



## **SOCIAL SECURITY NUMBER LEGISLATION – CALIFORNIA SB168**

California bill SB 168, which took effect on July 1, 2002, modifies the permitted use of social security numbers and affects all companies employing California residents. The implications to employment screening are as follows:

1. An employer may no longer transmit an applicant's social security number via an on-line application unless the connection is secure, or the social security number is encrypted.
2. Employers may not require a candidate's social security number to access an Internet web site unless a password, unique personal identification number or other authentication device is also required.
3. Employers may not print an individual's social security number on materials mailed to an individual unless required to do so by state or federal law. It is therefore our opinion that copies of background investigation reports, mailed to candidates residing in California, should no longer contain social security numbers after July 1, 2002.
4. Consumers may place a security freeze on their credit report prohibiting the distribution of the report without consent. This may impact the employment screening process by slightly delaying the receipt of the candidate's credit report.

It should be noted that First Advantage and First Advantage's web-based technology are compliant with all the requirements above. It is also important to note that the legislation permits employers to use social security numbers for internal verification and administrative purposes. As such, employers that use social security numbers for certain ordinary business purposes may not be required to modify their existing practices with respect to those uses.