

CARCO GROUP INC.  
CORPORATE HEADQUARTERS  
5000 CORPORATE COURT, SUITE 203  
HOLTSVILLE, NEW YORK 11742  
TEL 631/862-9300  
800/969-2272  
FAX 631/584-0095



FAYETTEVILLE, NORTH CAROLINA OFFICE  
TEL 910/497-0081  
FAX 910/497-0162

TUSTIN, CALIFORNIA OFFICE  
TEL 714/547-6541  
FAX 714/547-5420

## **News and Legislation Relating to Employment and Background Checks**

### **News and Federal Legislation:**

#### **Background Checks**

- On December 21<sup>st</sup>, the House passed a bill (H.R. 6547) that would require criminal history background checks for school employees. Such checks would be required to include searches of state criminal registries, state-based child abuse and neglect registries, the National Crime Information Center, the National Sex Offender Registry, and the Integrated Automated Fingerprint Identification System. The bill would also prohibit the employment of school employees who refuse to consent to a criminal history background check, make false statements in connection with a check, or have been convicted of a felony on a designated list.  
(<http://www.gpo.gov/fdsys/pkg/BILLS-111hr6547ih/pdf/BILLS-111hr6547ih.pdf>)

### **News and State Legislation:**

#### **Background Checks**

- On December 22<sup>nd</sup>, Michigan enacted bills (S. 1101 / S. 1102) that require individual applicants for adult foster care facility licensure to undergo a criminal history background check to be performed by the Michigan Department of State Police.  
(<http://www.legislature.mi.gov/documents/2009-2010/billenrolled/Senate/pdf/2010-SNB-1101.pdf>)
- On December 20<sup>th</sup>, the New Jersey Senate passed a bill (S.B. 1791) that would prohibit employers from obtaining, requiring or making adverse employment decisions on the basis of the content of credit reports. The bill would prohibit employers from discharging, demoting, suspending retaliating, refusing to hire or otherwise discriminating against a current or prospective employee based on the content of an employee's credit report. The bill contains certain exceptions, including when credit reports are legally necessary for employment, or where the position is a managerial position that involves setting the financial direction or control of a business.  
([http://www.njleg.state.nj.us/2010/Bills/S2000/1791\\_R1.PDF](http://www.njleg.state.nj.us/2010/Bills/S2000/1791_R1.PDF))
- On December 20<sup>th</sup>, the New Jersey Senate passed a bill (A.B. 444) that would require each member of any board of education to undergo a criminal history background check investigation. The bill would require a member of a board of education to submit name, address and fingerprint data to the Commissioner of Education. The bill would authorize the Commissioner of Education to provide such data with the Federal Bureau of Investigation and the New Jersey State Police for the purposes of conducting a criminal history background check.  
([http://www.njleg.state.nj.us/2010/Bills/A0500/444\\_R1.PDF](http://www.njleg.state.nj.us/2010/Bills/A0500/444_R1.PDF))

- On December 16<sup>th</sup>, Michigan enacted a bill (S.B. 1255) that requires a psychiatric facility or intermediate care facility for people with mental retardation to conduct criminal history background checks on applicants with direct access to patients.  
(<http://www.legislature.mi.gov/documents/2009-2010/billenrolled/Senate/pdf/2010-SNB-1255.pdf>)
- On December 16<sup>th</sup>, Michigan enacted a bill (S.B. 1254) that requires adult foster care facilities to conduct criminal history background checks for contractors or employees with direct access to patients.  
(<http://www.legislature.mi.gov/documents/2009-2010/billenrolled/Senate/pdf/2010-SNB-1254.pdf>)