



As Accurate Background previously communicated, Massachusetts issued the final CORI Regulations in May 2012. In a continuing effort to educate our clients, we would like to take this opportunity to remind you of the CORI Regulations that may impact your organization and discuss steps Accurate Background is taking to support your compliance with these requirements.

Employer Requirements

CORI Regulations primarily outline requirements for employers and entities that use iCORI, the statewide criminal database. However, the Regulations also outline actions to be taken when considering criminal record information from various sources, including, but not limited to, **county and federal level search results**. If an employer obtains criminal history from a consumer reporting agency (CRA), such as Accurate Background, that obtained it **from a source other than DCJIS (iCORI), such as a county court**, and the employer is inclined to make an adverse employment decision based on that criminal history, the employer shall:

- provide a copy of the employer's CORI Policy to the employment applicant;
- provide the applicant/employee with a copy of the DCJIS **Information Concerning the Process in Correcting a Criminal Record**;
- provide the applicant/employee with a pre-adverse action notice, including a copy of the individual's consumer report and **A Summary of Your Rights Under the Fair Credit Reporting Act**;
- provide a copy of the criminal history to the employment applicant;
- provide the applicant/employee with an opportunity to dispute the accuracy of the criminal history information; and
- document all steps taken to comply with these regulations.

Additional requirements when considering results from DCJIS (iCORI) include:

- providing a copy of the individual's CORI to the applicant/employee; and
- identifying the information in the individual's CORI that is the basis for the potential adverse action.

Please note that Accurate Background currently does not run iCORI searches on behalf of our clients, nor do we review any iCORI results.

Risk Reduction Technology™ and Pre-Adverse Action Notices

Previously, employers have been solely responsible for complying with the above requirements. However, to better support our clients, we will be offering our services to provide the required documents with the pre-adverse action letter upon the employer's request beginning **January 1, 2015**.

If your company would like Accurate Background to process the pre-adverse action on your behalf, including the documentation mandated through these regulations, you will need to provide your company's CORI Policy to us (additional fees will apply).

Clients who take advantage of Accurate Background's Risk Reduction Technology™ (Adjudication) services will also see a change. When a criminal conviction is located and reported in Massachusetts that would otherwise not meet your company's hiring criteria, the background will now be placed into a review status to allow your company to determine if there is a potential adverse action and follow the applicable CORI Regulations when making the hiring decision when necessary.

Recommendations

We recommended that all Massachusetts employers and employers outside of Massachusetts conducting criminal history searches in Massachusetts review and discuss with your legal counsel, your organization's background policies and procedures to ensure compliance with the applicable regulations.

Contact Accurate Background

For additional questions, please contact Accurate Background at 800.216.8024. For more information on Massachusetts CORI Regulations, please see Accurate Background's May 2012 **Legal Update**.