

LEGAL UPDATE



New Requirements for Employment Selection Procedures Affect Utah Employers

The state of Utah recently passed new legislation restricting employers from requiring certain personal information during the pre-employment stages of the hiring process.

Who does this law affect?

This legislation affects all employers with 15 or more employees in the state of Utah.

When did this law go into effect?

May 12, 2009

What does this mean?

1. Employers may not request personal information related to an applicant's Social Security number, date of birth or driver license number until either:
 - a. The applicant is offered a job; or
 - b. The employer obtains a criminal background check, credit report, and/or driving record check to which the applicant has previously consented.
2. Employers subject to this law may also not use information about an applicant for any other purpose than to determine whether the employer will hire the applicant as an employee.
3. Employers have new requirements to maintain a policy regarding the retention, disposition, access, and confidentiality of this information. If requested, employers are required to give the applicant the opportunity to review the policy.
4. For those applicants who are not hired, employers may only keep their personal information for a period of two years after obtaining the information from the applicant.

Click [here](#) to read the entire Employment Selection Procedures Act. For more information regarding this recent legislation, please contact Accurate Background at 800.784.3911.