

Your Adverse Action Checklist: Getting It Right.



Adverse Action is a two-step process organizations are required to follow under the Federal Fair Credit Reporting Act (FCRA) when a volunteer position is denied as a result of a background check. It starts prior to making a final decision and is a way to protect candidates. The two steps consist of a pre-adverse notice, sent prior to making a final decision, followed by a notification of adverse action, sent after a decision is made not to onboard. The volunteer candidate receives a copy of their background check report so that they are able to address inaccuracies.

10 Recommended Adverse Action DO's:

- Make sure your Adverse Action policy includes steps for both Pre-Adverse and Adverse Action notifications
- Restrict communication with the volunteer candidate until after the Adverse Action process has run its course
- Include a copy of the background report, the FCRA required "Summary of Rights" and state notices with your Pre-Adverse Action notice
- Provide required City/State notices on a separate page(s) from the other information in the Pre-Adverse notice
- Include the Consumer Reporting Agency contact information in case the volunteer candidate has questions or wants to dispute the information
- Give the volunteer candidate adequate time to respond and dispute
- Wait a reasonable amount of time (at least 5 days) between notices, or longer if needed
- Take into consideration Ban the Box laws that require a reason for an adverse decision and special forms
- Identify and explain how to contact the organization, or additional parties who might have access to the report, in the Adverse Action notice
- Explain that the volunteer background screening company does not make the onboarding decision in the Adverse notice

Here's What NOT To Do:

- Make a final decision on a volunteer candidate before the Pre-Adverse notice has gone out
- Rely on verbal, undocumented adverse action
- Confuse Adverse Action notification with individualized assessment notices
- Pre-Adverse and Adverse notices are required by the FCRA for purposes of accuracy.
- An individualized assessment is recommended by the EEOC to prevent discriminatory practices. It allows a volunteer candidate to explain why a criminal record shouldn't disqualify them for the position they seek.

Disclaimer: Verified Volunteers is not a law firm, and does not dispense legal advice. The information provided herein is general business information, is not based on any particular facts or situations, and is not to be relied upon as legal advice, even if you are currently a client of Verified Volunteers. You are encouraged to seek advice from your own legal counsel concerning matters covered in this publication.

The Verified Volunteers Difference

Monthly Updates and Alerts

Volunteer information is updated for you free of charge each month for the first year so you have the added security of monitoring your volunteers for new criminal records.

Flexible Payment Options and Contributions

Our flexible payment options allow you to pass on all, some or none of the background check cost to your volunteers.

Outstanding Volunteer Experience

Our secure and easy-to-use platform creates for a great user experience that allows your volunteers to complete the order process efficiently.

Quality of Service

Our dedicated Advocates Team is there when you need them to ensure the simplest, most effective experience for you and your volunteers.

Continuous Innovation

We ask for client feedback often – and use that feedback to enhance our platform and services regularly.

About Us

Verified Volunteers helps nonprofit organizations gain confidence in the volunteers working with those they serve by delivering thorough, compliant background checks. By enabling volunteers to order, manage and share their background checks via a secure online platform, we create a community of vetted volunteers and help nonprofit organizations save time and money. Our extensive expertise in screening and compliance best practices help clients recruit the best volunteers in order to maintain a safe environment and positive reputation. Verified Volunteers is backed by Sterling Talent Solutions, one of the world's largest background screening companies, and partnered with Points of Light, the world's largest organization dedicated to volunteer service.

Visit www.verifiedvolunteers.com.

Sound confusing? Don't have the time? Verified Volunteers can handle this process for you. For more information, please contact us using the below phone number or email address.

In Partnership with

855.326.1860, Option 2 | verifiedvolunteers.com | info@verifiedvolunteers.com

© 2017 Verified Volunteers

4016-US



**POINTS
OF LIGHT**