

DISCLAIMER: This document is intended for instructional purposes only and is not intended as legal advice. We recommend you consult with an attorney to review this document and the attached state disclosure regarding your organization's compliance with the California Consumer Credit Reporting Agencies Act (Civil Code § 1785.1 et seq.) related to employment background screening.

DISCLOSURE REGARDING CONSUMER CREDIT REPORTS AS REQUIRED BY CALIFORNIA LAW

Please be advised that (**Company/Organization/Client Name**) (the “Company”) will procure a consumer credit report about you for employment purposes, including for decisions regarding hiring, promotion, reassignment, or retention as an employee.

The investigation will be conducted by:

Active Screening
14499 N Dale Mabry Hwy
Suite 201 South
Tampa, FL 33618
Phone: 1-800-319-5580
Website: www.activescreening.com

AUTHORIZATION FOR CONSUMER CREDIT REPORTS

By signing below, I hereby authorize the Company to procure a consumer credit report concerning me for employment purposes. I acknowledge receipt of the Notice – Background Investigation and Use of Credit Information and the basis for which the report is being requested has been indicated by the Company on this form.

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

Signature:	Print Name (including middle name):
Date:	Social Security Number:
Driver's License # and State of Issuance:	Date of Birth:

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

CALIFORNIA RESIDENTS

This summary of the provisions of California Civil Code section 1785.20.5 is being provided to you pursuant to state law.

Prior to requesting a consumer credit report for employment purposes, the user of the report shall provide written notice to the person involved. The notice shall inform the person that a report will be used, and shall identify the specific basis under subdivision (a) of Section 1024.5 of California's Labor Code for use of the report. The notice shall also inform the person of the source of the report, and shall contain a box that the person may check off to receive a copy of the credit report. If the consumer indicates that he or she wishes to receive a copy of the report, the user shall request that a copy be provided to the person when the user requests its copy from the credit reporting agency. The report to the user and to the subject person shall be provided contemporaneously and at no charge to the subject person.

California Labor Code section 1024.5 is provided below:

1024.5. (a) An employer or prospective employer shall not use a consumer credit report for employment purposes unless the position of the person for whom the report is sought is any of the following:

- A managerial position.
- A position in the state Department of Justice.
- That of a sworn peace officer or other law enforcement position.
- A position for which the information contained in the report is required by law to be disclosed or obtained.
- A position that involves regular access, for any purpose other than the routine solicitation and processing of credit card applications in a retail establishment, to all of the following types of information of any one person:
 - (i) Bank or credit card account information.
 - (ii) Social security number.
 - (iii) Date of birth.
- A position in which the person is, or would be, any of the following:

(i) A named signatory on the bank or credit card account of the employer.

(ii) Authorized to transfer money on behalf of the employer.

(iii) Authorized to enter into financial contracts on behalf of the employer.

A position that involves access to confidential or proprietary information, including a formula, pattern, compilation, program, device, method, technique, process or trade secret that (i) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who may obtain economic value from the disclosure or use of the information, and (ii) is the subject of an effort that is reasonable under the circumstances to maintain secrecy of the information.

A position that involves regular access to cash totaling ten thousand dollars (\$10,000) or more of the employer, a customer, or client, during the workday.

(b) This section does not apply to a person or business subject to Sections 6801 to 6809, inclusive, of Title 15 of the United States Code and state and federal statutes or regulations implementing those sections if the person or business is subject to compliance oversight by a state or federal regulatory agency with respect to those laws.

(c) The following definitions apply to this section:

(1) "Consumer credit report" has the same meaning as defined in subdivision (c) of Section 1785.3 of the Civil Code, but does not include a report that (A) verifies income or employment, and (B) does not include credit-related information, such as credit history, credit score, or credit record.

(2) "Managerial position" means an employee covered by the executive exemption set forth in subparagraph (1) of paragraph (A) of Section 1 of Wage Order 4 of the Industrial Welfare Commission (8 Cal. Code Regs. 11040).