



New Law for Companies Employing or Screening Individuals in the State of New York

The purpose of this message is to inform First Contact HR clients who perform employment screening in the State of New York of a new law they have to comply with effective February 1, 2009.

There are three components under the new law:

- 1.) All companies in the State of New York or employing individuals in the State of New York must post a copy of Article 23-A of the New York Corrections Law conspicuously in the workplace.
- 2.) All companies screening employees for positions in the State of New York that receive a consumer report with a criminal conviction listed therein must provide a copy of Article 23-A to the applicant informing the applicant that the client (i.e. you) has received such a report.
- 3.) A company screening employees in the State of New York requesting an investigative consumer report must provide a copy of the law at the point when it provides notice of the procurement of an *investigative* consumer report and obtains authorization. Please note that not all consumer reports constitute an *investigative* consumer report under the law of the State of New York. Please check with your legal counsel and provide details of the services you are obtaining from any background screening agency to determine if you are subject to this particular provision.

For your convenience, First Contact HR is supplying a copy of [Article 23-A](#). The information presented in this notice should not be construed as rendering any legal or professional advice. All legal advice must be obtained from a trained and licensed attorney in your jurisdiction to ensure compliance with the law. Although this notice is prepared by professionals, it is provided for your information and convenience only and it should not be used as a substitute for professional services.