

## Employer Obligations

- ◆ Employers are required to obtain a signed applicant release prior to the conducting of any type of pre-employment screening. This release and/or notification must be a document separate from the application itself.
- ◆ Employers must keep a summary of applicant rights on file with Individual applicant reports for use in the case of an adverse action situation.
- ◆ Should adverse action be taken (i.e. an individual is denied employment, promotion or retention,) employers must provide the candidate with a copy of the background report, a summary of applicant rights and a letter advising of adverse action prior to the action being taken. Additionally, included in the completed report, employers must provide applicants with the Consumer Reporting Agency's (CRA) address and toll-free phone number.
- ◆ Arrest (i.e. non-conviction) record information on applicants not expected to reach or exceed an annual salary of \$75,000 must be limited to a 7-year search scope. Arrest record information on those reasonably expected to reach or exceed \$75,000 annually may date back as far as information is obtainable. Effective in October, 1998, conviction information on all may date back as far as records allow.