

# INTAKE FORM / USE OF CRIMINAL HISTORY INFORMATION IN EMPLOYMENT

Civil Rights Department



Use this Intake Form if you would like to file a complaint against an employer for unlawfully asking you about or using your criminal history information in making an employment decision. The Intake Form is not a filed complaint. After you complete and submit this form, a CRD representative will interview you to determine if a formal complaint can be accepted for investigation. Your submission of this document acknowledges that you have read and agree to the CRD's Privacy Policy.

## COMPLAINANT (YOUR INFORMATION)

Name: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you need an interpreter during the complaint process?  Yes  No

If yes, indicate language: \_\_\_\_\_

Do you require disability-related accommodations when interacting with CRD?  Yes  No

Select all that apply:  ASL/Video Remote Interpreting  Video Interview  
 CART Services  Questions in advance  
 Other (specify): \_\_\_\_\_

Are you currently out on bail or released on your own recognizance pending trial?  Yes  No

Were you applying for a job at a health care facility?  Yes  No

Were you applying for a farm labor job?  Yes  No

Were you applying for a law enforcement position or a position with a state criminal justice agency?  
 Yes  No

## RESPONDENT (PERSON/BUSINESS YOU'RE FILING AGAINST)

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Title: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Number of Employees: \_\_\_\_\_ Type of Employer: \_\_\_\_\_

■ **CO-RESPONDENT (OPTIONAL)**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Title: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

■ **ALLEGATION**

First Date of Harm: \_\_\_\_\_ Last Date of Harm: \_\_\_\_\_

PLEASE DESCRIBE YOUR COMPLAINT ABOUT THE EMPLOYER'S USE OF CRIMINAL HISTORY INFORMATION DURING THE EMPLOYMENT PROCESS:

- Application included a question about conviction history before a conditional job offer was made.
- Employer asked about or considered my conviction history before a conditional job offer was made.
- Employer considered, distributed, or disseminated information about:
  - An arrest not followed by conviction
  - My referral to or participation in a pretrial or posttrial diversion program
  - Convictions that had been sealed, dismissed, expunged, or statutorily eradicated
- Employer did not make an individualized assessment considering the nature and gravity of the conduct, the time passed, and the nature of the job held or sought.
- Employer did not notify me in writing of the preliminary decision that my conviction history disqualified me from employment.
- Employer did not provide me a notice of the conviction(s) that disqualified me from employment.
- Employer did not provide me with a copy of my conviction history report.
- Employer did not explain my right to respond to the preliminary disqualification decision or the deadline by which I had to respond.
- Employer did not explain my right to submit evidence challenging the conviction history report, mitigating circumstances, or circumstances regarding my rehabilitation.
- Employer did not consider my response to the preliminary disqualification decision.
- Employer did not notify me in writing of the final decision to disqualify me because of my conviction history.
- Employer did not notify me in writing of:
  - Employer's existing procedure for challenging their decision. Describe procedure:  
\_\_\_\_\_
  - My right to file a complaint with CRD
- Other (specify): \_\_\_\_\_

■ **COMPLAINANT'S REPRESENTATIVE**

Do you have an attorney who agreed to represent you in this matter?  Yes  No

If yes, please provide the attorney's contact information:

Name: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

■ **ADDITIONAL INFORMATION (OPTIONAL)**

Briefly describe what happened:

# DEMOGRAPHIC INFORMATION

*This information is optional and is only used for statistical purposes.*



Primary Language: \_\_\_\_\_ DOB: \_\_\_\_\_

Gender/Gender Identity:  Male  Female  Non-Binary  
 Transgender Male  Transgender Female  Other

Marital Status:  Single  Married  Cohabitation  Divorced

Race:  American Indian, Native American or Alaskan Native  Asian  
 Native Hawaiian or Other Pacific Islander  White  
 Black or African American  Other

Ethnicity:  Hispanic or Latino  Non-Hispanic or Latino

National Origin:

- |                                           |                                     |                                                     |
|-------------------------------------------|-------------------------------------|-----------------------------------------------------|
| <input type="checkbox"/> Afghani          | <input type="checkbox"/> Hawaiian   | <input type="checkbox"/> Other African              |
| <input type="checkbox"/> American [U.S.A] | <input type="checkbox"/> Hmong      | <input type="checkbox"/> Other Asian                |
| <input type="checkbox"/> Asian Indian     | <input type="checkbox"/> Indonesian | <input type="checkbox"/> Other Caribbean            |
| <input type="checkbox"/> Bangladeshi      | <input type="checkbox"/> Iranian    | <input type="checkbox"/> Other European             |
| <input type="checkbox"/> Cambodian        | <input type="checkbox"/> Iraqi      | <input type="checkbox"/> Other Hispanic/Latino      |
| <input type="checkbox"/> Canadian         | <input type="checkbox"/> Irish      | <input type="checkbox"/> Other Middle Eastern       |
| <input type="checkbox"/> Chinese          | <input type="checkbox"/> Israeli    | <input type="checkbox"/> Pakistani                  |
| <input type="checkbox"/> Cuban            | <input type="checkbox"/> Italian    | <input type="checkbox"/> Puerto Rican               |
| <input type="checkbox"/> Dominican        | <input type="checkbox"/> Jamaican   | <input type="checkbox"/> Salvadoran                 |
| <input type="checkbox"/> Egyptian         | <input type="checkbox"/> Japanese   | <input type="checkbox"/> Samoan                     |
| <input type="checkbox"/> English          | <input type="checkbox"/> Korean     | <input type="checkbox"/> Sri Lankan                 |
| <input type="checkbox"/> Ethiopian        | <input type="checkbox"/> Laotian    | <input type="checkbox"/> Syrian                     |
| <input type="checkbox"/> Fijian           | <input type="checkbox"/> Lebanese   | <input type="checkbox"/> Taiwanese                  |
| <input type="checkbox"/> Filipino         | <input type="checkbox"/> Malaysian  | <input type="checkbox"/> Thai                       |
| <input type="checkbox"/> German           | <input type="checkbox"/> Mexican    | <input type="checkbox"/> Tongan                     |
| <input type="checkbox"/> Ghanaian         | <input type="checkbox"/> Nigerian   | <input type="checkbox"/> Trinidadian and Tobagonian |
| <input type="checkbox"/> Guamanian        | <input type="checkbox"/> Other      | <input type="checkbox"/> Vietnamese                 |
| <input type="checkbox"/> Haitian          |                                     |                                                     |

- Disability:
- |                                                             |                                                      |
|-------------------------------------------------------------|------------------------------------------------------|
| <input type="checkbox"/> AIDS or HIV                        | <input type="checkbox"/> Limbs [Arms / Legs]         |
| <input type="checkbox"/> Blood / Circulation                | <input type="checkbox"/> Mental Health / Psychiatric |
| <input type="checkbox"/> Brain / Nerves / Muscles           | <input type="checkbox"/> Sight                       |
| <input type="checkbox"/> Digestive / Urinary / Reproduction | <input type="checkbox"/> Speech / Respiration        |
| <input type="checkbox"/> Hearing                            | <input type="checkbox"/> Spinal / Back / Respiration |
| <input type="checkbox"/> Heart                              | <input type="checkbox"/> Other Disability            |
| <input type="checkbox"/> Intellectual / Developmental       |                                                      |

- Religion:
- |                                            |                                                 |
|--------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> Agnostic          | <input type="checkbox"/> Nonreligious           |
| <input type="checkbox"/> Atheist           | <input type="checkbox"/> Protestantism          |
| <input type="checkbox"/> Bahai             | <input type="checkbox"/> Primal-indigenous      |
| <input type="checkbox"/> Buddhism          | <input type="checkbox"/> Quakers                |
| <input type="checkbox"/> Catholicism       | <input type="checkbox"/> Rastafarianism         |
| <input type="checkbox"/> Christianity      | <input type="checkbox"/> Spiritism              |
| <input type="checkbox"/> Confucianism      | <input type="checkbox"/> Shinto                 |
| <input type="checkbox"/> Hinduism          | <input type="checkbox"/> Sikhism                |
| <input type="checkbox"/> Islam             | <input type="checkbox"/> Taoism                 |
| <input type="checkbox"/> Jehovah's Witness | <input type="checkbox"/> Unitarian-Universalism |
| <input type="checkbox"/> Judaism           | <input type="checkbox"/> Zoroastrianism         |
| <input type="checkbox"/> Neo-Paganism      | <input type="checkbox"/> Other                  |

Sexual Orientation:

- |                                                   |                                   |
|---------------------------------------------------|-----------------------------------|
| <input type="checkbox"/> Straight or Heterosexual | <input type="checkbox"/> Bisexual |
| <input type="checkbox"/> Gay or Lesbian           | <input type="checkbox"/> Other    |



# PRIVACY POLICY

The California Civil Rights Department (CRD) has adopted this Privacy Policy, effective January 1, 2017. CRD values the security and privacy of your personal information and is committed to protecting your privacy rights. CRD seeks only to collect relevant personal information that enables us to assist you in investigating and resolving complaints of discrimination as prescribed by California Government Code sections 11135 et seq., 12900 et seq., and California Civil Code sections 51, 51.7, 52.5, and 54 et seq.

All personal information we collect is governed by the State of California Information Practices Act of 1977 (Civ. Code §§ 1798-1798.78), Gov. Code sections 11015.5 and 11019.9, and the California Public Records Act (Gov. Code § 6250 et seq.).

*Outlined below is our online Privacy Policy and Notice:*

- [Legal Authority for Collection and Use of Information](#)
- [Disclosure and Sharing](#)
- [What happens to information you submit to us?](#)
- [Links](#)
- [Cookies](#)
- [Public Disclosure](#)
- [Minors](#)
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- [Access and Corrections to your Personal Information](#)
- [How to contact us if you have any questions regarding this policy](#)
- [Changes to our Privacy Policy](#)
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## LEGAL AUTHORITY FOR COLLECTION AND USE OF INFORMATION

We collect information that may be directly associated with a specific person. We call this "Personal Information," and it includes, names, addresses, telephone numbers and email addresses. We collect this Personal Information through lawful means from individuals who seek to file a complaint with the CRD, and we use this information to establish jurisdiction and to conduct an investigation of any allegations of Civil Rights violations. If you seek to file a complaint, you are required to provide us with sufficient information in accordance with California Government Code sections 11135 et seq., 12900 et seq., and California Civil Code sections 51, 51.7, 52.5, and 54 et seq.

## DISCLOSURE AND SHARING

We do not sell your Personal Information. Government Code section 11015.5, subdivision (6), prohibits CRD and all state agencies from distributing or selling any electronically collected Personal Information about users to any third party without the permission of the user. Any distribution of electronically collected Personal Information will be solely for the purposes for which it was provided to us, as described below.

We also may share your Personal Information under the following circumstances:

1. You give us permission.
2. We receive a request from a party with legal authority to obtain the information, such as a subpoena.
3. As authorized by law, it is transferred to / shared with the U.S. Equal Employment Opportunity Commission, the National Labor Relations Board, the U.S. Department of Labor, the U.S. Department of Housing and Urban Development, the U.S. Department of Health and Human Services, the U.S. Department of Education, the U.S. Department of Justice, any branch of the California State Government, or any other local or Federal agency with similar jurisdiction.
4. Non Personal Information, including the allegations in the complaint document itself, may be disclosed to the public under the California Public Records Act.

## WHAT HAPPENS TO INFORMATION YOU SUBMIT TO US?

The Personal Information we obtain from you will be used for the purposes for which it was provided: to further the CRD's efforts to investigate and attempt to resolve the allegations of unlawful discrimination, harassment and/or retaliation that you filed. Electronically collected Personal Information we gather about visits to our website is used to help us improve the user experience and for basic web metrics of our website.

## LINKS

Our website may contain links to other websites on the Internet that are owned and operated by third parties. CRD does not control the privacy policies or practices of these websites. You are advised to review the privacy policies of the third party offering the website before providing any Personal Information to these websites. CRD is not responsible for the content or practices of any linked third party website and such third party websites are provided solely for the convenience and information to our visitors.

## COOKIES

We do not collect information such as names, addresses, and emails from individuals browsing CRD's website. However, when you visit our website, a "cookie" may be saved on your computer. A cookie is a tiny piece of data stored by your browser that helps us recognize your unique computer and your preferences when using our website. The information CRD automatically collects may include the type of browser used, date and time you visited the site, and web pages you visited. This information is collected to improve the user experience and for basic web metrics. The information is deleted after 30 days. This type of electronic information collection is permitted by law and is exempt from requests made under the Public Records Act.

You can refuse the cookie or delete the cookie file from your computer after you visit our website. You can find instructions for managing cookie controls on websites for particular browsers. For example:

- [Microsoft Edge browsers](#)
- [Macintosh Safari browsers](#)
- [Google Chrome browsers](#)

## PUBLIC DISCLOSURE

In the State of California, laws exist to ensure that government is open and that the public has a right to access appropriate records and information possessed by state government. At the same time, there are exceptions to the public's right to access public records.

These exceptions serve various needs including maintaining the privacy of individuals. Both state and federal laws provide exceptions. All information collected at this site becomes a public record that may be subject to inspection and copying by the public, unless an exemption in law exists. In the event of a conflict between this Privacy Notice and the Public Records Act, the Information Practices Act and/or other law governing the disclosure of records, the Public Records Act, the Information Practices Act and/or other applicable law will control.

## **MINORS**

We recognize the importance of protecting privacy where minors (a person under 18 years of age) are involved. We are committed to protecting the privacy of minors and do not knowingly collect Personal Information from minors or create profiles of minors through our website. Users are cautioned, however, that the collection of Personal Information submitted online or in an e-mail will be treated as though it was submitted by an adult. CRD strongly encourages parents, guardians and adults to be involved in the internet activities of their children or other minors they are responsible for and to provide guidance whenever minors are asked to provide Personal Information online. If you believe a minor has provided us with Personal Information, we ask that a parent or guardian contact us at 1-800-884-1684.

## **SECURITY**

CRD has put security measures in place to safeguard and protect your information from unauthorized access, disclosure, and loss. Our policy limits access to Personal Information to employees who have an established business need for the Personal Information including those directly involved in the filing, investigation, resolution and/or litigation of your complaint.

Information that is physically located within the CRD is protected by various security measures, which may include the use of encryption software to protect the security of an individuals' Personal Information during transmission and storage. Personal information is destroyed according to the CRD's records retention policy, and we only retain these records for as long as necessary to fulfill our business need. We train our employees on procedures and management of Personal Information we collect as well as on taking precautions and complying with limitations on the release of Personal Information.

## **ACCESS AND CORRECTIONS TO YOUR PERSONAL INFORMATION**

You have the right to review any Personal Information we collect about you. If you request all or a portion of the Personal Information collected about you by the CRD, we will provide you with the Personal Information requested and explain how we use the information. You may request changes to your Personal Information you believe is incorrect by submitting a written request that credibly shows the error. If you believe that your Personal Information is being used for a purpose other than what you intended when you submitted it, you may contact us so we can rectify the misuse. In all cases, we will take reasonable steps to verify your identity before granting access or making corrections.

## **HOW TO CONTACT US IF YOU HAVE ANY QUESTIONS REGARDING THIS POLICY**

If you have any questions or concerns about the information presented in this Privacy Notice, you may contact:

CRD Privacy Officer  
2218 Kausen Drive, Suite 100 Elk Grove, CA 95758  
1-800-884-1684

## **CHANGES TO OUR PRIVACY POLICY**

We may update and revise our Privacy Policy. We will post any privacy policy changes on this page and, if the changes are significant, we will provide a more prominent notice.

## **EFFECTIVE DATE**

January 1, 2017