

## ***Applicant Background Information's Privacy Policy***

### **ADDITIONAL PRIVACY INFORMATION**

Privacy Policy: Applicant Background Information (ABI) is a Consumer Reporting Agency (CRA) that prepares Consumer Reports for authorized employers under the provisions of the federal Fair Credit Reporting Act (FCRA). The ABI Privacy policy is very simple: ABI only collects applicant data pursuant to written Authorization and Disclosure under the FCRA and only disseminates consumer reports to employers as directed in the written authorization. In other words, data is only collected and distributed at the direction and authorization of consumers. The data is maintained in a secured site. ABI maintains strict policies and procedures in all aspects of its operation to protect the privacy of consumers.

**NOTE:** ABI does NOT send U. S. applicant information outside of the U.S. for processing. Once data leaves the U.S., the data is beyond the reach of U.S. privacy laws and there is no meaningful privacy protections. ABI believes that firms that send data outside the U.S. put applicants and employers at great risk, for no other reason than to make a little more money. In some countries, it is a well known fact that U.S. identities are stolen and used for identity theft. As a practical matter, someone in the U.S. has no ability to hire a lawyer in a foreign country to pursue legal action or contact a foreign police authority to get any action taken. The only exception is where ABI is asked to perform an international verification and the information resides outside of the U.S. Even in that situation, ABI goes to great length to protect applicant data by going directly to the school or employer. If it is necessary to have a researcher do research in a foreign country, ABI only releases the minimum information absolutely necessary.

ABI strongly advises all employers to ask a screening firm if they send data outside of the U.S. and to seriously consider the dangers to their hiring processes and to their applicants.

1. This web site collects personally identifiable information online from individuals in the following ways:
  - a. A potential customer has the opportunity to e-mail this site in order to obtain information about our services. Any information given to this site is completely in the control of the third party who chooses to do so.
  - b. A person may choose to sign-up for a newsletter that explicitly requires opt-in. Each newsletter provides the ability of a person to opt-out very easily by hitting a button at the bottom of each newsletter.
2. This site does not engage in any passive information techniques.
3. No information provided to this site through e-mail or any other method is ever released, utilized or shared with anyone else, including, but not limited to, third parties or affiliates.
4. The ABI online system is a separate web site that is only available to ABI customers and is utilized as a means for ABI to receive orders from authorized employers and to transmit information to and from authorized users. However, all such usage is strictly between ABI and business entities whose legitimate need for the information and permissible purpose has been verified pursuant to section 607(a) of the FCRA which states:  
(a) Identity and purposes of credit users. Every consumer reporting agency shall maintain reasonable procedures designed to avoid violations of section 605 [§ 1681c] and to limit the furnishing of consumer reports to the purposes listed under section 604 [§ 1681b] of this title. These procedures shall require that prospective users of the information identify themselves, certify the purposes for which the information is sought, and certify that the information will be used for no other purpose. Every consumer reporting agency shall make a reasonable effort to verify the identity of a new prospective user and the uses certified by such prospective user prior to furnishing such user a consumer report. No consumer reporting agency may furnish a consumer report to any person if it has reasonable grounds for believing that the consumer report will not be used for a purpose listed in section 604.
5. All data on the ABI system is protected by secure access, ensuring "for-your-eyes-only" data exchange. Viewing of information is restricted to the users and customers that should have it with state of the art security, including 128-bit SSL encryption and strong password protection. Our software has been certified by SecureWorks, which is an approved third party certification agency for the major credit bureaus for the purpose of online retrieval, transmittal and storage of credit information. Physical security of servers is state of the art and has undergone state of the art auditing by third parties. The Privacy and Integrity of all information is fully protected. All employees who have access to any information from this site have signed privacy agreements and are regularly trained in privacy practices and procedures. ABI maintains a Written Information Security Policy (WISP) in conformity with Massachusetts requirements under **201 CMR 17.00: STANDARDS FOR THE PROTECTION OF PERSONAL INFORMATION OF RESIDENTS OF THE COMMONWEALTH**.
6. Information is retained pursuant to the FCRA for a minimum of six (6) years. The method for a consumer to opt-out of ABI obtaining information is to not consent to a pre-employment background screening with a prospective or current employer. Once a consumer has consented to such a screening, ABI must retain information on file for US residents for the six (6) year period.
7. Any consumer may exercise their right to inspect any data about them and to object to any data pursuant to the FCRA and applicable state law. See a "[Summary of Your Rights](#)" prepared by the Federal Trade Commission. Also see your right to request a copy of your data under the [FACT Act](#)>>>
8. Any questions or concerns about Privacy should be directed to [ops@apback.com](mailto:ops@apback.com) ABI will make all reasonable efforts to address a consumer's concerns. If the matter cannot be resolved by ABI, then a consumer has additional rights. See "[Summary of Your Rights](#)."
9. Upon request, a consumer may also obtain a copy of this ABI Privacy Policy privacy statement or ask questions by mail by sending a request to: Information Security Officer, Applicant Background Information, 1025 S. Main St. , Corona CA 92882
10. In the event ABI destroys any information provided by employers, applicants, or third parties during the course of its work the destruction is accomplished in accordance with the approved document disposal rules formulated by the Federal Trade Commission (FTC). [See](#)>>>
11. ABI reserves the right to modify or change its privacy policy . All such changes will be posted on this page.

### **SAFE HARBOR PROVISIONS OF PRIVACY POLICY**

Applicant Background Information (hereafter "service") hereby confirms our strong policy to protect and maintain the privacy and personal data that we assemble and maintain on behalf of employers concerning consumers. In that regard, we certify that we comply with the "Safe Harbor" principles of the United States Department of Commerce, in relation to personal data collected in the European Union. We endorse and follow the principles and practices outlined in the seven principals of the European Commission's Directive on Data Protection. This service is compliant with the Department of Commerce for the Safe Harbor program. We fulfill our obligation under the seven principals in the following manner: Notice. This service collects information on individuals for the purpose of providing the information to employers for employment related decisions. The information may also be provided to agents of employers such as recruiters or staffing firms. The data that is collected on individuals is used to provide employers with employment background checks and credentials verification on potential job applicants or current employees. The information is used by employers to

make decisions on whom to hire, retain, promote or re-assign. It may also be utilized to conduct employee investigations where an employer has a suspicion of work related misconduct or wrongdoing, or an issue arises as to employee compliance with Federal, State, or local laws and regulations, or any employer policies. Human resources and security professionals within employer organizations will utilize the information. This notice covers human resources data that is obtained manually by this service on behalf of employers. The data is obtained by manually contacting the appropriate sources of the data. A consumer may find out more about the nature and scope of any inquiry that is made about them by contacting this service through the contact links on this web site.

1. **Choice (opt-out of sensitive Information)**

This service gives consumers a choice for the collection of information by virtue of the fact that the information is only collected with the consumer's explicit consent. Choice is further afforded by the fact that this service only operates when a consumer explicitly identifies those past employers, educational institutions, or other credential granting organizations that are identified by the consumer. Furthermore the information collected is only utilized for the purpose described above in the section on "Notice." In the event a consumer wishes to opt-out of any use of information collected by this service, a consumer can notify this service through the contact link on this web site that permission or any use of the data is withdrawn. That does not mean that if a consumer opts-out that the data is erased or deleted. Various laws require that this service maintain the data on file for a consumer for a period of time for the protection of the consumer, which in the case of data collected for employers in the United States is six years as a result of the statute of limitations required under the federal Fair Credit Reporting Act. However, in the event of an opt-out, the data will not be forwarded or utilized by this service for any purpose.

2. **Onward Transfer**

The information obtained by this site is forwarded only to an entity that has been authorized by a consumer to receive the data or an agent of the end user operating on behalf of the end-user. The information is only provided to the employer for purpose described in the section under "Notice." This site may also operate as an agent for a Consumer Reporting Agency as defined under the federal Fair Credit Reporting Act (FCRA). In either event, the employer or the CRA must certify that the information will be used only for the permissible purpose of employment and that the information will remain private and confidential. This site also takes reasonable steps to insure that any party that receives such information has certified that it will maintain privacy and confidentiality and will utilize the information for employment only. By definition, any third party that receives information from this site has given a consumer notice as to the purposes of the collection of the data and a charge of whether the data is to be collected by virtue of the fact that an employer must obtain a written consent to obtain and use any data obtained by this site.

3. **Access**

This site provides access to consumers on all data collected about a consumer in order to allow a consumer the reasonable opportunity to ascertain what personal data this service possesses about a consumer, and to correct, amend or delete information that is inaccurate or incomplete. Disclosure is provided under the terms of the federal Fair Credit Reporting Act. Under certain circumstances, a consumer is entitled to a free copy of their report. Under all circumstances, a consumer is entitled to a copy of their report under the terms of the FCRA. For a citizen of the EU, this service reserves the right to charge an administrative fee not to exceed \$15 to cover the cost of reviewing our records to determine if a consumer is in our file, and the administrative cost of obtaining and forwarding any information. However, the service also reserves the right to engage in reasonable efforts to confirm the identity of anyone requesting data, so that we only provide data to the consumer that is the subject of the data. Although we make every effort to ensure that the data we collect and store about you is as accurate as possible, this service cannot guarantee that third parties are accurate in information that is transmitted and therefore we are not responsible for the data. We are not responsible for the accuracy of data about you that may be supplied by any other third-party sources of information or our clients.

4. **Security**

This service takes all reasonable procedures to protect personal and identifiable information from loss, misuse and unauthorized access, disclosure, alteration and destruction. The service utilizes SSL encryption to protect sensitive information online. We also do everything in our power to protect user information off-line. All of our users' information, not just the sensitive information mentioned above, is restricted in our offices. Only employees who need the information to perform a specific job are granted access to personally identifiable information. Strong password protection protocols are used on all computers. Furthermore, all employees are kept up-to-date on our security and privacy practices. Finally, the servers that are used to store personally identifiable information are kept in a secure environment, with appropriate security measures. If you have any questions about the security of our service, you can send an email to the contact links on this web site.

5. **Data Integrity**

This service only collects data that is strictly necessary for the purposes listed under the section on "Notice." The data includes information that is necessary to identify the consumer for purposes of collecting employment related information.

6. **Enforcement**

This service verifies adherence to the EU Safe Harbor Policy by means of in-house verification by the management of this company. In addition, we provide a readily available and affordable independent recourse mechanisms by which each individual's complaints and disputes are investigated and resolved by reference to the Principles and damages awarded where the applicable law or private sector initiatives so provide. In order to comply with the European Union's Safe Harbor principles, ABI commits to the resolution of complaints about your privacy and our collection or use of your personal information. We have committed to resolve any complaints by European Union citizens relating to this policy, which cannot be resolved directly with our company.

## **PERSONAL INFORMATION DISCLOSURE: UNITED STATES OR OVERSEAS**

Applicant Background Information (ABI) opposes the "offshoring" of Personally Identifiable Information (PII) of consumers – such as names, dates of birth, and Social Security numbers (SSNs) – sent overseas outside of the United States and its territories and beyond the protection of U.S. Privacy laws. ABI's mission is to protect the PII of consumers, which is best done by keeping all such information in the United States.

ABI has adopted the policy of Concerned CRA's and operates in as follows:

1. **Domestic Background Screening:** Where a CRA (background screening firm) is providing background screening services for consumers in the United States based upon information available in the U.S., a firm displaying the Concerned CRA seal certifies that it does not send data outside the U. S. or its territories for processing or preparation of a background check report or for any other reason. All work is done in the U.S.
2. **International Screening:** Where there is an international background check for verification of employment, education, or a professional degree, or for a criminal record check, some information may have to go offshore by necessity since the information being sought is offshore. However, firms

displaying the Concerned CRA seal have taken measures to protect personal and confidential data: **a.)** Documentation or information such as passport numbers, or unique identification numbers and date of birth, are not sent to anyone overseas other than the actual verification provider (e.g. employer or school registrar) whenever possible. **b.)** Where it is necessary to utilize a local firm, the local firm will first be asked to provide local contact information so that the CRA can contact the foreign verifying party directly. **c.)** If, due to infrastructure or other issues in a foreign country, a foreign research firm must perform the verification, then the CRA or its agent has properly vetted the local firm, and will redact any unnecessary information.

3. Where a CRA utilizes a third party service to perform domestic or international services in connection with providing background reports, firms that adopted this standard have made reasonable inquiries to ensure that any provider is also following the Concerned CRA standard.

If you have any questions about this offshoring policy, or any other aspect of the ABI privacy policy, you may contact the ABI Privacy Officer by any of the following means:

E-mail: [info@apback.com](mailto:info@apback.com)

Address: 1025 S. Main St. Corona, CA 92882

Phone: 800-7807-4636

#### **HOW CONSUMERS DISPUTE INFORMATION IN A CONSUMER REPORT**

If consumers are the subject of a consumer report prepared by Applicant Background Information (ABI) and find incorrect or incomplete information, they have the right under federal law to dispute it. Consumers may contact ABI by calling 800-707-4636 and asking to speak with a Dispute Resolution Specialist. For more information, visit [www.apback.com](http://www.apback.com)

The following link will take consumers to the document 'A Summary of Your Rights Under the Federal Fair Credit Reporting Act':

[www.apback.com](http://www.apback.com)