

# Informed Decision

## Investigative & Background Information Services, Inc.

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When ordering credit reports, to be compliant with AB 22, please indicate which of the eight exceptions EACH candidate falls under by placing a √ in the :

**(please send this form back with each request)**

**CANDIDATES NAME:** \_\_\_\_\_

### **Employee Credit Reports Prohibited, Except in Limited Circumstances**

A new California Labor Code chapter, commencing with section 1024.5, prohibits an employer or prospective employer, with the exception of certain financial institutions, from obtaining a consumer credit report for employment purposes **unless the position of the person for whom the credit report will be obtained falls into one of the following eight categories:**

1.  a position in the state Department of Justice;
2.  a managerial position that is covered by the executive exemption as set forth in California Wage Order 4;
3.  a sworn peace officer or other law enforcement position;
4.  a position for which the information contained in the report is required by law to be disclosed or obtained;
5.  a position that involves regular access, for any purpose other than the routine solicitation and processing of credit card applications in a retail establishment, to bank or credit card account information, Social Security number and date of birth for any one person;
6.  a position in which the person is or would be a named signatory on the employer's bank or credit card account, or authorized to transfer money or enter into financial contracts on the employer's behalf;
7.  a position that involves access to confidential or proprietary information, which includes a formula, pattern, compilation, program, device, method, technique, process or trade secret that: (1) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who may obtain economic value from the disclosure or use of the information; and (2) is the subject of an effort that is reasonable under the circumstances to maintain secrecy of the information; or
8.  a position that involves regular access to cash totaling \$10,000 or more of the employer, a customer or a client during the workday.

**Additionally, the Consumer Credit Reporting Agencies Act ("CCRAA"), as amended, requires employers to give written notice to the employee or applicant that a consumer credit report will be used, as well as the specific basis under California Labor Code section 1024.5 that supports the use of the report.**

\*\*\*\*\* **CANDIDATE'S EMAIL ADDRESS:** \_\_\_\_\_ \*\*\*\*\*