



# Consumer Report Consent Addendum

## CONSUMER REPORTS

You previously received a notice that the Company uses the consumer reporting agencies, PreCheck and/or First Advantage, to process background checks on candidates seeking employment.

### MINNESOTA AND OKLAHOMA EMPLOYEES ONLY

As an employee in Minnesota, you have the right to request a copy of the report from the consumer reporting agency. If you wish to request a copy of the report, please check the box below and return this form to your recruiter. The Company will direct the consumer reporting agency to mail a copy of that report to you. As an employee in Minnesota, you also have the right, upon your written request to the consumer reporting agency, to obtain a complete and accurate disclosure of the nature and scope of the report. The disclosure obtained from the consumer reporting agency must be in writing and mailed or delivered to you within five days after the request for the disclosure was received, or the report was requested, whichever is later.

As an employee in Oklahoma, you have the right to request a copy of the report from the consumer reporting agency. If you wish to request a copy of the report, please check the box below and return this form to your recruiter. The Company will direct the consumer reporting agency to mail a copy of that report to you.

I wish to receive a copy of my investigative consumer report being requested by the consumer reporting agency. The copy should be sent to the email address or mail address provided below (Check box only if you wish to receive a copy.)

### CALIFORNIA EMPLOYEES ONLY

A comprehensive background check may be performed as identified in the consent form you have previously received and signed. As an employee in California, you have the right to request a copy of this report from the consumer reporting agency. If you wish to request a copy of the report, please check the box below and return this form to your recruiter. The Company will direct the consumer reporting agency to mail a copy of that report to you.

I wish to receive a copy of my investigative consumer report being requested of the consumer reporting agency. The copy should be sent to the email address or mail address provided below (Check box only if you wish to receive a copy.)

As an employee in California, you have the right to inspect visually the files concerning you maintained by an investigative consumer reporting agency during normal business hours and upon reasonable notice. The inspection can be done in person if you appear in person and furnish proper identification. You also are entitled to a copy of the consumer reporting agency's file for a fee not to exceed actual costs of duplication. You are entitled to be accompanied by one person of your choosing, who shall furnish reasonable identification. The inspection also can be done via certified mail if you make a written request, with proper identification, for copies to be sent to a specified addressee. You also can request a summary of the information to be provided by telephone if you make a written request, with proper identification for telephone disclosure and the toll charge, if any, for the telephone call is prepaid or directly charged to you. You further understand that the investigative consumer reporting agency shall provide trained personnel to explain to you any of the information furnished to you. You shall receive from the investigative consumer reporting agency a written explanation of any coded information contained in files maintained on you. For purposes of this memo, "Proper Identification" means information generally deemed sufficient to identify a person, including documents such as a valid driver's license, social security account number, military identification and credit cards.

### NEW YORK EMPLOYEES ONLY

As an employee in New York State, upon your request, you can be informed whether subsequent investigations are requested from a consumer reporting agency and provided with the name and address of the consumer reporting agency. If you wish to be informed whether subsequent investigations are requested from a consumer reporting agency and/or be provided with the name and address of the consumer reporting agency, please notify your recruiter in writing.

Applicant: \_\_\_\_\_ Email Address: \_\_\_\_\_  
(Print Name)

Signature: \_\_\_\_\_ Mail Address: \_\_\_\_\_

Date: \_\_\_\_\_  
(City, State, Zip)

**NEW YORK CORRECTION LAW - ARTICLE 23-A**

**LICENSURE & 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 752 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.