

## **Summary of New California Requirements for Users and Providers of Investigative Consumer Reports for Employment Purposes.**

Derived from California Civil Code Section(s) 1786.10 -- 1786.56

### **Recent Changes in Existing California Law -- Applies To California Employers Only.**

1. Prior to ordering a consumer report from a Consumer Reporting Agency (CRA), the subject of the Investigative Consumer Reports (applicants) must be given a disclosure containing the following notification/information: (1.) An investigative consumer report may be obtained, (2.) the permissible purpose for obtaining the report (3.) notification the report may contain information pertaining to the consumer's general reputation, character, mode of living and personal characteristics (4.) the name, address and telephone number of the consumer reporting agency (5.) the specific nature and scope of the information being requested and the applicant's right to view his or her consumer file maintained by the CRA.
2. Applicants will be provided a check box on the disclosure form to request a copy of their consumer report. The person / company ordering the background report is ultimately responsible for providing a copy of the report to the applicant when the box is checked, however, this task may now be delegated to the Consumer Reporting Agency that produced the report as may be arranged by agreement.
3. A Consumer Reporting Agency shall not prepare or furnish an investigative report to (employers) unless the agency has received certification of compliance from the person/company requesting the report. (We will require one signed certification for our file.)
4. We believe that the attached revised release form and our new Certification of Compliance comply with the new law. The NEW forms will be available from our Web site [www.employersinfosource.com](http://www.employersinfosource.com) under Resources, or we can e-mail or mail them to you directly from our office. In addition, for your convenience, we will be posting a Link to the pertinent sections of the California Civil Code for your review. In the next several days, we will be contacting you to confirm that you have procured or received the new forms.

NOTE: As with any legal issue, we recommend that you review the new law and compliance with qualified legal counsel. We would be please to refer you a qualified labor law firm if requested.