

Credit Reports & Employment Screening

Reviewing the 2007 law for WA State

New Restrictions on the Use of Credit Reports

A change in the laws for background screening in the state of Washington underscores once again that background screening is a highly legally regulated activity and the use of credit reports in particular need to be paid careful attention.

Under the amended Washington law, employers cannot obtain a credit report as part of a background check unless the information is:

1. Substantially job related and the employer's reasons for the use of such information are disclosed to the consumer in writing; or;
2. Required by law. See RCW 19.182.020

Washington employers need to carefully review any job position where a credit report is requested, and be able to communicate to job applicants the reason a credit report is substantially related to a particular job.

This law underscores the sensitivity of the use of credit reports for employment purposes. As a general rule, any pre-employment assessment tool must be both a valid predictor of job performance and non-discriminatory. Credit reports have recently come under scrutiny on both counts.

Since employment credit reports do not contain actual "credit scores," employers need to carefully consider how to utilize the information contained in a credit report to determine if the information is related to the job. Employers typically look at factors such as the income to debt ratio, to determine if an applicant who will have access to cash or assets is under financial pressure. An employer may also look to see how a person has handled their own financial affairs as an insight as to how they will handle the employer's finances.

However, employers need to be aware that there can be errors in credit reports, or information that is not relevant to job performance, such as high debt brought about by medical bills for example.

If a pre-employment assessment tool has the impact of disproportionately excluding members of protected groups from employment consideration, then that can potentially give rise to discrimination claims. Credit reports can have an unfair impact unless its use is job related and necessary for the operation of the businesses.

The bottom-line: Employers utilizing credit reports should carefully scrutinize why they are being used and for what purpose to ensure the information obtained is substantially related to a position.

What People Are Saying About Orca...

"Hi Rebekah,

Yes! You were definitely faster than the company we've been using...we almost never get a report back in the same day when there is a criminal history! Tell the girls, "Very Impressive!" Not to mention that it's interesting that you found criminal records on this applicant. We received a report from a different company and they found NO Records! Wow.

Thanks again for your time today...I really appreciate it!"

- D.S. / Manpower

ORCA ♦ WISDOM ♦

Success is a bye-product. Excellence always creates success. So, never run after the success, let it happen automatically.

EAT THAT FROG

There is an old saying that says...

"If the first thing you do when you wake up in the morning is eat a live frog, then nothing worse can happen for the rest of the day!"

Brian Tracy says that your "frog" should be the most difficult item on your things to do list, the one you're most likely to procrastinate on; because, if you eat that first, it'll give you energy and momentum for the rest of the day. But, if you don't...and let him sit there on the plate and stare at you while you do a hundred unimportant things, it can drain your energy and you won't even know it.

There is the 80/20 rule and it is one of the most helpful of all concepts of time and life management.

The principle is: 20% of our activities will account for 80% of your results, 20% of your customers will account for 80% of your sales, 20% of your products or services will account for 80% of your profits, 20% of your will account for 80% of the value of what you do, and so on. This means that if you have a list of ten items to do, two of those items will turn out to be worth five or ten times or more than the other eight times put together.

Number of Tasks versus Importance of Tasks

Here is an interesting discovery. Each of the ten tasks may take the same amount of time to accomplish. But one or two of those tasks will contribute five or ten times the value of any of the others. Often, one item on a list of ten tasks that you have to do can be worth more than all the other nine items put together. This task is invariably the frog that you should eat first.

Focus on Activities, Not Accomplishments

The most valuable tasks you can do each day are often the hardest and most complex. But the payoff and rewards for completing these tasks efficiently can be tremendous. For this reason, you must adamantly refuse to work on tasks in the bottom 80% while you still have tasks in the top 20% left to be done.

Before you begin work, always ask yourself, "Is this task in the top 20% of my activities or in the bottom 80%?"

The hardest part of any important task is getting started on it in the first place. Once you actually begin work on a valuable task, you will be naturally motivated to continue. A part of your mind loves to be busy working on significant tasks that can really make a difference. Your job is to feed this part of your mind continually.

Motivate Yourself

Just thinking about starting and finishing an important task motivates you and helps you to overcome procrastination. Time management is really life management, personal management. It is really taking control of the sequence of events. Time management is having control over what you do next. And you are always free to choose the task that you will do next. Your ability to choose between the important and the unimportant is the key determinant of your success in life and work.

Effective, productive people discipline themselves to start on the most important task that is before them. They force themselves to eat that frog, whatever it is. As a result, they accomplish vastly more than the average person and are much happier as a result. This should be your way of working as well.

By: Brian Tracy



Criminal Record Comparison

We searched 4 popular criminal databases...see what we found!

Applicant stated that he was never charged or convicted of a crime on the application. We discovered that he not only provided a False Social Security number, he lied about his date of birth, had definitely been charged **and** convicted of a crime and is a registered sex offender!

Orca Information	Instant Database #1	Instant Database #2	Washington State Patrol
<p><i>Juvenile Record:</i> 8/4/92 Child Molestation 1st Degree, Guilty</p> <p>9/06 Probable Cause Hearing for Murder, Dismissed 12/07 Failure to Renew Expired Registration, Committed 11/07 Failure to Renew Expired Registration, Committed 2/08 Failure to Renew Expired Registration, Committed 2/08 Driving While License Suspended 3rd Degree amended to No Valid Operator’s License with Valid ID, Committed 1/09 Theft 3rd Degree, Guilty</p>	No Records Found	No Records Found	No Records Found.

YIKE! TENANT DIED – NOW WHAT?

It is always better to be proactive – to have the details on how to handle such a potential situation defined in the lease agreement. However, if this has not been done the following is suggested:

Secure unit. Start looking for new tenant. Work with heirs/family to get personal items out of unit. Clean the unit to re-rent. Accounting – give to heirs/family the deposit - refund of any money due.

If there is no family or no one with “legal authority” steps forward to get personal items then pack them up and store like you would “abandoned” property. However, **IT IS ABANDONED** if the rent does not get paid! Usually if there is family they will want to get the personal belongings out by the first of the month to avoid paying another month’s rent.

**This does not constitute legal advise. Specific problems require specific solutions.*

LEGAL OPINION:

Question: Can I increase the security deposit of an applicant who doesn’t qualify based on credit or evictions in order to let him or her rent an apartment?



Answer: Yes, so long as you give every other applicant who has the same credit or eviction history the same opportunity. However, federal law requires that you notify the applicant that you have taken an adverse action based upon the credit report you relied upon, in the same manner as if you denied his or her application.

PLEASE HELP US RAISE MONEY!!

ANANCORTES HOUSING AUTHORITY STAFF PERSON NEEDS SERVICE DOG

An Anacortes Housing Authority staff member, Tania Turner has been accepted as a candidate to receive a hearing assistance dog. This is through the non-profit organization, “Summit Assistance Dogs”. They train service dogs to empower people with disabilities to live more independently. When Tania is matched with a service dog she will be able to bring it to work. The service dog will assist her by alerting her when her name is called, or when someone enters the office, and when the phone rings.

At home her new companion will help her live without fear - fear of fire, as she is unable to hear a smoke detector, or fear of someone breaking in. She will even receive help waking up to the sound of the alarm clock.

Please contribute. Make a generous donation online or by mail. For more information on how to donate go to: www.summitdogs.org. Specify that your donations be for Tania Turner.

Note: Orca Information and Lion Investigations will keep you informed on the status of donations.



**In observance of Labor Day,
our office will be closed on
Monday, September 6th**