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## BACKGROUND CHECK AUTHORIZATION AND RELEASE

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Herban Market may seek and obtain information about you from an investigative reporting agency for employment purposes. You may be the subject of investigative reports which can involve personal interviews with sources such as your current and past employers, friends, or associates. These reports may be obtained at any time after receipt of your authorization. You have the right, upon written request made within a reasonable time after receipt of this notice, to request disclosure of the nature and scope of any investigative report. The nature and scope of the investigative reports that will be obtained with regard to your application for employment will be in the following areas:

- Education
- Employment
- Arrest and criminal conviction
- Credit history
- Reference verification

These reports may be conducted by an accredited and reputable reporting agency or by another entity or person, and we may conduct some research ourselves. The scope of this notice and authorization is all-encompassing, however, allowing Herban Market to obtain from any outside organization all manner of investigative reports to the extent permitted by law. As a result, you should carefully consider whether to exercise your right to consent to and request disclosure of the nature and scope of any such investigative report(s).

1. I understand that in connection with my application for employment an investigative report will be obtained. This report or these reports may contain

information, but is not limited to, as to my character, general reputation, personal characteristics or mode of living, a criminal background history, verification of current and previous employment, verification of educational credentials, professional reference verification, credit report, and the additional matters indicated above and as not prohibited by law.

2. I understand that prior to taking an adverse action based, in whole or in part, on the information contained in any investigative report, a copy of the report will be provided to me. Upon written request, within a reasonable period of time after my receipt of this disclosure, a complete and accurate disclosure of the nature and scope of the investigative reports, which may involve personal interviews with sources such as neighbors, friends and associates, will be made to me. This disclosure shall be made in writing no later than five (5) after the date on which the request for such disclosure was received or such report was first requested, whichever is later.
3. The information requested will be used in compliance with the Federal Americans with Disabilities Act (ADA) and/or any other applicable federal or state laws. Furthermore; I understand that if I am denied employment because of information contained in whole or in part in investigative reports, I have the right to be notified and given the name and address of the agency or source that provided the information.
4. I hereby authorize, without any reservation, any party be contacted by Herban Market or its agents, to furnish the information described in Section 1.
5. I understand that a fax, photographic or electronic copy of this consent and release shall be valid as the original.
6. I hereby release the agents and employers and all other persons, agencies, and entities providing information or reports about me from any and all liability arising out of the request for or release of any of the above-mentioned information or reports.
7. I have read and understand this form, and have been given the opportunity to consult with my independent legal advisor. By my signature below, I consent to the release of a information, as defined above, in conjunction with my application for employment and my employment. I understand that my consent will apply throughout my employment, to the extent permitted by law, unless I revoke or cancel my consent by sending a signed letter or statement to the company at any time.

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Signature

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Date

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Printed Name

MH \_\_\_\_\_

AH \_\_\_\_\_

## **A Summary of Your Rights Under the Fair Credit Reporting Act**

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA. **For more information, including information about additional rights, write to: Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.**

- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment - or to take another adverse action against you - must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your "file disclosure"). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
  - a person has taken adverse action against you because of information in your credit report;
  - you are the victim of identity theft and place a fraud alert in your file;
  - your file contains inaccurate information as a result of fraud;
  - you are on public assistance;
  - you are unemployed but expect to apply for employment within 60 days.

All consumers will be entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies.

- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See [www.ftc.gov/credit](http://www.ftc.gov/credit) for an explanation of dispute procedures.
- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.
- **Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information

that is more than seven years old, or bankruptcies that are more than 10 years old.

- **Access to your file is limited.** A consumer reporting agency may provide information about you only to people with a valid need -- usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.
- **You must give your consent for reports to be provided to employers.** A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to **Error! Hyperlink reference not valid..**
- **You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.** Unsolicited "prescreened" offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 888-5-OPT-OUT (888-567-8688) or [www.optoutprescreen.com](http://www.optoutprescreen.com).
- **You may seek damages from violators.** If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.
- **Identity theft victims and active duty military personnel have additional rights.** For more information.

**The following is for identification purposes only to perform the background check, and will not be used for any other purpose:**

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
SIGNATURE OF APPLICANT

\_\_\_\_\_  
SOCIAL SECURITY NUMBER

\_\_\_\_\_  
DATE OF BIRTH (For Background Purposes Only)

\_\_\_\_\_  
DRIVER'S LICENSE NUMBER          STATE

CURRENT ADDRESS:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Previous Addresses (Last 7 years):

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Any other names I have been known by (including maiden name):  
\_\_\_\_\_  
\_\_\_\_\_

MH \_\_\_\_\_

AH \_\_\_\_\_