

## What's your credit report have to do with getting a job?

Having a good education, glowing references and great skills are what most people think they need to land a new job. However, many employers — especially larger companies — consider a lesser-known factor when hiring certain types of employees: their credit reports.

A few states have laws restricting use of credit reports in hiring, but no current federal law specifically prohibits employers from obtaining or using job applicants' credit reports as part of their hiring process. However, the U.S. Equal Employment Opportunity Commission warns employers to generally avoid using a job applicant's credit rating and certain other financial information "because they tend to impact more adversely on minorities and females." The EEOC advises employers that such information can be used if "it is essential to the particular job in question."

Almost half of employers who responded to a survey last year said they use credit checks when hiring for certain types of positions. The reasons employers use credit checks vary, with some relying on them for only specific types of jobs such as bank teller positions and other jobs that involve regularly handling money. Employers report that credit checks usually occur after a tentative job offer is extended. In most cases an



employer will obtain a job applicant's authorization to request the report.

With the U.S. unemployment rate hovering around 9 percent, millions of Americans have been forced to enter the job market for the first time in many years. And the consequences of losing a regular paycheck can be reflected on an individual's credit report. For example, missed mortgage payments or a few late credit card payments could downgrade a job applicant's credit score.

It is not unusual for errors to show up on the reports compiled by the companies that track consumers' credit histories. For that reason it is important to check your credit reports and correct any errors you find on them. Three major national companies compile credit histories: Equifax, Experian and TransUnion.

The Fair Credit Reporting Act entitles you to obtain, at your request, your credit report free of charge once every 12 months. The three companies have set up a central website through which you can order your free credit report: [www.annualcreditreport.com](http://www.annualcreditreport.com).

You always want your credit report to be correct, but it is even more critical to correct errors if you are interviewing for jobs.

You can contact the EEOC if you believe a prospective employer discriminated against you because of something that appeared on your credit report. Improper job discrimination can be based on a number of factors that include, but are not limited to, race, national origin, age, religion, gender and disability. Information about filing a discrimination complaint can be obtained at the EEOC's website: [www.eeoc.gov](http://www.eeoc.gov).

You can also contact your attorney if you believe you've been discriminated against at work or by a prospective employer. Your attorney can help determine if you've been a victim of discrimination in hiring or at your workplace and will recommend whether you should pursue legal action.



## Extended auto warranties: good deals or waste of your money?

You've probably seen the ads on TV, or maybe you received a postcard or a phone call urging you to purchase an extended warranty for your vehicle. While there are a number of honest and reliable extended warranty companies, there are others that aren't so reputable.

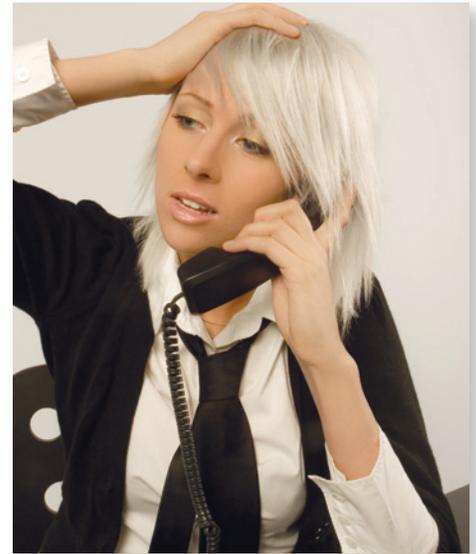
You should always be cautious if your interest in an extended warranty offer results in a high-pressure sales pitch promising protection against costly mechanical failure no longer covered by the manufacturer's warranty.

The telemarketer might press you to make the purchase immediately by making a down payment with a credit card and arranging for future payments on the balance of the extended warranty, which can be upward of \$1,000. But when you ask for printed information to review before you buy, the telemarketer might stall or terminate the call — an indication of a possible scam.

A reputable extended warranty company should not hesitate to provide detailed information that you can use to make an informed decision.

The Federal Trade Commission suggests the following precautions when buying extended service contracts:

- Check your factory warranty to determine the need for extended coverage.
- Take your time. Most legitimate businesses provide written information to review before you commit to a purchase.
- Never give personal financial or sensitive information unless you know with whom you're dealing. Scammers can use it to commit fraud against you.
- Be skeptical of unsolicited calls, especially if it's a recorded message or if your phone number is on the National Do Not Call Registry.
- Check on licensing and registration within your state. Some states do not regulate service contract administrators, but others have strict regulations.
- Be sure the company is capable of paying claims fairly and quickly.



© Valueline/Punchstock

Check out the company with your state attorney general ([www.naag.org](http://www.naag.org)), consumer protection agency ([www.consumeraction.gov](http://www.consumeraction.gov)) and the Better Business Bureau ([www.bbb.org](http://www.bbb.org)) to determine if there are unresolved complaints about the company on file.

Visit [www.ftc.gov](http://www.ftc.gov) and search for "auto service contracts" to learn more about extended warranties.

## Traffic crashes cost society \$164 billion a year

From minor "fender benders" to highway crashes in which people are killed and seriously injured, the annual price tag for vehicle wrecks in the United States is at least \$164 billion, according to federal data. The high cost of vehicle



© Moodboard/Punchstock

crashes underscores the importance of obtaining proper medical and legal assistance when involved in an accident. Crashes involve numerous expenses, and the costs of vehicle repairs and medical treatment for the injured are only part of the total bill. Other monetary costs can include non-vehicular property damage, rehabilitation and long-term care, lost wages, accident-scene responders and legal costs.

The emotional trauma suffered by crash victims and their family members can have a financial impact as well. Taxpayers often end up paying substantial portions of wreck costs through Medicare, Medicaid and unemployment

insurance paid to disabled victims. A study by the Centers for Disease Control and Prevention found the cost of just medical care and productivity losses associated with injuries from motor vehicle crashes exceeded \$99 billion in one year. That total cost translated to nearly \$500 per year for each licensed driver in the United States.

The extent of property damage and physical and psychological injuries stemming from a motor vehicle crash are not always immediately recognized. That's why it is important to seek proper assistance from medical and legal professionals if you are involved in a crash.

# Convincing older person to give up driving can be challenging

Although older Americans today can be more physically and mentally fit than those of earlier generations, for some there still comes a time when it's no longer safe to drive a motor vehicle. Some seniors will themselves recognize when that time has arrived, but others may require nudging from relatives or friends to make such a decision.

There is no specific age at which driving may no longer be safe and indications are that many older Americans continue to drive safely for many years. In fact, 78 percent of Americans ages 70 and older had driver's licenses in 2008, according to the Insurance Institute for Highway Safety.

When experienced drivers grow older, changes in their physical condition, such as diminished vision or hearing loss, may inhibit their ability to operate a motor vehicle safely. Sometimes these changes occur very slowly and the driver is not always aware his or her driving abilities have suffered. Older drivers have a



© Photodisc/Punchstock

higher risk of being killed in a crash because they are sometimes physically less able to recover from injuries.

Speaking with an older individual about his or her driving can be difficult. To people of any age, driving often represents independence,

competence or control. But at some point, an individual may need to stop driving for his or her safety and the safety of others.

For more information on older drivers, visit the NHTSA website at [www.nhtsa.gov/Senior-Drivers](http://www.nhtsa.gov/Senior-Drivers).

## Do you know someone who should no longer drive?

### The National Highway Traffic Safety Administration suggests:

- ✓ **Talk to the person.**  
You may want to have other family members and friends join you.
- ✓ **Consult the driver's doctor.**  
Doctors are often the first people from whom family and friends seek help for advising an older driver. Physicians can tell the individual to stop driving or they might even "prescribe" stopping.
- ✓ **Consult a driving rehabilitation specialist.**  
Such a specialist can assess the individual's driving safety through an off-road exam and a driving test.
- ✓ **Check your state laws.**  
Certain states require more frequent license renewal after a certain age. Some states allow family members or other concerned parties to report drivers to the state's department of motor vehicles.
- ✓ **Arrange for other transportation.**  
Help the individual find such other ride options as family members, friends, shuttle services or taxis.
- ✓ **Contact your family lawyer.**  
Your attorney can discuss potential financial and legal consequences of a crash or injury.



## Census influences politics and our daily lives

Every 10 years, the U.S. Census Bureau and thousands of workers carry out the enormous task of counting every person in the United States. The first major headline that usually comes out of that process is the nation's population: 308,745,538 in April 2010, according to the Census Bureau's official tally.

But the massive undertaking is about much more than just a simple head count.

The data collected are the driving force behind a wide range of public and private policies, from how marketers target consumers to the distribution of federal funds to the make-up of our national and state legislative branches of government. Not many people are aware that census numbers are the backbone of some marketing industry tools that help target sales efforts. Income and demographic data the census gathers for different geographic areas helps advertisers determine where and how to spend their dollars to influence consumers.

The official population numbers also help government agencies know where to distribute more



© Tetra Images/Punchstock

than \$400 billion in federal funds to local, state and tribal governments each year.

Other areas affected by the census data are neighborhood improvements, public health, education, transportation and much more. Population numbers also drive decisions about whether to provide services for the elderly, where to build new roads and schools and where to locate job training centers.

Population numbers also have enormous political consequences.

By law there are 435 seats in the U.S. House of Representatives, and the seats are distributed evenly by

population. The census determines how many representatives each state will have in Congress. The process, called reapportionment, was completed in late 2010.

For example, Louisiana, which only grew 1.4 percent over the past decade, will lose a congressional seat due to reapportionment, while Texas, which gained more than 4 million residents during the same period, will get an additional four representatives.

After reapportionment, the new congressional district lines are actually drawn by each state through a process called redistricting. States and local governments also determine new state legislative districts, school districts, city council districts, judicial districts and other political districts — all based on the new population data.

The timeline to complete the new boundaries varies from state to state, but most began in early 2011 and will complete the work by the end of the year.

For more information about the census, visit [www.census.gov](http://www.census.gov) and [www.factfinder.census.gov](http://www.factfinder.census.gov).

*This newsletter is intended solely for current and former clients of our law firm. If you received this newsletter in error, we apologize for any inconvenience. You may contact our office to have your name removed from the mailing list.*

*You & the Law © 2011, LAJ*

**WATSON**  
**LAW**  
*of the*  
**YOU**

**KLEINPETER & SCHWARTZBERG, L.L.C.**  
619 Jefferson Highway, Ste. 2H  
Baton Rouge, LA 70806