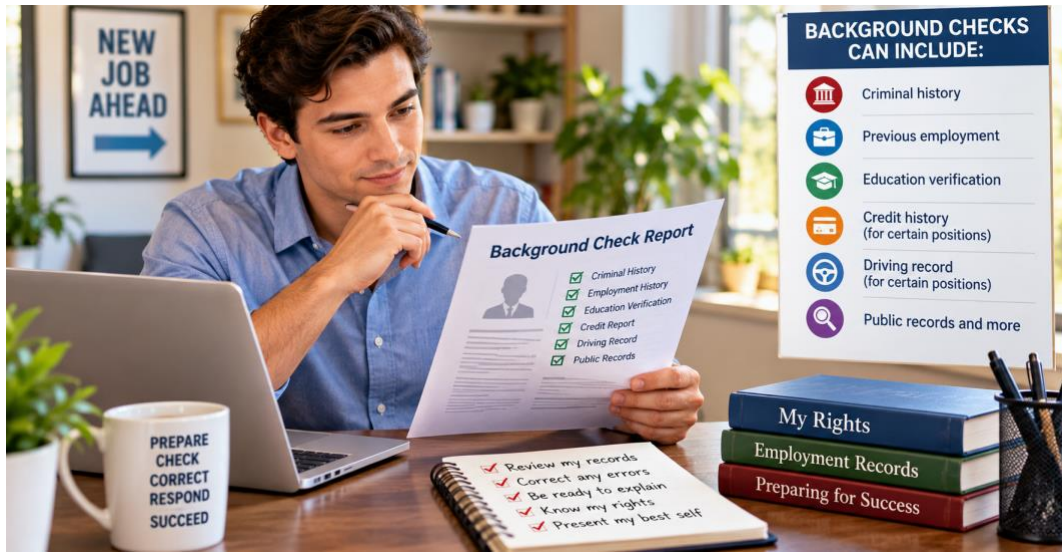




How to Pass a Background Check

What Job Applicants Should Know About Their Rights and Their Records

You've Got the Job — Almost!

Congratulations! You've survived the interviews, impressed the hiring manager, and received a promising job offer. There's just one more hurdle: the employer wants to conduct a background check before making everything official.

For most applicants, this is a routine part of the hiring process. But what if the investigation uncovers an old arrest, a financial problem, an error in your employment history, or something else that raises questions? Could you lose the opportunity before you've had a chance to explain?

The good news is that federal law provides important protections for job applicants. Understanding how background checks work, preparing your records, and knowing how to respond to unfavorable information can improve your chances of getting the job.

What Does an Employer Look For?

A background check helps an employer verify information about a prospective employee. Depending on the position, the investigation may examine your previous employment, education, professional licenses, driving record, criminal history, or financial background. Some employers also review publicly available social media information.

Not every employer investigates every category. A company hiring a delivery driver may be particularly interested in driving records, while a financial institution may have legitimate reasons to examine certain financial or criminal records. Federal, state, and local laws can restrict which information employers may request or use.

Step 1 — Know What's in Your Background

One of the best ways to prepare for a background check is to examine your own records before an employer does. Review your résumé and application for accuracy, verify your employment dates and educational credentials, and consider whether any public records might require an explanation.

You can obtain free credit reports through <Link url="<https://www.annualcreditreport.com>" title="AnnualCreditReport.com"/>. If you have a criminal record, you may also be able to request a copy from the appropriate court or government agency. Remember that an ordinary credit report is not necessarily identical to the specialized background report an employer may purchase.

Look for incorrect dates, records belonging to someone else, outdated information, or matters that were dismissed or resolved. Correcting mistakes in advance can prevent unnecessary complications later.

Step 2 — Understand Your Rights Before the Check

The Fair Credit Reporting Act (FCRA) protects applicants when employers obtain background reports from companies that compile information for employment screening. Generally, the employer must tell you in writing that the report may influence its hiring decision and obtain your written permission before requesting it.

You can refuse permission, although the employer may decide not to proceed with your application. The FCRA does not govern every investigation an employer conducts independently, but other federal, state, and local protections may still apply.

You are also protected against unlawful discrimination. Employers cannot selectively investigate applicants because of characteristics such as race, religion, sex, national origin, disability, or age when protected by applicable law.

Step 3 — Don't Assume a Criminal Record Disqualifies You

A criminal record does not necessarily prevent you from getting a job. Employers may consider criminal history, but federal employment discrimination law limits certain practices, and some states and cities provide additional protections.

An arrest is not proof that a crime occurred. Likewise, a conviction does not automatically establish that someone is unsuitable for every occupation. The nature of the offense, the time that has passed, and its relationship to the duties of the position may all be relevant.

Some occupations have specific legal restrictions, particularly positions involving public safety, vulnerable populations, or certain regulated responsibilities. However, applicants with past convictions may still qualify for many other positions.

If you have a criminal history, prepare a truthful, concise explanation. Relevant employment experience, education, rehabilitation, and positive references may help demonstrate that you are qualified and dependable.

Step 4 — Respond When Something Goes Wrong

Suppose your prospective employer contacts you because the background report contains troubling information. Don't assume the job opportunity is lost. You may have the chance to explain the circumstances or correct inaccurate records before the employer reaches a final decision.

When an employer is considering rejecting you based partly or entirely on a report obtained from a background screening company, the FCRA generally requires the employer to provide a copy of the report and a document explaining your rights before taking final adverse action.

Review the report carefully. If information is inaccurate or incomplete, contact the screening company to dispute it and provide supporting documentation. Inform the employer about the dispute and request consideration of any corrected information.

If the report is accurate, an explanation may still be worthwhile. A mistake made years earlier, followed by responsible employment and positive accomplishments, may deserve a different assessment from recent conduct directly related to the position.

Step 5 — Know What Happens if You're Rejected

If an employer ultimately decides not to hire you based partly or entirely on a third-party background report, the FCRA requires an adverse action notice. This notice must identify the reporting company, explain that it did not make the hiring decision, and inform you of your right to dispute inaccurate or incomplete information.

You also have the right to request an additional free copy of the report from that screening company within 60 days of the employer's decision. This gives you an opportunity to investigate the problem and potentially prevent it from affecting future applications.

If you believe an employer or screening company violated your rights, you can seek assistance from the Federal Trade Commission, the Consumer Financial Protection Bureau, or the Equal Employment Opportunity Commission, depending on the issue. State and local agencies may provide additional assistance.

A Background Check Is Not a Test of Perfection

Few people reach adulthood without making mistakes, experiencing financial difficulties, or encountering circumstances they would rather forget. Fortunately, the purpose of a legitimate employment background check is not to find a flawless human being. It is to help an employer make an informed decision about a person's qualifications and suitability for a particular job.

Your best strategy is preparation. Know what your records contain, provide accurate information, understand your legal rights, and be ready to address legitimate concerns. A problem in your past need not define your future.

The goal isn't to hide your history. It's to make certain that your history is accurate, fairly evaluated, and considered alongside the qualifications you bring to the job.

Editor's Note: This article provides general information about U.S. employment background checks and applicants' rights. State and local laws may offer additional protections. It is not a substitute for individualized legal advice.