

## **BACKGROUND CHECKS**

By Jack Geary

Remember when you complete a pre-employment application form and sign it, you give permission to the employer to obtain complete background information, including employment information, search public records, driving records and credit history. Read the fine print on the application forms you sign. The URL LINK BELOW is an example of one of the many companies used by employers to conduct background checks on job applicants and applicants for promotions.

Do not lie on an application form and other forms related to your employment, especially forms that you sign. Leave items blank in doubt if that is possible. If you are applying for employment at this time, contact the instructor if you would like to discuss this issue.

## **REFERENCE CHECKS**

Section 1198.5, California Labor Code grants employees the right to inspect their personnel files. However, this section also grants employers the right to exempt disclosure of letters of reference and ratings, reports, or records obtained prior to an applicant's employment.

The California Consumer Reporting Agencies Act requires employers to disclose background information if a third party was used to acquire the information. AB 655, effective January 1, 2002, requires employers to disclose background information even when a third party is not used. It is unclear at this time if AB 655 requires employers to disclose background information obtained prior to employment, such as, information obtained by checking your references and statements made by you on an application form. A good rule to follow is to avoid making false or misleading statements in writing.

## **HEADS UP!**

Go to the Social Security link to find out how you can obtain your employment history. You should check your Social Security contributions at least once per year to insure all employers have paid required contributions. For an additional fee, Social Security can give you a report of the names of all employers who have contributed (deducted from your paycheck) to Social Security Account.