Background Screening Policy Recommendations

CDL Truck Driver

Generated October 3, 2026 for Blue Anvil Freight (Renee Kowalski). 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
- Pennsylvania — https://www.legis.state.pa.us/
- City of Philadelphia — https://codelibrary.amlegal.com/codes/philadelphia/latest/overview

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 10 business days (the longest period among the laws that apply to this position) 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

RECOMMENDED

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. You do not have a complete written policy today; the draft language at the end of this report is a starting point.

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

Pennsylvania state law

Applied because work is performed in Philadelphia, Philadelphia County, Pennsylvania. No statewide ban-the-box law for private employers, but CHRIA allows employers to consider felony and misdemeanor convictions only to the extent they relate to suitability for the job and requires written notice when a decision is based on criminal history. Philadelphia (all private employers) requires waiting until after a conditional offer with an individualized assessment; Pittsburgh's ordinance covers city contractors.

Source: 18 Pa.C.S. § 9125 (CHRIA); Commonwealth hiring policy (2017) for state agencies
Read the law: https://law.justia.com/codes/pennsylvania/title-18/chapter-91/section-9125/

REMINDER

City of Philadelphia ordinance

All private employers (one or more employees) may not ask about criminal history on the application or during the interview stage, and may not run the criminal check until after a conditional offer; the offer may be withdrawn only where a reasonable person would find a specific unacceptable risk after an individualized assessment. Written notice must identify the exact conviction relied on, and the applicant gets at least ten business days to present errors, rehabilitation, or mitigation. Job ads and background-check notices must state that an individualized assessment will follow; a summary of rights must be posted. Applies to current employees and independent contractors; adverse action within 90 days of a protected complaint raises a retaliation presumption.

Source: Phila. Code ch. 9-3500 (Fair Criminal Record Screening Standards, as amended effective Jan. 6, 2026)
Read the law: https://codelibrary.amlegal.com/codes/philadelphia/latest/philadelphia_pa/0-0-0-280153

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 (City of Philadelphia). You currently ask on the application, so the application form, interview script, and the point at which you order the report all need to move. 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: Phila. Code ch. 9-3500 (Fair Criminal Record Screening Standards, as amended effective Jan. 6, 2026)
Read the law: https://codelibrary.amlegal.com/codes/philadelphia/latest/philadelphia_pa/0-0-0-280153

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://law.justia.com/codes/pennsylvania/title-18/chapter-91/section-9125/

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

Every jurisdiction that applies bars their use. 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. Expunged and limited-access (sealed) records may not be used for employment, and the individual may answer as though the offense never happened, except where federal law or a federal self-regulatory organization requires consideration of criminal history for the position or the request comes from a criminal justice agency (18 Pa.C.S. § 9122.5). An employer that hires a person whose record was expunged or sealed is immune from claims arising from misconduct related to that record, and from § 9122.5 claims based on a record the individual disclosed voluntarily (§ 9122.6).

Source: State sealing and expungement statutes
Read the law: https://law.justia.com/codes/pennsylvania/title-18/chapter-91/section-9122-5/

REQUIRED

Never consider juvenile records

Juvenile adjudications are confidential in every state that applies to this position and may not be requested 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

You selected one or more non-conviction record types. Remove them from your criteria. Pennsylvania: CHRIA permits consideration of felony and misdemeanor convictions only; arrests without conviction and summary offenses should be left out of the decision (18 Pa.C.S. § 9125(b)). City of Philadelphia bars consideration of arrests and non-convictions.

Source: State fair-employment and arrest-record statutes
Read the law: https://law.justia.com/codes/pennsylvania/title-18/chapter-91/section-9125/

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. 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 CDL Truck Driver. Blanket exclusions ("no felonies") are unlawful in the fair-chance jurisdictions that apply here and are treated as presumptively discriminatory by the EEOC everywhere. Specific limits: City of Philadelphia: Felony convictions may be considered for seven years and misdemeanor convictions for four years after conviction or release, excluding incarceration; summary offenses may not be considered.

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: violent offenses, weapons offenses, DUI, and reckless conduct. 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

REQUIRED

Seven-year limit applies to this position

A seven-year limit applies to this position: City of Philadelphia — Felony convictions may be considered for seven years and misdemeanor convictions for four years after conviction or release, excluding incarceration; summary offenses may not be considered. You indicated you want to look back further than seven years or consider convictions older than seven years; the screening company will not report them and you may not use them if found elsewhere.

Source: Phila. Code ch. 9-3500 (Fair Criminal Record Screening Standards, as amended effective Jan. 6, 2026)
Read the law: https://codelibrary.amlegal.com/codes/philadelphia/latest/philadelphia_pa/0-0-0-280153

REMINDER

Salary and the seven-year rule

Because this position is expected to pay $72,540, 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

You do not currently use a written individualized assessment. It is required for this position. 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. Pennsylvania: Convictions may be considered only to the extent they relate to the applicant's suitability for the position; if the decision is based in whole or in part on criminal history, notify the applicant in writing (18 Pa.C.S. § 9125(c)). City of Philadelphia: All private employers (one or more employees) may not ask about criminal history on the application or during the interview stage, and may not run the criminal check until after a conditional offer; the offer may be withdrawn only where a reasonable person would find a specific unacceptable risk after an individualized assessment. Written notice must identify the exact conviction relied on, and the applicant gets at least ten business days to present errors, rehabilitation, or mitigation. Job ads and background-check notices must state that an individualized assessment will follow; a summary of rights must be posted. Applies to current employees and independent contractors; adverse action within 90 days of a protected complaint raises a retaliation presumption.

Source: 18 Pa.C.S. § 9125; Phila. Code ch. 9-3500 (Fair Criminal Record Screening Standards, as amended effective Jan. 6, 2026)
Read the law: https://law.justia.com/codes/pennsylvania/title-18/chapter-91/section-9125/

REQUIRED

Pennsylvania notices and forms

When a hiring decision rests in whole or in part on criminal history, send the applicant written notice under 18 Pa.C.S. § 9125(c) in addition to the FCRA pre-adverse and adverse-action letters.

Source: 18 Pa.C.S. § 9125 (CHRIA); Commonwealth hiring policy (2017) for state agencies
Read the law: https://law.justia.com/codes/pennsylvania/title-18/chapter-91/section-9125/

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.

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

REQUIRED

Mandated checks for your industry control the substance of the decision

You identified a required check: FMCSA driver qualification rules, 49 C.F.R. Part 391. CDL and other DOT safety-sensitive roles: Part 40 testing, Clearinghouse queries, and MVR review are mandatory and preempt state marijuana protections. 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

RECOMMENDED

Primary-source license verification

Verify the Class A commercial driver's license directly with the issuing board (status, expiration, and disciplinary history) before the start date and at each renewal.

Employment credit reports

REMINDER

No credit report planned

Good: City of Philadelphia restricts employment credit checks, and this position would not qualify for an exemption.

Drug and marijuana testing

REQUIRED

Federal DOT testing rules govern this position

Positions requiring a commercial driver's license are covered by 49 C.F.R. Part 40 and Part 382: pre-employment DOT drug test (including marijuana), FMCSA Drug and Alcohol Clearinghouse query before hire and annually, and random, post-accident, and reasonable-suspicion testing. Federal rules override state marijuana protections for these roles. Other DOT modes (FAA, FTA, PHMSA, FRA, USCG) impose their own Part 40 testing programs for safety-sensitive functions. State marijuana protections do not apply to federally mandated testing.

Source: 49 C.F.R. Part 40

REMINDER

Test after the conditional offer

A drug test for illegal drugs is not a medical examination under the ADA, but alcohol tests and any related medical questions are, and must wait until after a conditional offer. Testing everyone after the offer keeps the sequence uniform and avoids collecting medical information (prescriptions, medical-cannabis certifications) before you must.

Source: 42 U.S.C. § 12112(d)
Read the law: https://www.law.cornell.edu/uscode/text/42/12112

RECOMMENDED

Adopt a written drug-testing policy

The policy should name the positions tested, the substances on the panel, the circumstances (post offer, random, suspicion and accident), the laboratory and medical review officer, and the consequences of a positive or refused test.

Source: Best practice

REMINDER

State marijuana-testing limits do not apply to DOT testing

City of Philadelphia restrict marijuana testing for most positions, but federally mandated DOT testing (which includes marijuana) preempts those rules for this position.

REMINDER

Medical-cannabis protections yield to DOT rules for this position

Pennsylvania: Employers may not refuse to hire or discriminate against a certified medical-marijuana patient solely for certification status, but may act on impairment at work and may bar patients from listed safety-sensitive duties. Philadelphia bans most pre-employment marijuana testing. These protections exempt federally regulated, safety-sensitive positions, so a DOT-covered driver who tests positive for marijuana may not perform safety-sensitive functions regardless of a medical certification.

Source: State medical-cannabis statutes; 49 C.F.R. Part 40

Salary history

REQUIRED

Do not ask about salary history

You plan to ask about prior pay. Stop: City of Philadelphia — Employers may not ask about or rely on wage history. Remove the question from applications and interview scripts, and tell your screening company not to request prior pay during employment verification.

Source: Phila. Code § 9-1131 (Wage Equity Ordinance)
Read the law: https://codelibrary.amlegal.com/codes/philadelphia/latest/philadelphia_pa/0-0-0-278805

Other checks and verifications

REQUIRED

Motor vehicle record

A CDL position requires an MVR review at hire and annually, plus the FMCSA Clearinghouse query. Motor vehicle records may be obtained for employment purposes under the Driver's Privacy Protection Act (18 U.S.C. § 2721(b)(3) and (b)(13); § 2721(b)(9) separately permits employers to obtain or verify CDL-holder information required under 49 U.S.C. chapter 313). Obtain written consent and order through a screening company or the state DMV; many states require a state-specific MVR release.

Source: 18 U.S.C. § 2721
Read the law: https://www.law.cornell.edu/uscode/text/18/2721

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).

REQUIRED

Rescreening and continuous monitoring need fresh authorization and the same process

Obtain a new disclosure and authorization for post-hire checks unless the original clearly and lawfully covers ongoing screening (California and several other states do not permit "evergreen" authorizations for new reports), and apply the same individualized assessment and adverse-action steps to current employees. New York City, Philadelphia, and Los Angeles County extend their fair-chance procedures to current employees.

Source: 15 U.S.C. § 1681b(b); state and local fair-chance laws
Read the law: https://www.law.cornell.edu/uscode/text/15/1681b

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. Industry-limited mandates in your states do not reach this employer: Pennsylvania: Contractors and subcontractors on public-works contracts of $25,000 or more must use E-Verify for new hires (Public Works Employment Verification Act). Since Oct. 7, 2020 every construction-industry employer in Pennsylvania, public or private, must verify all new employees through E-Verify (Construction Industry Employee Verification Act, Act 75 of 2019, enforced by the Department of Labor and Industry). No mandate for employers outside construction.

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

Move the background check to after a conditional offer of employment

You currently run the check before interview. The law for this position requires waiting until after a conditional offer of employment. Update the applicant-tracking workflow so the report is ordered only at that point.

RECOMMENDED

Keep a written background screening policy and adverse-action procedure

See "Start here: the foundation of every screening policy" above. 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. You do not have a complete written policy today;…

Source: EEOC guidance; state requirements

REQUIRED

Wait until after a conditional offer of employment

See "When you may ask about criminal history" above. 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 (City of Philadelphia). You currently ask on the application, so the…

Source: Phila. Code ch. 9-3500 (Fair Criminal Record Screening Standards, as amended effective Jan. 6, 2026)
Read the law: https://codelibrary.amlegal.com/codes/philadelphia/latest/philadelphia_pa/0-0-0-280153

REQUIRED

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

See "Which records you may consider" above. You selected one or more non-conviction record types. Remove them from your criteria. Pennsylvania: CHRIA permits consideration of felony and misdemeanor convictions only; arrests without conviction and summary offenses should be left out of the decision (18 Pa.C.S. § 9125(b)).…

Source: State fair-employment and arrest-record statutes
Read the law: https://law.justia.com/codes/pennsylvania/title-18/chapter-91/section-9125/

REQUIRED

Seven-year limit applies to this position

See "How far back you may look" above. A seven-year limit applies to this position: City of Philadelphia — Felony convictions may be considered for seven years and misdemeanor convictions for four years after conviction or release, excluding incarceration; summary offenses may not be considered. You indicated you…

Source: Phila. Code ch. 9-3500 (Fair Criminal Record Screening Standards, as amended effective Jan. 6, 2026)
Read the law: https://codelibrary.amlegal.com/codes/philadelphia/latest/philadelphia_pa/0-0-0-280153

REQUIRED

Written individualized assessment is mandatory here

See "Individualized assessment and required notices" above. You do not currently use a written individualized assessment. It is required for this position. 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,…

Source: 18 Pa.C.S. § 9125; Phila. Code ch. 9-3500 (Fair Criminal Record Screening Standards, as amended effective Jan. 6, 2026)
Read the law: https://law.justia.com/codes/pennsylvania/title-18/chapter-91/section-9125/

REQUIRED

Do not ask about salary history

See "Salary history" above. You plan to ask about prior pay. Stop: City of Philadelphia — Employers may not ask about or rely on wage history. Remove the question from applications and interview scripts, and tell your screening company not to request prior pay…

Source: Phila. Code § 9-1131 (Wage Equity Ordinance)
Read the law: https://codelibrary.amlegal.com/codes/philadelphia/latest/philadelphia_pa/0-0-0-278805

Draft policy language for this position

REMINDER

Background Screening Policy — CDL Truck Driver

1. Purpose and scope. [Company Name] conducts background screening for the position of CDL Truck Driver 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) 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; national criminal database and sex-offender registry search, with all results verified at the source; employment verification; license verification; motor vehicle record; post-offer drug test under the written drug-testing policy. 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 CDL Truck Driver, 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 10 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. Drug testing. Candidates are tested after a conditional offer under the written drug-testing policy, which names the panel, the laboratory, the medical review officer, and the consequences of a positive or refused test. [Marijuana is / is not] included in the pre-employment panel for this position in accordance with applicable law, and medical-cannabis certifications are handled through the accommodation process.

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	CDL Truck Driver
What type of employer are you?	Private company
How many employees do you have across all locations?	140
Is your organization in any of these regulated industries?	Transportation (DOT / FMCSA / FAA)
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?	Traveling / field-based
Work site location	Philadelphia, Philadelphia County, Pennsylvania
Where is your company headquartered?	Pennsylvania
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?	Operating heavy machinery
Will the applicant drive as part of the job?	Requires a commercial driver's license (CDL)
Is this a safety-sensitive position under federal law, state law, or your own written policy?	Yes

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?	Yes
How is this position paid?	Hourly
Expected annual compensation	$72,540 (from hourly rate × hours × 52)
Will you ask the applicant about their prior salary or wage history?	Yes
Will you run a criminal history check?	Yes
Which criminal searches do you plan to run?	County courts (current and prior residences); Statewide repository; National multi-jurisdictional database
Which record types do you want to consider?	Felony convictions; Misdemeanor convictions; Pending charges; Arrests that did not lead to conviction
How far back do you want to look?	10 years
When do you currently ask about criminal history?	On the application
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?	No
Will you apply the same criteria to every applicant for this position?	Yes
Will you request an employment credit report?	No
Will you drug test?	Yes
When will you test?	After a conditional offer; Random after hire; Reasonable suspicion; Post-accident
Will the panel include marijuana (THC)?	Yes
Is the position subject to federal drug-testing rules (DOT, FAA, FTA, PHMSA, Coast Guard)?	Yes
Which verifications will you run?	Employment history; Professional license
Will you pull a motor vehicle record (MVR)?	Yes
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?	No
Will you rescreen employees or use continuous monitoring after hire?	Yes
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?	Before the interview
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**
  Ask about, search for, or consider criminal history only after a conditional offer of employment.
- **Written screening policy and adverse-action procedure**
  Recommended: keep a written background screening policy and adverse-action procedure.
- **Written individualized assessment before any rejection**
  Add to your policy: written individualized assessment is mandatory here.
- **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: do not consider arrests, dismissed charges, or pre-trial diversions that did not end in a conviction.
- **Lookback period within the legal limit**
  Add to your policy: seven-year limit applies to this position.
- **No salary-history questions**
  Add to your policy: do not ask about salary history.
- **Drug and marijuana testing rules**
  Your testing plan follows the timing and cannabis rules that apply here.
- **E-Verify and Form I-9**
  E-Verify is not mandated for this position; Form I-9 is still required for every hire.
- **Motor vehicle record for a driving position**
  You pull the MVR for this driving position.
- **Rescreening and continuous monitoring**
  Recommended: obtain a fresh authorization for each post-hire check and apply the same assessment and adverse-action steps to employees.

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.