



Employer certification

As a condition to ordering and obtaining consumer reports from Bay Area Backgrounds. (B.A.B.), “You” (defined as the employer/company identified below), agree as follows:

1. You certify to B.A.B. that with respect to each consumer report (“report”) ordered from B.A.B.:
 - a. You will use such report solely for employment purposes and for no other purpose. Employment purposes include the evaluation of the subject of the report for employment, promotion, reassignment, or retention as an employee. The subject of the report (“Applicant”) includes any consumer who is an applicant, potential employee or employee.
 - b. Prior to ordering the report, or causing the report to be ordered:
 - i. You have made clear and conspicuous written disclosure to the Applicant, **in a document consisting solely of the disclosure**, that a report may be obtained for employment purposes; and
 - ii. You have obtained the Applicant’s written authorization to obtain the report, such authorization may be in the same document as the disclosure.
 - c. **Prior to taking any adverse action** based in whole or in part on the report, you will provide the following to the Applicant.
 - i. A copy of the report; and
 - ii. A written description of the rights of the Applicant under the Fair Credit Reporting Act (“FCRA”) as prescribed by the Federal Trade Commission (“FCRA Summary of Rights”). B.A.B. has provided You a copy of the FCRA Summary of Rights, and it can be obtained from B.A.B. website or the FTC’s website (www.ftc.gov).
 - d. Before You take any adverse action against the Applicant based in whole or in part on the report, you shall give the Applicant a **reasonable amount of time** after the copy of the report and FCRA Summary of Rights have been received to dispute the accuracy and completeness of the information in the report.
 - e. If You take any adverse action with respect to the Applicant based in whole or in part on any information in the report, you will provide the Applicant with **all** of the following:
 - i. Notice of the adverse action;
 - ii. Bay Area Backgrounds, name, address, and telephone number;
 - iii. A statement that Bay Area Backgrounds did not make the decision to take the adverse action and is unable to provide the Applicant the specific reasons why the adverse action was taken;
 - iv. Notice of the Applicant’s right to obtain a free copy of the report from Bay Area Backgrounds if, within 60 days after receipt of the notice, he or she requests a copy from Bay Area Backgrounds.
 - v. And Notice of the Applicant’s right under the FCRA to dispute with Bay Area Backgrounds the accuracy or completeness of any information in the report.
 - f. You will not use any information in the report in violation of any applicable Federal or State equal employment opportunity law or regulation.

2. In some cases, you may order a report from B.A.B. for employment purposes that would also constitute an **“investigative consumer report.”** (In general, an investigative consumer report is one in which information has been obtained through personal interviews with friends, neighbors, or associates of the Applicant or others with whom the Applicant is acquainted or who may have knowledge concerning any such items of information, and the information is more than just a verification of facts.) In the event that You order from B.A.B. any investigative consumer report, then in addition to your other certifications herein, you certify as follow with respect to each investigative consumer report ordered:
 - a. Not later than 3 days after the date of requesting such report from B.A.B. You will mail or otherwise deliver a written disclosure to the Applicant containing the following information:
 - i. A statement that clearly and accurately discloses that an investigative consumer report on the Applicant may be made and such report may contain information as to his or her character, general reputation, personal characteristics and mode of living (as applicable); and
 - ii. A statement informing the Applicant of his or her right to request in writing additional disclosures about the nature and scope of the investigations and a written summary of rights (FCRA Summary of Rights).
 - b. Upon written request by the Applicant within a reasonable period of time following the Applicant’s receipt of the disclosure referred to in subsection a. above, you shall make a complete and accurate written disclosure of the nature and scope of the investigation You have requested. You will mail or otherwise deliver the nature and scope disclosure to the Applicant not later than 5 days after the date on which the request for such disclosure was received from the Applicant or such investigative consumer report was first requested, whichever is later.
3. **If you operate in California or order a report on a California resident, in addition to the other certifications herein You hereby certify for each California report ordered from B.A.B. that:**
 - a. You will identify B.A.B. including the name, address, and telephone number;
 - b. You will have a disclosure with a box that can be checked by the Applicant to indicate that he/she wants to obtain a free copy of the credit report; and
 - c. You will provide the Applicant a summary of his or her rights under California Civil Code Section 1786.22.
4. You are aware that in addition to the FCRA and other federal laws, state laws may be applicable to your ordering and use of consumer and/or investigative consumer reports, and agree to comply with all applicable federal and state laws.
5. You agree that all certifications and agreements herein are of a continuing nature and are intended to apply to each consumer and/or investigative consumer report that You order from B.A.B. You agree to keep all documentation signed by the Applicant required herein for at least 2 years (3 in California) after the date of the report to which such documentation relates and to provide B.A.B. copies upon request.

I CERTIFY THAT I AM AUTHORIZED BY THE COMPANY TO AGREE TO THE ITEMS HEREIN ON ITS BEHALF

Agreed to by: _____ Title: _____
(Print name)

You/Employer/Company: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Email: _____

Phone: _____ Fax: _____

Signature: _____ Date: _____