

REFERENCE AND BACKGROUND CHECKS

RAILS must have a signed consent authorizing RAILS to release any information from the individual's personnel records to the specifically named organization. To be acceptable, this consent must indicate the general and specific types of information that can be released and release RAILS from all potential liability related to the authorized disclosure.

All requests for reference checks shall be referred to the Human Resources department to ensure uniformity and consistency. HR staff may consult with person(s) more familiar with the employee's work history.

RAILS will provide the following minimum information in response to a reference inquiry:

- Verification that the individual worked for RAILS as a full- or part-time employee and the period during which the individual was employed.
- Verification of the position or positions held by the individual during their tenure of employment.
- Salary information may be released only for purposes of loan applications.

Any references by RAILS employees about current or former RAILS employees should not be on RAILS letterhead and are to be viewed as personal references from the author, not necessarily the opinion of RAILS.

Government Requests for Information

The only exception to the above procedures applies to information requests received by RAILS from federal, state, or local authorities, including officials and authorized representatives of the courts, as well as law enforcement and other government agencies. This exception also applies to information requests related to civil or criminal litigation, including subpoenas, discovery requests, and other legal process served in connection with lawsuits or legal proceedings. RAILS normally honors all such requests and provides the information sought in the form requested by the agency or official. When RAILS is requested to provide information about an employee or former employee in response to a subpoena or other legal process, it normally informs or attempts to inform the individual about the disclosure. However, RAILS reserves the right to refrain from informing individuals of government information requests related to an ongoing investigation of criminal activity.

Freedom of Information Act (FOIA)

Personnel information may be given where allowed by law.

Reference and Background Check

RAILS reserves the right to use a RAILS representative or third-party agency to conduct background checks. RAILS will notify applicants before conducting any reference or background checks. Employment with RAILS is contingent upon the successful completion of the background check process. Any offer of employment is conditional until the background check is completed and reviewed to ensure compliance with RAILS' hiring standards. Some roles require employment verification and reference checks. An additional background check may be required for a promotion.

Consumer Reporting Agency

For positions involving security responsibilities or significant financial accountability, RAILS reserves the right to request a consumer reporting agency to prepare an investigative consumer report on the applicant. Along with credit and employment history, such a report typically includes information about an individual's character, reputation, and mode of living, obtained through personal interviews with an applicant's neighbors, acquaintances, associates, and friends. RAILS must obtain an applicant's consent before requesting such a report. All federal and state credit reporting laws will be followed during the background check process, including the Fair Credit Reporting Act (FCRA).

If the results of a credit report are negative, RAILS will inform the applicant that it plans on taking adverse action, provide the applicant with a Statement of Consumer Rights from the Federal Trade Commission (FTC) before adverse action, provide the applicant the opportunity to review a copy of their credit report, and advise the applicant of their rights to dispute inaccurate information. Applicants should be granted a reasonable time to contest the information (approximately 3-5 days).

Inaccurate or Fraudulent Information

RAILS will eliminate from further consideration for employment any applicant who provides false, misleading, or willfully deceptive information on their job application or resume or during an interview. Employees hired based on false information discovered after employment begins are subject to discipline, up to and including discharge.

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