

FCRA Disclosure & Authorization Forms

Instructions:

Please carefully review the following disclosures and authorization. These are the disclosure forms and authorization your applicants/employees will receive when you submit an electronic request for a background check through our system. Your applicants/employees will acknowledge receipt of these disclosures and electronically sign the authorization allowing ProScreening to process the background check.

Please sign the acknowledgement on page 20 that you have reviewed these forms and authorize them to be used on your account.

Descriptions:

- Page 2: Consumer Report Disclosure (Presented to all applicants/employees)
- Pages 3 – 5: A Summary of Your Rights Under the Fair Credit Reporting Act (Presented to all applicants/employees)
- Page 6: Investigative Consumer Report Disclosure (Presented to all applicants/employees)
- Page 7: Notice Regarding Background Checks Per California Law (Will only be presented to applicants/employees who indicate they are a current resident of California and/or will be working in the state of California)
- Pages 8 – 10: City and County of San Francisco Notices (Will only be presented to applicants/employees who indicate they are a current resident of the city or County of San Francisco, California and/or will be working in the city or County of San Francisco, California)
- Page 11: Notice Regarding Investigative Consumer Reports Per Massachusetts Law (Will only be presented to applicants/employees who indicate they are a current resident of Massachusetts and/or will be working in the state of Massachusetts)
- Page 12: Notice Regarding Consumer Reports Per Minnesota Law (Will only be presented to applicants/employees who indicate they are a current resident of Minnesota and/or will be working in the state of Minnesota)
- Page 13: Notice Regarding Investigative Consumer Reports Per New Jersey Law (Will only be presented to applicants/employees who indicate they are a current resident of New Jersey and/or will be working in the state of New Jersey)
- Pages 14 – 15: New York Correction Law Article 23-A (Will only be presented to applicants/employees who indicate they are a current resident of New York and/or will be working in the state of New York)
- Page 16: Notice Regarding Investigative Consumer Reports Per New York Law (Will only be presented to applicants/employees who indicate they are a current resident of New York and/or will be working in the state of New York)
- Page 17: Notice Regarding Consumer Reports Per Oklahoma Law (Will only be presented to applicants/employees who indicate they are a current resident of Oklahoma and/or will be working in the state of Oklahoma)
- Page 18: Notice Regarding Investigative Consumer Reports Per Washington Law (Will only be presented to applicants/employees who indicate they are a current resident of Washington and/or will be working in the state of Washington)
- Page 19: Acknowledgement and Authorization for Background Check (Presented to all applicants/employees)

DISCLOSURE REGARDING BACKGROUND INVESTIGATION

The Company may obtain information about you from a third party consumer reporting agency for employment purposes. Thus, you may be the subject of a "consumer report" which may include information about your character, general reputation, personal characteristics, and/or mode of living. These reports may contain information regarding your criminal history, social security verification, motor vehicle records ("driving records"), verification of your education or employment history (including income), or other background checks.

You have the right, upon written request made within a reasonable time, to request whether a consumer report has been run about you and to request a copy of your report. These searches will be conducted by ProScreening, Phone: 888-350-7681, Fax: 801-407-1700, 6361 W. 13400 S., Suite 100, Herriman, UT 84096, (<http://www.proscreening.com>). To the extent permitted by law, the Company may obtain consumer reports from any outside organization throughout the course of your employment.

Para información en español, visite www.consumerfinance.gov/learnmore o escribe a la Consumer Financial Protection Bureau, 1700 G Street N.W., 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 the 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 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 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 1-888-5-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.

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:

TYPE OF BUSINESS:

1.a. Banks, savings associations, and credit unions with total assets of over \$10 billion and their affiliates

b. Such affiliates that are not banks, savings associations, or credit unions also should list, in addition to the CFPB:

2. To the extent not included in item 1 above:

a. National banks, federal savings associations, and federal branches and federal agencies of foreign banks

b. State member banks, branches and agencies of foreign banks (other than

CONTACT:

a. Consumer Financial Protection Bureau
1700 G Street, N.W.
Washington, DC 20552

b. Federal Trade Commission
Consumer Response Center
600 Pennsylvania Avenue, N.W.
Washington, DC 20580
(877) 382-4357

a. Office of the Comptroller of the Currency
Customer Assistance Group
1301 McKinney Street, Suite 3450
Houston, TX 77010-9050

- 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.
- c. Nonmember Insured Banks, Insured State Branches of Foreign Banks, and insured state savings associations
- d. Federal Credit Unions
3. Air carriers
4. Creditors Subject to the Surface Transportation Board
5. Creditors Subject to the Packers and Stockyards Act, 1921
6. Small Business Investment Companies
7. Brokers and Dealers
8. Federal Land Banks, Federal Land Bank Associations, Federal Intermediate Credit Banks, and Production Credit Associations
9. Retailers, Finance Companies, and All Other Creditors Not Listed Above
- b. Federal Reserve Consumer Help Center
P.O. Box. 1200
Minneapolis, MN 55480
- c. FDIC Consumer Response Center
1100 Walnut Street, Box #11
Kansas City, MO 64106
- d. National Credit Union Administration
Office of Consumer Financial Protection (OCFP)
Division of Consumer Compliance Policy and Outreach
1775 Duke Street
Alexandria, VA 22314
- Asst. General Counsel for Aviation Enforcement & Proceedings
Aviation Consumer Protection Division
Department of Transportation
1200 New Jersey Avenue, S.E.
Washington, DC 20590
- Office of Proceedings, Surface Transportation Board
Department of Transportation
395 E Street, S.W.
Washington, DC 20423
- Nearest Packers and Stockyards Administration area supervisor
- Associate Deputy Administrator for Capital Access
United States Small Business Administration
409 Third Street, S.W., Suite 8200
Washington, DC 20416
- Securities and Exchange Commission
100 F Street, N.E.
Washington, DC 20549
- Farm Credit Administration
1501 Farm Credit Drive
McLean, VA 22102-5090
- Federal Trade Commission
Consumer Response Center
600 Pennsylvania Avenue, N.W.
Washington, DC 20580
(877) 382-4357

DISCLOSURE FOR INVESTIGATIVE CONSUMER REPORT

The Company may request an investigative consumer report about you from a third party consumer reporting agency, in connection with your employment or application for employment. An "investigative consumer report" is a background report that includes information from personal interviews (except in California, where that term includes background reports with or without information obtained from personal interviews). The most common form of an investigative consumer report in connection with your employment is a reference check through personal interviews with sources such as your former employers and associates, and other information sources. The investigative consumer report may contain information concerning your character, general reputation, personal characteristics, mode of living, or credit standing or income verification. You may request more information about the nature and scope of an investigative consumer report, if any, by contacting the Company.

If adverse action is taken resulting from information obtained, in whole or in part, from an investigative consumer report from a consumer reporting agency, you will have the option to receive a copy of the report from ProScreening. ProScreening can be contacted at 6361 W. 13400 S., Suite 100, Herriman, UT 84096 or by phone/fax at Phone: 888-350-7681, Fax: 801-407-1700.

NOTICE REGARDING BACKGROUND CHECKS PER CALIFORNIA LAW

The Company intends to obtain information about you for employment screening purposes from a consumer reporting agency. Thus, you can expect to be the subject of "investigative consumer reports" obtained for employment purposes. Such reports may include information about your character, general reputation, personal characteristics and mode of living. With respect to any investigative consumer report from an investigative consumer reporting agency ("ICRA"), the Company may investigate the information contained in your employment application and other background information about you, including but not limited to obtaining a criminal record report, verifying references, work history, your social security number, your educational achievements, licensure, and certifications, your driving record, and other information about you, and interviewing people who are knowledgeable about you. The results of this report may be used as a factor in making employment decisions. The source of any investigative consumer report (as that term is defined under California law) will be **ProScreening, Phone: 888-350-7681, Fax: 801-407-1700, 6361 W. 13400 S., Suite 100, Herriman, UT 84096, <http://www.proscreening.com>**. The Company agrees to provide you with a copy of an investigative consumer report when required to do so under California law.

Under California Civil Code section 1786.22, you are entitled to find out what is in the ICRA's file on you with proper identification, as follows:

- In person, by visual inspection of your file during normal business hours and on reasonable notice. You also may request a copy of the information in person. The ICRA may not charge you more than the actual copying costs for providing you with a copy of your file.
- A summary of all information contained in the ICRA's file on you that is required to be provided by the California Civil Code will be provided to you via telephone, if you have made a written request, with proper identification, for telephone disclosure, and the toll charge, if any, for the telephone call is prepaid by or charged directly to you.
- By requesting a copy be sent to a specified addressee by certified mail. 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's.

"Proper Identification" includes documents such as a valid driver's license, social security account number, military identification card, and credit cards. Only if you cannot identify yourself with such information may the ICRA 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.

- Please check this box if you would like to receive a copy of an investigative consumer report or consumer credit report at no charge if one is obtained by the Company whenever you have a right to receive such a copy under California law.

CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE, MAYOR

NOTICE TO JOB APPLICANTS AND EMPLOYEES

San Francisco Fair Chance Ordinance

Police Code, Article 49

Starting August 13, 2014, the Fair Chance Ordinance (San Francisco Police Code, Article 49) requires employers to follow strict rules regarding the use of arrest and conviction records in hiring and employment decisions. The ordinance covers job applicants and employees who would be or are performing work in whole, or in substantial part, in San Francisco and applies to employers who have 20 or more employees (regardless of the employees' locations).

Certain matters are off-limits. An employer may *never* ask about, require disclosure of, or consider: an arrest not leading to a conviction (other than an unresolved arrest that is still undergoing criminal investigation or trial); participation in a diversion or deferral of judgment program; a conviction that has been expunged or made inoperative; any determination in the juvenile justice system; a conviction more than 7 years old; and a criminal offense other than a felony/misdemeanor. Matters that are off-limits cannot be used by the employer for any reason at any stage of the hiring process.

An employer cannot ask about an individual's conviction history or unresolved arrests at the start of the hiring process. This includes through a job application form, informal conversation, or otherwise.

A mandatory interactive process for matters not off-limits. Only after a live interview has been conducted, or a conditional offer of employment made, is the employer allowed to ask about an individual's conviction history (except as to matters that are off-limits) and unresolved arrests. Only those convictions and unresolved arrests that *directly relate* to the individual's ability to do the job may be considered in making an employment decision.

Before the employer may take an adverse action such as failing/refusing to hire, discharging, or not promoting an individual based on a conviction history or unresolved arrest, the employer must give the individual an opportunity to present evidence that the information is inaccurate, the individual has been rehabilitated, or other mitigating factors. The individual has seven days to respond, at which point the employer must delay any adverse action for a reasonable time and reconsider the adverse action. The employer must notify the individual of any final adverse action.

Evidence of rehabilitation include satisfying parole/probation; receiving education/training; participating in alcohol/drug treatment programs; letters of recommendation; and age at which the individual was convicted. *Mitigating factors* include coercion, physical or emotional abuse, and untreated substance abuse/mental illness, that contributed to the conviction.

Preemption. Where federal or state law imposes a criminal history requirement that conflicts with a requirement of the Fair Chance Ordinance, the federal or state law will apply.

No Retaliation. An employer may not take an adverse action against an applicant or employee for exercising their rights under the ordinance or cooperating with the Office of Labor Standards Enforcement OLSE.

If you need more information, or wish to report an employer that you believe has violated this ordinance, please contact the OLSE at 415-554-5192 or email FCE@sfgov.org.

OFFICE OF LABOR STANDARDS ENFORCEMENT

City Hall, Room
430

1 Dr. Carlton B. Goodlett
Place

San Francisco CA 94102-
4685

Tel. (415) 554-
6235

Fax (415) 554-
4791

CIUDAD Y CONDADO DE SAN FRANCISCO



EDWIN M. LEE, ALCALDE

AVISO PARA LOS SOLICITANTES DE EMPLEO Y EMPLEADOS

Ordenanza de Oportunidades Equitativas de San Francisco

Código de Policía, Artículo 49

A partir del 13 de agosto de 2014, la Ordenanza de Oportunidades Equitativas (Código Policiaco de San Francisco, Artículo 49) requiere que los empleadores sigan reglas estrictas referentes al uso de los expedientes de arrestos y condenas al tomar decisiones de contratación y empleo. La ordenanza cubre a los solicitantes de empleos y empleados que estarían o están realizando su trabajo, o una parte sustancial del mismo, en San Francisco y se aplica a los empleadores que tengan 20 o más empleados (sin importar la ubicación de los empleados).

Está prohibido tocar ciertos asuntos. Un empleador nunca puede preguntar, requerir la divulgación de, o considerar: un arresto que no haya resultado en una condena (que no sea un arresto no resuelto que actualmente esté bajo investigación penal o juicio); participación en un programa de justicia alternativa o de fallo diferido; una condena que haya sido cancelada o declarada inoperante; cualquier determinación en el sistema de justicia juvenil; una condena de más de 7 años de antigüedad; y una infracción penal que no sea un delito mayor o delito menor. El empleador no puede utilizar los asuntos que están prohibidos para ningún propósito, en ninguna etapa del proceso de contratación.

Un empleador no puede preguntar sobre el historial de condenas o de arrestos no resueltos de una persona al inicio del proceso de contratación. Esto incluye preguntar mediante un formulario de solicitud de empleo, una conversación informal o de otra forma.

Un proceso interactivo obligatorio para asuntos que no estén prohibidos. Sólo después de que se haya hecho una entrevista en persona, o se haya hecho una oferta condicional de empleo, el empleador tiene permitido hacer preguntas sobre el historial de condenas de una persona (excepto sobre asuntos que estén prohibidos) y arrestos no resueltos. Sólo se pueden tomar en cuenta las condenas y los arrestos no resueltos que directamente se relacionen con la capacidad de la persona para hacer el trabajo al tomar la decisión del empleo.

Antes de que el empleador pueda tomar una acción adversa como no contratar, negarse a contratar, despedir, o no dar un ascenso a una persona con base en su historial de condenas o arrestos no resueltos, debe darle a la persona una oportunidad para presentar evidencia de que la información no es precisa, que la persona está rehabilitada, y otros factores atenuantes. La persona tiene 7 días para responder, en cuyo momento, el empleador debe posponer cualquier acción adversa durante un tiempo razonable y reconsiderar la acción adversa. El empleador debe avisar al individuo sobre cualquier acción adversa final.

La evidencia de rehabilitación incluye una libertad probatoria/bajo palabra satisfactoria; recibir educación/capacitación; participación en programas de tratamiento contra alcohol/drogas; cartas de recomendación; y la edad a la que la persona recibió la condena. Los factores atenuantes incluyen el chantaje, el maltrato físico o emocional, y la enfermedad no tratada mental o de consumo de sustancias que hayan contribuido con la condena.

Sin represalias. Un empleador no puede tomar una acción adversa contra un solicitante o empleado por ejercer sus derechos conforme a la ordenanza o por cooperar con la Oficina de Cumplimiento de los Estándares Laborales (Office of Labor Standards Enforcement, OLSE).

Si usted necesita más información, o si desea reportar a un empleador que usted crea que ha infringido esta ordenanza, por favor comuníquese con la OLSE al 415-554-5192 o por correo electrónico a FCE@sfgov.org.

OFFICE OF LABOR STANDARDSENFORCMENT
City Hall, Room 430 1 Dr. Carlton B. Goodlett Place San Francisco CA 94102-4685 Tel. (415) 554-6235 Fax (415) 554-4791

三藩市縣



市長李孟賢

求職者和雇員通告

三藩市公平機會條例

《警察法規》第49條

2014年8月13日起，《公平機會條例》（《三藩市員警法規》第49條）要求雇主做出招聘和雇用決定時嚴格遵守使用被捕和犯罪記錄相關的規定。。本條例適用於將來或目前大部分時間在三藩市工作的求職者和雇員並適用於有20名或以上雇員的雇主（不考慮雇員的所在地）。

某些事項受到禁止。雇主任何時候不得問及、要求披露或者考慮求職者或雇員相關的以下事項：（1）未導致定罪的逮捕（仍在進行刑事調查或審理的除外）；（2）參與判決程序轉移或延期；（3）被刪除或宣告無效的有罪判決；（4）青少年司法系統的決定；（5）7年前的有罪判決；以及（6）重罪/輕罪以外的犯罪行為。

雇主在招聘過程開始時，不得問及個人的犯罪史或未定罪的逮捕。這包括透過職位申請表、非正式談話或其他方式的詢問。

不受禁止事項在聘用過程中必須遵守的規定。。僅可在進行現場面試或者提供有條件雇用之後，才准許雇主問及個人的定罪史（受到禁止的事項除外）和未定罪的逮捕。做出雇用決定時僅可考慮與個人從事該工作的能力直接相關的有罪判決和未定罪的逮捕。

雇主根據定罪史或未定罪的逮捕採取不/拒絕聘用、解雇或不晉升個人之前，雇主必須給予此人機會提交證據表明該資訊不準確、此人已改過自新或者其他減輕因素。此人有七天時間做出回應，在此期間雇主必須合理延遲時間並重新考慮該不聘用決定。雇主必須通知此人任何最終的決定。

改過自新的證據包括令人滿意的假釋/緩刑；接受教育/培訓；參加酒精/毒品治療項目；推薦信；以及個人被判有罪的年齡。減輕因素包括促成有罪判決的脅迫、身體或精神虐待以及未得到治療的藥物濫用/精神疾病。

禁止報復。雇主不得因求職者或雇員行使條例規定的權利或者配合勞工標準執行辦公室（OLSE），而對求職者或雇員採取報復行動。

如果您需要更多資訊或者想要舉報您認為違反本條例的雇主，請撥打415-554-5192 或者發送電子郵件到 FCE@sfgov.org 聯繫OLSE。

勞工標準執行辦公室

City Hall, Room 430 1 Dr. Carlton B. Goodlett Place San Francisco CA 94102-4685 電話(415) 554-6235 傳真(415) 554-4791

NOTICE REGARDING INVESTIGATIVE CONSUMER REPORTS PER MASSACHUSETTS LAW

With your permission and pursuant to the Annotated Laws of Massachusetts, Chapter 93 § 53, the Company may request from a third-party consumer reporting agency an investigative consumer report in connection with your prospective or continued employment. Such reports commonly include information as to your character, general reputation, personal characteristics, mode of living, or credit standing and which involve obtaining information through personal interviews. The nature and scope of any investigative consumer report requested by the Company will be as follows: investigating the information contained in your employment application and other claims provided by you during the interview and selection process, and interviewing people who are knowledgeable about you.

The source of any investigative consumer report will be ProScreening, LLC, 6361 W. 13400 S., Suite 100, Herriman, UT 84096, Phone: 888-350-7681, Fax: 801-407-1700, (<http://www.proscreening.com>).

NOTICE REGARDING CONSUMER REPORTS PER MINNESOTA LAW

The Company may obtain a consumer report from a third-party consumer reporting agency in connection with your prospective or continued employment. This may include procurement of an investigative consumer report, which may include information obtained through personal interviews. These reports may contain information regarding your criminal history, social security verification, motor vehicle records ("driving records"), verification of your education or employment history, or other background checks and which may include information concerning your character, general reputation, personal characteristics, mode of living, or credit standing. The most common form of an investigative consumer report in connection with your employment is a reference check through personal interviews with sources such as your former employers and associates, and other information sources. You have the right, upon written request, to receive a complete and accurate disclosure of the nature and scope of any consumer report.

- Please check this box to receive from ProScreening, LLC, 6361 W. 13400 S., Suite 100, Herriman, UT 84096, Phone: 888-350-7681, Fax: 801-407-1700, (<http://www.proscreening.com>) a copy of any report furnished by ProScreening, LLC to the Company pursuant to your authorization.

NOTICE REGARDING INVESTIGATIVE CONSUMER REPORTS PER NEW JERSEY LAW

With your permission, the Company may order from a third-party consumer reporting agency an investigative consumer report, which commonly includes information regarding your character, general reputation, personal characteristics, mode of living, or credit standing, and which involves obtaining information through personal interviews. The precise nature and scope of any investigative consumer report requested by the Company will be as follows: investigating the information contained in your employment application and other claims provided by you during the interview and selection process, reviewing court and other public records relating to you, and interviewing people who are knowledgeable about you.

The source of any investigative consumer report will be ProScreening, LLC, 6361 W. 13400 S., Suite 100, Herriman, UT 84096, Phone: 888-350-7681, Fax: 801-407-1700, (<http://www.proscreening.com>).

NEW YORK CORRECTION LAW ARTICLE 23-A

LICENSURE AND EMPLOYMENT OF PERSONS PREVIOUSLY CONVICTED OF ONE OR MORE CRIMINAL OFFENSES

Section 750. Definitions.

751. Applicability.

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

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

754. Written statement upon denial of license or employment.

755. Enforcement.

§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 INVESTIGATIVE CONSUMER REPORTS PER NEW YORK LAW

With your permission and pursuant to New York General Business Law § 380, ("the Company") may request an investigative consumer report about you from a third party consumer reporting agency, in connection with your employment or application for employment (including independent contractor or volunteer assignments, as applicable). An "investigative consumer report" is a background report that includes information from personal interviews. The most common form of an investigative consumer report in connection with your employment is a reference check through personal interviews with sources such as your former employers and associates, and other information sources. The investigative consumer report may contain information concerning your character, general reputation, personal characteristics, mode of living, or credit standing. You may request more information about whether or not an investigative consumer report was requested, as well as information on the nature and scope of an investigative consumer report, if any, by contacting the Company in writing.

You have the right to receive a copy of any investigative consumer report requested by the Company, upon its completion, by contacting the following consumer reporting agency:

ProScreening, LLC
6361 W. 13400 S., Suite 100, Herriman, UT 84096
Phone: 888-350-7681, Fax: 801-407-1700
<http://www.proscreening.com>

NEW YORK CITY APPLICANTS ONLY

- By checking this box, you further authorize the Company to provide you with a copy of your consumer report, the New York City Fair Chance Act Notice form, and any other documents, to the extent required by law, at the mailing address and/or email address you provide to the Company.

NOTICE REGARDING CONSUMER REPORTS PER OKLAHOMA LAW

Pursuant to 24 Oklahoma Statutes § 148, the Company will request or order a consumer report from a third-party consumer reporting agency to be used in connection with your potential or continued employment. These reports may contain information regarding your criminal history, social security verification, motor vehicle records, verification of education or employment history, or other background checks. You have the right, upon request, to receive a copy of any consumer report requested by the Company for this purpose.

The scope of this disclosure is all-encompassing, allowing the Company to obtain from any outside organization all manner of consumer reports throughout the course of your employment to the extent permitted by law.

- Please check this box to receive from ProScreening, LLC, 6361 W. 13400 S., Suite 100, Herriman, UT 84096, Phone: 888-350-7681, Fax: 801-407-1700, (<http://www.proscreening.com>) a copy of any report furnished by ProScreening, LLC to the Company pursuant to your authorization.

NOTICE REGARDING INVESTIGATIVE CONSUMER REPORTS PER WASHINGTON LAW

In connection with your prospective or continued employment, the Company may request an investigative consumer report from a third-party consumer reporting agency, which may include information as to your character, general reputation, personal characteristics, mode of living, or credit standing. An "investigative consumer report" is a background report that includes information from personal interviews. The most common form of an investigative consumer report in connection with your employment is a reference check through personal interviews with sources such as your former employers and associates, and other information sources.

You may request in writing a complete and accurate disclosure of the nature and scope of any investigation procured. You may also request a summary of your rights under the Washington Fair Credit Reporting Act.

The source of any investigative consumer report will be ProScreening, LLC, 6361 W. 13400 S., Suite 100, Herriman, UT 84096, Phone: 888-350-7681, Fax: 801-407-1700, (<http://www.proscreening.com>).

Acknowledgement and Authorization

Please be advised that the standard disclosure and authorization documents made available by ProScreening have been and are continually reviewed by FCRA attorney's. Any state and/or federal law changes which may require a change to any disclosure and authorization language are automatically updated in our standard forms.

Option 1

- I have received and reviewed the FCRA disclosure and authorization documents. I certify that I am authorized on behalf of my company to approve the use of these standard disclosure and authorization documents, and hereby authorize the use of these FCRA disclosure and authorization documents for use on our ProScreening account.

Option 2

- I have received and reviewed the FCRA disclosure and authorization documents. I certify that I am authorized on behalf of my company to decline the use of these disclosure and authorization documents, and hereby request custom changes to the disclosure and authorization documents. I understand that requesting changes to our disclosure and authorization documents will cost a minimum of \$125.00 per hour for custom changes each time changes are requested. Furthermore, I understand that any changes to state and/or federal laws which require changes to the disclosure and authorization documents will be the sole responsibility of our company moving forward.

Important: If you have chosen option 2, please submit the disclosure and authorization forms you would like to use on your account to support@proscreening.com. Please note that the forms you submit are subject to review and approval by ProScreening. ProScreening will not accept any disclosure and authorization forms which may be in direct violation of the FCRA or state laws. Examples of violations include but are not limited to: Extraneous language, liability waivers and/or missing federal or state notices.

Company

Signature

Name

Date

Title