



## **DISCLOSURE CONCERNING REQUEST FOR BACKGROUND CHECK REPORT**

**Dakota Cat LLC** (the “Company”) will obtain a consumer report (a background check report) on you in connection with your application for employment with the Company, and if hired and/or a current employee, the Company may do so at any time during the course of your employment with the Company to the extent permitted by applicable law, for employment-related purposes. The Company also may order an “investigative consumer report.” An “investigative consumer report” is a background report that includes information from personal interviews (except in California, where that term includes background reports with or without personal interviews). The most common form of investigative consumer report is an investigation into your employment history.

The Company will obtain the report(s) from the following consumer reporting agency: ScreeningOne, Inc. 1860 N. Avenida Republica de Cuba, Tampa, FL 33605 Phone: (888) 327-6511 Fax: (888) 216-1003 [www.ScreeningOne.com](http://www.ScreeningOne.com) (the “Agency”). The Agency’s privacy policy can be found at [www.ScreeningOne.com](http://www.ScreeningOne.com).

The report will contain information relating to your character, general reputation, personal characteristics, and/or mode of living. The types of information that may be obtained include, but are not limited to, background references; employment history; credit reports; criminal and civil court, education, and driving records; public Internet posts; and verification of prior employment. The information in the report will be obtained from private and public record sources, and, in the case of an investigative consumer report will include personal interviews with sources, such as former employers, friends and associates.

You may request more information about the nature and scope of any investigative consumer reports by written request to: the Company’s Human Resources representative. A summary of your rights under the Fair Credit Reporting Act has been provided with this form.

**AUTHORIZATION FOR BACKGROUND CHECK REPORT**

I have carefully read, and I understand, this Disclosure and Authorization form. By my signature below, I consent to the release to **Dakota Cat LLC** (“Company”) of consumer reports and investigative consumer reports (i.e. background check reports) prepared by a consumer reporting agency. If I am hired by the Company and/or working as a current employee, I understand that the Company may rely on this Authorization to obtain additional reports on me from the agency or other consumer reporting agencies during my employment without asking for my consent again, to the extent permitted by applicable law.

I also authorize all of the following to disclose to the Agency and its agents all information about or concerning me, including but not limited to: my past or present employers; learning institutions, including colleges and universities; law enforcement and all other federal, state and local agencies; federal, state and local courts; the military; credit bureaus; drug and alcohol testing facilities; motor vehicle records agencies; all other private and public sector repositories of information; and any other person, organization, or agency with any information about or concerning me. The information that can be disclosed to the Agency and its agents includes, but is not limited to, information concerning my employment and earnings history, education, credit history, motor vehicle history, criminal history, military service, professional credentials and licenses.

The following is my true and complete legal name and all information is true and correct to the best of my knowledge. I understand that dishonesty will disqualify me from consideration for employment with the Company and, if I am hired and/or are currently employed by the Company, that such dishonesty could result in the termination of my employment.

I acknowledge that I have received a copy of the following documents: (1) “Disclosure Concerning Request for Background Check Report”; (2) “A Summary of Your Rights under the Fair Credit Reporting Act”; (3) “A Summary of Your Rights under California Civil Code Section 1786.22” (if you reside in or you are applying for a position in California); and (4) “New York Correction Law Article 23-A”(if you reside in or you are applying for a position in New York).

**If you live, or are applying for a position, in California, Minnesota or Oklahoma:** If you check the box below, the consumer reporting agency will send you a free copy of the report at the same time that the report is made available to the Company.  I request a free copy of the report.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Full Name Printed

\_\_\_\_\_  
Maiden Name or Other Name Used

\_\_\_\_\_  
Present Address

\_\_\_\_\_  
How Long?

\_\_\_\_\_  
City/State

\_\_\_\_\_  
Zip Code

\_\_\_\_\_  
Former Address

\_\_\_\_\_  
How Long?

\_\_\_\_\_  
City/State

\_\_\_\_\_  
Zip Code

\_\_\_\_\_  
Date of Birth  
(Mo/Date/Year)

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Driver’s License Number

\_\_\_\_\_  
State of License

(If position may involve driving)



## ADDITIONAL STATE LAW NOTICES

If you live, or are applying for a position in, any of the states listed below, please review the additional notice that applies to you.

**CA:** You may review the file maintained on you by the Agency. You may also obtain a copy of that file, upon submitting proper identification, paying duplication costs, and by appearing in person at the Agency's offices on reasonable notice and during normal business hours, or by mail. You also may receive a summary of the file by calling the Agency. The Agency has trained personnel available to explain your file to you, including any coded information. If you appear in person, one other person may accompany you, provided that person furnishes proper identification.

**CA, CT, HI, IL, MD, OR, WA, VT:** These states restrict the circumstances in which the Company may obtain credit information about you. The Company will not obtain credit information about you except in accordance with applicable state law.

**MA:** If you contact the Company's Human Resources representative, you have the right to know whether the Company ordered an investigative consumer report about you. You also have the right to receive a copy of any investigative consumer report that the Company has ordered when that report is complete.

**MN:** Upon written request, the Agency will make a complete and accurate disclosure of the nature and scope of the report provided to the Company. Minnesota law requires the consumer reporting agency to provide this disclosure within five days after the request is received or the consumer report is requested, whichever is later.

**NJ:** Upon request, the Company will send you a copy of any investigative consumer report about you received by the Company.

**NY:** Upon written request to the Company's Human Resources representative, the Company will inform you whether or not the Company requested a consumer report or an investigative consumer report about you. If either report was requested, the Company will provide the name and address of the consumer reporting agency furnishing the report. You may inspect and receive a copy of the report by contacting the agency. Article 23-A of the New York Correction Law is provided with this form.

**WA:** If you make a written request within a reasonable time of this notice, the Company will provide a complete and accurate disclosure, in writing, of the nature and scope of any investigative consumer report that has been requested. The Company will provide the disclosure, by mail or otherwise, either five days after receiving your request or after requesting the report, whichever is later. You also have the right to ask the Company to provide you with a summary of your rights under the Washington Fair Credit Reporting Act.

### A SUMMARY OF YOUR RIGHTS UNDER THE FAIR CREDIT REPORTING ACT

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA. **For more information, including information about additional rights, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) or write to: Consumer Financial Protection Bureau, 1700 G. Street, N.W., Washington, D.C. 20006.**

**You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment – or to take another adverse action against you – must tell you, and must give you the name, address, and phone number of the agency that provided the information.

**You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your "file disclosure"). You will be required to provide proper

identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:

a person has taken adverse action against you because of information in your credit report;

you are the victim of identity theft and place a fraud alert in your file;

your file contains inaccurate information as a result of fraud;

you are on public assistance;

you are unemployed but expect to apply for employment within 60 days.

In addition, all consumers will be entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) for additional information.

**You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.

**You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) for an explanation of dispute procedures.

**Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer agency may continue to report information it has verified as accurate.

**Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.

**Access to your file is limited.** A consumer reporting agency may provide information about you only to people with a valid need – usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.

**You must give your consent for reports to be provided to employers.** A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore).

**You may limit “prescreened” offers of credit and insurance you get based on information in your credit report.** Unsolicited “prescreened” offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-567-8688.

**You may seek damages from violators.** If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.

**Identity theft victims and active duty military personnel have additional rights.** For more information, visit [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore).

**States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. For information about your federal rights, contact:**

TYPE OF BUSINESS:	PLEASE CONTACT:
<p>1.a. Banks, savings associations, and credit unions with total assets of over \$10 billion and their affiliates.</p> <p>b. Such affiliates that are not banks, savings associations, or credit unions also should list, in addition to the Bureau.</p>	<p>a. Bureau of Consumer Financial Protection 1700 G Street NW Washington, DC 20006</p> <p>b. Federal Trade Commission: Consumer Response Center – FCRA Washington, DC 20580 (877) 382-4357</p>
<p>2. To the extent not included in item 1 above:</p> <p>a. National banks, federal savings associations, and federal branches and federal agencies of foreign banks</p> <p>b. State member banks, branches and agencies of foreign banks (other than federal branches, federal agencies, and insured state branches of foreign banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25 A of the Federal Reserve Act</p> <p>c. Nonmember Insured Banks, Insured State Branches of Foreign Banks, and insured state savings associations</p> <p>d. Federal Credit Unions</p>	<p>a. Office of the Comptroller of the Currency Customer Assistance Group 1301 McKinney Street, Suite 3450 Houston, TX 77010-9050</p> <p>b. Federal Reserve Consumer Help Center P.O. Box 1200 Minneapolis, MN 55480</p> <p>c. FDIC Consumer Response Center 1100 Walnut Street, Box #11 Kansas City, MO 64106</p> <p>d. National Credit Union Administration Office of Consumer Protection (OCP) Division of Consumer Compliance and Outreach (DCCO) 1775 Duke Street Alexandria, VA 22314</p>
<p>3. Air carriers</p>	<p>Asst. General Counsel for Aviation Enforcement &amp; Proceedings Department of Transportation 400 Seventh Street SW Washington, DC 20590</p>
<p>4. Creditors Subject to Surface Transportation Board</p>	<p>Office of Proceedings, Surface Transportation Board Department of Transportation 1925 K Street NW Washington, DC 20423</p>
<p>5. Creditors Subject to Packers and Stockyards Act</p>	<p>Nearest Packers and Stockyards Administration area supervisor</p>
<p>6. Small Business Investment Companies</p>	<p>Associate Deputy Administrator for Capital Access United States Small Business Administration 409 Third Street, SW, 8th Floor Washington, DC 20416</p>
<p>7. Brokers and Dealers</p>	<p>Securities and Exchange Commission 100 F St NE Washington, DC 20549</p>
<p>8. Federal Land Banks, Federal Land Bank Associations, Federal Intermediate Credit Banks, and Production Credit Associations</p>	<p>Farm Credit Administration 1501 Farm Credit Drive McLean, VA 22102-5090</p>
<p>9. Retailers, Finance Companies, and All Other Creditors Not Listed Above</p>	<p>FTC Regional Office for region in which the creditor operates or Federal Trade Commission: Consumer Response Center – FCRA Washington, DC 20580 (877) 382-4357</p>

**(CALIFORNIA APPLICANTS ONLY)**  
**A SUMMARY OF YOUR RIGHTS UNDER CALIFORNIA CIVIL CODE SECTION 1786.22**

- (a)** An investigative consumer reporting agency shall supply files and information required under Section 1786.10 during normal business hours and on reasonable notice.
- (b)** Files maintained on a consumer shall be made available for the consumer's visual inspection, as follows:
- (1)** In person, if he appears in person and furnishes proper identification. A copy of his file shall also be available to the consumer for a fee not to exceed the actual costs of duplication services provided.
  - (2)** By certified mail, if he makes a written request, with proper identification, for copies to be sent to a specified addressee. Investigative consumer reporting agencies complying with requests for certified mailings under this section shall not be liable for disclosures to third parties caused by mishandling of mail after such mailings leave the investigative consumer reporting agencies.
  - (3)** A summary of all information contained in files on a consumer and required to be provided by Section 1786.10 shall be provided by telephone, if the consumer has made a written request, with proper identification for telephone disclosure, and the toll charge, if any, for the telephone call is prepaid by or charged directly to the consumer.
- (c)** The term "proper identification" as used in subdivision (b) shall mean that information generally deemed sufficient to identify a person. Such information includes documents such as a valid driver's license, social security account number, military identification card, and credit cards. Only if the consumer is unable to reasonably identify himself with the information described above, may an investigative consumer reporting agency require additional information concerning the consumer's employment and personal or family history in order to verify his identity.
- (d)** The investigative consumer reporting agency shall provide trained personnel to explain to the consumer any information furnished him pursuant to Section 1786.10.
- (e)** The investigative consumer reporting agency shall provide a written explanation of any coded information contained in files maintained on a consumer. This written explanation shall be distributed whenever a file is provided to a consumer for visual inspection as required under Section 1786.22.
- (f)** The consumer shall be permitted to be accompanied by one other person of his choosing, who shall furnish reasonable identification. An investigative consumer reporting agency may require the consumer to furnish a written statement granting permission to the consumer reporting agency to discuss the consumer's file in such person's presence.

NEW YORK STATE CORRECTION LAW, ARTICLE 23-A

<p><b>§ 750. Definitions.</b> For the purposes of this article, the following terms shall have the following meanings:</p> <p>(1) "Public agency" means the state or any local subdivision thereof, or any state or local department, agency, board or commission.</p> <p>(2) "Private employer" means any person, company, corporation, labor organization or association which employs ten or more persons.</p> <p>(3) "Direct relationship" means that the nature of criminal conduct for which the person was convicted has a direct bearing on his fitness or ability to perform one or more of the duties or responsibilities necessarily related to the license, opportunity, or job in question.</p> <p>(4) "License" means any certificate, license, permit or grant of permission required by the laws of this state, its political subdivisions or instrumentalities as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. Provided, however, that "license" shall not, for the purposes of this article, include any license or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm.</p> <p>(5) "Employment" means any occupation, vocation or employment, or any form of vocational or educational training. Provided, however, that "employment" shall not, for the purposes of this article, include membership in any law enforcement agency.</p> <p><b>§ 751. Applicability.</b> The provisions of this article shall apply to any application by any person for a license or employment at any public or private employer, who has previously been convicted of one or more criminal offenses in this state or in any other jurisdiction, and to any license or employment held by any person whose conviction of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license, except where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed by an executive pardon, certificate of relief from disabilities or certificate of good conduct. Nothing in this article shall be construed to affect any right an employer may have with respect to an intentional misrepresentation in connection with an application for employment made by a prospective employee or previously made by a current employee.</p> <p><b>§ 752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited.</b> No application for any license or employment, and no employment or license held by an individual, to which the provisions of this article are applicable, shall be denied or acted upon adversely by reason of the individual's having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of "good moral character" when such finding is based upon the fact that the individual has previously been convicted of one or more criminal offenses, unless:</p>	<p>(1) there is a direct relationship between one or more of the previous criminal offenses and the specific license or employment sought or held by the individual; or</p> <p>(2) the issuance or continuation of the license or the granting or continuation of the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.</p> <p><b>§ 753. Factors to be considered concerning a previous criminal conviction; presumption.</b></p> <p>1. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors:</p> <p>(a) The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses.</p> <p>(b) The specific duties and responsibilities necessarily related to the license or employment sought or held by the person.</p> <p>(c) The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities.</p> <p>(d) The time which has elapsed since the occurrence of the criminal offense or offenses.</p> <p>(e) The age of the person at the time of occurrence of the criminal offense or offenses.</p> <p>(f) The seriousness of the offense or offenses.</p> <p>(g) Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.</p> <p>(h) The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public.</p> <p>2. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall also give consideration to a certificate of relief from disabilities or a certificate of good conduct issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified therein.</p> <p><b>§ 754. Written statement upon denial of license or employment.</b> At the request of any person previously convicted of one or more criminal offenses who has been denied a license or employment, a public agency or private employer shall provide, within thirty days of a request, a written statement setting forth the reasons for such denial.</p> <p><b>§ 755. Enforcement.</b></p> <p>1. In relation to actions by public agencies, the provisions of this article shall be enforceable by a proceeding brought pursuant to article seventy-eight of the civil practice law and rules.</p> <p>2. In relation to actions by private employers, the provisions of this article shall be enforceable by the division of human rights pursuant to the powers and procedures set forth in article fifteen of the executive law, and, concurrently, by the New York city commission on human rights.</p>
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