAMPLE

Unincorporated Areas of Los Angeles County, California

Initial Individualized Assessment

Name of Candidate or Employee: **[NAME]**

Position: **[INSERT JOB]**

Date of Conditional Offer (if applicable): **[DATE]**

This document contains our initial written individualized assessment of whether your criminal record history has a direct, adverse and negative bearing on your ability to perform the duties or responsibilities necessarily related to the applicable job, such that it justifies a decision not to employ you, by considering the following factors:

1. The nature and gravity of the offense or conduct, including but not limited to, consideration of whether the harm was to property or people, the degree severity of the harm or offense, your age when the conduct occurred, and the permanence of the harm or offense.

[Insert consideration of this factor, e.g.:

- **Grading of the Offense(s): {Felony / Misdemeanor / Other}**
- **Seriousness of Sentence(s) {probation length / time in prison / fines, etc., violations of any probation or conditions}**
- **Age When the Offense(s) Occurred: {age}**
- **Whether Offense Concerned Harm to Property: {Yes / No}**
- **Whether Offense Concerned Harm to People: {Yes / No}**
- **Other Comments on Permanence of Harm: {insert}**

2. The time that has passed since the offense or conduct and/or completion of the sentence.

[Insert consideration of this factor, e.g.,:

- **Time since offense: {years / months}**
- **Time since disposition: {years / months}**
- **Time since end of completion of sentence: {years / months}**

3. The nature of the employment position at issue, including consideration of the specific duties of the job, whether the position offers the opportunity for the same or a similar offense to occur, and whether circumstances leading to the conduct for which the person was convicted or that is the subject of an unresolved arrest will recur in the position.

[Insert consideration of this factor, e.g.,:

- **Job title or category: {insert}**
- **Opportunity for the same or similar conduct to occur based on job duties: {insert}**

4. Consideration of a license, certificate, authorization, or other similar credential from a licensing, regulatory, or other governmental agency or board that is a requirement for the position at issue.

[Insert consideration of this factor, e.g.,:

- **Not applicable {if there is no such credential for the position} OR**
- **There is no indication that subject of this assessment has such a license, certificate, authorization or similar credential from a licensing, regulatory, or other government agency or board that is a requirement for the position {if there is a credential, but there is no indication the individual has it yet} OR**

- The subject of this assessment has a *{insert credential}*, however the criminal history identified has a direct, adverse and negative bearing on the ability to perform the duties and responsibilities of the position such that it substantially outweighs the fact that the individual obtained it, because: *{insert rationale}*.

5. Any and all evidence of rehabilitation or mitigating circumstances, whether provided in written form or orally.

[Insert consideration of this factor, e.g.,:

brief summary of consideration of any materials submitted and why they mitigate in favor of employment or denial of employment]

SAMPLE

(NEW YORK APPLICANTS ONLY)
ARTICLE 23-A, NEW YORK STATE CORRECTION LAW

§ 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.

A Summary of Your Rights Under New Jersey's Fair Credit Reporting Act
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Under the New Jersey Fair Credit Reporting Act (NJFCRA or the "Act"), an employer, before taking adverse employment action, is required to provide the applicant or employee with a summary of their rights under the Act with respect to consumer reports or investigative consumer reports obtained for employment purposes from a consumer reporting agency (CRA). This Summary is intended to serve that purpose.

You can find the complete text of the NJCRA, N.J. Stat. §§56:11-29 – 56:11041, at the New Jersey State Legislature's web site (<http://www.njleg.state.nj.us/>). You may have additional rights under the federal Fair Credit Reporting Act, 15 U.S.C. 1681-1681u, which is available on the Internet at the Federal Trade Commission's web site (<http://www.ftc.gov>).

- **You must consent to the procurement for employment purposes of a report about you.** Before an employer can obtain a report about you from a CRA, the employer must provide you with notice that it will request the report and obtain your consent to that request. A CRA may not give out information about you to your employer, or prospective employer, without your written consent.
- **You must be told if information in your file has been used against you for employment purposes.** An employer who uses information from a consumer or investigative consumer report to take action against you – such as denying an application for employment or terminating employment – must tell you that its decision is based in whole or in part on the report. The employer also must provide you with a description of your rights under the NJCRA and a reasonable opportunity to dispute with the CRA any information on which the employer relied.
- **You can find out what is in your file.** At your request, a CRA must give you the information in your file and a list of everyone who has recently requested your file. These disclosures may be made in person, over the telephone or by any other reasonable method available to the CRA.
- **You can dispute inaccurate information with the CRA.** If you tell a CRA that your file contains inaccurate information, the CRA must reinvestigate the disputed items, free of charge, within 30 days, unless the CRA determines that the dispute is frivolous or irrelevant. The CRA must give you a written report of the investigation. If the CRA's investigation does not resolve the dispute, you may add a brief statement to your file. If an item is deleted or a dispute statement is filed, you may ask that anyone who has recently received your report be notified of the change.
- **Inaccurate information must be corrected or deleted.** A CRA must remove or correct inaccurate or unverified information from its files within 30 days after you dispute it. If your dispute results in any change to your report, the CRA cannot reinsert into your file a disputed item unless the information source verifies its accuracy and completeness. In addition, the CRA must give you a written notice telling you it has reinserted the item. The notice must include the business name and address.
- **You may seek damages from violators.** If a CRA, a user or (in some cases) a provider of CRA data violates the NJFCRA, you may sue them in state court.

<p style="text-align: center;">A Summary of Your Rights Under Washington’s Fair Credit Reporting Act</p>

Under the Washington state Fair Credit Reporting Act (WFCRA or the “Act”), an employer, before taking adverse employment action, is required to provide the applicant or employee with a summary of their rights under the Act with respect to consumer reports or investigative consumer reports obtained for employment purposes from a consumer reporting agency (CRA). This Summary is intended to serve that purpose.

You can find the complete text of the WFCRA, Wash. Rev. Code §§19.182.005—19.182.902, at the Washington State Legislature’s web site (<http://www.leg.wa.gov>). You may have additional rights under the federal Fair Credit Reporting Act, 15 U.S.C. 1681-1681u, which is available on the Internet at the Federal Trade Commission’s web site (<http://www.ftc.gov>).

- **You must consent to the procurement for employment purposes of a report about you.** Before an employer can obtain a report about you from a CRA, the employer must provide you with notice that it will request the report and obtain your consent to that request. A CRA may not give out information about you to your employer, or prospective employer, without your written consent.
- **You must be told if information in your file has been used against you for employment purposes.** An employer who uses information from a consumer or investigative consumer report to take action against you – such as denying an application for employment or terminating employment – must tell you that its decision is based in whole or in part on the report and give you the name, address and phone number of the CRA that provided the report. The employer also must provide you with a description of your rights under the WFCRA and a reasonable opportunity to dispute with the CRA any information on which the employer relied.
- **You can find out what is in your file.** At your request, a CRA must give you the information in your file (except that medical information may be withheld), and a list of everyone who has recently requested your file. These disclosures may be made in person, over the telephone or by any other reasonable method available to the CRA. At your request, any medical information contained in your file will be disclosed to the healthcare provider of your choice.
- **You can dispute inaccurate information with the CRA.** If you tell a CRA that your file contains inaccurate information, the CRA must reinvestigate the disputed items, free of charge, within 30 business days, unless the CRA determines that the dispute is frivolous or irrelevant. The CRA must give you a written report of the investigation. If the CRA’s investigation does not resolve the dispute, you may add a brief statement to your file. If an item is deleted or a dispute statement is filed, you may ask that anyone who has recently received your report be notified of the change.
- **Inaccurate information must be corrected or deleted.** A CRA must remove or correct inaccurate or unverified information from its files within 30 business days after you dispute it. If your dispute results in any change to your report, the CRA cannot reinsert into your file a disputed item unless the information source verifies its accuracy and completeness. In addition, the CRA must give you a written notice telling you it has reinserted the item. The notice must include the business name and address.
- **You may seek damages from violators.** If a CRA, a user or (in some cases) a provider of CRA data violates the WFCRA, you may sue them in state court.



City & County of San Francisco Fair Chance Ordinance

Post Where Employees Can Read Easily. Failure to post this notice may result in penalties.

OFFICIAL NOTICE

Under the San Francisco Fair Chance Ordinance, employers must follow strict rules regarding criminal records.

Employers with 5 or more employees worldwide and all City contractors must comply.

- Employers MAY NOT ask about arrests or convictions on a job application.
- Employers MAY NOT conduct a background check or ask about criminal records until AFTER making a conditional offer of employment.
- Employers may only consider convictions that are directly related to the job, and may never consider 7 types of arrests or convictions, including convictions that are more than 7 years old (see www.sfgov.org/olse/fco).
- Before an employer rejects an applicant based on a background check, the employer must: notify the applicant and provide a copy of the background check; give the applicant 7 days to respond; reconsider based on evidence the applicant provides.

For more information, visit www.sfgov.org/olse/fco or call the San Francisco Fair Chance hotline at (415) 554-5192.

AVISO OFICIAL - Ordenanza de Oportunidades Equitativas de San Francisco

Correo donde los empleados pueden leer fácilmente. La falta de publicación de este aviso puede resultar en sanciones.

De conformidad a la Ordenanza de Oportunidades Equitativas de San Francisco, los empleadores deben seguir reglas estrictas con respecto a los antecedentes penales.

Los empleadores con 5 o más empleados en todo el mundo y todos los contratistas de la Ciudad deben cumplir con las reglas.

- Los empleadores NO DEBEN preguntar sobre arrestos o condenas en una solicitud de empleo.
- Los empleadores NO DEBEN realizar una revisión de antecedentes ni preguntar acerca de antecedentes penales hasta DESPUÉS de hacer una oferta condicional de empleo.
- Los empleadores sólo pueden considerar las condenas que estén directamente relacionadas con el trabajo, y nunca deben considerar 7 tipos de arrestos o condenas, incluyendo las condenas que tienen más de 7 años de antigüedad (véase www.sfgov.org/olse/fco).
- Antes de rechazar a un candidato en base a una verificación de antecedentes, el empleador debe: notificar al candidato y proporcionarle una copia de la verificación de antecedentes; darle al candidato 7 días para responder; reconsiderar en base a la evidencia que el candidato presente.

Para obtener más información visite www.sfgov.org/olse/fco o llame a la línea directa de Oportunidades Equitativas de San Francisco al (415) 554-5192.



City & County of San Francisco Fair Chance Ordinance

Post Where Employees Can Read Easily. Failure to post this notice may result in penalties.

正式通告 - 舊金山公平機會條例

請張貼在僱員容易看到的地方。未張貼此通知可能會導致懲罰。

根據舊金山公平機會條例，僱主必須遵守關於犯罪紀錄的嚴格規定。於全球各地擁有五位或以上員工的僱主以及所有市府承包商，皆必須遵守規定。

- 僱主不得於應徵申請表格里詢問是否有拘捕或刑事有罪判決紀錄。
- 僱主僅可以在提供有條件錄取求職者後詢問是否有犯罪紀錄或進行背景調查。
- 僱主僅能考量與個人從事該工作直接相關的刑事有罪判決，而且不得考慮七種類型的拘捕或刑事有罪判決包括七年以前的刑事有罪判決（請見www.sfgov.org/olse/fco）。
- 僱主根據背景調查拒絕求職者之前必須：通知求職者並提供背景調查結果的副本；給予求職者七天的時間做出回應；依據求職者提供的證據重新考量。

欲查詢更多資訊，請瀏覽 www.sfgov.org/olse/fco 或致電舊金山公平機會條例專線 (415) 554-5192。

OPISYAL NA ABISO - Ang Ordinansa ng Makatarungang Pagkakataon ng San Francisco

Post Saan empleyado Puwede Basahin Madaling. Ang pagkabigong mag-post ng paunawang ito ay maaaring magresulta sa mga multa.

Sa ilalim ng Batas para sa Patas na Pagkakataon (Fair Chance Ordinance), kailangang sundin ng mga taga-empleyo ang mahihigpit na patakaran ukol sa mga kriminal na rekord. Kailangang sumunod ang mga employer may 5 o higit pang empleyado sa buong mundo at kailangan ding sumunod ng lahat ng kontratista ng Lungsod.

- HINDI PUWEDENG magtanong ang mga employer tungkol sa mga pagka-aresto o hatol ng korte sa aplikasyon para sa trabaho.
- HINDI PUWEDENG magsagawa ang mga employer ng background check (pag-iimbestiga sa nakaraan), o magtanong tungkol sa mga kriminal na rekord hanggang sa MATAPOSS ang pagbibigay ng kondisyonal na alok ng trabaho.
- Ang mga hatol ng korte na may direktang kinalaman lamang sa trabaho ang posibleng isaalang-alang ng mga employer at hindi kailanman dapat isaalang-alang ang 7 uri ng pag-aresto o hatol ng korte, kasama na ang mga hatol na 7 taong gulang na (tingnan ang www.sfgov.org/olse/fco).
- Bago tanggihan ng employer ang aplikante batay sa background check, kailangan muna nilang gawin ang mga sumusunod: abisuhan ang aplikante at magbigay ng kopya ng background check; bigyan ang aplikante ng 7 araw para sumagot; muling pag-isipan ito batay sa ebidensiyang ipagkakaloob ng aplikante.

Para sa iba pang impormasyon, bisitahin ang www.sfgov.org/olse/fco o tawagan ang San Francisco Fair Chance sa teleponong (415) 554-5192.

CALIFORNIA



ERIC GARCETTI
MAYOR

**NOTICE TO APPLICANTS & EMPLOYEES
FAIR CHANCE INITIATIVE FOR HIRING ORDINANCE**

This Employer is subject to the Fair Chance Initiative for Hiring Ordinance (FCIHO) (LAMC 189.00).

THESE ARE YOUR RIGHTS...

1. Employers cannot inquire about or seek information about an Applicant's Criminal History until after a Conditional Offer of Employment has been made to the Applicant*.

- ✓ This includes job solicitations and applications or during any conversations or interviews

2. If an Employer decides to rescind an offer of employment based on information discovered during the criminal background check, the Employer is required to perform an Individualized Assessment.

- ✓ Individualized Assessment - a written assessment that effectively links the specific aspects of the Applicant's Criminal History with risks inherent in the duties of the Employment position sought by the Applicant.
- ✓ If the offer is rescinded, the Applicant must receive:
 - Written notification
 - Copy of the Individualized Assessment, and
 - Copies of any documentation used in the Employer's decision

3. The Applicant has the right to the Fair Chance Process.

- ✓ The Applicant has the opportunity to provide information or documentation to an Employer regarding the accuracy of his/her Criminal History or Criminal History Report or that should be considered in the Employer's assessment, such as evidence of rehabilitation or other mitigating factors.
- ✓ The Employer is required to hold the job open for at least five (5) days from the date notification of a rescinded offer of employment to allow an Applicant to submit such documentation, and, the Employer is required to review any documentation in order to reassess their decision.

FOR ADDITIONAL INFORMATION OR ASSISTANCE, CALL:

City of Los Angeles
Department of Public Works
Office of Contract Compliance
1149 S. Broadway Street, Suite 300
Los Angeles, CA 90015
Phone: (844) WagesLA – Email: WagesLA@lacity.org

*Note: Not all Applicants/Employees are covered under the FCIHO. Please see ordinance (LAMC 189.00) for more details.
Form FCIHO, Rev. 12/16

Criminal Record Information Worksheet

Name: _____ Position Applying For: _____

(Attach extra pages if necessary)

(1) Conviction: _____

Misdemeanor Felony

Year: _____ County: _____ State: _____

Please provide information you would like the Company to consider regarding this conviction as follows:

The circumstances of the offense: _____

Your age at the time of conviction or release from incarceration: _____

Your employment history before conviction and after incarceration: _____

Your rehabilitation efforts (e.g., education or training; certificate of good conduct; certificate of relief from disabilities): _____

Employment references, character references or other information regarding fitness for the position (provide name, contact information and basis for the reference (for example, prior employer)):

Whether you are bonded: _____

Criminal Record Information Worksheet

(2) Conviction: _____

Misdemeanor Felony

Year: _____ County: _____ State: _____

Please provide information you would like the Company to consider regarding this conviction as follows:

The circumstances of the offense: _____

Your age at the time of conviction or release from incarceration: _____

Your employment history before conviction and after incarceration: _____

Your rehabilitation efforts (e.g., education or training; certificate of good conduct; certificate of relief from disabilities): _____

Employment references, character references or other information regarding fitness for the position (provide name, contact information and basis for the reference (for example, prior employer)):

Whether you are bonded: _____

You are indicating that everything said above is truthful and honest by signing this worksheet.

Date: _____

Print Name: _____

Signature: _____