



2023 NBRPA Board Election Process

The membership of the National Basketball Retired Players Association (NBRPA) is represented by 12 Board of Directors. Under the leadership of the current Board, the NBRPA has continued to experience significant growth in membership, program offerings and acquiring meaningful partnerships.

Maintaining a strong, diversified, and productive Board is central to sustain this growth, therefore, we are excited to begin the process to elect new highly qualified Directors to volunteer as dedicated servants to our organization.

There are four (4) seats up for election. This year, you, the Professional Members, will elect three (3) NBA or ABA players and one (1) WNBA player to serve a three (3) year term beginning at our Annual Meeting held during the 2023 All-Star Weekend and ending at All-Star Weekend 2026.

If you have a desire to represent your fellow Members and to work diligently with the other Board Members and the Staff at our National office, then please review the attached documents to make an informed decision. For further information you can reference the NBRPA Board Bylaws and Policy Manual located on the legendsofbasketball.com website and Locker Room smartphone app.

If you feel you meet the qualifications, can fulfill the position's responsibilities and are willing to be a candidate for Board Election, please study, complete and sign the required forms documents and return them via email at memberalert@legendsofbasketball.com, fax (312-913-9401) or mail to NBRPA Office (444 N. Michigan Ave. Suite 2970, Chicago, IL 60611) before midnight June 15, 2022.

If elected to the NBRPA Board of Directors, you will find a service organization to be rewarding experience. Thank you for your consideration and should you have any questions, contact CEO Scott Rochelle.

Sincerely,
Dave Cowens
Chairman: Nominating and Governance Committee

List of attached forms and documents:

- *Board Election Process*
- *Election Timeline*
- *Board Election Application*
- *Statement of Intentions*
- *Responsibility and Commitments*
- *Conflict of Interest*
- *Code of Ethics*
- *Eligibility and Qualifications*
- *Background Check Authorization*
- *Confidentiality Agreement*

National Basketball Retired Players Association
444 N Michigan Ave, Suite 2970
Chicago, IL 60611
Phone: (312) 913-9400
Fax: (312) 913- 9401



2023 NBRPA Board Election Timeline

May 16, 2022	Initial Mailing/Email of Documents and Application to Members
May 23, 2022	Reminder Letter Without Attachments
June 15, 2022	Applications Due Date at Midnight
July 7, 2022	Ballots Mailed/OnLine Election Launch. Official Campaigning Begins
August 8, 2022	Mail-in Ballots Due Online Site Closes at Midnight
Sept 1, 2022	Election Results Announced
Sept 15, 2022	Newly Elected Board Orientation Meeting
February 2023	Installment of New Board Members



NBRPA Board of Directors Application

I am applying for consideration to be a candidate for nomination to the 2023 NBRPA Board of Directors in one of the following categories (Please check one):

NBA

ABA

WNBA

Globetrotter

General Information:

Name: _____

Home Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: (____) ____ - _____ Fax Number (____) ____ - _____

Email Address: _____ Birth Date: _____

Business/Organization: _____

Title: _____

Responsibilities: _____

Business Address: _____

City: _____ State: _____ Zip Code: _____

Business Phone: (____) ____ - _____

Please contact me at: ☐ Home ☐ Business

Education:

Undergraduate Institution: _____

Degree/Major: _____

Year: _____

Graduate Institution: _____

Degree & Program: _____

Year: _____

Nominee Profile

Activities: _____

Honors/Awards: _____

Years of Professional Basketball____ Teams_____

Do you currently work for a not-for-profit organization or serve on a not-for-profit board? (Y/N) _____
Yes No

If so, please describe the business/mission/industry/service:

Would your company permit the time away from work to be an NBPRA Board member?

NBRPA Involvement

Number of years as a member: _____

Number of conferences attended: _____

Committee Participation (if any): _____

Please list any other civic/religious/professional organizations in which you are currently a member, or have been a member of, and position held (if any):

Name/Describe: _____

Name/Describe: _____

Statement of Intentions

It is imperative that you submit a short biography and statement of intentions on the attached document. This will be published to the membership with the election ballot. Your statement should address the following:

"If nominated and elected to the board..."

Why do you want to serve on the NBRPA Board of Directors?

What contributions do you expect to make to the NBRPA as a board member?

What skills/experiences can you add to the NBRPA as a board member?

Certification

I hereby certify that the information I have provided is true and accurate to the best of my knowledge. If elected, I agree to fully abide by all provisions of the NBRPA Policy Manual, a copy of which will be provided to me. Additionally, my application for the NBRPA Board of Directors implies my consent to a comprehensive background check, the subject matter of which will be shared with the Nominating and Corporate Governance Committee in preparation for approval.

Furthermore, I hereby agree pursuant to the NBRPA Policy Manual that the Nominating and Corporate Governance Committee is the final arbiter of whether my candidacy is accepted, and I am placed on the ballot. As such, I hereby forego any right to appeal or contest the final decision by the committee and waive any right to legally its decision.

I hereby release the NBRPA, NBRPA Marketing, Inc., and its directors, officers and staff relating to the above.

Print Name: _____

Signature: _____

Date: _____

Please submit this application with a copy of your resume and a headshot to the address below:

National Basketball Retired Players Association

Attn: Scott Rochelle

444 N Michigan Ave, Suite 2970

Chicago, IL 60611

Phone: (312) 913-9400

Fax: (312) 913- 9401

Email: srochelle@legendsofbasketball.com



2023 NBRPA Board Election Statement of Intentions

Dear Member,

Please submit a concise statement as to why you want to serve, what skills/experiences you bring to the Board, and your primary contributions.

This statement will be published along with the election ballot.

Signature



Board of Directors

Responsibilities and Commitments

(see section 2.1 of the NBRPA Board Policy Manual)

Upon election to the board, all Directors assume the following responsibilities and commitments:

- Adhere to the NBRPA mission.
- Accept the commonly recognized legal duties of nonprofit board members:
 - *The duty of care.* Know your job and do it right. Actively take part in decision-making and perform due diligence to make sound judgments and policy.
 - *The duty of loyalty.* Put the best interest of the organization above your own interests in your role as a board member. Avoid conflicts of interest.
 - *The duty of obedience.* Comply with all laws and regulations applicable to nonprofits, and be committed to the organizational mission.
- Provide oversight and hold accountable the President and the board itself for effective management of finances.
- Recognize and accept that the board, collectively, occupies the role of a fiduciary with regard to those served. A fiduciary is a person who holds something in trust for another. If a director violates this trust, he or she may be subject to legal consequences, including personal liability.
- Fully prepare for, attend, and actively participate in meetings of the board.
- Speak for the full board only when sanctioned by the full board.
- Delegate the responsibility and authority to administer daily affairs to the President.
- Provide oversight and hold accountable the President, committees, and the board itself for the effective implementation of programs and services.
- Protect and serve the future of NBRPA by developing and implementing a long range plan.
- Serve as an advocate for NBRPA to the members, public, and other appropriate individuals and organizations.
- Seek avenues to generate financial support for NBRPA.
- Actively participate in at least one association committee.
- Never offer, give, solicit or receive any form of bribe or kickback through his or her connection to NBRPA; nor solicit a personal gift of any kind in exchange for consideration from anyone who does business with the NBRPA. This restriction applies to both actual and proposed business transaction.

Upon election, all directors shall signify his or her understanding that directors have the right to:

- Receive timely notice of board meetings and the agenda.
- Attend and participate in board meetings.
- Examine the NBRPA books, records, meeting minutes, financial statements and contracts.
- Place items on the board meeting agenda at the appropriate time.
- Seek information from the President and other credible experts when appropriate prior to board action.

I acknowledge that I have read these Responsibilities and Commitments and agree to fulfill them to the best of my ability. Furthermore, I understand that if I fail to meet these I am subject to reprimand or even removal from the Board of Directors.

Signature

Date



Board of Directors

Conflict of Interest Policy

(see section 2.2 of the NBRPA Board Policy Manual)

Members of the Board of Directors have a duty to subordinate personal interests to the welfare of the NBRPA and those served. Conflicting interests can be financial, personal relationships, status or power. Directors are prohibited from receiving gifts, fees, loans, or favors from suppliers, contractors, consultants, or financial agencies, which obligate or induce the director to compromise responsibilities to negotiate, inspect or audit, purchase or award contracts, with the best interest of the NBRPA in mind.

Directors are prohibited from knowingly disclosing information about the NBRPA to those who do not have a need to know or whose interest may be adverse to the NBRPA, either inside or outside the NBRPA; nor may directors in any way use such information to the detriment of the NBRPA.

Directors may not have a significant financial interest in any property which the NBRPA purchases. Directors should make effort to avoid having a direct or indirect interest in a supplier, contractor, consultant or other entity with which the NBRPA does business. Any possible conflict of interests on the part of any director should be disclosed to the other board members and made a matter of record, either through an annual procedure or when the interest becomes a matter of board action.

Any director having a conflict of interest or possible conflict of interest should not vote or use his or her personal influence on the matter. The minutes of the meeting should reflect that a disclosure was made and the abstention from voting. These restrictions should not be construed as preventing the director from briefly stating his or her position in the matter, nor from answering pertinent questions of other directors, since his or her knowledge could be of assistance to the deliberations.

A director may not use his or her position on the NBRPA's board to prevent the NBRPA from competing with the director's business. Directors agree, even after they complete board service, that they will not use trade secrets, client lists, or other confidential information acquired by virtue of being a member of the board.

I acknowledge that I have read these Responsibilities and Commitments and agree to fulfill them to the best of my ability. Furthermore, I understand that if I fail to meet these I am subject to reprimand or even removal from the Board of Directors.

Signature

Date



Board of Directors

Code of Ethics Policy

(see section 2.3 of the NBRPA Board Policy Manual)

I recognize that the credibility, reputation and integrity of the entire organization are based on the consistent practice of ethical, honest and lawful conduct. Consequently, as a member of the Board of Directors, I will:

- Practice ethical, honest and lawful conduct.
- Support and expect ethical, honest and lawful conduct from members, fellow directors, the President, staff, committees, donors, contractors and suppliers.
- Listen carefully to and respect the opinions of NBRPA Professional Members and my fellow directors.
- Respect and support the majority decisions of the Board of Directors, including adherence to the association's bylaws and policies.
- Recognize that all authority is a collective authority, vested in the Board of Directors when it meets in legal session, not in individual directors or officers.
- Keep well informed of developments that are relevant to issues that may come before the board.
- Participate actively in board meetings and actions.
- Faithfully adhere to the board's confidentiality policy.
- Call to the attention of the board any issues that I believe will have an adverse effect on the NBRPA or those it serves.
- Refer member or staff complaints to the proper level on the chain of command.
- Recognize that a director's job is to ensure that the NBRPA is well managed, not to manage the NBRPA.
- Vote to employ the best possible person to manage the daily affairs of the NBRPA.
- Vote for the best interests of the NBRPA and the members as a whole, not any special interest groups.
- Consider myself a "trustee" of the NBRPA and do my best to ensure that the NBRPA is well maintained, financially secure, and operating in the best interests of members.
- Work to learn more about the board member's job and how to do it better.
- Declare any conflict of interests between my personal or professional life and my position on the NBRPA's Board Directors, and avoid voting on issues that appear to be a conflict of interest.

As a member of the NBRPA board I will NOT...

- Be critical, in or outside of the board meeting, of other directors.
- Use the NBRPA or any part of the NBRPA for my personal advantage or the personal advantage of my friends or relatives.
- Discuss the confidential proceedings of the board outside the board meeting.
- Promise prior to a meeting how I will vote on any issue in the meeting.
- Interfere with duties of the President or undermine the President's authority.

I acknowledge that I have read the Code of Ethics Policy and agree to comply with it. Furthermore, I understand that if I fail to meet these I am subject to reprimand or even removal from the Board of Directors.

Signature

Date



Board of Directors

Confidentiality and Non-Disclosure Agreement

(see section 2.4 of the NBRPA Board Policy Manual)

This agreement is made this ____ day of _____, 20__ by and between the National Basketball Retired Players Association and NBRPA Marketing, Inc. (collectively "NBRPA") and an NBRPA officer, director, employee, committee member, or volunteer ("Associate"). Associate will be exposed to confidential and proprietary information including, but not limited to, financial data regarding NBRPA assets, liabilities, expenditures, property, donors, customers, clients, reports, salaries, and investments; and personnel information about other NBRPA associates. This information is sensitive and highly confidential.

Associate agrees that all Confidential Materials are to be considered privileged and confidential and are not to be disclosed to any third party. Confidential Materials are the sole and exclusive property of the NBRPA. Confidential Materials shall consist of all documents, forms, information, designs, printed matter, policies and procedures, conversations, messages (received or transmitted), resources, contacts, email lists, and email messages, including but not limited to any information of, or relating to the NBRPA staff, customers, sponsors, partners, operations and activities. It also includes all patents, patent applications, copyrights, trademarks, trade names, service marks, service names, "know-how" or trade secrets; all personal contact information for NBRPA members, sponsors, partners or guests; customer lists and information relating to any client of the NBRPA or any party related thereto; supplier lists, pricing policies, consulting contracts and competitive bid information; NBRPA records, operational methods, policies and procedures, including manuals and forms; software and any other confidential technical programs; financial information, budgets, projections and sponsorship revenues; NBRPA correspondence and communication with outside parties; and information, data and materials developed by the Associate. This privilege extends to all forms and formats in which information is maintained and stored, including, but not limited to hardcopy, photocopy, automated and electronic form. All Confidential Materials are the sole and exclusive property of the NBRPA and are to be returned to the NBRPA.

Any disclosure, misuse, copying or transmitting of Confidential Material, whether intentional or unintentional, during the term in which the Associate is employed or associated with the NBRPA and following the term of employment or association, will subject the Associate to termination, civil action and/or prosecution, according to procedures established by the NBRPA and applicable laws.

Return of Confidential Information Upon Termination:

Upon termination of the Associate's relationship with the NBRPA for whatever reason, the Associate agrees to return immediately to the NBRPA all Confidential Materials in the Associate's possession or control.

My signature signifies that I have read and agree to these terms and will abide by, adhere to and honor all of the above.

Signature

Date



Board of Directors

Eligibility and Qualifications

(see section 2.5 of the NBRPA Board Policy Manual)

According to the NBRPA bylaws: “A Professional Member shall be eligible for election and to serve on the Board of Directors provided he or she is a member in good standing whose membership dues are current at the time of the election; and, furthermore, has fulfilled the requirements to become a Platinum-level member or to obtain such status within one year of his or her election. A majority of directors will be independent directors as set forth in the New York Not-for-Profit Corporation Law or any amendments thereto, specifically lacking material business relationships to the Corporation and lacking material business and family relationships to the President and staff. The Board of Directors may, by resolution, determine additional qualifications.”

Based upon this provision for establishing additional qualifications, the Board of Directors empowers the Nominating & Corporate Governance Committee to review or vet candidates prior to placing their names onto the ballot in order to best fulfill the goal of building the highest quality Board of Directors. The goal is for the Nominating & Corporate Governance Committee to create a ballot wherein directors will be chosen based upon their personal and professional attributes, competencies, and skills. Any person seeking to serve on the Board of Directors acknowledges that the determination of which names shall appear on the ballot is done so at the sole discretion of the Nominating & Corporate Governance Committee with approval by the Board of Directors. The decision is final, may not be appealed, and the Nominating & Corporate Governance Committee and the Board of Directors shall be held harmless in determination of the ballot.

Part 1. All candidates must consistently demonstrate a passion for the mission; loyalty to the best interests of the association; and a willingness to actively contribute to the NBRPA. In addition, the Nominating & Corporate Governance Committee shall give preference to candidates who have demonstrated attributes similar to the following in their personal, professional and volunteer life:

- Ability to lead people
- Experience serving on other corporate or nonprofit boards
- Business experience
- Sound judgment
- Generous with time
- Ability to work cooperatively with a team.
- Respected by peers
- High ethical standards
- Strategic and visionary
- Progressive, willingness to advance change

Part 2. The Nominating & Corporate Governance Committee shall consider the specific background, competencies, and/or professional skills for which the board has a current need. Considerations may include, but are not limited to:

- Fundraising experience
- Connections to key constituencies
- Government or political background
- Financial expertise
- Technology expertise
- Public relations or marketing expertise
- Human resources
- Entrepreneurship
- Diversity in race/ethnicity, gender, age, geography, etc.

Part 3. The Board of Directors instructs the Nominating & Corporate Governance Committee to strive for a broad representation of and diverse perspectives from the membership as it recruits and nominates candidates. The Nominating & Corporate Governance Committee shall reserve one board seat for a representative from each of the following categories:

1. Former player from the Globetrotters.
2. Former player from the Women's National Basketball Association.

In filling the remaining seats, every effort should be made to nominate members of a diverse age range.

Part 4. The Nominating & Corporate Governance Committee shall conduct background checks of all applicants for service on the board.

Signature

Date



**APPLICANT DISCLOSURE AND
AUTHORIZATION FORM**
[IMPORTANT -- PLEASE READ CAREFULLY
BEFORE SIGNING AUTHORIZATION]

DISCLAIMER: This document is intended for instructional purposes only and is not intended as legal advice. We recommend you consult with an attorney to review this document and the attached state notices to ensure your compliance with applicable state laws related to background screening and consumer notices and disclosures.

DISCLOSURE REGARDING BACKGROUND INVESTIGATION

[Employer] ("The Company") may obtain information about you from a consumer reporting agency for employment purposes. Thus, you may be the subject of a "consumer report" and/or an "investigative consumer report" which may include information about your character, general reputation, personal characteristics, and/or mode of living, which can involve personal interviews with sources such as your neighbors, friends, or associates. These reports may contain information regarding your credit history, criminal history, social security verification, motor vehicle records ("driving records"), verification of your education or employment history including current position, worker's compensation injuries, or other background checks. You have the right, upon written request made within a reasonable time after receipt of this notice, to request disclosure of the nature and scope of any investigative consumer report conducted by [One Source The Background Check Company, PO Box 24148, Omaha, NE 68124, 1.800.608.3645, www.onesourcebackground.com]. The scope of this notice and authorization is allowing the Company to obtain from any outside organization all manners of consumer reports and investigative consumer reports now and throughout the course of your employment to the extent permitted by law.

ACKNOWLEDGMENT AND AUTHORIZATION

I acknowledge receipt of the DISCLOSURE REGARDING BACKGROUND INVESTIGATION and A SUMMARY OF YOUR RIGHTS UNDER THE FAIR CREDIT REPORTING ACT and certify that I have read and understand both of those documents. I hereby authorize the obtaining of "consumer reports" and/or "investigative consumer reports" by the Company at any time after receipt of this authorization and throughout my employment, if applicable. I agree that a facsimile ("fax"), electronic or photographic copy of this Authorization shall be as valid as the original.

PLEASE PRINT LEGIBLY

This information will be used for background screening purposes only and will not be used for any other purpose

Last Name: _____ First Name: _____ Middle: _____
Other Names/Alias: _____
Social Security #: _____ Date of Birth (MM/DD/YYYY): _____
Driver's License #: _____ State of Driver's License: _____
Present Address: _____ Phone: _____
City: _____ State: _____ Zip: _____
Email Address: _____

All Previous Addresses in the Last Seven (7) Years

Signature: _____ Date: _____

STATE LAW NOTICES AND DISCLOSURES – BACKGROUND INVESTIGATION

Pursuant to state law, the following disclosures are provided to state residents.

CALIFORNIA applicants or employees only: By signing below, you also acknowledge receipt of the NOTICE REGARDING BACKGROUND INVESTIGATION PURSUANT TO CALIFORNIA LAW. Please check the box if you would like to receive a copy of the investigative consumer report or consumer credit report at no charge if one is obtained by the Company.

Check box to receive report. ☐

NEW YORK applicants or employees only: You have the right to inspect and receive a copy of any investigative consumer report requested by the Company by contacting One Source The Background Check Company, PO Box 24148, Omaha, NE 68124, 1.800.608.3645, www.onesourcebackground.com.

NEW YORK applicants or employees only: By signing below, you also acknowledge receipt of a copy of Article 23-A of the New York Correction Law.

WASHINGTON applicants or employees only: You have the right to request from One Source The Background Check Company, PO Box 24148, Omaha, NE 68124, 1.800.608.3645, www.onesourcebackground.com a written summary of your rights and remedies under the Washington Fair Credit Reporting Act.

MASSACHUSETTS, MINNESOTA and OKLAHOMA applicants or employees only: Please check the box if you would like to receive a copy of your consumer report, free of charge, if one is obtained by the Company.

Check box to receive report. ☐

Signature: _____

Print Name: _____

Date: _____

NOTICE – BACKGROUND INVESTIGATION AND USE OF CREDIT INFORMATION CALIFORNIA RESIDENTS

California Residents or Employees – this summary of the provisions of California Civil Code section 1785.20.5 is being provided to you pursuant to state law.

Prior to requesting a consumer credit report for employment purposes, the user of the report shall provide written notice to the person involved. The notice shall inform the person that a report will be used, and shall identify the specific basis under subdivision (a) of Section 1024.5 of California's Labor Code for use of the report. The notice shall also inform the person of the source of the report, and shall contain a box that the person may check off to receive a copy of the credit report. If the consumer indicates that he or she wishes to receive a copy of the report, the user shall request that a copy be provided to the person when the user requests its copy from the credit reporting agency. The report to the user and to the subject person shall be provided contemporaneously and at no charge to the subject person.

California Labor Code section 1024.5 is provided below:

1024.5. (a) An employer or prospective employer shall not use a consumer credit report for employment purposes unless the position of the person for whom the report is sought is any of the following:

1. A Managerial position.
 2. A Position in the state Department of Justice.
 3. That of a sworn peace officer or other law enforcement position.
 4. A Position for which the information contained in the report is required by law to be disclosed or obtained.
 5. A Position that involves regular access, for any purpose other than the routine solicitation and processing of credit card applications in a retail establishment, to all of the following types of information of any one person:
 - (A) Bank or credit card account information.
 - (B) Social security number.
 - (C) Date of birth.
 6. A Position in which the person is, or would be, any of the following:
 - (A) A named signatory on the bank or credit card account of the employer.
 - (B) Authorized to transfer money on behalf of the employer.
 - (C) Authorized to enter into financial contracts on behalf of the employer.
 7. A Position that involves access to confidential or proprietary information, including a formula, pattern, compilation, program, device, method, technique, process or trade secret that (i) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who may obtain economic value from the disclosure or use of the information, and (ii) is the subject of an effort that is reasonable under the circumstances to maintain secrecy of the information.
 8. A Position that involves regular access to cash totaling ten thousand dollars (\$10,000) or more of the employer, a customer, or client, during the workday.
- (b). This section does not apply to a person or business subject to Sections 6801 to 6809, inclusive, of Title 15 of the United States Code and state and federal statutes or regulations implementing those sections if the person or business is subject to compliance oversight by a state or federal regulatory agency with respect to those laws.
- (c). The following definitions apply to this section:
1. "Consumer credit report" has the same meaning as defined in subdivision (c) of Section 1785.3 of the Civil Code, but does not include a report that (1) verifies income or employment, and (2) does not include credit-related information, such as credit history, credit score, or credit record.
 2. "Managerial position" means an employee covered by the executive exemption set forth in subparagraph (1) of paragraph (A) of Section 1 of Wage Order 4 of the Industrial Welfare Commission (8 Cal. Code Regs. 11040).

NOTICE REGARDING BACKGROUND INVESTIGATION PURSUANT TO CALIFORNIA LAW CALIFORNIA RESIDENTS

California Residents or Employees – this summary of the provisions of California Civil Code section 1786.22 is being provided to you pursuant to state law.

Your employer intends to obtain information about you from an investigative consumer reporting agency, as defined under California law, for employment purposes.

Under California law you are entitled to visually inspect all files maintained about you by an investigative consumer reporting agency ("ICRA"), such as [**One Source The Background Check Company, PO Box 24148, Omaha, NE 68124, 1.800.608.3645, www.onesourcebackground.com**], upon request and presentation of proper identification during normal business hours and on reasonable notice as follows:

- **In person.** You may request a copy of your file. The ICRA may charge you for the actual copying costs associated with providing you with a copy of your file.
- **By telephone.** A summary of all information contained in the ICRA's file about you will be provided to you via telephone, if you have made a written request for telephone disclosure, and the toll charge, if any, for the telephone call is prepaid by or charged directly to you.
- **By certified mail.** You may make a written request for copies to be sent to a specified addressee. ICRA's complying with requests for certified mailings shall not be liable for disclosures to third parties caused by mishandling of mail after such mailings leave the ICRA.

"Proper Identification" includes documents such as a valid driver's license, social security account number, military identification card, and credit cards. If an ICRA is unable to reasonably identify you on the basis of these documents, they may require additional information concerning your employment and personal or family history in order to verify your identity.

The ICRA will provide trained personnel to explain any information furnished to you and will provide a written explanation of any coded information contained in files maintained on you. This written explanation will be provided whenever a file is provided to you for visual inspection.

You may be accompanied by one other person of your choosing, who must furnish reasonable identification. An ICRA may require you to furnish a written statement granting permission to the ICRA to discuss your file in such person's presence.

AVISO SOBRE INVESTIGACIÓN DE ANTECEDENTES EN VIRTUD DE LA LEY DE CALIFORNIA RESIDENTES DE CALIFORNIA

Los residentes de California o empleados – este Resumen de las provisiones del Código Civil de California sección 1786.22 se le proporciona en virtud de la ley del estado.

Su empleador tiene la intención de obtener información de una agencia, investigación del consumidor como se define en la ley de California, para el propósito de empleo.

Bajo la ley de California usted tiene derecho a inspeccionar visualmente todos los archivos mantenidos sobre usted por una agencia de informes de investigación del consumidor ("ICRA"), como [**One Source The Background Check Company, PO Box 24148, Omaha, NE 68124, 1.800.608.3645, www.onesourcebackground.com**], bajo petición y presentación de identificación durante el horario normal y razonable como sigue:

- **En persona.** Usted puede solicitar una copia de su archivo. El ICRA podrá cobrarle por los costos de copiado reales asociados a proveerle una copia de su archivo.
- **Por teléfono.** Un resumen de toda la información contenida en el archivo del ICRA sobre usted será proporcionada a usted por teléfono, si usted ha hecho una solicitud por escrito para la divulgación del teléfono y la carga del peaje, si los hubiere, para el teléfono llamada se pagados por o se carga directamente a usted.
- **Por correo certificado.** Puede hacer una solicitud por escrito de copias ser enviado a un destinatario especificado. ICRA de cumplir con las solicitudes para envíos certificados no será responsables de divulgaciones a terceros causados por mal manejo de correo después de tales correos dejan ICRA.

"Identificación" incluye documentos tales como licencia de conducción vigente, número de cuenta de seguridad social, tarjeta de identificación militar y tarjetas de crédito. Si un ICRA es incapaz de identificarle razonablemente sobre la base de estos documentos, puede requerir información adicional relativa a su empleo y antecedentes personales o familiares con el fin de verificar su identidad.

ICRA proporcionará personal capacitado para explicar cualquier información proporcionada a usted y le proporcionará una explicación por escrito de la información codificada contenida en los archivos mantenidos en usted. Esta explicación por escrito se prestará cada vez que se proporciona un archivo para inspección visual.

Puede ser acompañado a otra persona de su elección, que deberá suministrar la identificación razonable. Una ICRA puede requerir a presentar un declaración escrita otorga permiso de ICRA para discutir su archivo en presencia de tal persona.



NOTICE – BACKGROUND INVESTIGATION NEW JERSEY RESIDENTS

New Jersey Residents or Employees – this summary of the provisions of the New Jersey Fair Credit Reporting Act ("NJFCRA") is being provided to you pursuant to state law (N.J.S.A. § 56:11-28 et seq.)

- Before an employer can obtain a consumer report about you from a consumer reporting agency they must provide you with a clear and conspicuous disclosure in writing that such may be obtained for employment purposes. You must provide written consent to the procurement, for employment purposes, of a consumer report.
- When using a consumer report for employment purposes, before taking adverse action based in whole or in part on the report, an employer must provide you with a copy of the consumer report and a description in writing of your rights under the federal Fair Credit Reporting Act as well as the NJFCRA.
- You must be afforded a reasonable opportunity to dispute, with the consumer reporting agency, any information on which the employer relied upon in your consumer report.
- You can request from a consumer reporting agency all information in your file, upon proper identification. This includes sources of information and identification of each person who procured a consumer report for employment purposes during the two- year period preceding your request. These requests must be made during normal business hours and on reasonable notice. It can be done in person or by telephone, if you have made a written request and pay the toll charge. A consumer reporting agency must provide trained personnel to explain to you any information in the consumer report.
- You can dispute inaccurate information with the consumer reporting agency. If you dispute the completeness or accuracy of any of the information in your file, the consumer reporting agency must reinvestigate free of charge during a 30-day period. A consumer reporting agency must provide written notice to you of the results of the reinvestigation not later than five business days after completion of the reinvestigation.
- If, after a reinvestigation, any information disputed by you is found to be inaccurate or incomplete or cannot be verified, the consumer reporting agency must promptly delete that item of information from your file or modify that item of information, as appropriate, based on the results of the reinvestigation.
- You can seek damages for noncompliance under the NJFCRA.



NOTICE – BACKGROUND INVESTIGATION NEW YORK RESIDENTS

New York Residents or Employees – this summary of the provisions of the New York Correction Law is being provided to you pursuant to state law.

Article 23-A Licensure and Employment of Persons Previously Convicted of One or More Criminal Offenses

§ 750. Definitions

For the purposes of this article, the following terms shall have the following meanings:

1. "Public agency" means the state or any local subdivision thereof, or any state or local department, agency, board or commission.
2. "Private employer" means any person, company, corporation, labor organization or association which employs ten or more persons.
3. "Direct relationship" means that the nature of criminal conduct for which the person was convicted has a direct bearing on his fitness or ability to perform one or more of the duties or responsibilities necessarily related to the license, opportunity, or job in question.
4. "License" means any certificate, license, permit or grant of permission required by the laws of this state, its political subdivisions or instrumentalities as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. Provided, however, that "license" shall not, for the purposes of this article, include any license or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm.
5. "Employment" means any occupation, vocation or employment, or any form of vocational or educational training. Provided, however, that "employment" shall not, for the purposes of this article, include membership in any law enforcement agency.

§ 751. Applicability

The provisions of this article shall apply to any application by any person for a license or employment at any public or private employer, who has previously been convicted of one or more criminal offenses in this state or in any other jurisdiction, and to any license or employment held by any person whose conviction of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license, except where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed by an executive pardon, certificate of relief from disabilities or certificate of good conduct. Nothing in this article shall be construed to affect any right an employer may have with respect to an intentional misrepresentation in connection with an application for employment made by a prospective employee or previously made by a current employee.

§ 752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited

No application for any license or employment, and no employment or license held by an individual, to which the provisions of this article are applicable, shall be denied or acted upon adversely by reason of the individual's having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of "good moral character" when such finding is based upon the fact that the individual has previously been convicted of one or more criminal offenses, unless:

1. there is a direct relationship between one or more of the previous criminal offenses and the specific license or employment sought or held by the individual; or
2. the issuance or continuation of the license or the granting or continuation of the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

§ 753. Factors to be considered concerning a previous criminal conviction; presumption

1. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors:
 - A. The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses.
 - B. The specific duties and responsibilities necessarily related to the license or employment sought or held by the person.
 - C. The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities.
 - D. The time which has elapsed since the occurrence of the criminal offense or offenses.



- E. The age of the person at the time of occurrence of the criminal offense or offenses.
- F. The seriousness of the offense or offenses.
- G. Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.
- H. The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public.

2. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall also give consideration to a certificate of relief from disabilities or a certificate of good conduct issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified therein.

§ 754. Written statement upon denial of license or employment

At the request of any person previously convicted of one or more criminal offenses who has been denied a license or employment, a public agency or private employer shall provide, within thirty days of a request, a written statement setting forth the reasons for such denial.

§ 755. Enforcement

- 1. In relation to actions by public agencies, the provisions of this article shall be enforceable by a proceeding brought pursuant to article seventy-eight of the civil practice law and rules.
- 2. In relation to actions by private employers, the provisions of this article shall be enforceable by the division of human rights pursuant to the powers and procedures set forth in article fifteen of the executive law, and, concurrently, by the New York city commission on human rights.

NOTICE – BACKGROUND INVESTIGATION WASHINGTON STATE RESIDENTS

Washington State Residents or Employees – this summary of the provisions of the Washington State Fair Credit Reporting Act (WFCRA) is being provided to you pursuant to state law. The WFCRA is designed to promote accuracy, fairness, consumer confidentiality and the proper use of credit data by each consumer reporting agency (CRA) in accordance with the requirements of the WFCRA.

The WFCRA is modeled after, and generally provides the same rights as, the federal Fair Credit Reporting Act (FCRA) (15 U.S.C. § 1681 et seq.) A summary of your rights under the FCRA is available at <https://onesourcebackground.com/wp-content/uploads/Summary-of-Rights-FCRA.pdf>.

The complete text of the WFCRA RCW 19.182, can be obtained from the Washington Code Revisers Office, P.O. Box 40551, Olympia, WA 98504, or online at <http://apps.leg.wa.gov/rcw/default.aspx?cite=19.182&full=true%20-%2019.182.070>. One significant distinction between the FCRA and the WFCRA is that in Washington, an employer may not obtain a consumer report that indicates the consumer's credit worthiness, credit standing, or credit capacity, unless (1) the information is substantially job related and the employer's reason(s) for using the information are disclosed in writing, or (2) the information is required by law.

The following is a summary of your major rights under the WFCRA:

- You will be required to provide proper identification before reviewing your consumer file. Proper identification may include your Social Security number. You may request to review your file at any time. A CRA will make disclosures of your file available to you during normal business hours and on reasonable notice. File disclosures may be done in person or by telephone, if you have made a written request and pay the toll charge, as applicable, or by any other reasonable means. A CRA will provide trained personnel to explain to you any information in your consumer report. Upon request, and proper identification, you may be permitted to bring one additional person with you to review your consumer file. If the CRA provides you with a credit score, the agency will also provide you with an explanation for that credit score.
- You have a right to know what is in your file. Upon proper identification, you may request and obtain all the information about you in the CRA's files, although medical information may be withheld, and instead will be disclosed to a health care provider of your choice. Your health care provider may disclose your medical information to you directly. Your file disclosure will include all items of information the CRA maintains about you, including sources of information (except sources acquired solely for use in an investigative report). The file will also identify each person who procured your consumer report for employment purposes during the two-year period preceding your request, or any person who procured your report for any other purpose within the six-months prior to your request. When applicable, a record of inquiries the CRA received identifying you in a credit transaction that was not initiated by you in the six-months prior to your file disclosure request. Each of these records will include the name of the person or trade name of the business that sought your consumer file, and upon your request, their respective addresses.
- You are entitled to one free consumer report every 12 months, upon request. In many cases, your file disclosure will be free. You may be charged a limited fee for a second or subsequent report requested by you during a 12 month period. You will also not be charged for:
 - o a consumer report if a person has taken adverse action against you because of information in your report;
 - o the reinvestigation of information you dispute; or
 - o corrected reports resulting from the deletion of inaccurate or unverifiable information.
- You must be told if information in your file has been used against you. If a person takes an adverse action against you that is based, in whole or in part, on information contained in a consumer report, that person must tell you (usually, through a written notice), and must give you the name, address, and telephone number of the CRA that provided the information.
- You have a right to dispute incomplete or inaccurate information. If you identify information in your file that is incomplete or inaccurate, and you notify the CRA directly of the dispute, the CRA will reinvestigate without charge and record the current status of the disputed information before the end of thirty business days, unless your dispute is frivolous. Upon completion of the reinvestigation, within five business days of the CRA's decision, the agency will provide you notice in writing or through another authorized means, of the results of the reinvestigation. If the CRA determines that your dispute is frivolous the agency will inform you of that determination, along with its reasons, and your rights under the WFCRA within five business days.

- Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information. Upon completion of the reinvestigation, if the information you disputed is found to be inaccurate or cannot be verified, the CRA must delete the information and notify you of the correction. Information that has been found to be inaccurate will not be reinserted into your consumer file, unless the furnisher of the information verifies the accuracy and completeness of that information. In such circumstances, you will be notified, within thirty business days that the information is being reinserted into your file. If the reinvestigation does not resolve your dispute, you may file with the CRA a brief statement (that may be limited to 100 words) setting forth the nature of your dispute. The statement will be placed in your consumer file and in any subsequent report containing the information you disputed.
- You have the right to request that users of your consumer report be notified of any disputed information they previously received within the statutory time frame. After certain disputed information has been deleted or you have filed a statement of dispute, you may request that the CRA provides notification of that deleted item or item of dispute to any person you designate who has, within two years received your consumer report for employment purposes, or who has within six months received your report for any other purpose, if the furnished report contained the deleted or disputed information.
- Consumer reporting agencies may not report outdated negative information. In most cases, a CRA may not report negative information that is more than seven years old, or bankruptcies that are more than ten years old.
- You have the right to advanced disclosure of any fees. Any charges for file disclosures or other requested actions to be taken by the CRA must be disclosed to you before the information is provided or the action is taken.
- Access to your file is limited. A CRA may provide information about you only to people with a valid need – usually to consider an application with a creditor, insurer, employer, landlord, court or government agency, or in accordance with your written instructions.
- You must be notified if reports are provided to employers. A CRA may not give out information about you to employers without your knowledge. A potential employer must make a clear and conspicuous disclosure in writing to you or obtain your consent before obtaining a report. A current employer may not receive a report unless it has given you written notice that reports may be used for employment purposes.
- You must be notified in writing if a person seeks an investigative consumer report about you. An investigative consumer report may include information as to your character, general reputation, personal characteristics, and mode of living. Within a reasonable period of time after receiving such notice, you may request, in writing, a disclosure as to the nature and scope of the investigation requested—which will be delivered to you within five days of your request.
- You may limit “prescreened” offers of credit and insurance you get based on information in your credit report. You may elect not to receive unsolicited “prescreened” offers for credit and insurance by using the CRA’s notification system to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-5-OPTOUT (1-888-567-8688).
- You may place a security freeze on your credit report. Under certain circumstances, you may request that a security freeze be placed on your credit report to prevent it from being shared with potential creditors or insurance companies when making determinations related to your eligibility for credit.
- You may be able to block information resulting from identity theft from appearing on your credit report. If you are a victim of identity theft, certain CRAs must permanently block misinformation resulting from that theft from appearing on your credit report. You must provide the CRA with a copy of a police report as evidence of your claim before it can place the block on your report.
- You may seek damages from violators. If a CRA, a user of consumer reports, or a furnisher of information to a CRA violates the WFCRA, and you have a legal basis for a claim under the WFCRA, you may be able to bring a legal action in court to assert your rights under the WFCRA. The applicable statute of limitations is specified in Wash. Stat. § 19.182.120 — which is generally two years from the date the cause of action accrued. Consumers who prevail on claims to enforce the WCFRA may obtain actual damages, monetary penalties, reasonable attorneys’ fees, costs, and other relief.

For questions or concerns regarding the WFCRA, please contact:

Office of the Attorney General
Consumer Protection Division
800 5th Avenue, Suite 2000
Seattle, Washington 98104-3188
Phone 1-800-551-4636 or (206) 464-6684
Statewide Toll-Free TDD: 800-833-6388

Any complaints by consumers under state law may be directed to:

The Attorney General's Office via U.S. Mail or Online.
Information and forms related to filing a consumer complaint can be found at:
<http://www.atg.wa.gov/FileAComplaint.aspx>

Additional information about consumer issues can be found at:
<http://www.atg.wa.gov/consumer-issues>



Para información en español, visite www.consumerfinance.gov/learnmore o escribe a la Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

A SUMMARY OF YOUR RIGHTS UNDER THE FAIR CREDIT REPORTING ACT

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under FCRA. **For more information, including information about additional rights, go to www.consumerfinance.gov/learnmore or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.**

- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment – or to take another adverse action against you – must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your “file disclosure”). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
 - a person has taken adverse action against you because of information in your credit report;
 - you are the victim of identity theft and place a fraud alert in your file;
 - your file contains inaccurate information as a result of fraud;
 - you are on public assistance;
 - you are unemployed but expect to apply for employment within 60 days.

In addition, all consumers are entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See www.consumerfinance.gov/learnmore for additional information.

- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See www.consumerfinance.gov/learnmore for an explanation of dispute procedures.
- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete, or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.
- **Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.
- **Access to your file is limited.** A consumer reporting agency may provide information about you only to people with a valid need – usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.
- **You must give your consent for reports to be provided to employers.** A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to www.consumerfinance.gov/learnmore.



- **You may limit “prescreened” offers of credit and insurance you get based on information in your credit report.** Unsolicited “prescreened” offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt out with the nationwide credit bureaus at 1-888-5-OPTOUT (1-888-567-8688).
- The following FCRA right applies with respect to nationwide consumer reporting agencies:

CONSUMERS HAVE THE RIGHT TO OBTAIN A SECURITY FREEZE

You have a right to place a “security freeze” on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent.

However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit.

As an alternative to a security freeze, you have the right to place an initial or extended fraud alert on your credit file at no cost. An initial fraud alert is a 1-year alert that is placed on a consumer’s credit file. Upon seeing a fraud alert display on a consumer’s credit file, a business is required to take steps to verify the consumer’s identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting 7 years.

A security freeze does not apply to a person or entity, or its affiliates, or collection agencies acting on behalf of the person or entity, with which you have an existing account that requests information in your credit report for the purposes of reviewing or collecting the account. Reviewing the account includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

- **You may seek damages from violators.** If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.
- **Identity theft victims and active duty military personnel have additional rights.** For more information, visit www.consumerfinance.gov/learnmore.

States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. For information about your federal rights, contact:

TYPE OF BUSINESS:	CONTACT:
<p>1.a. Banks, savings associations, and credit unions with total assets of over \$10 billion and their affiliates</p> <p>b. Such affiliates that are not banks, savings associations, or credit unions also should list, in addition to the CFPB:</p>	<p>a. Consumer Financial Protection Bureau 1700 G Street, N.W. Washington, DC 20552</p> <p>b. Federal Trade Commission Consumer Response Center 600 Pennsylvania Avenue, N.W. Washington, DC 20580 (877) 382-4357</p>
<p>2. To the extent not included in item 1 above:</p> <p>a. National banks, federal savings associations, and federal branches and federal agencies of foreign banks</p> <p>b. State member banks, branches and agencies of foreign banks (other than federal branches, federal agencies, and Insured State Branches of Foreign Banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act.</p> <p>c. Nonmember Insured Banks, Insured State Branches of Foreign Banks, and insured state savings associations</p> <p>d. Federal Credit Unions</p>	<p>a. Office of the Comptroller of the Currency Customer Assistance Group 1301 McKinney Street, Suite 3450 Houston, TX 77010-9050</p> <p>b. Federal Reserve Consumer Help Center P.O. Box 1200 Minneapolis, MN 55480</p> <p>c. FDIC Consumer Response Center 1100 Walnut Street, Box #11 Kansas City, MO 64106</p> <p>d. National Credit Union Administration Office of Consumer Financial Protection (OCFP) Division of Consumer Compliance Policy and Outreach 1775 Duke Street Alexandria, VA 22314</p>
<p>3. Air carriers</p>	<p>Asst. General Counsel for Aviation Enforcement & Proceedings Aviation Consumer Protection Division Department of Transportation 1200 New Jersey Avenue, S.E. Washington, DC 20590</p>
<p>4. Creditors Subject to the Surface Transportation Board</p>	<p>Office of Proceedings, Surface Transportation Board Department of Transportation 395 E Street, S.W. Washington, DC 20423</p>
<p>5. Creditors Subject to the Packers and Stockyards Act, 1921</p>	<p>Nearest Packers and Stockyards Administration area supervisor</p>
<p>6. Small Business Investment Companies</p>	<p>Associate Deputy Administrator for Capital Access United States Small Business Administration 409 Third Street, S.W., Suite 8200 Washington, DC 20416</p>
<p>7. Brokers and Dealers</p>	<p>Securities and Exchange Commission 100 F Street, N.E. Washington, DC 20549</p>
<p>8. Federal Land Banks, Federal Land Bank Associations, Federal Intermediate Credit Banks, and Production Credit Associations</p>	<p>Farm Credit Administration 1501 Farm Credit Drive McLean, VA 22102-5090</p>
<p>9. Retailers, Finance Companies, and All Other Creditors Not Listed Above</p>	<p>Federal Trade Commission Consumer Response Center 600 Pennsylvania Avenue, N.W. Washington, DC 20580 (877) 382-4357</p>