



765 HILLDALE ROAD • P.O. Box 100  
SLINGER, WISCONSIN 53086-0100  
PHONE (262) 644-9080 • FAX (262) 644-9377

## **KEEP FOR YOUR RECORDS**

### **NOTICE TO ALL APPLICANTS:**

**In accordance with 49 CFR part 391.21(b) 10 and 391.21(d), the following information is being provided to you prior to the completion and/or acceptance of an application for driver qualification.**

All applicants seeking qualification as a company driver or owner operator for Hanke Trucking, Inc. must complete an application that will request information related to employment with all former employers during the past three years. If you, the applicant, have had more than three years experience driving a commercial motor vehicle, you are required to supply information regarding those driving positions for an additional seven years, total of up to ten years. In addition to other information, the applicant will be required to provide the following:

1. A list of names and addresses of the applicant's employers during the 3 (or more) years preceding the date the application is submitted.
2. The reason for leaving the employ of that employer.
3. Whether you were subject to the Federal Motor Carrier safety Regulations (FMCSR's) while employed by each employer.
4. Whether the job was designated as a safety sensitive function in any DOT regulated mode subject to alcohol and controlled substance testing requirements as required by 49 CFR part 40.

**YOU ARE HERBEY NOTIFIED THAT THE INFORMATION PROVIDED BY THE APPLICANT MAY BE USED; AND THE APPLICANTS PREVIOUS EMPLOYERS WILL BE CONTACTED FOR THE PURPOSE OF INVESTIGATING THE APPLICANT'S SAFETY PERFORMANCE HISTORY INFORMATION.**

### **IMPORTANT ADDITIONAL INFORMATION:**

As of October 29, 2004, a prospective employer must notify applicants with DOT regulated employment during the preceding three years – via the application form or other written document prior to any hiring decision – that the applicant has the following rights regarding the investigative information that will be provided to Hanke Trucking, Inc:

1. The right to review information provided by previous employers.
2. The right to have errors in the information corrected by the previous employer and for that previous employer to re-send the corrected information to Hanke Trucking, Inc.
3. The right to have a rebuttal statement attached to the alleged erroneous information, if the previous employer and the applicant cannot agree on the accuracy of the information.

Applicants who have previous DOT regulated employment history in the three preceding years, and wish to review previous employer-provided investigative information must submit a written request to Hanke Trucking, Inc. which may be done at anytime, including when applying, or as late as 30 days after being employed or being notified of denial of employment. Hanke Trucking, Inc. has not yet received the requested information from a previous employer(s), then the five-business days deadline will begin when Hanke Trucking, Inc. receives the requested safety performance history information. If the driver has not arranged to pick up or receive the requested records within thirty (30) days of Hanke Trucking, Inc. making them available, Hanke Trucking, Inc. will consider the applicant to have waived his/her request to review the records.

Drivers wishing to request correction of erroneous information in the records that have been received must send a request for the correction to the previous employer that provided the records to Hanke Trucking, Inc.

After October 29, 2004, the previous employer must either correct and forward the information to Hanke Trucking, Inc. or notify the driver within 15 days of receiving the driver's request to correct the data that it does not agree to correct the data. If the previous employer corrects and forwards the data as requested, the employer will also retain prospective employers when requests for this information are received. If the previous employer corrects the data and forwards it to the prospective motor carrier employer, there is no need to notify the driver.

Applicants wishing to rebut information in the records that have been received must send the rebuttal to the previous employer with instructions to include the rebuttal in that driver's safety performance history.



765 HILDALE ROAD • P.O. Box 100  
SLINGER, WISCONSIN 53086-0100  
PHONE (262) 644-9080 • FAX (262) 644-9377

## KEEP FOR YOUR RECORDS

### A SUMMARY OF YOUR RIGHTS UNDER THE FAIR CREDIT REPORTING ACT:

The Federal Fair Credit Reporting Act (FCRA) is designed to promote accuracy, fairness and privacy of information in the files of every consumer reporting agency (CRA). Most CRA's are credit bureaus that gather and sell information about you – such as if you pay your bills on time or have a bankruptcy – to creditors, employers, landlords and other businesses. You can find the complete text of the FCRA, 15 U.S.C. 1681-1681u, at the Federal Trade Commission's web site ([www.ftc.gov](http://www.ftc.gov)). The FCRA gives you specific rights, as outlined below. You may have additional rights under state law. You may contact a state or local consumer protection agency or state attorney general to learn those rights.

- **You must be told if information in your file has been used against you.** Anyone who uses information from a CRA to take action against you – such as denying an application for credit, insurance or employment – must tell you, and give you the name, address and phone number of the CRA that provided the consumer report.
- **You can find out what is in your file. At your request, a CRA must give you the information in your file and list of everyone who requested it recently.** There is no charge for the report if a person has taken action against you because of information supplied by the CRA. If you request the report within 60 days of receiving notice of the action. You are entitled to one free report every twelve months upon request if you certify that (1) you are unemployed and plan to seek employment within 60 days, (2) you are on welfare or (3) your report is inaccurate due to fraud. Otherwise a CRA may charge you up to eight dollars.
- **You can dispute inaccurate information with the CRA.** If you tell a CRA that your file contains inaccurate information, the CRA must investigate the items (usually within 30 days) by presenting to its information source all relevant evidence you submit, unless your dispute is frivolous. The source must review your evidence and report its findings to the CRA. (The source also must advise the national CRA's – to which it has provided the date – of any error). The CRA's investigation does not resolve the dispute; you may add a brief statement to your file. The CRA must normally include a summary of your statement in future reports. If an item is deleted or a dispute statement is filed, you may ask that anyone who had recently received your report be notified of the change.
- **Inaccurate information must be corrected or deleted.** A CRA must remove or correct inaccurate or unverified information from its files, usually within 30 days after you dispute it. However, the CRA is not required to remove accurate data from your file unless it is outdated (as described below) or cannot be verified. If your dispute results in any change to your report, the CRA cannot reinsert into your file a disputed item unless the information source verifies its accuracy and completeness. In addition, the CRA must give you a written notice telling you it has reinserted the item. The notice must include the name, address and phone number of the information source.
- **You can dispute inaccurate items with the source of the information.** If you tell anyone – such as a creditor who reports to a CRA – that you dispute an item, they may not then report the information to a CRA without including a notice of your dispute. In addition, once you have notified the source of the error in writing, it may not continue to report the information if it is, in fact, an error.
- **Outdated information may not be reported.** In most cases, a CRA may not report negative information that is more than seven years old, ten years for bankruptcies.
- **Access to your file is limited.** A CRA may provide information about you only to people with a need recognized by the FCRA – usually to consider an application with a creditor, insurers, employer, landlord or other business.
- **Your consent is required for reports that are provided to employers, or reports that contain medical information.** A CRA may not give out information about you to your employer or prospective employer without your written consent. A CRA may not report medical information about you to creditors, insurers, or employers without your permission.
- **You may choose to exclude your name from CRA lists for unsolicited credit and insurance offers.** Creditors and insurers may use the information as the basis for sending you unsolicited offers of credit or insurance. Such offers must include a toll-free number for you to call if you want your name and address removed from future lists. If you call you must be kept off the lists for two years. If you request, complete, and return the CRA form provided for this purpose, you must be taken off the lists indefinitely.
- **You may seek damages from violators.** If a CRA, a user or (in some cases) a provider of CRA data, violates the FCRA, you may sue them in state or federal court.

### **NOTICE OF AMENDMENTS TO THE FAIR CREDIT REPORT ACT**

The following amendments are added to the Consumer Reporting Employment Clarification Act of 1998:

- Conviction of a crime can be reported regardless of when the conviction occurred.
- If you apply for a job that is covered by the Department of Transportation's authority to establish qualifications and the maximum hours for such a job and you apply by mail, telephone, computer, or other similar means, your consent to a consumer report may validly be obtained orally, in writing or electronically. If an adverse action is taken against you because of such a consumer report wherein you give your consent to the consumer reporting agency over the telephone, computer, or similar means, **you must be informed** of such adverse action and the name, address, and phone number of the consumer reporting agency, orally, in writing, or electronically.