

APSCREEN Warns Businesses of Common Background Check Mistakes That Could Lead to Negligent Hiring Lawsuits

Background Check Pioneer Tom Lawson Serves as Expert Witness on Many Court Cases that He Says Could Have Been Avoided

Rancho Santa Margarita, Calif. ([PRWeb](#)) October 2, 2006 -- Background check pioneer Tom Lawson serves as expert witness on many court cases that he says could have been avoided.

“If they only knew what I know,” says Thomas Lawson, CEO of APScreen, “then businesses could avoid negligent hiring lawsuits altogether.” According to Lawson, today background checks are becoming a standard procedure that provides a false sense of security due to processes fraught with pitfalls.

Lawson pioneered the background check industry in 1980 when he was among the first to provide corporations with a comprehensive pre-employment screening service. His first clients were from the aerospace industry who demanded the highest level of background checking.

A Certified Fraud Examiner and Certified International Investigator, Lawson is also recognized as one of the first court-certified “expert” witnesses on cases requiring testimony (in trial and depositions) related to negligent hiring, human resource management, employment screening, and use, interpretation, as well as compliance of Fair and Accurate Credit Transactions Act (FACTA), Consumer Credit Reporting Reform Act (CCRRA), and the Fair Credit Reporting Act (FCRA) and the Gramm-Leach-Bliley Act in the Human Resource context. He has been listed in O’Brien’s Legal Expert Pages since 1993 and also has testified regarding hidden assets research, white collar crime/fraud, embezzlement, factual due diligence, internal theft and investigative standards of care.

To help avoid negligent hiring, Lawson suggests the following:

1. Know the rules. The FCRA and FACTA contain crucial information for anyone hiring. For example, “you must always tell your applicant that you are running a background check and you must get written consent to do so. The applicant must also receive a copy of the report within three days whether or not the state law requires it,” Lawson said.
2. Get positive candidate identification. Lawson also said it is critical to verify the applicant’s name, including akas and aliases, social security numbers as well as dig up a complete address history and confirmation of date of birth. “Better to confirm the applicant is who they say they are or you may be opening yourself up to a variety of possibilities.”
3. Know your applicant’s responsibility attitudes. Lawson says, “use common sense when reviewing financial records including credit reports and driving history. How a person handles this part of their lives tells you a lot about how their responsibility will translate into the workplace.”
4. Check criminal history in the courts, not online databases. The FACTA/FCRA allows reporting of felonies and misdemeanors back seven years. “With this kind of search, knowledge is power so be sure to use a certified

consumer reporting agency and not an online database,” he said. “Databases are often out of date and incomplete.” He added businesses should include a national sex offender registry and terrorist watch list checks.

5. Determine other screening options. “Each applicant may require different background checks depending on their employment classification,” Lawson said. “Know everything necessary to assure the applicant will fit into your organization including drug screening, I-9 verification (immigration), personality testing, and reference checks. You should always verify education and previous employment.”

Founded in 1980, APSCREEN is based in Rancho Santa Margarita, California and is the originator of the factual employment-screening concept. APSCREEN provides nationwide coverage for businesses seeking the highest caliber, most comprehensive background checks for pre-employment screening. Thomas Lawson, CEO of APSCREEN and a Certified Fraud Examiner, authored the Pre-Employment Screening series, published in The Complete Workplace Violence Prevention Manual, which is used as the gold standard in Best Hiring Practices. APSCREEN also offers tenant screening and employee locate services. More information is available by calling toll-free (800) 277-2733 or register online at www.APSCREEN.com.

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