



Agile Intel Group

Can a Background Check be disputed or challenged?

Background Check Dispute/Challenge in North Carolina

In North Carolina, it is possible to challenge a background check. However, the specific process and requirements for challenging a background check can vary depending on the circumstances and the type of background check being conducted.

A. Employment Background Checks:

If an employment candidate believes that their rights have been violated during an employment check in North Carolina, the candidate can file a complaint with the North Carolina Department of Labor or consult with an employment attorney to explore their legal options. Additionally, it may be helpful to familiarize oneself with North Carolina laws regarding background checks for employment purposes, as there are specific limitations and requirements that employers must adhere to.

B. Criminal Background Checks:

North Carolina Judicial Branch provides a self-service option for obtaining non-certified criminal background checks for yourself or others at any courthouse in the state. However, it is important to note that these self-service background checks are not certified and may have limitations.

C. Expungement:

In certain cases, individuals may be eligible to have their criminal records expunged if they meet the eligibility criteria outlined in the North Carolina General Statutes. Expungement removes the records from public view and can potentially help mitigate the effects of a background check.

It is always advisable to consult with a legal professional familiar with North Carolina laws to understand the specific options and requirements for challenging or disputing a background check.

To dispute a background check, you can follow these general steps:

A. Review the Background Check:

Obtain a copy of the background check report or documentation containing the information you believe to be inaccurate or incomplete. Ensure you have a clear understanding of the specific details you wish to dispute.

B. Gather Evidence:

Collect any evidence or documentation that supports your claim and contradicts the information in the background check. This may include official records, court documents, employment records, or any relevant documents that can substantiate your dispute.

C. Contact the Reporting Agency:

Reach out to the agency or organization responsible for conducting the background check. This could be a consumer reporting agency for employment background checks or the specific agency responsible for conducting criminal background checks. Provide them with a formal written dispute letter detailing the specific information you believe is incorrect or incomplete. Include any supporting evidence or documentation.

D. Follow Up:

Maintain regular communication with the reporting agency to ensure they are investigating your dispute and resolving the issue. Request updates on the progress of your dispute and inquire about any additional steps or requirements.

E. Seek Legal Advice (if needed):

If the reporting agency does not adequately address your dispute, or if your rights have been violated during the background check process, consider

consulting with a legal professional who specializes in background check disputes. They can help assess your case and provide guidance on further legal actions you may take.

Conclusion

It's important to note that the specific process and requirements for disputing a background check can differ depending on the jurisdiction and the type of background check being conducted. Therefore, it is recommended to consult with a legal professional familiar with the laws in your jurisdiction.

If you have any questions or need more information, contact Agile Intel Group. Please see below.

END

Disclaimer: This report is not intended to provide legal advice of any kind. Legal advice can only be provided by a licensed attorney.

Sources:

- Practical Law – Westlaw – Background Check Laws: North Carolina
- North Carolina Judicial Branch – Criminal Background Checks
- North Carolina State Bureau of Investigation - Background Checks