



Do You Know Who's Driving You?

Ride sharing has become increasingly popular in recent years, as it is often a fast and less expensive alternative to the standard taxi cab. While the convenience of a ride share can be very appealing, have you ever stopped to wonder who is behind the wheel of the vehicle? What measures have been taken to determine your driver is capable of keeping you safe?

There has been some negative press relating to ride sharing corporations and their background screening processes, or lack thereof. While the more popular companies do conduct a preemployment background check, it's time to look deeper into what those reports are obtaining on their potential drivers. Is it enough?

Let's start with fingerprinting. Fingerprinting is not something that is widely conducted as part of a background investigation for most ride sharing companies. It's not just criminals and suspected criminals that have their prints in the system, there's also government officials, military personnel, and others as well. Submitting someone to be fingerprinted is an excellent way to determine that a person is who they say they are.



For a company whose purpose is to provide safe transportation to their customers, continuous monitoring of employees for criminal activity, and motor vehicle reports, is a wise decision. This can help protect organizations after they have hired an individual. The reality of the situation is that most ride sharing companies do not re-screen their employees after they are hired. Commercial Investigation's vigilant services are post-hire screening solutions that monitor employees continuously, and give notification to any new criminal records or changes to existing records. This is important for ride sharing companies as their employees are constantly on the road where accidents, tickets, and other driving or criminal activity can occur.

A review of records for a major ride sharing company in Colorado found that dozens of their drivers had felony convictions, major moving violations, and interlocked driver's licenses. In Massachusetts, another review found that 51 ride sharing drivers were registered sex offenders. Additionally, around 8,000 drivers were found to have failed background checks required by the state for taxi and other delivery services. Something to note is that most of these ride sharing companies only utilize the national sex offender registry, which pulls information from each individual state's sex offender registry. While that might seem like an effective and time saving method, it is not the best technique when it comes to checking sex offender status. In some states, such as Massachusetts and New York, sex offender registry websites only have access to certain levels of sex offenders. They could be passing someone as 'not registered' because they were convicted of a level that is not reported at the national level or on the state's website.

An answer to many of the problems with ride sharing could be expanding the depth of background investigation being conducted. Commercial Investigations strives to be very thorough, and specializes in detailed investigations using human intervention by trained investigators.

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Doug User, More Like Drug Abuser!

Meet Due Diligence...

Last Scene From Due

It turns out there was nothing for Duey to stress about over firing his father, since Due loved the idea of not having to work anymore and could finally turn his dream of traveling the world into his reality. Duey got back to work with Justin as they narrowed down their interviews to the best two people; Nancey and Doug who were then sent off for a drug test. When the test results came in two days later, Doug's results had come back as negative dilute which meant he needed to go for a second test including the urine and a hair drug test. Duey was in total shock upon seeing the results.

Once Duey opened Doug's report, he saw the unimaginable. Doug tested positive for opiates and marijuana. Unsure of what to do with that information, he called Justin and Sue into his office; as Sue had become the Human Resource Coordinator. Justin and Duey quickly agreed they could not hire Doug due to the test results. They then tasked Sue with the job of letting Doug know that they would not be moving forward with the hiring process.



Unsure of the correct way to let Doug know that he would not be obtaining the job, Sue reached out to Commercial Investigations to see if they had any advice on how to handle this. One of the investigators explained to Sue that because they were not hiring Doug based on information found on his background screening, they would have to use the preadverse and adverse action process to inform Doug.

"Preadverse action letter? What's that?" Sue asked. "The preadverse action letter is a letter that gets sent to the subject stating that you will be taking adverse action based on the report findings" the investigator explained. They went on to talk about how with the letter you must include certain things like a copy of the FCRA Summary of Rights and Article 23-A, if in New York State. Once the subject receives that letter, in approximately seven to ten business days, the adverse action letter should be sent to the subject informing them that they will not be getting the job.

Sue learned that the whole process is made even easier via Commercial Investigations new software, Clware 2.0. In the software, the preadverse and adverse action letters can

be auto-generated from within the subject's report. All she would have to do is download and mail them out. Sue knew this was something she could handle.

Sue sent the preadverse action letter to Doug. However, Sue forgot that the preadverse action letter gives the subject the opportunity to reach out to Commercial Investigations and dispute findings in the report. Doug did just that!

CI called the lab to have Doug's sample tested again to verify the results. The second test also came back positive for opiates and marijuana. Doug tried to convince CI that this was due to a prescription he was on. CI reached out to the medical review officer (MRO) that spoke to Doug after he tested positive. The doctor stated that Doug did not have a valid prescription.

After CI finished reinvestigating, Doug reached out to Duey and Justin to beg and plead for a job. He told Duey that he never did drugs on purpose. He was just at a party where everyone around him was doing drugs and he must have gotten a contact high. Justin rolled his eyes and said, "Pills don't work like that. Besides, didn't you say you had a prescription?" Doug stuttered and promptly hung up the phone.

Duey then had Sue send out the adverse action letter. Sue knew she was doing the right thing and was being FCRA compliant. CI made the whole process easy for them. She even sent the letter via certified mail so they would have a receipt that Doug did indeed receive the letter. Overall, Sue felt confident that she was going about this the right way and felt she could use the same process moving forward if need be.

Confident in their decision Duey and Justin did not hire Doug. But they did ask Sue to repost their open position because they will need some new hires, and fast!

Who will Duey and Justin hire?

Will they find enough employees to keep their business afloat?

Is this the last we will hear from Doug?

Stay tuned!



Preadverse and Adverse Action - What You Need to Know

Let's imagine you, as a recruiter or human resources associate, are super excited about hiring Sochelle Woeker. She applied, her resume looks amazing, and she claims she has no convictions or pending convictions. She nailed the interview and you send her off to Commercial Investigations to have her background check run. That's when the very timely and accurate background investigation comes in. OH NO! Sue's education was from a dreaded diploma mill, her employments are adverse, and she has a criminal conviction that directly affects the business you're in! You're disappointed, but you know it's now time to take action. Preadverse and adverse action, that is.

FCRA (Federal Credit Reporting Act) compliance is a must when running and utilizing a background report completed by a CRA (Consumer Reporting Agency). Knowing when and how to take preadverse and adverse action is a must in order to remain compliant. If the background investigation report provides adverse information that directly affects the consumer or subject in a negative way, there is a proper protocol to follow.

The first step in the process is to send the preadverse action letter including a copy of the report, FCRA summary of rights, and if it's a New York applicant/employer, Article 23 A. This lets the applicant know that you are intending on taking adverse action against them due to information found in their background investigation.

“You're disappointed, but you know it's now time to take action.”

It's highly recommended this is sent via certified mail to ensure you have delivery receipt. No one wants an applicant to say they never received the letter! In

Clware 2.0, adverse action letter templates are readily available. You can use it as is, copy and paste the letter onto your own letterhead, or we can upload a copy of your version into the software.

Next, you must wait a reasonable amount of time before sending the adverse action letter, giving the applicant time to dispute any information found on the background investigation. What is reasonable? Seven to ten business days should be enough time for the applicant to receive the letter and dispute any inaccurate information they feel is on their report.

You've waited ten full agonizing business days, and double checked with CI (don't worry, if a subject does dispute the findings we will ALWAYS let you know) to make sure the subject hasn't disputed the information. You can now send the adverse action letter. The adverse action letter can be auto-populated in Clware 2.0. Again, you can use it as is, copy and paste the letter onto your own letterhead, or we can upload a copy of your version into the software.

If the subject has disputed information, and the information is either unchanged or has been corrected, you will receive notification of any changes and the subject will be sent a copy of the updated report.

Sorry Sochelle, better luck next time! Luckily for you, you used Commercial Investigations, and have the peace of mind that you're getting a full and accurate report on your applicants. Now it's back to the drawing board. Oh hey, Carrie Okie looks like a good candidate!



Spotlight: Coming Soon

We are excited to announce Clware ATS, the newest innovation by Commercial Investigations LLC.

What is an applicant tracking system (ATS)? Applicant tracking systems are used by many employers to process job applications and manage the entire hiring process. They are used to post jobs, filter applications, schedule interviews, complete new-hire paperwork, and much more.

Clware ATS is integrated to work seamlessly with Clware 2.0 for a complete hiring and background investigation solution, or can be used as a standalone applicant tracking system for any company.

You will be able to automate the entire recruitment, hiring, background investigation, and on-boarding process. The system is electronic and completely paper free.

Posting job openings is simple. Clware ATS allows you to post to industry leading job boards (CareerBuilder, Monster, Indeed, etc.) and social media sites with just one click.

Clware ATS provides a clean, simple and intuitive user experience for the candidates, creating a positive reflection on your company.

Find out more: commercialinvestigationsllc.com/ClwareATS or contact us at 1-800-284-0906.





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