



DISCOVER THE

 **KRESS SHIELD**  
OF CONTINUOUS BACKGROUND CHECKS

Now more than ever, the majority of our workforce is working from home. This makes HR and employers nervous. The solution to safeguarding your company lies in one simple service—the **KRESS SHIELD**.

Most companies screen for red flags in their employees' work, legal, or educational history just once, before they're hired. The problem is that those background checks only represent a moment in time. If an employee commits a crime, has a license revoked, or loses work authorization after being hired, their employer may never find out without a continuous background check policy.

KRESS recommends running background checks annually, or even more often, during their personnel's employment period. Let's explore why many businesses choose the **KRESS SHIELD**.

# WHAT IS THE KRESS SHIELD?

This is a workplace policy that monitors employee records such as criminal records, driving records, and credit reports regularly. The changing workplace makes it essential to manage risk, and employers must be proactive. When a background check is conducted during the hiring process, it cannot be updated after a person is hired. With a continuous background check policy, employers can monitor their workforce, avoiding fraud, workplace harassment, and even embezzlement.

## THE KRESS SHIELD HELPS HR AND EMPLOYERS:

- **REASSESS THEIR LIABILITY.**
  - Monitoring employees can reveal if they have been recently charged with a crime, possess an expired license, and even hold them accountable for their behavior.
- **PROTECT THEIR INVESTMENT AND SAVE MONEY.**
  - By conducting continuous background checks, a company can avoid fraud and even theft by employees, as well as amplify the safety of their workforce and customers by removing troubled employees.
- **AVOID LIABILITIES THAT CAN LEAD TO LAWSUITS.**
  - When employers are proactive and not reactive to identifying problems or risk from drug use, expired licenses, and criminal charges, they can avoid potential legal problems that can be costly and damaging to their business.

## The KRESS SHIELD Has Added Protection With Automated Adverse Action!



# WHAT IS ADVERSE ACTION?

Adverse action is the process that all employers must follow when rejecting potential job candidates and terminating, reassigning, or failing to promote current employees due to the results of an employment background check. The Fair Credit Reporting Act (FCRA) upholds these regulations and the three steps that employers are required to follow when taking an adverse action. These steps include:

- **PRE-ADVERSE ACTION:** When an employer receives adverse information, they must notify the applicant that a decision is currently pending and that their background check results are in the review process. The Summary of Rights under the Fair Credit Reporting Act and a copy of the background check must also be provided to the candidate.
- **WAITING PERIOD:** The employer must wait a minimum of five business days before taking final adverse action. KRESS Employment Screening recommends providing the candidate with more days to review their background check and the adverse information.
- **FINAL ADVERSE ACTION:** After the waiting period, if the employer decides to take adverse action on a candidate due to their background check results, they must send a final adverse action notice to the candidate. The FCRA requires that the notice contain specific information in order for the candidate to understand how to get a free copy of the background check and to contact the background check company to dispute incorrect information.



# YOUR KRESS SHIELD IS FCRA COMPLIANT

The FCRA ensures accuracy, privacy, and transparency to allow employers to fairly screen, reassign, promote, and terminate or reject employees. KRESS has put together a list of employee rights that must be upheld by all companies and screening agencies. The employer must

obtain written consent from the employee or job applicant prior to requesting consumer reports of any kind. However, written consent is generally not required in the trucking industry—[contact KRESS](#) to gain insight in our innovative approach for Motor Vehicle Reports (MVRs).

## Continuous background checks must follow these steps to remain compliant with the FCRA:



Notify employees if the information presented in their consumer reports is used against them, and provide the name, address, and phone number of the agency that provided the report.



The employer must ensure they do not make any decisions based on outdated information. Negative information more than seven years old and bankruptcies more than ten years old may not be presented in current consumer reports.



Employees have the right to know what is in their file. If a consumer report is acquired, the employer must be prepared to provide all information presented in the consumer report to an employee or job applicant upon their request for a file disclosure.



Last but not least—don't get sued. With continuous background checks on the rise, many employees will become more and more aware of their rights. The Federal Trade Commission does a good job of ensuring employee rights are easily available to them, so companies should do their due diligence to make sure their continuous background checks are implemented in full compliance with the FCRA and their state's laws.



Everyone can acquire one free file disclosure every year from a nationwide credit bureau and/or specialty consumer reporting agency.



Employees or job applicants have the right to dispute information found in a report they consider incomplete or inaccurate. They can submit a request that the agency must investigate (unless the dispute is frivolous). If information is inaccurate or incomplete, the information must be corrected within 30 days of the dispute.

The **KRESS SHIELD** was created by experienced professionals who help companies maintain compliance with applicable regulations, mitigate liability, and safety risks. Continuous background checks may also be required for underwriting purposes if an employee uses a company vehicle. Our team is available to answer your questions and customize your KRESS SHIELD for your specific business.

**CALL US TODAY AT 888.636.3693.**