

## Background Checks? Be Careful!

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Class action lawsuits relating to background checks of applicants and current employees are a very hot area among plaintiff's employment lawyers. The number of Fair Credit Reporting Act (FCRA) lawsuits has proliferated significantly over the past couple of years, as employers can run into issues relating to pre-check notice and consent obligations, post-check requirements if taking adverse action based on information obtained, and making decisions that can have a discriminatory disparate impact on members of a particular protected class. My colleague Brian Fisher authored a helpful article about some things employers need to think about in connection with background checks. It can be accessed by clicking [here](#). Make sure you consult the FCRA regulations and/or your legal counsel when conducting employment-related background checks so you don't find yourself as a defendant in the next FCRA lawsuit filed.