



# Employment Screening Services, Inc.

## Privacy Policy

Employment Screening Services, Inc. (ESS) is committed to protecting the privacy of our clients, of visitors to our website, and of the individuals ("consumers") on whom we conduct background screens at our clients' request. As a consumer reporting agency governed by the U.S. Federal Fair Credit Reporting Act ("FCRA") enforced by the investigatory and enforcement powers of the Federal Trade Commission among other federal authorities, ESS strives to maintain a high level of confidentiality, integrity, and security of personal information that it collects.

ESS is dedicated to operating in accordance with all host nation laws and directives regarding information privacy and personal data protection, including but not limited to: the Data Protection Privacy Act; the European Privacy Act, the Canadian Personal Information Protection & Electronics Documents Act, and substantially similar provincial laws from British Columbia, Alberta, and Quebec; the EU-US Privacy Shield Framework; and the EU General Data Protection Regulation.

Personal information is obtained only with the consumer's informed consent and written authorization. Only the personal information that is actually needed for verifications and searches is collected. Personal information is protected from unauthorized or accidental disclosure and is only seen by those persons who need it to perform their job -- to provide our clients with the services authorized by the consumer to whom it relates. Personal information is retained only as long as is required by law after which it is properly destroyed as to prevent unauthorized access to or use of the information.

Our employees are comprehensively screened and trained to ensure that information is handled responsibly and in accordance with this Privacy Policy. We maintain strict physical, electronic, and procedural safeguards that comply with state and federal regulations to guard a consumer's nonpublic and public personal information.

To demonstrate our commitment to information security, ESS has implemented industry's best practice security controls and assures the effectiveness of our controls through compliance with ISO 27001, the global standard for managing information security.

Consumers have the right to see all information about them held by Employment Screening Services, Inc. Additionally, ESS has a dispute resolution department that expeditiously addresses all inquiries and complaints regarding information provided to our clients.

There are other unrelated screening services with the same name as ESS; we have no subsidiaries or affiliated companies. All ESS operations take place at our corporate office address of 627 E. Sprague Ave, Spokane, WA 99202 USA.

**Under penalty of law and in accordance with the Fair Credit Reporting Act (FCRA 15 U.S.C. § 1681r), ESS does not share, disclose, or sell any information to third parties without the expressed, written consent of the consumer to whom the information pertains.**

## **EU-U.S. and Swiss-U.S. Privacy Shield Principles EU General Data Protection Regulation (GDPR) Principles**

### **Our Commitment and Affirmation**

Employment Screening Services, Inc. complies with the EU-US and Swiss-US Privacy Shield Frameworks as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information from EU member countries and Switzerland. ESS certifies that it adheres to the Privacy Shield Principles of: Notice; Choice; Accountability for Onward Transfer; Security; Data Integrity and Purpose Limitation; Access; and Recourse, Enforcement and Liability. If there is any conflict between the policies in this privacy policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program and to view the Employment Screening Services, Inc., certification page, please visit <https://www.privacyshield.gov/>.

Further, ESS has implemented data security and personal data privacy protections as prescribed by the EU General Data Protection Regulation ((EU)2016/679)). <https://gdpr-info.eu/>. EU data subjects have the right to limit the purposes for which their personal data can be processed. Prior to any collection or processing of personal data, ESS (data processor) and the ESS Client (data controller), provide EU data subjects with a clear and conspicuous disclosure of the data subject's right to: transparency, access, rectification, erasure, restrict processing, object to processing, data portability, and the right not to be evaluated on the basis of automated processing. Also prior to any collection or processing of personal data, the EU data subject must provide his/her written consent. The authorization document will include the specific, one-time purpose and limited scope for which personal data will be processed. Names and contact information for ESS agents who may be used to collect and verify personal information will be listed. ESS has strict contractual data protection agreements with its trusted agents.

## **1. Notice**

Before ESS receives personal information about consumers from its clients, all clients have certified to ESS that: (1) they have obtained the consumer's informed written consent to share this information with ESS; (2) they have disclosed to the consumer they are requesting a background check for employment purposes; and, (3) they will use consumer information provided by ESS for legally permissible purposes (such as hire, promote, reassign, retention). Furthermore, before a client's individual representative receives the consumer information needed to complete his/her job, he/she must provide an individual certification to the same effect. ESS and its clients will not use consumer information for an incompatible purpose, nor will consumer information become part of a database of consumer information.

Personal information collected by ESS will be done so for HR - employment-related purposes only. The type of may include, but is not be limited to full name, former name(s) if any, address history, personal identifiers or biometric data, criminal record history, employment history, educational history and driving records. Pursuant to the terms of its contract with its clients, ESS uses this information to prepare an employment screen that meets its clients' employment screening needs. The nature and scope of the report is disclosed to the consumer at the time he/she authorizes the consumer report. Also see "Access" for additional information.

ESS commits to applying the GDPR and Privacy Shield Principles to all data collected, including public records and publicly available information. ESS agrees to cooperate with the EU data protection authorities (DPAs) and the Swiss Federal Data Protection and Information Commissioner (FDPIC) with respect to all data, human resource or otherwise, collected in the context of the employment relationship and covered under the Privacy Shield. ESS will comply with any advice given by the DPA within 25 days of receipt. ESS understands that if its explanation or compliance measure is not satisfactory, the DPA may refer the matter to the Federal Trade Commission. Further, ESS cooperates with public authorities and may disclose personal information in a response to lawful requests by public authorities, including meeting national security or law enforcement requirements.

## **2. Choice (opt-out of sensitive information)**

ESS gives consumers a choice to opt out of the collection of personal information by virtue of the fact that personal information is only collected with the consumer's explicit written consent. Prior to the collection of any personal information, ESS provides the individual a disclosure document that clearly imparts this fact. Therefore, to opt-out of the process prior to the collection of any personal information, the individual should not sign the authorization document permitting such collection of information. To reiterate, the information collected is only utilized for the purposes described above in the section on "Notice."

In the event the individual wishes to opt-out or amend his or her written authorization to collect personal information that was already given to ESS, the individual may withdrawal or amend his/her consent by notifying ESS through the contact information provided on this page, on its website, and on the disclosure document provided to the consumer at the time written authorization was given. This does not mean that information already collected will be erased or deleted. Various compliance laws may require that ESS maintain the data on file for a period of time.

Sensitive information (i.e., personal information relating to medical or health conditions, racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, or information concerning the sex life of the individual) will not be collected without the consumer's specific, affirmative, express consent (opt in).

## **3. Accountability for Onward Transfer (to third parties)**

The information obtained by ESS is only transferred to an end user entity that has been specifically authorized by the consumer to receive the data, or to a designative agent acting on behalf of the end-user, and only for the purpose described in the section under "Notice" and "Choice." ESS takes proactive steps to insure that an individual who receives information on the behalf of the end user will personally maintain privacy and confidentiality (see "individual certification" described in the section under "Notice.") Each transfer of information to the end user includes a notification reiterating the privacy and confidential certifications made regarding the use and protection of the information.

ESS takes precautionary steps to safeguard personal information disclosed to its representatives and subcontractors. ESS discloses only the minimum personal information to its reps and subcontractors that is necessary to deliver to ESS (for the benefit of ESS's client) the requested product or service. Prior to such disclosure, ESS screens the third-party and obtains their written agreement to abide by relevant principles of GDPR and EU-US and Swiss-US Privacy Shield Frameworks. In addition, ESS will disclose consumer information to these third parties only after they certify they will maintain commercially reasonable security measures to protect the confidentiality, integrity and security of personal information. ESS recognizes the potential liability in cases of onward transfer to third parties.

#### **4. Security**

ESS takes all reasonable and appropriate measures to protect personal information from loss, misuse, and unauthorized access, disclosure, alteration, and destruction. For example, ESS utilizes a 128-bit encryption on a secured server for all Internet communications. Furthermore, only ESS employees who need the information to perform a specific job are granted access to personally identifiable information. Strong password protection protocols are used on all computers. All employees are kept up-to-date on our security and privacy policies. Finally, the servers that are used to store personally identifiable information are kept in a secure environment, with appropriate security measures. Full documentation of ESS security systems is available upon request. Destruction of consumer information follows the Federal Trade Commission's requirements that the information be unreadable upon disposal.

ESS takes data security very seriously. We continuously implement policies and practices that protect the integrity of your data and are ISO 27001 Compliant. [ISO \(International Organization for Standardization\)](#) is the gold standard of data security.

ISO 27001 is designed to help establish and maintain an effective information security management system, using a continual improvement approach. It requires rigorous repeated external assessment and demands applicants meet high standards of risk management and security control on an on-going basis. This compliance also guarantees that all relevant networks are protected against any systemic vulnerabilities, keeping all information protected 24/7.

#### **5. Data Integrity and Purpose Limitation**

ESS only collects data that is strictly necessary for the purposes listed under the section on "Notice." The data includes information that is necessary to identify the consumer for purposes of collecting employment related information. ESS makes every reasonable effort to assure maximum possible accuracy in the information collected. Regarding public record information that is likely to have an adverse effect on the consumer, ESS maintains strict procedures to insure the information is accurate, complete and up-to-date (per FCRA rules 613 (a)(1)(2)). ESS will adhere to the GDPR and Privacy Shield Principles for as long as it retains such information, regardless of our future certification status. ESS cannot be responsible for errors within court records and within the records of other consumer reporting agencies, such as credit bureaus. Therefore, ESS cannot act as a guarantor of information.

#### **6. Access**

In accordance with GDPR and the EU-US and Swiss-US Privacy Shield Frameworks, the FCRA, and other applicable laws, upon proper identification of the consumer, ESS will disclose to consumers who inquire, without requiring any justification for their inquiry, the right to: (i) obtain a confirmation of whether or not ESS has personal information about them; (ii) full access to (inspect and/or obtain copies) all information ESS may have about them; (iii) obtain names of end users of the their information collected by ESS, when it was collected, and for what specific purpose; and (iv), to request ESS to correct, amend, or delete information where it is inaccurate or has been processed in violation of the Principles. ESS will respond to access requests in a timely manner and in a manner that is readily intelligible to the individual.

#### **7. Recourse, Enforcement, and Liability**

In compliance with GDPR and EU-US and Swiss-US Privacy Shield Principles, ESS commits to resolve consumer complaints about your privacy and our collection or use of your personal information by means of in-house verification by the management of this company. EU and Swiss individuals with complaints and inquiries regarding this privacy policy should first contact ESS by any of the following means:

Phone: +1 509-624-3851 / 1-800-473-7778

Fax: +1 509-624-2905 / 1-800-321-2905

Email: [info@employscreen.com](mailto:info@employscreen.com)

Website: [wwwemployscreen.com](http://wwwemployscreen.com)

Post: ATTN: Privacy Officer, Employment Screening Services, Inc., 627 E. Sprague Ave, Spokane, WA USA

ESS will respond to each and every consumer complaint within 45 days of receiving a complaint. ESS has further committed to refer unresolved privacy complaints under the EU-US and Swiss-US Privacy Shield Principles to an independent dispute resolution mechanism, the BBB EU PRIVACY SHIELD, operated by the Council of Better Business Bureaus. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed, please visit <http://www.bbb.org/EU-privacy-shield/for-eu-consumers> for more information and to file a complaint.

Because ESS may process human resource information concerning residents in the European Economic Area (includes EU countries and Iceland, Liechtenstein and Norway) and Switzerland, we fully commit to cooperation with the countries' data protection authorities (DPA's). Therefore, if ESS is unable to satisfactorily resolve a question or complaint regarding our privacy practices, you may raise your concern to the attention of your DPA, which will establish a panel to investigate and resolve complaints brought under the Privacy Shield. ESS will fully comply with the advice given by data protection authorities and take necessary steps to remediate any non-compliance with the Privacy Shield Principles.

### **Verification of Privacy Shield Practices through Self-Assessment**

Through self-assessment, ESS attests and asserts that its Privacy Shield privacy practices are true and have been implemented as represented and in accordance with the Privacy Shield Principles. Prior to requesting personal information from a consumer and prior to obtaining the consumer's written authorization to collect personal information for its client, ESS attests that it provides the consumer with easy access to its EU-US and Swiss-US Privacy Shield Policy. This disclosure includes the process for in-house handling of complaints, as well as the independent recourse mechanism available at no charge. ESS agrees that under certain conditions the individual may invoke binding arbitration before a Privacy Shield Panel. A statement verifying self-assessment of Privacy Shield Practices is signed by a corporate officer once a year and is available upon request by the consumer or in context of an investigation or complaint of non-compliance.

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ESS is governed by FCRA regulations as enforced by the U.S. Federal Trade Commission and the Consumer Financial Protection Bureau. As a Washington State USA) corporation and a licensed private investigative agency, we are also governed by the rules and regulations of the state. ESS is a founding member of and accredited by the National Association of Professional Background Screeners (<https://www.napbs.com/>) and strictly adheres to its professional standards, code of conduct, ethical business practices, and its promotion of compliance with the Fair Credit Reporting Act.

Any questions regarding this Privacy Policy may be directed to:

Chief Privacy Officer  
Employment Screening Services, Inc.  
627 E. Sprague Ave  
Spokane, WA 99202  
USA  
PH: 1-509-624-3851 / 1-800-473-7778  
FX: 1-509-624-2229 / 1-800-321-2905  
[ess@employscreen.com](mailto:ess@employscreen.com)

