

SAMPLE COPY OF A NOTICE OF ADVERSE ACTION

(Please consult your attorney for proper verbiage)

If after sending out the required pre-adverse documents, the employer intends to make the decision final, the employer must take one more step. The employer must send the applicant a Notice of Adverse Action informing the applicant that the employer has made a final decision; along with another copy of the "Summary of Your Rights under the Fair Credit Reporting Act.

The Notice of Adverse Action must contain certain information. The following is a sample letter that contains the necessary statements:

Dear Applicant,

In reference to your application for employment, we regret to inform you that we are unable to further consider you for employment at this time. Our decision, in part, is the result of information obtained through the Consumer Reporting Agency identified below.

The Consumer Reporting Agency did not make the adverse decision, and is unable to explain why the decision was made.

You have the right to obtain within 60 days a free copy of your consumer report from the Consumer Reporting Agency as identified below and from any other consumer-reporting agency, which compiles and maintains files on consumers on a nationwide basis.

You have the right to contact the Consumer Reporting Agency listed below to dispute any information contained in the report that you believe may be inaccurate or incomplete. A copy of your rights under the "Fair Credit Reporting Act" is enclosed, entitled "Summary of Your Rights under the Fair Credit Reporting Act."

*NAPS Background Checks.
P. O. Box 590 Bessemer, AL 35021
1-866-425-9671*

Sincerely yours,

Many employers find it difficult to believe that Congress intended that an applicant be notified twice, both before an adverse action and after. However, the law clearly requires two notices. The purpose is to give job applicants the maximum opportunity to correct any incomplete or inaccurate reports, which could affect their chances of employment.