Background Screening Policy Recommendations

Bank Teller

Generated October 3, 2026 for Fivepenny Savings Bank (Marcus Bell). This report applies the federal, state, and local employment-screening laws that govern the position described below. Where rules conflict, the strictest rule is shown as required.

- Required or prohibited by law
- Strongly recommended to reduce legal risk
- Best practice
- Informational reminder

Jurisdictions applied

- Federal: FCRA, Title VII / EEOC guidance, ADA — https://www.law.cornell.edu/uscode/text/15/chapter-41/subchapter-III
- New York — https://www.nysenate.gov/legislation/laws/CONSOLIDATED
- New York City — https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYCadmin/0-0-0-1

Start here: the foundation of every screening policy

These items apply to every position you screen. Put them in place before anything else.

REQUIRED

Stand-alone disclosure and signed authorization before every report

Before you order any report from a background screening company, give the applicant a written disclosure that consists solely of the statement that a consumer report may be obtained for employment purposes, and get a signed (or e-signed) authorization. Keep waivers, extra terms, and state notices off the disclosure page; put state-required language on a separate page. Certify to the screening company that you have done this and will follow the adverse-action rules.

Source: 15 U.S.C. § 1681b(b)(2)
Read the law: https://www.law.cornell.edu/uscode/text/15/1681b

REQUIRED

Apply the same screening package to every applicant for the same position

Order the same searches and apply the same written decision criteria to every applicant for this position. Deviations by individual (for example, checking one candidate's credit but not another's) are the most common source of discrimination claims, and Title VII disparate-treatment liability attaches to employers with 15 or more

employees. Document any exception and the business reason for it.

Source: Title VII; EEOC Enforcement Guidance (2012)
Read the law: https://www.law.cornell.edu/uscode/text/42/2000e-2

REQUIRED

Two-step adverse action before any rejection based on a report

If a report may lead you to reject an applicant, first send a pre-adverse action notice with a copy of the report and the CFPB Summary of Rights, then wait at least five business days for the applicant to respond, and only then send the final adverse action notice naming the screening company, stating that it did not make the decision, and explaining the right to dispute and to a free copy within 60 days.

Source: 15 U.S.C. §§ 1681b(b)(3), 1681m
Read the law: https://www.law.cornell.edu/uscode/text/15/1681m

REMINDER

Keep a written background screening policy and adverse-action procedure

A written policy that names the searches ordered for each position, the timing, the decision criteria, the individualized-assessment steps, and the adverse-action sequence is what regulators and plaintiffs ask for first. Update your existing policy with the position-specific items below.

Source: EEOC guidance; state requirements

REMINDER

When rules conflict, the strictest one wins

This position is subject to 3 layers of law (federal, state, and local). Where they differ, follow the most protective rule for the applicant; that is the rule shown as "required" below. Recommendations are current as of October 1, 2026.

REMINDER

Keep the file

Keep the disclosure, authorization, report, assessment notes, and notices for at least one year after the decision (two years for federal contractors); several laws require longer (Maryland four years, Los Angeles and San Francisco three years, Massachusetts CORI acknowledgments one year with a dissemination log). Store reports separately from the personnel file and dispose of them securely.

Source: 29 C.F.R. § 1602.14; FTC Disposal Rule
Read the law: https://www.law.cornell.edu/cfr/text/29/1602.14

Laws applied to this position

REMINDER

Federal law

The Fair Credit Reporting Act governs every report prepared by a screening company; Title VII and the EEOC's 2012 guidance govern how criminal history may be used (15 or more employees); the ADA governs the timing of medical examinations.

Source: 15 U.S.C. § 1681 et seq.; 42 U.S.C. § 2000e

Read the law: https://www.law.cornell.edu/uscode/text/15/chapter-41/subchapter-III

REMINDER

New York state law

Applied because work is performed in Brooklyn, Kings County, New York. No statewide ban-the-box law for private employers, but Article 23-A bars denying employment because of a conviction unless there is a direct relationship to the job or an unreasonable risk, after weighing eight factors. New York City (four or more employees), Buffalo and Suffolk County (15 or more), Rochester (four or more), and Westchester County require waiting until after a conditional offer or the application stage.

Source: N.Y. Correction Law art. 23-A; Exec. Law § 296(15)–(16); local fair-chance laws
Read the law: https://www.nysenate.gov/legislation/laws/COR/752

REMINDER

New York City ordinance

Employers with four or more employees may not ask about or search criminal history (including pending cases and arrests) until after a conditional offer, and job ads may not exclude people with records. Non-criminal checks must be completed before the offer; the criminal check comes after. To withdraw an offer, complete the written Fair Chance Analysis on the Commission's form using the Article 23-A factors (or the NYC factors for pending cases and post-hire conduct), give the applicant the report and the analysis, and hold the position open for at least five business days. Covers current employees and independent contractors.

Source: N.Y.C. Admin. Code § 8-107(11-a) (Fair Chance Act, as amended July 29, 2021)
Read the law: https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYCadmin/0-0-0-219879

When you may ask about criminal history

REQUIRED

Wait until after a conditional offer of employment

Ask about, search for, or consider criminal history only after a conditional offer of employment. This is the strictest timing rule among the laws that apply to this position (New York City). Because a law, licensing board, contract, or bond requires a check for this position, the statutory exemption may let you ask earlier; the safer course, and the one most regulators expect, is to keep the check after the conditional offer and rely on the exemption only for the substance of the decision.

Source: N.Y.C. Admin. Code § 8-107(11-a) (Fair Chance Act, as amended July 29, 2021)
Read the law: https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYCadmin/0-0-0-219879

RECOMMENDED

Remove criminal-history language from job ads and applications

Delete the conviction question from the application form and remove statements such as "no felonies" or "clean record required" from postings; most fair-chance laws (for example Colorado, New Jersey, Vermont, Maine, Washington, New York City, Philadelphia, Los Angeles, and Seattle) treat such statements as violations. Where the law requires it (Los Angeles County, Philadelphia), the posting must instead state that criminal history will be reviewed after a conditional offer.

Source: State and local fair-chance laws
Read the law: https://www.nysenate.gov/legislation/laws/COR/752

RECOMMENDED

Run non-criminal checks first

Sequence the order: identity and SSN trace, employment and education verification, license checks, and any permitted credit or MVR check before or with the offer; order the criminal search only once the conditional offer has been made. New York City and Los Angeles County make this sequencing mandatory.

Which records you may consider

REQUIRED

Never consider sealed, expunged, set-aside, or pardoned records

You selected these records as ones you want to consider. Remove them: Applicants may lawfully deny that these records exist, and screening companies may not report them. Clean-slate laws now seal eligible records automatically in many states, so a record that appeared on a report last year may be off-limits this year. Sealed records, including records sealed under the Clean Slate Act, may not be requested or used (Exec. Law § 296(16)); only employers required to fingerprint for specified positions may see them.

Source: State sealing and expungement statutes
Read the law: https://www.nysenate.gov/legislation/laws/EXC/296

REQUIRED

Never consider juvenile records

Juvenile adjudications are confidential in every state that applies to this position and may not be requested or used: Youthful-offender adjudications and juvenile records may not be asked about or used.

Source: State juvenile-records statutes; FCRA § 605
Read the law: https://www.law.cornell.edu/uscode/text/15/1681c

REQUIRED

Do not consider arrests, dismissed charges, or pre-trial diversions that did not end in a conviction

New York: Employers may not ask about or act on arrests or accusations that did not result in a conviction and are not pending, adjournments in contemplation of dismissal, youthful-offender adjudications, sealed violations, or sealed convictions (Exec. Law § 296(16)). New York City bars consideration of arrests and non-convictions. Exception: FDIC-insured institutions must still screen for pretrial diversions involving dishonesty under Section 19 of the FDI Act.

Source: State fair-employment and arrest-record statutes
Read the law: https://www.nysenate.gov/legislation/laws/EXC/296

RECOMMENDED

Pending charges: job-related conduct only, and re-verify before deciding

Pending charges may generally be considered when the alleged conduct relates to the job, but do not treat a charge as a conviction. New York City requires the Fair Chance analysis for pending cases. Re-check the disposition before any final decision.

Source: State fair-chance laws
Read the law: https://www.eeoc.gov/laws/guidance/enforcement-guidance-consideration-arrest-and-conviction-records-employment-...

REQUIRED

Convictions: consider only those that relate to this job

Felony and misdemeanor convictions may be considered, but only through the individualized assessment described below and only where the offense relates to the duties of a Bank Teller. Blanket exclusions ("no felonies") are unlawful in the fair-chance jurisdictions that apply here and are treated as presumptively discriminatory by the EEOC everywhere.

Source: EEOC Enforcement Guidance (2012); state fair-chance laws
Read the law: https://www.eeoc.gov/laws/guidance/enforcement-guidance-consideration-arrest-and-conviction-records-employment-...

RECOMMENDED

Write job-related criteria for this position

Given the duties you described, the offense categories with a defensible relationship to this job are: theft, fraud, embezzlement, forgery, identity theft, and computer crimes. Put these categories, the time limits, and the assessment factors in a written screening matrix for the position so every reviewer applies the same standard.

Source: EEOC Enforcement Guidance (2012)
Read the law: https://www.eeoc.gov/laws/guidance/enforcement-guidance-consideration-arrest-and-conviction-records-employment-...

How far back you may look

RECOMMENDED

Recommended lookback: seven years

No state seven-year cap covers this position. New York's seven-year limit (N.Y. Gen. Bus. Law § 380-j(f)) is lifted for this position because it is expected to pay at least $25,000. Under the federal FCRA, convictions may be reported at any age; arrests and other non-convictions may not be reported after seven years. Recommended scope: seven years. The EEOC treats older records as weaker evidence of risk, and a fixed written limit is easier to defend than open-ended review. An unlimited lookback is the hardest position to defend; adopt a written limit.

Source: 15 U.S.C. § 1681c; EEOC Enforcement Guidance (2012)
Read the law: https://www.law.cornell.edu/uscode/text/15/1681c

REMINDER

Salary and the seven-year rule

Because this position is expected to pay $49,920, below the $75,000 federal threshold, screening companies may not report arrests, civil judgments, collections, or other non-conviction adverse items older than seven years. State thresholds (for example $20,000 in Kansas, New Hampshire, and Washington; $25,000 in New York; $75,000 in Maryland and Texas; none in California, Colorado, Massachusetts, Montana, or New Mexico) are applied above where relevant.

Source: 15 U.S.C. § 1681c(b)(3)
Read the law: https://www.law.cornell.edu/uscode/text/15/1681c

Individualized assessment and required notices

REQUIRED

Written individualized assessment is mandatory here

Before withdrawing an offer because of a record, document the nature and gravity of the offense, the time elapsed, and the nature of the job, give the applicant the record and your preliminary reasoning, wait the required period, consider any response, and then issue a final written decision. New York: Weigh the eight Article 23-A factors: the public policy of encouraging employment, the specific duties of the job, the bearing of the offense on fitness, the time elapsed, the applicant's age at the time, the seriousness of the offense, evidence of rehabilitation and good conduct, and the employer's legitimate interest in protecting property and safety. Employers with 10 or more employees must, on request, give a written statement of reasons within 30 days. New York City: Employers with four or more employees may not ask about or search criminal history (including pending cases and arrests) until after a conditional offer, and job ads may not exclude people with records. Non-criminal checks must be completed before the offer; the criminal check comes after. To withdraw an offer, complete the written Fair Chance Analysis on the Commission's form using the Article 23-A factors (or the NYC factors for pending cases and post-hire conduct), give the applicant the report and the analysis, and hold the position open for at least five business days. Covers current employees and independent contractors.

Source: N.Y. Correction Law §§ 752–754; N.Y.C. Admin. Code § 8-107(11-a) (Fair Chance Act, as amended July 29, 2021)
Read the law: https://www.nysenate.gov/legislation/laws/COR/752

REQUIRED

New York notices and forms

When a consumer report contains a criminal conviction, the user must give the subject a printed or electronic copy of Article 23-A of the Correction Law (Gen. Bus. Law § 380-g(d)). Under the Clean Slate Act, every entity that receives criminal history information from DCJS for civil purposes (fingerprint-based checks) must give the individual a copy of that information together with Article 23-A and inform them of the right to seek correction of inaccurate information (Exec. Law § 845-d(5)). New York City Fair Chance Act: after a conditional offer, complete the written Fair Chance Analysis on the Commission's form, give the applicant a copy of the report and analysis, hold the position open for at least five business days, and consider any response before withdrawing the offer. Investigative-report notices under N.Y. Gen. Bus. Law art. 25 apply.

Source: N.Y. Correction Law art. 23-A; Exec. Law § 296(15)–(16); local fair-chance laws
Read the law: https://www.nysenate.gov/legislation/laws/GBS/380-G

Recommended searches for this position

RECOMMENDED

County criminal search: current and prior counties of residence

The county court is the source of record; order a search in each county where the applicant has lived or worked in the lookback period, identified through an SSN trace and address history. Statewide and national databases supplement, not replace, county searches.

Source: Industry standard; FCRA § 613 accuracy duties

RECOMMENDED

Statewide repository search where the state offers one

Add the statewide search for each work and residence state that has a usable repository; it catches counties the address history misses. Some states (California, for example) have no public statewide search, and repository data quality varies.

RECOMMENDED

Federal criminal search

Federal district court records (fraud, embezzlement, tax, securities, and computer crimes) do not appear in county or state searches. The duties of this position make a federal search worthwhile.

REQUIRED

Database results must be verified at the source before you act on them

A national multi-jurisdictional database is a locator tool. Before any adverse decision, the record must be confirmed against the court of record (the FCRA requires screening companies to keep public-record information complete and current, and several states bar reliance on unverified database hits). Never reject on a database-only result.

Source: 15 U.S.C. § 1681k
Read the law: https://www.law.cornell.edu/uscode/text/15/1681k

RECOMMENDED

Global watchlist / OFAC search

Sanctions, terrorist, and debarment lists (OFAC, SAM, OIG, FINRA, Interpol) are inexpensive and expected in regulated and government-facing roles.

REQUIRED

Mandated checks for your industry control the substance of the decision

You identified a required check: Section 19 of the Federal Deposit Insurance Act (12 U.S.C. 1829). Section 19 of the Federal Deposit Insurance Act (12 U.S.C. § 1829) bars FDIC-insured institutions from hiring anyone convicted of, or in a pretrial diversion for, a crime of dishonesty, breach of trust, or money laundering without FDIC consent. The Fair Hiring in Banking Act (Pub. L. 117-263 § 5705, Dec. 23, 2022), implemented by the FDIC at 12 C.F.R. part 303 subpart L (effective Oct. 1, 2024), excludes from the bar offenses that were expunged, sealed, or dismissed, designated lesser offenses and de minimis offenses (including bad checks totaling $2,000 or less), and offenses more than seven years old, or more than five years after release from incarceration, or committed at age 21 or younger with 30 months since sentencing; institutions must still make a reasonable, documented inquiry into criminal history before hiring. NCUA applies a parallel rule to credit unions (12 U.S.C. § 1785(d); 12 C.F.R. part 752, effective Oct. 30, 2024). FINRA Rule 3110(e) requires member firms to investigate the character and background of applicants for registration and to verify Form U4 information, including a search of reasonably available public records, within 30 days of filing. A mandated fingerprint or regulator check does not replace the FCRA process when a screening company is also used, and most fair-chance timing exemptions cover only the mandated check itself.

Source: Industry-specific federal and state rules

Employment credit reports

REQUIRED

New York: credit report allowed only under a documented exemption

A credit report is permitted for this position in New York only under an exemption. Your answers support: access to trade secrets or confidential information. Employers, labor organizations and employment agencies may not

request or use consumer credit history for hiring, compensation, or other terms of employment; 'consumer credit history' covers a credit report, a credit score, and information obtained directly from the individual about credit accounts, bankruptcies, judgments or liens. Exemptions: use required by state or federal law or a self-regulatory organization; police, peace-officer, and law-enforcement positions; appointed positions of high public trust requiring a state background investigation; bonded positions; positions requiring a security clearance; non-clerical positions with regular access to trade secrets, intelligence or national-security information; positions with signatory authority over third-party funds or assets of $10,000 or more or fiduciary authority to enter financial agreements of $10,000 or more for the employer; and positions whose regular duties allow the employee to modify digital security systems. State and local agencies may not use credit history for licensing unless required by law (§ 380-b(e)). New York City's law has parallel exemptions. Record the exemption in the position file, state the basis on the disclosure where the law requires it, and never use credit as the sole reason for rejection.

Source: N.Y. Gen. Bus. Law §§ 380-a, 380-b(d)–(e) (S. 3072 / A. 1316, ch. 681 of 2025, signed Dec. 19, 2025, effective Apr. 18, 2026); N.Y.C. Admin. Code § 8-107(24) (Stop Credit Discrimination in Employment Act)
Read the law: https://www.nysenate.gov/legislation/laws/GBS/380-B

REQUIRED

New York City: credit report allowed only under a documented exemption

A credit report is permitted for this position in New York City only under an exemption. Your answers support: access to trade secrets or confidential information and financial institution. Employers with four or more employees may not request or use consumer credit history unless an exemption applies: required by law or a self-regulatory organization, police or peace officers, positions requiring a security clearance, non-clerical positions with regular access to trade secrets or national-security information, positions with signatory authority over $10,000 or more in third-party funds, positions that modify digital security systems, and positions subject to Department of Investigation background checks. Record the exemption in the position file, state the basis on the disclosure where the law requires it, and never use credit as the sole reason for rejection.

Source: N.Y.C. Admin. Code § 8-107(24) (Stop Credit Discrimination in Employment Act, 2015)
Read the law: https://www.nyc.gov/site/cchr/law/chapter-1.page

REMINDER

FDIC Section 19 screening

Section 19 of the Federal Deposit Insurance Act (12 U.S.C. § 1829) bars FDIC-insured institutions from hiring anyone convicted of, or in a pretrial diversion for, a crime of dishonesty, breach of trust, or money laundering without FDIC consent. The Fair Hiring in Banking Act (Pub. L. 117-263 § 5705, Dec. 23, 2022), implemented by the FDIC at 12 C.F.R. part 303 subpart L (effective Oct. 1, 2024), excludes from the bar offenses that were expunged, sealed, or dismissed, designated lesser offenses and de minimis offenses (including bad checks totaling $2,000 or less), and offenses more than seven years old, or more than five years after release from incarceration, or committed at age 21 or younger with 30 months since sentencing; institutions must still make a reasonable, documented inquiry into criminal history before hiring. NCUA applies a parallel rule to credit unions (12 U.S.C. § 1785(d); 12 C.F.R. part 752, effective Oct. 30, 2024). FINRA Rule 3110(e) requires member firms to investigate the character and background of applicants for registration and to verify Form U4 information, including a search of reasonably available public records, within 30 days of filing.

Source: 12 U.S.C. § 1829
Read the law: https://www.law.cornell.edu/uscode/text/12/1829

Drug and marijuana testing

REMINDER

No drug testing planned

You indicated no drug testing for this position. If you add it later, re-run the builder: several of the jurisdictions here restrict marijuana testing and require written policies.

Salary history

REQUIRED

Do not ask about salary history

New York — Employers may not ask about or rely on salary history; employers with four or more employees must include pay ranges in postings (Sept. 17, 2023). New York City — Employers may not inquire about or rely on salary history; pay ranges must appear in postings (Nov. 1, 2022). Remove the question from applications and interview scripts, and tell your screening company not to request prior pay during employment verification.

Source: N.Y. Labor Law § 194-a (Jan. 6, 2020); § 194-b (pay ranges in postings, employers with four or more employees, Sept. 17, 2023); N.Y.C. Admin. Code § 8-107(25) (Oct. 31, 2017)
Read the law: https://www.nysenate.gov/legislation/laws/LAB/194-A

Other checks and verifications

REMINDER

Employment verification

Confirm dates, titles, and eligibility for rehire. Do not ask prior employers for pay history where a salary-history ban applies (and Massachusetts and Washington extend the ban to screening vendors).

REMINDER

Education verification

Verify degrees with the registrar or clearinghouse and check the institution against diploma-mill lists; a false degree claim is a stronger and more defensible basis for rejection than most criminal records.

REQUIRED

Automated or AI screening tools are regulated here

New York — New York City employers using an automated employment decision tool to screen candidates must obtain an independent bias audit within the past year, publish a summary, and give candidates notice at least 10 business days before use. Statewide, the Division of Human Rights applies disparate-impact rules to algorithmic tools. New York City — An automated employment decision tool may be used to screen candidates for a New York City job only if it has had an independent bias audit within the past year, a summary of the audit is published, and candidates receive notice at least 10 business days before use, including the qualifications and characteristics the tool assesses and the right to request an alternative process. Ask your vendor for the bias audit, the notice language, and the human-review process before using the tool for this position.

Source: N.Y.C. Admin. Code § 20-870 et seq. (Local Law 144, July 5, 2023); N.Y.C. Admin. Code § 20-870 et seq. (Local Law 144, enforced July 5, 2023)
Read the law: https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4344524&GUID=B051915D-A9AC-451E-81F8-6596032FA3F9

REMINDER

E-Verify is voluntary for this position

E-Verify is voluntary under federal law except for federal contractors with the FAR E-Verify clause (48 C.F.R. 52.222-54: enroll within 30 days of award, verify new hires within three business days of hire, and verify existing employees assigned to the contract). Every employer must still complete Form I-9 for each new hire: Section 1 by the first day of work and Section 2 within three business days of the first day of work (8 C.F.R. § 274a.2). The current Form I-9 is the 01/20/25 edition (expires 05/31/2027); USCIS also accepts the 08/01/23 edition through 05/31/2027. Several states mandate E-Verify for private employers above a size threshold; the state rule is shown where it applies.

Source: 8 C.F.R. § 274a.2; 48 C.F.R. 52.222-54
Read the law: https://www.law.cornell.edu/cfr/text/8/274a.2

Your process: what to change

REQUIRED

Never consider sealed, expunged, set-aside, or pardoned records

See "Which records you may consider" above. You selected these records as ones you want to consider. Remove them: Applicants may lawfully deny that these records exist, and screening companies may not report them. Clean-slate laws now seal eligible records automatically in many states, so a record…

Source: State sealing and expungement statutes
Read the law: https://www.nysenate.gov/legislation/laws/EXC/296

RECOMMENDED

Recommended lookback: seven years

See "How far back you may look" above. No state seven-year cap covers this position. New York's seven-year limit (N.Y. Gen. Bus. Law § 380-j(f)) is lifted for this position because it is expected to pay at least $25,000. Under the federal FCRA, convictions may be reported at…

Source: 15 U.S.C. § 1681c; EEOC Enforcement Guidance (2012)
Read the law: https://www.law.cornell.edu/uscode/text/15/1681c

Draft policy language for this position

REMINDER

Background Screening Policy — Bank Teller

1. Purpose and scope. [Company Name] conducts background screening for the position of Bank Teller to verify qualifications, protect employees, customers, and property, and comply with applicable law. This policy applies to all applicants for the position. The same searches and criteria apply to every candidate for the position.

2. Consent. Before any report is obtained from a consumer reporting agency, the candidate receives a stand-alone written disclosure and provides written authorization. State-required notices are provided on a separate page. [Company Name] certifies its compliance to the screening company.

3. Timing. Criminal history is not requested on the application or in job advertisements. [Company Name] asks about, searches for, and considers criminal history only after a conditional offer of employment. Non-criminal checks (identity, employment, education, license, credit) are completed first.

4. Searches. The screening package for this position consists of: county criminal court search in each county of residence and employment during the lookback period; statewide criminal search where available; federal criminal search; national criminal database and sex-offender registry search, with all results verified at the source; employment credit report, where permitted under the exemption documented in the position file; employment verification; education verification; references verification. The lookback period is seven years. Records older than the lookback period, sealed, expunged, set-aside, or pardoned records, juvenile records, and arrests or charges that did not result in a conviction (other than pending charges whose alleged conduct relates to the position) are not considered. Pre-trial diversions that ended in dismissal are not considered. Deferred adjudications are treated as non-convictions and are not considered.

5. Decision criteria. A conviction is considered only if it relates to the duties of the position. For a Bank Teller, the offense categories with a documented relationship to the job are listed in the position screening matrix. No candidate is rejected automatically because of a record.

6. Individualized assessment. Before withdrawing an offer because of a record, the hiring manager and Human Resources document the nature and gravity of the offense, the time elapsed since the offense or completion of the sentence, and the nature of the position; provide the candidate with the record and the preliminary reasons; allow at least 5 business days for the candidate to respond with evidence of inaccuracy, rehabilitation, or mitigating circumstances; consider the response; and issue a final written decision.

7. Adverse action. If a report may lead to an adverse decision, [Company Name] sends a pre-adverse action notice with a copy of the report and the Summary of Rights, waits the period in section 6, and then sends a final adverse action notice that names the screening company, states that the screening company did not make the decision, and explains the candidate's dispute rights and right to a free copy of the report.

8. Credit reports. A credit report is obtained for this position only because [state the exemption: managerial position / signatory authority / regular access to cash or financial accounts / access to trade secrets / bonded position / required by law]. The basis is stated on the disclosure where the law requires it, and credit history is never the sole reason for an adverse decision.

9. Salary history. [Company Name] does not ask candidates or prior employers about compensation history. Offers are based on the budgeted range for the position.

10. Records and confidentiality. Screening reports and assessment records are stored separately from personnel files, accessible only to those involved in the decision, retained for [one / two / four] years after the decision, and then securely destroyed.

11. Review. This policy and the position screening matrix are reviewed at least annually and whenever the position, its work locations, or applicable law changes. Rules current as of October 1, 2026.

Source: Draft for review by counsel

Your answers

Job title	Bank Teller
What type of employer are you?	Private company
How many employees do you have across all locations?	210

Is your organization in any of these regulated industries?	Financial services, banking, or insurance
Will the background check be obtained from a background screening company (a consumer reporting agency) or run in-house by your staff?	Screening company
Where will this position perform its work?	At a fixed work site
Work site location	Brooklyn, Kings County, New York
Where is your company headquartered?	New York
Who is being screened?	New applicant
Employment status	Full-time
Is this a managerial or executive position, or exempt from overtime under the FLSA?	No
Does the position involve any of the following?	Access to cash, checks, or company financial accounts; Access to confidential customer data, trade secrets, or personal information
Will the applicant drive as part of the job?	No
Is this a safety-sensitive position under federal law, state law, or your own written policy?	No
Is a background check for this position required by a federal or state law, a licensing board, a government contract, or a bonding or insurance requirement?	Yes
Does the position require a security clearance or work on a federal contract?	No
Does the position require a professional license or certification?	No
How is this position paid?	Hourly
Expected annual compensation	$49,920 (from hourly rate × hours × 52)
Will you ask the applicant about their prior salary or wage history?	No
Will you run a criminal history check?	Yes
Which criminal searches do you plan to run?	County courts (current and prior residences); Statewide repository; Federal district courts; National multi-jurisdictional database; Global watchlists / OFAC
Which record types do you want to consider?	Felony convictions; Misdemeanor convictions; Pending charges; Sealed, expunged, or pardoned records
How far back do you want to look?	No limit
When do you currently ask about criminal history?	Only after a conditional offer
Will you use a written individualized assessment (nature of the offense, time elapsed, relation to the job) before rejecting an applicant because of a record?	Yes
Will you apply the same criteria to every applicant for this position?	Yes

Will you request an employment credit report?	Yes
Why is a credit report needed for this position?	Regular access to cash or financial accounts; Access to trade secrets or confidential information; Financial institution
Will you drug test?	No
Which verifications will you run?	Employment history; Education; Personal or professional references
Will you pull a motor vehicle record (MVR)?	No
Will you review the applicant's social media or other public internet content?	No
Will any automated, algorithmic, or AI-based tool be used to score, rank, or screen applicants or background reports?	Yes
Will you rescreen employees or use continuous monitoring after hire?	No
Will you check federal exclusion lists (OIG, SAM)?	No
Has the applicant lived, worked, or studied outside the U.S. in the past 7 years?	No
At what stage do you currently run the background check?	After a conditional offer
Do you give applicants a stand-alone FCRA disclosure and get written authorization before ordering the report?	Yes
When a report leads you to reject someone, do you send a pre-adverse action notice, wait, and then send a final adverse action notice?	Yes, both notices
What would you like the builder to produce?	Both

Your screening policy checklist

Green: already in place. Amber: recommended addition. Red: required addition.

- **Stand-alone FCRA disclosure and signed authorization**
  You give the stand-alone disclosure and get written authorization before every report.
- **Two-step adverse action (pre-adverse notice, wait, final notice)**
  You send both notices and wait the required period.
- **Timing of the criminal-history question**
  You ask only after a conditional offer of employment, which meets the strictest rule that applies here.
- **Written screening policy and adverse-action procedure**
  You keep a written policy and procedure; update it with the position-specific items in this report.
- **Written individualized assessment before any rejection**
  You document the nature of the offense, the time elapsed, and the relation to the job before deciding.
- **Same searches and criteria for every applicant**
  You apply one package and one set of criteria to every applicant for the position.

Record types limited to what the law allows
Add to your policy: never consider sealed, expunged, set-aside, or pardoned records.

Lookback period within the legal limit
Recommended: adopt a written seven-year lookback.

No salary-history questions
You do not ask applicants or prior employers about pay history.

Credit report use
Your credit-report use fits an exemption that applies here.

E-Verify and Form I-9
E-Verify is not mandated for this position; Form I-9 is still required for every hire.

Automated or AI screening tools
Recommended: confirm the vendor bias audit, notice language, and human review before using any automated tool.

Important

This report is general compliance information prepared from the laws in effect on the date shown. It is not legal advice and does not create an attorney-client relationship. Laws change frequently and local rules may add requirements; confirm the recommendations with your employment counsel before adopting a policy. screeningpolicy.com and Langley Porter AG LLC do not make hiring decisions and are not a law firm.