





## ADDITIONAL STATE LAW NOTICES

If you are an applicant, employee or contractor in any of the states listed below, please also note the following:

**CALIFORNIA:** Pursuant to section 1786.22 of the California Civil Code, you may view the file maintained on you by the consumer reporting agency (e.g., HireRight) during normal business hours. You may also obtain a copy of this file, upon submitting proper identification and paying the costs of duplication services, by appearing at the consumer reporting agency's offices in person, during normal business hours and on reasonable notice, or by certified mail. You may also receive a summary of the file by telephone, upon submitting proper identification and written request. The consumer reporting agency has trained personnel available to explain your file to you, including any coded information, and will provide a written explanation of any coded information contained in your file. If you appear in person, you may be accompanied by one other person, provided that person furnishes proper identification. "Proper identification" includes documents such as a valid driver's license, social security account number, military identification card, and credit cards. If you cannot identify yourself with such information, the consumer reporting agency may require additional information concerning your employment and personal or family history to verify your identity. Additional California-specific information is set out below.

**MAINE:** You have the right, upon request, to be informed of whether an investigative consumer report was requested, and if one was requested, the name and address of the consumer reporting agency furnishing the report. You may request and receive from the University, within five business days of our receipt of your request, the name, address and telephone number of the nearest office designated to handle inquiries for the consumer reporting agency issuing an investigative consumer report concerning you. You also have the right, under Maine law, to request and promptly receive from all such consumer reporting agencies copies of any such reports.

**MASSACHUSETTS:** You have the right to know whether the University requested an investigative consumer report about you and, upon written request to the University, to receive a copy of any such report. You also have the right to ask the consumer reporting agency (e.g., HireRight) for a copy of any such report.

**MINNESOTA:** You have the right in most circumstances to submit a written request to the consumer reporting agency (e.g., HireRight) for a complete and accurate disclosure of the nature and scope of any consumer report the University ordered about you. The consumer reporting agency must provide you with this disclosure within 5 days after its receipt of your request or the report was requested by the University, whichever date is later.

**NEW JERSEY:** You have the right to submit a request to the consumer reporting agency (e.g., HireRight) for a copy of any investigative consumer report the University requested about you. A summary of your rights under the New Jersey Fair Credit Reporting Act is set out below.



### **Applicant Information** *(Please Print)*

First: \_\_\_\_\_ Middle: \_\_\_\_\_ Last: \_\_\_\_\_

Present Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ \*Date of Birth: \_\_\_\_\_

\*Social Security No: \_\_\_\_\_ *\*This information will be used only for background screening purposes and will not be taken into consideration in any employment decisions.*

Driver's License No.: \_\_\_\_\_ Issuing State: \_\_\_\_\_

Name as it appears on the Driver's License: \_\_\_\_\_

**Applicant Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

### **APPLICANT SELF-REPORTED CONVICTIONS**

Have you ever been convicted of an offense against the law (including any conviction for driving under the influence) other than a minor traffic violation? Do not disclose any conviction for which the records have been sealed, expunged or subject to deferred judgment/sentence. If you are applying for a position located in either California or Massachusetts, please review the appropriate section below for additional items of non-disclosure. For purposes of this disclosure, "conviction" includes a guilty verdict, a guilty plea or a Nolo Contendere (No Contest) plea.

**If you are applying for a position in California:** 1.) Do not disclose any conviction for possession, transportation or sale of 28.5 grams or less of marijuana which occurred two years or more prior to the date of this application.

**If you are applying for a position in Massachusetts:** 1.) Do not disclose a first conviction for any of the following misdemeanors: drunkenness, simple assault, speeding, minor traffic violations, public fighting, or disturbance of the peace; or 2.) any misdemeanor conviction more than five years old. You may answer "no" if you have a sealed record on file with the commissioner of probation. An applicant for employment with a sealed record on file with the commissioner of probation may answer "no record" with respect to an inquiry herein relative to prior arrests or criminal court appearances. Any applicant may answer "no record" with respect to an inquiry relative to prior arrests or criminal court appearances and adjudication on all cases of delinquency or as a child in need of services that did not result in a complaint transferred to the superior court for criminal prosecution.

**Yes**       **No**



Issuing State: \_\_\_\_\_

Name offense committed under (if different than current):

First: \_\_\_\_\_ Middle: \_\_\_\_\_ Last: \_\_\_\_\_

**Offense:** \_\_\_\_\_

Offense Date: \_\_\_\_\_ Disposition Date: \_\_\_\_\_

Disposition: \_\_\_\_\_

\_\_\_\_\_

\*County: \_\_\_\_\_ \*City: \_\_\_\_\_

*\*You must supply a City or County for all offenses listed in the USA*

Issuing State: \_\_\_\_\_

Name offense committed under (if different than current):

First: \_\_\_\_\_ Middle: \_\_\_\_\_ Last: \_\_\_\_\_

**Please Initial:**

\_\_\_\_\_ I have read the Background Disclosure and Authorization form and understand my rights

\_\_\_\_\_ I have been provided a copy of "A Summary of Your Rights Under the Fair Credit Reporting Act"





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

**States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. For information about your Federal rights contact:**

TYPE OF BUSINESS:	CONTACT:
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:	a. Consumer Financial Protection Bureau 1700 G Street NW Washington, DC 20552  b. Federal Trade Commission: Consumer Response Center – FCRA Washington, DC 20580 (877) 382-4357
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 federal branches, federal agencies and Insured State Branches of	a. Office of the Comptroller of the Currency Customer Assistance Group 1301 McKinney Street, Suite 3450 Houston, TX 77010-9050  b. Federal Reserve Consumer Help Center PO Box 1200 Minneapolis, MN 55480







## CALIFORNIA APPLICANTS ONLY

### A Summary of Your Rights Under California Civil Code Section 1786.22

- a) An investigative consumer reporting agency shall supply files and information required under Section 1786.10 during normal business hours and on reasonable notice.
- b) Files maintained on a consumer shall be made available for the consumer's visual inspection, as follows:
  - 1) In person, if he appears in person and furnishes proper identification. A copy of his file shall also be available to the consumer for a fee not to exceed the actual costs of duplication services provided.
  - 2) By certified mail, if he makes a written request, with proper identification, for copies to be sent to a specified addressee. Investigative consumer reporting agencies complying with requests for certified mailings under this section shall not be liable for disclosures to third parties caused by mishandling of mail after such mailings leave the investigative consumer reporting agencies.
  - 3) A summary of all information contained in files on a consumer and required to be provided by Section 1786.10 shall be provided by telephone, if the consumer has 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 the consumer.
- c) The term "proper identification" as used in subdivision (b) shall mean that information generally deemed sufficient to identify a person. Such information includes documents such as a valid driver's license, social security account number, military identification card, and credit cards. Only if the consumer is unable to reasonably identify himself with the information described above, may an investigative consumer reporting agency require additional information concerning the consumer's employment and personal or family history in order to verify his identity.
- d) The investigative consumer reporting agency shall provide trained personnel to explain to the consumer any information furnished him pursuant to Section 1786.10.
- e) The investigative consumer reporting agency shall provide a written explanation of any coded information contained in files maintained on a consumer. This written explanation shall be distributed whenever a file is provided to a consumer for visual inspection as required under Section 1786.22.
- f) The consumer shall be permitted to be accompanied by one other person of his choosing, who shall furnish reasonable identification. An investigative consumer reporting agency may require the consumer to furnish a written statement granting permission to the consumer reporting agency to discuss the consumer's file in such person's presence.



§752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited. An 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 more criminal offenses, or by reason of a finding of lack of "good moral character" when such finding is based upon the fact that 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 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 criminal offense.
  - 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 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 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 proceeding brought pursuant to article seven 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

