



## Potential Litigation Alert – Adverse Action Process, Letters and Timelines

Not a month has gone by in recent years when there hasn't been a major FCRA class action on background checks, and that trend is increasing.

One major area of concern for employers surrounds the "Adverse Action Process". This is loosely defined as the technical paperwork, discussion and timing of a decision not to hire, promote or transfer someone based on their background check information. Thus such a decision is called an "Adverse Action"

Employers should be aware that taking an adverse action—terminating an existing employee, rescinding a job offer to an applicant, denying a promotion—based on a consumer report without following the complex federal and state laws to the letter puts your company at tremendous risk.

We strongly recommend that you discuss or forward this email to your legal teams to ensure you are in compliance with this highly litigious area of the screening process.

We value your business and as a thank you, please click here to get your free copy of our...

**["White Paper on Compliance with FCRA Background Screening Requirements and FCRA Adverse Action Protocols in Order to Prevent Costly Civil Liability" Issues.](#)**

We offer adverse action letter process management to our clients. Please contact us by clicking here if you are interested in a discussion surrounding the process. A representative will contact you to discuss this issue

Thank you again for your continued business.

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