



DIOCESE OF DAVENPORT  
Office of the Chancellor | Chief of Staff

January 24, 2018

Re: Instructions to employers regarding the use of background check results

When taking an adverse action (for example, not hiring an applicant or firing an employee) **based on background information obtained through a company in the business of compiling background information**, the federal Fair Credit Reporting Act (FCRA) has additional requirements that must be met by sending two separate letters to the applicant at two separate times. This process is not required if a decision is made for other reasons.

Letter 1 – Pre-Adverse Action Notice

**Before you take an adverse employment action** (firing or not hiring), you must give the applicant or employee a written notice that includes:

- a) a copy of the consumer report you relied on to make your decision; and
- b) a copy of “A Summary of Your Rights Under the Fair Credit Reporting Act,” This is already included at the end of the consumer report and
- c) the name, address, and phone number of the company that sold the report  
Employment Screening Resources (ESR), 7110 Redwood Blvd., Suite C, Novato, CA 94945;  
888-999-4474

By giving this to the applicant in advance, the applicant has an opportunity to review the report and explain any negative information. The applicant should be given seven days to respond or the preliminary decision will become final.

Letter 2 – Adverse Action Notification

**After you take an adverse employment action**, (firing or not hiring) you must inform the applicant or employee in writing that he or she was rejected because of information in the report; and

- a) the name, address, and phone number of the company that sold the report:  
Employment Screening Resources (ESR), 7110 Redwood Blvd., Suite C, Novato, CA 94945;  
888-999-4474 and
- b) that the company selling the report didn’t make the hiring decision and can’t give specific reasons for it; and
- c) that he or she has a right to dispute the accuracy or completeness of the report and to get an additional free report from the reporting company within 60 days.

Two sample templates are attached for your use. Be sure to include the consumer report with the first letter in its entirety since it contains the “Summary of Your Rights Under the Fair Credit Reporting Act” at the end of the report. Please contact me if you have any questions regarding this policy and procedure.

Yours in Christ,  
Deacon David Montgomery  
Chancellor | Chief of Staff