

STEP-BY-STEP INSTRUCTIONS

Step 1: Request photo I.D. and Social Security number from applicant.

Applicant provides both necessary documents:

- ❖ Photo ID (Must include birth date)
- ❖ SSN#
- ❖ Proceed to Step 2
- ❖ Applicant does not provide necessary documents – **STOP PROCESS.**

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Step 2: Determine which background check you need to order.

- ❖ Option 1 5 Star Check
 - ❖ Option 2 Instant Check
 - ❖ Option 3 Upgrade of Instant Check to 5 Star Check as outlined below
- ❖ Option 1 - the 5 Star Check includes: \$26.50 basic cost – 1 to 3 days average turnaround time
- 35^{su}*
- Social Security Verification
 - National Criminal Record File (NCRF) searches the following
 - Fugitive files and government watch lists
 - State and county criminal record repositories
 - ChoicePoint proprietary criminal records
 - Prison, Parole and release files from state department of corrections
 - Administrative Office of Courts
 - Sex and Violent Offender Registries: an additional \$9.00 will apply in the following states: AZ, CA, HI, MD, MS, MO, MT, NV, OK, OR, PA, RI, SD, VT, VA, WA, WI. These states Sex Offender files are not available in the NCRF index.
 - Other state agencies
 - County Criminal Check of Felonies and Related Misdemeanors – 2 counties of residence (present and previous).
 - The 5 Star check is valid for a three year period
 - An additional \$3.00 will apply for fax requests
- ❖ Option 2 – Instant Check Includes: \$10.50 basic cost – Clear results are available within 15 to 30 minutes. Convictions found may take longer if a court search is needed for missing disposition information. Hits in California must have the county of record searched prior to releasing records due to state law.
- Social Security Verification
 - National Criminal Record File (NCRF)
 - Instant check is valid for 10 days only

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- ❖ Option 3 – Upgrade of Instant Check to 5 Star Check: \$16.00 basic cost
 - o Note: If the agent decides to retain the services of the laborer for longer than the 10 days provided in the Instant Check (e.g., offering the laborer full or part-time employment), the Agent may upgrade the Instant Check screening to a 5 Star, which is valid for 3 years. However, this would need to be conducted within the 10-day period.
 - Social Security verification (completed)
 - National Criminal Record File (NCRF) (completed)
 - Sex and Violent Offender Registries: An additional \$9.00 will apply in the following states: AZ, CA, HI, MD, MS, MO, MT, NV, OK, OR, PA, RI, SD, VT, VA, WA, WI. These states Sex Offender files are not available in the NCRF index.
 - County Criminal Check of Felonies and Related Misdemeanors – 2 counties of residence (present and previous)

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Step 3: Have applicant complete and sign the following forms:

- A. Agent's written employment application with appropriate criminal background questions and statements. (See Human Resource Packet Page 7).
- B. Consumer Disclosure and Authorization Form – Exhibit D
- C. ~~Background Verification Disclosure Form~~ (This form is required for California residents only.) – Exhibit E

Applicant Consent Forms

The Fair Credit Reporting Act (FCRA) mandates that all applicants sign a Consumer Disclosure and Authorization Form PRIOR to background check being requested. These documents, by law, must stay on file with the Agent and may be required by ChoicePoint when conducting certain criminal searches.

If your agency's background policy exceeds UniGroup's Qualification Standards Matrix, you must also present the applicant with a Summary of Rights if adverse action is taken. Adverse action procedures are outlined in Step 8 on Page 14. Additional notice and disclosure requirements may be required under applicable state laws. State requirements and forms will need to be discussed with agent's counsel.

Failure to follow the procedures and provide the information and documentation required by these check lists, could constitute violation of state and federal laws. The Agent obtaining the background information is responsible for fully complying with all of these provisions. Federal law mandates that you receive and review a copy of "Notice To Users Of Consumer Reports: Obligations Of Users Under The FCRA". Because of its broad and all inclusive intent there may be some specifics in the notice which may not be directly applicable to your business activities. See Exhibit F – Schedule I.

- ❖ Applicant completes authorization and consent forms – Proceed to Step 4.
- ❖ Applicant does not sign authorization and consent forms – **STOP PROCESS.**

If at anytime questions arise, customer support is available through ChoicePoint's Customer Service number or through the van line's Labor Compliance Support Hotline. These numbers are found on Pages 17 and 18.

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Step 4: Determine which format you wish to use to submit/receive your ChoicePoint information

- ❖ Via Internet from ChoicePoint's web site (www.cpscreen.com)
- ❖ By Fax (additional charge of \$3.00 per application)

CP Screen Order/Delivery Method

Order/Delivery Method by CPScreen.com – ChoicePoint's CP Screen is a browser-based application with the ability to order and receive background reports electronically through the Internet. A user guide is available to download on ChoicePoint's home page. However, a Quick Reference Guide has been developed for your convenience, see Exhibit G. Online training will be provided by ChoicePoint and is mandatory regardless of input method.

Fax In/Fax Back Order Method – A ChoicePoint Fax cover sheet has been created to accommodate the fax-in fax-back ordering method, see Exhibit A. Agents should complete the following information on the ChoicePoint fax cover sheet:

- Requester's name
- Agent's unique account number.
- Agent phone number and fax number
- Applicant Information
- Check the appropriate Option based on your screening request

The ChoicePoint Fax Cover Sheet and Signed Authorization should be faxed to:

(866) 232 - 1231

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Step 5: Enter required information

- ❖ ChoicePoint screen method
 - o Complete the required fields (shown in red)
 - o Push "submit this order" button
- ❖ Fax method
 - o Complete the required fields
 - Information on ChoicePoint fax form, see Exhibit A.
 - Fax to (866) 232 - 1231

STEP-BY-STEP INSTRUCTIONS

Step 6: Receive report results

- ❖ Reports are returned either “eligible” or “ineligible”. All reports are adjudicated according to the Qualification Standard Matrix, see Exhibit C. The 5 Star requires 1-3 days, the Instant Check, approximately 30 minutes.
 - Eligible – Reports meet requirements as defined by the Qualification Standard Matrix. If reports return eligible, go to Step 7.
 - Ineligible – Reports **DO NOT** meet requirements as defined by the Qualification Standard Matrix. If reports return ineligible, go to Step 8.



State	Citations to Authority	Background Check Authorization Requirements	Restrictions on the Use of Conviction Records in Hiring Decisions	Other Considerations
Utah	Utah Code Ann. §§77-18-10 through 77-18-12		An employer may only inquire into felony convictions – not arrest records. Requests for conviction records should be related to job.	
Vermont	Vt Stat Ann. Tit. 20 §§2051, 2055, 2056c, 2056d, 2063, tit. 33 chapter 55.	State criminal information center shall release all criminal records when authorized by the applicant, on a release form, after an offer for employment is made.	Juvenile court records are not open to public inspection.	
Virginia	Va. Code §§56-1, 9-1-128, 19-2-389, 19-2-392.2 thru 392.4	Authorization of applicant is required prior to requesting criminal history background	Cannot require applicants to disclose information concerning arrests or criminal charges that have been expunged.	
Washington	Rev. Code Wash. §§43.43.815, 19.182.040, 43.43.834, 162-12-140	Must notify subject of inquiry prior to making background inquiry. Inquiries must accompany by disclaimer that conviction record will not necessarily bar employment. Employer must notify subject of record within 30 days of the record and that it is available to examine.	Inquiries concerning convictions and imprisonment must relate reasonably to job duties. Arrests/convictions must have occurred within 10 years. If expected that subject's annual salary is less than \$20,000, inquiry can only go back 7 years.	
West Virginia	W.Va. Code Ann. §15-2-24, 61-11-25	Use of arrest and conviction records is prohibited unless employer first obtains applicant's consent.	Expunged records may not be reported. Inquiries into arrest records are prohibited. Inquiries into prior convictions are permissible if reasonably related to job qualifications.	

EXHIBIT C

Qualification Standards Matrix

An applicant shall not be eligible for qualification if they have been convicted of one of the following Felonies; hereafter referenced as Type I Felonies:

- a. a felony which resulted in taking of a life including but not limited to capital murder, first degree murder, second degree murder, homicide and manslaughter.
- b. a felony which resulted in serious physical injury including, but not limited to assault or battery causing serious physical injury.
- c. a felony involving a sexual offense, including but not limited to rape, sexual assault, sodomy, deviate sexual assault, and child molestation.
- d. a felony involving organized criminal activity including but not limited to extortion, racketeering and drug distribution.
- e. a felony involving the use of weapons including but not limited to armed criminal action, burglary and robbery.
- f. a felony involving a hate crime.
- g. a felony involving kidnapping.
- h. a felony involving terrorist activity.

An applicant shall not be eligible for qualification if he/she has pled guilty or has been convicted of a felony within thirty-six (36) months of the date of the application and the applicant may not have two (2) or more felony convictions on his/her entire record.

An applicant shall not be eligible for qualification if he/she has pled guilty or been convicted of a misdemeanor (~~excluding driving/traffic-related violations that do not involve possession, use or driving under the influence of alcohol or drugs~~) and ~~excluding alimony, maintenance, or child support misdemeanors~~ within ~~twenty-four (24) months of the date of the application~~, and the applicant may not have three (3) or more misdemeanor convictions within the last ten (10) years (to the extent records are available by law).

If an applicant has a felony conviction (other than a Type 1 Felony) within the last ten (10) years (to the extent records are available by law), then he/she may not have more than one misdemeanor in the last ten (10) years (to the extent records are available by law).

An applicant shall not be eligible for qualification if he/she has been incarcerated for non-traffic misdemeanor (excluding alimony, maintenance, or child support misdemeanors) or felony conviction within twelve (12) months of the date of the application.

A guilty finding entered by a court shall be deemed under these standards to be a conviction.

An application shall not be eligible for qualification if he/she is on court probation/parole for any criminal misdemeanor or felony or if the application has criminal misdemeanor (excluding driving/traffic-related violations that do not involve possession, use or driving under the influence of alcohol or drugs and excluding alimony, maintenance, or child support misdemeanors) or felony charges pending.