Background Screening Policy Recommendations

Remote Customer Success Manager

Generated October 3, 2026 for Brightdesk Software (Luis Ortega). 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
- Minnesota — https://www.revisor.mn.gov/statutes/
- City of Minneapolis — https://library.municode.com/mn/minneapolis/codes/code_of_ordinances
- Iowa — https://www.legis.iowa.gov/law/iowaCode
- City of Des Moines — https://library.municode.com/ia/des_moines/codes/code_of_ordinances
- Missouri — https://revisor.mo.gov/main/Home.aspx
- Kansas City, Missouri — https://library.municode.com/mo/kansas_city/codes/code_of_ordinances

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 7 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

Minnesota state law

Applied because work is performed in Minneapolis, Hennepin County, Minnesota. All employers may not inquire into, consider, or require disclosure of criminal history until the applicant has been selected for an interview, or, if there is no interview, until a conditional offer. Exempt: the Department of Corrections and employers required by law to run checks or barred from hiring people with certain convictions. Minneapolis (Ordinance 2025-022, effective Aug. 1, 2025) adds 'justice-impacted status' as a protected class with an individualized-assessment duty; an arrest without conviction alone cannot support adverse action.

Source: Minn. Stat. § 364.021
Read the law: https://www.revisor.mn.gov/statutes/cite/364.021

REMINDER

City of Minneapolis ordinance

Justice-impacted status (any arrest, charge, conviction, incarceration, or probation) is a protected class under the Civil Rights Ordinance for any employer in Minneapolis and any employer whose employee performs services partly or wholly in Minneapolis, regardless of size. An employer may not make an adverse decision based on an arrest that did not result in conviction (pending matters aside), and before adverse action on a record must weigh whether the person was convicted, time elapsed, nature and gravity of the offense, age at the offense, rehabilitation, and any unreasonable risk to property or safety. Decisions required by state or federal law, regulation, or government contract (for example positions working with children or in law enforcement) are exempt. Minnesota's statewide interview-stage rule also applies.

Source: Minneapolis Code of Ordinances ch. 139 (Ordinance 2025-022, Aug. 1, 2025)
Read the law: https://www.minneapolismn.gov/government/departments/civil-rights/complaint-investigations/protected-class/

REMINDER

Iowa state law

Applied because work is performed in Des Moines, Polk County, Iowa. No statewide law. Waterloo (Ordinance 5522, adopted Nov. 4, 2019) bars every employer from asking about criminal history on the job application, and bars employers with 15 or more employees from asking until after a conditional offer; in Iowa Ass'n of Business & Industry v. City of Waterloo (Iowa June 18, 2021) the Iowa Supreme Court upheld those timing rules but held that Iowa Code § 364.3(12) (2017 Acts ch. 20) preempts the ordinance's limits on considering arrests, pending charges, expunged records, or convictions without a business reason. Des Moines (Ordinance No. 16,083, Mun. Code § 62-71.1, effective Dec. 3, 2021) bars private employers from asking about criminal history before a conditional offer. No other Iowa city has a private-employer fair-chance ordinance.

Source: No statewide ban-the-box law
Read the law: https://www.legis.iowa.gov/docs/code/364.3.pdf

REMINDER

City of Des Moines ordinance

Employers with four or more employees may not ask about criminal history on applications or in interviews before a conditional offer. Exempt: positions where a law requires a check or bars people with certain convictions.

Source: Des Moines Mun. Code § 62-71.1 (Ordinance No. 16,083, effective Dec. 3, 2021)
Read the law: https://library.municode.com/ia/des_moines/codes/code_of_ordinances

REMINDER

Missouri state law

Applied because work is performed in Kansas City, Jackson County, Missouri. State agencies do not ask about criminal history on initial applications (Executive Order 16-04). No statewide rule for private employers; Kansas City (6 or more employees, no inquiry until the applicant is otherwise qualified and interviewed), St. Louis City (10 or more, same trigger, decision only if the record is reasonably related to the job) and Columbia (all employers, no inquiry before a conditional offer) have ordinances covering private employers.

Source: Executive Order 16-04 (state agencies)
Read the law: https://www.sos.mo.gov/library/reference/orders/2016/eo4

REMINDER

Kansas City, Missouri ordinance

Employers with six or more employees may not ask about criminal history until after an interview, may not base a hiring decision on criminal history until after a conditional offer, and may withdraw an offer only where the history is reasonably related to the duties and responsibilities of the position. Exempt: positions where a law requires a check or bars people with certain convictions.

Source: Kansas City Code § 38-104 (Ordinance 180034, June 9, 2018; criminal history added as a protected class Jan. 2025)
Read the law: https://library.municode.com/mo/kansas_city/codes/code_of_ordinances

REMINDER

Headquarters state (Texas) not applied

Background-check laws follow the place where the work is performed, so your headquarters state's rules are not applied to this position. If your HR team in Texas also hires for roles located there, run this builder separately for those roles.

Read the law: https://statutes.capitol.texas.gov/

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 Des Moines and Kansas City, Missouri). You currently ask after the interview, so the application form, interview script, and the point at which you order the report all need to move.

Source: Des Moines Mun. Code § 62-71.1 (Ordinance No. 16,083, effective Dec. 3, 2021); Kansas City Code § 38-104 (Ordinance 180034, June 9, 2018; criminal history added as a protected class Jan. 2025)
Read the law: https://library.municode.com/ia/des_moines/codes/code_of_ordinances

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.revisor.mn.gov/statutes/cite/364.021

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. Sealed, expunged, and juvenile records leave the public file and may not appear on a compliant report or be considered at any salary level. Expunged records (dismissals and acquittals under Iowa Code § 901C.2, one eligible misdemeanor after eight years under § 901C.3, discharged deferred judgments under § 907.9) are confidential and may not appear on or be used in an employment check. Expunged records (Mo. Rev. Stat. § 610.140) may not be considered; the applicant may deny them except for listed licensing and financial positions.

Source: State sealing and expungement statutes

REQUIRED

Never consider juvenile records

Juvenile adjudications are confidential in every state that applies to this position and may not be requested or used: Juvenile records are private (Minn. Stat. § 299C.095) and never appear on compliant reports.

Source: State juvenile-records statutes; FCRA § 605
Read the law: https://www.revisor.mn.gov/statutes/cite/299C.095

REMINDER

Treat arrests and non-convictions with caution

No jurisdiction here flatly prohibits it, but an arrest is not proof of conduct, the EEOC treats reliance on arrests as a disparate-impact risk, and screening companies may not report non-convictions older than seven years (the seven-year limit is lifted for this position because it pays $75,000 or more). Consider only pending charges whose underlying conduct is job-related, and only after looking at the facts. Minnesota: Arrest history is not public data in Minnesota; state searches return convictions only. Non-convictions follow the federal seven-year limit.

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

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

Marijuana convictions are protected here

Minnesota: Misdemeanor cannabis offenses are expunged automatically (Minn. Stat. § 609A.055); felony cases go to the Cannabis Expungement Board. Simple-possession convictions are being expunged automatically in many states and rarely relate to job duties; using them invites disparate-impact claims.

Source: State marijuana-conviction protections
Read the law: https://www.revisor.mn.gov/statutes/cite/609A.055

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 Remote Customer Success Manager. 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

BEST PRACTICE

Recommended lookback: seven years

No state seven-year cap covers this position. Under the federal FCRA, convictions may be reported at any age, and because the position pays $75,000 or more, non-convictions may also be reported beyond 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.

Source: 15 U.S.C. § 1681c; EEOC Enforcement Guidance (2012)
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. City of Minneapolis: Justice-impacted status (any arrest, charge, conviction, incarceration, or probation) is a protected class under the Civil Rights Ordinance for any employer in Minneapolis and any employer whose employee performs services partly or wholly in Minneapolis, regardless of size. An employer may not make an adverse decision based on an arrest that did not result in conviction (pending matters aside), and before adverse action on a record must weigh whether the person was convicted, time elapsed, nature and gravity of the offense, age at the offense, rehabilitation, and any unreasonable risk to property or safety. Decisions required by state or federal law, regulation, or government contract (for example positions working with children or in law enforcement) are exempt. Minnesota's statewide interview-stage rule also applies. Kansas City, Missouri: Employers with six or more employees may not ask about criminal history until after an interview, may not base a hiring decision on criminal history until after a conditional offer, and may withdraw an offer only where the history is reasonably related to the duties and responsibilities of the position. Exempt: positions where a law requires a check or bars people with certain convictions.

Source: Minneapolis Code of Ordinances ch. 139 (Ordinance 2025-022, Aug. 1, 2025); Kansas City Code § 38-104 (Ordinance 180034, June 9, 2018; criminal history added as a protected class Jan. 2025)
Read the law: https://www.revisor.mn.gov/statutes/cite/364.03

REQUIRED

Minnesota notices and forms

The disclosure must include a checkbox for a free copy of the report, and when the applicant requests it the screening company must send the copy within 24 hours of providing the report to the employer (Minn. Stat. § 13C.02, subd. 2).

Source: Minn. Stat. § 364.021
Read the law: https://www.revisor.mn.gov/statutes/cite/13C.02

REQUIRED

Add the "request a copy" checkbox to your disclosure

California, Minnesota, and Oklahoma require the disclosure to include a box the applicant can check to receive a free copy of the report; put it on the state-notice page, not on the stand-alone federal disclosure.

Source: Cal. Civ. Code § 1786.16; Minn. Stat. § 13C.02; 24 O.S. § 148
Read the law: https://www.revisor.mn.gov/statutes/cite/13C.02

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. Not in your current package.

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. Not in your current package.

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

REMINDER

Sex offender registry search

Included in your package; it is a reasonable addition for most roles and is required for positions serving vulnerable populations.

Employment credit reports

REMINDER

No credit report planned

No credit-check restriction applies here. If you add one later, limit it to roles with financial responsibility and document the job-related reason.

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

Minnesota — Employers may not ask about or consider past or current pay; employers with 30 or more employees must include pay ranges in postings (Jan. 1, 2025). Kansas City, Missouri — Employers with six or more employees may not ask about or rely on salary history. Remove the question from applications and interview scripts, and tell your screening company not to request prior pay during employment verification.

Source: Minn. Stat. § 363A.08, subd. 8 (Jan. 1, 2024); Kansas City Code § 38-104 (Ordinance 190380, Oct. 31, 2019)
Read the law: https://www.revisor.mn.gov/statutes/cite/363A.08

Other checks and verifications

RECOMMENDED

Motor vehicle record

This position involves driving; order the MVR with the other post-offer checks and re-check annually for regular drivers. 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).

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.

RECOMMENDED

Social media review: never request passwords, and wall off protected information

Review only public content, have someone outside the hiring decision (or a screening company operating under the FCRA) collect it, remove protected-characteristic information (religion, pregnancy, disability, age, national

origin, union activity, lawful off-duty conduct) before it reaches the decision-maker, and apply the same review to every finalist for the position.

Source: EEOC / Title VII
Read the law: https://www.law.cornell.edu/uscode/text/42/2000e-2

RECOMMENDED

Automated or AI screening tools: audit for bias and keep a human in the loop

No AI-specific hiring law applies to this position yet, but Title VII disparate-impact rules apply to any tool that screens or ranks applicants. Obtain the vendor's validation and adverse-impact analysis, give applicants notice, keep a human decision-maker, and never let an automated tool consider criminal history before the point at which you may lawfully consider it.

Source: EEOC technical assistance (2023)

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

Move the background check to after a conditional offer of employment

You currently run the check after 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.

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 Des Moines and Kansas City, Missouri). You currently ask…

Source: Des Moines Mun. Code § 62-71.1 (Ordinance No. 16,083, effective Dec. 3, 2021); Kansas City Code § 38-104 (Ordinance 180034, June 9, 2018; criminal history added as a protected class Jan. 2025)
Read the law: https://library.municode.com/ia/des_moines/codes/code_of_ordinances

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: Minneapolis Code of Ordinances ch. 139 (Ordinance 2025-022, Aug. 1, 2025); Kansas City Code § 38-104 (Ordinance 180034, June 9, 2018; criminal history added as a protected class Jan. 2025)
Read the law: https://www.revisor.mn.gov/statutes/cite/364.03

Draft policy language for this position

REMINDER

Background Screening Policy — Remote Customer Success Manager

1. Purpose and scope. [Company Name] conducts background screening for the position of Remote Customer Success Manager 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; federal criminal search; national criminal database and sex-offender registry search, with all results verified at the source; employment verification; education verification; motor vehicle record. 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 Remote Customer Success Manager, 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. Salary history. [Company Name] does not ask candidates or prior employers about compensation history. Offers are based on the budgeted range for the position.

9. 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.

10. 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	Remote Customer Success Manager
What type of employer are you?	Private company
How many employees do you have across all locations?	320
Is your organization in any of these regulated industries?	None of these
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?	Fully remote
Where does the applicant live?	Minneapolis, Hennepin County, Minnesota
List the other locations	Des Moines, Polk County, Iowa; Kansas City, Jackson County, Missouri
Where is your company headquartered?	Texas
Who is being screened?	New applicant
Employment status	Full-time
Is this a managerial or executive position, or exempt from overtime under the FLSA?	Yes
Does the position involve any of the following?	Access to confidential customer data, trade secrets, or personal information
Will the applicant drive as part of the job?	Occasionally, in their own vehicle
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?	No

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?	Annual salary
Expected annual compensation	$92,000
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); National multi-jurisdictional database; Sex offender registry
Which record types do you want to consider?	Felony convictions; Misdemeanor convictions; Pending charges
How far back do you want to look?	7 years
When do you currently ask about criminal history?	After the interview
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?	Not sure
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?	No
Which verifications will you run?	Employment history; Education
Will you pull a motor vehicle record (MVR)?	Yes
Will you review the applicant's social media or other public internet content?	Yes
Will any automated, algorithmic, or AI-based tool be used to score, rank, or screen applicants or background reports?	Not sure
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 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
You keep a written policy and procedure; update it with the position-specific items in this report.

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
The record types you consider are within the limits that apply here.

Lookback period within the legal limit
Your lookback period is within the limit that applies here.

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

E-Verify and Form I-9
You are enrolled in E-Verify and run every new hire.

Motor vehicle record for a driving position
You pull the MVR for this driving position.

Social media review
Recommended: review public content only, never request passwords, and wall off protected information before it reaches the decision-maker.

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.