

Information about the Fair Credit Reporting Act

What is FCRA?

FCRA or Fair Credit Reporting Act is a federal law that governs how consumer information is collected, used, and disseminated. Any employer conducting a consumer report (background check) must follow the guidelines of the FCRA.

Will the Diocese of Reno be running a credit report on me?

Our background checks do not include credit reports. “For employment purposes the wording, ‘Fair Credit Reporting Act,’ is somewhat confusing since the report can also include items such as criminal records, driving records, employment verification, education verification and other types of reports.¹” For our purposes, we run background checks to help us evaluate an individual’s suitability for a particular employment or volunteer position.

What is a consumer report?

A consumer report (background check) is a report that is prepared by a consumer-reporting agency. TRAK-1 (our background check vendor) is our consumer-reporting agency. “It is a report that consists of any written communication and information pertaining to the applicant and used for employment purposes.²”

What if something appears on my background check that hinders my ability to volunteer or work?

If an employer receives a report that may hinder or restrict one’s ability to work or volunteer, the applicant is protected by the FCRA. The applicant is entitled to the following documents:

- *A Pre-adverse letter
- *A copy of the consumer report
- *A summary of *Your Rights Under the Fair Credit Reporting Act*

These documents are provided to give the applicant the opportunity to review the information provided on the background check³. If the background check contains inaccurate information, the applicant has the right to dispute the inaccuracies.

¹ Lester Rosen, The Safe Hiring Manual (Facts On Demand Press, 2012) 58.

² Lester Rosen, The Safe Hiring Manual (Facts On Demand Press, 2012) 59.

³ Lester Rosen, The Safe Hiring Manual (Facts On Demand Press, 2012) 65.

What if a decision is made about my suitability to work or volunteer because of something found on a background check?

If after sending the applicant the required pre-adverse letter, the employer decides to make a final decision not to hire or to restrict employment/volunteering, the employer must also provide a post-adverse letter along with the following documents:

- *A Post-adverse letter
- *A copy of the consumer report
- *A summary of *Your Rights Under the Fair Credit Reporting Act*

These documents are intended to notify the applicant of the decision that the employer has made based upon the given information.