

Complex Problems. Simple Solutions.

BACKGROUND CHECKS



Consistent with the sage advice to hire carefully and slowly, employers have turned to background checks as a pre-employment screening tool. Most employers report success with using background checks, enabling them to avoid hiring applicants with lengthy or even violent criminal records.

Background checks help eliminate the risk of the “wrong” hire, but they also create liability when not conducted in compliance with the nuances of the varying legal requirements. Enter plaintiffs’ lawyers, with class action lawsuits alleging technical violations of the complex federal Fair Credit Reporting Act and the ever increasing web of state mini-Fair Credit Reporting Acts. Even a quick skim of the headlines shows recent cases with multi-million-dollar settlements or damages. Also a big player...the U.S. Equal Employment Opportunity Commission (EEOC), with its Guidance on criminal background checks.

Fight back with **OD Comply: Background Checks**, our flat-fee, subscription-based service designed to maintain compliance in the ever-changing world of background check laws and regulations. Our background check service educates employers on the costly legal subtleties associated with background checks and, very differently than other available

services, provides ongoing, automatically updated, legally compliant forms, letters, and other documents to keep you in compliance in all 50 states and certain large, significant municipalities (i.e., New York, Chicago, Philadelphia, Newark).¹

An annual subscription to **OD Comply: Background Checks** also includes a detailed, practical, step-by-step guide to using the forms, letters, and other documents. Also included is *Employer Background Checks: State Law Summaries*, a 50-state, plain English publication detailing the state restrictions on an employer’s use of background information.

During the 12-month subscription period, you will receive legal updates on background checks and up-to-date forms, letters, and documents for immediate use and risk mitigation.² When a given state passes a new law, we will update your forms automatically and send them to you.

¹ Although the State Law Summaries include background check requirements of certain municipalities, these materials are not intended to serve as a comprehensive guide to all such municipal requirements.

² Forms, letters, and documents are designed for use by private employers in most industries for most background check situations. Client-specific customization of forms, letters, and documents, which is available and often requested by clients, is outside the annual subscription fee.

For questions, additional details, or subscription information, contact the Ogletree Deakins attorney with whom you normally work or the Ogletree Deakins Background Check Advice team at backgroundcheckadvice@ogletree.com.