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Fair Credit Reporting



Covers credit reporting, with new changes required by Dodd-Frank, new CFPB rules, FTC staff interpretations, and recent case law.

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The intersection of technology, financial services, and employment practices can put breadwinners at risk — especially low-wage and low-income workers who need every penny earned to survive and support their families.

The National Consumer Law Center's expertise focuses on worker protections, including accurate credit reports and employment background checks, effective prepaid benefits and payroll cards, protection of wages from debt collection, and fair car sales and lending.

Employer Use of Credit Reports and Background Checks

Policy Analysis

Policy Briefs, Reports & Press Releases

- Blog: [Gorsuch Opinion in *Epic Systems* Expresses Openness to Re-examination of *Chevron*](#), May 2018
- Issue Brief: [The Uniform Wage Garnishment Act: Benefits and Dangers for Wage Earners](#), April 2017
- Report: [Rating State Government Payroll Cards](#), November 2015
- Report: [Broken Records: How Errors by Criminal Background Checking Companies Harm Workers and Businesses](#), April 2012
- Press Release: [New FTC Study Points to Much-Needed Reforms for Credit Reporting Industry](#), February, 2013
- Press Release: [CFPB to Oversee Credit Reporting Agencies](#), July 16, 2012

Comments and Testimony

- Comments to the Massachusetts Trial Court Public Access to Court Records Committee re: [Criminal Cases and Internet Access to Docket Entries and Court Files](#), June 15, 2015
- Testimony before the U.S. House of Representative Committee on Financial Services regarding “[An Overview of the Credit Reporting System](#)”, September 10, 2014
- Congress Should Ban the Use of Credit Histories in Employment with Limited Exceptions. From: “[Making Sense of Consumer Credit Reports](#),” Dec. 19, 2012
- Testimony: [Examining the Uses of Consumer Credit Data](#), Sept. 13, 2012 (Before the U.S. House Committee on Financial Services Subcommittee on Financial Institutions and Consumer Credit)
- Testimony: [Use of Credit Reports in Employment and Restoring Consumer Rights for Adverse Action Disclosures — Use of Credit Information beyond Lending: Issues and Reform Proposals](#), May 12, 2010 (Before the U.S. House Committee on Financial Services Subcommittee on Financial Institutions and Consumer Credit)

Litigation

- [Motion for Leave to file an Amicus Brief](#) and [Proposed] [Amicus brief](#) in the Middle District of North Carolina (*Brown v. Delhaize and Food Lion, Inc.*), August 11, 2014

Fair Debt Collection (Wage & Benefits Garnishment; Workplace Calls from Debt Collectors)

Policy Analysis

Comments, Letters & Testimony

- Coalition letters to [House](#) and [Senate](#) supporting regulations implementing the Fair Pay and Safe Workplaces Executive Order and its ban on forced arbitration, Jan. 31, 2017
- [Letter supporting H.R. 5664 \(Cummings\), Wage and Garnishment Equity Act](#), July 6, 2016
- Testimony of Robert J. Hobbs to the Nevada House of Representatives [in support of SB 373 Nevada Wage Protection Act to increase the amount of wages exempt from creditors from 75% to 90%](#), March 26, 2013; [Nevada Assembly testimony](#), May 3, 2013
- Comments re: [Opposing Debt Collectors Autodialing Personal Cell Phones and Calls to Employers](#) (to the Federal Communications Commission), 2006

Policy Briefs, Reports & Press Releases

- Report: [No Fresh Start: How States Let Debt Collectors Push Families into Poverty](#), October 2013
- Policy Brief: [New Mass. Law Protects Cars, Wages, Bank Accounts from Collectors](#), March 9, 2011

Model Laws

- [Model Consumer Amendments to Uniform Wage Garnishment Act](#), January 2017
- [Model Family Financial Protection Act](#), October 2013

Forced Arbitration

- NCLC to testify before the Chicago City Council on harms of forced arbitration by contractors in consumer and employment agreements, June 15, 2016. [Testimony](#) || [Press Release](#)

Payroll Cards

Policy Analysis

Policy Briefs, Reports & Press Releases

- [Press Release: No Fooling! New Prepaid, Payroll, and Government Benefit Card Protections Take Effect April 1](#), Mar. 28, 2019
- Issue Brief: [New Protections for Prepaid Cards and Accounts](#), Mar. 28, 2019
- Issue Brief: [New Protections for Payroll Cards](#), Mar. 28, 2019
- Issue Brief: [New Protections for Government Benefit Prepaid Cards](#), Mar. 28, 2019
- Press Release: [Payroll Cards Make Sense for Unbanked with Proper Guidelines](#), August 7, 2013
- Press Release: [How to Create a Payroll Card that Works for the Unbanked and Business](#), July 31, 2013 (American Payroll Association & NCLC)
- Press Release: Joint [Payroll Card Principles](#), March 2011
- Policy Brief: NCLC, Consumer Union, NACHA, American Payroll Association and Association for Financial Professionals [Joint Core Principles for Payroll Cards](#) (February 2011); NCLC and CU [Supplemental Principles](#)

Model Law

- [Consumers Union and NCLC Model State Payroll Card Law](#)

Other Resources

- Marketplace [Radio interview](#) (5:21 runtime) with NCLC attorney Lauren Saunders re: consumer rights and payroll debit cards, July 5, 2013

Unemployment & Other Federal Benefits Prepaid Cards

Policy Analysis

Comments & Letters

- Group Comments: [Direct Deposit of Federal Benefits and Wages to Prepaid and Stored Value Cards](#), July 2010 (To the U.S. Department of the Treasury Financial Management Service)
- Group [Letter Supporting Benefit Card Fairness Act](#), H.R. 4552, May 2010

Policy Briefs, Reports & Press Releases

- Report: [2013 Survey of Unemployment Compensation Prepaid Cards](#), Jan. 29, 2013
- Report: [Prepaid Cards for Unemployed Workers: Who Holds the Winning Hand? States Can Deal Workers a Winning Hand by Discarding Junk Fees \(NCLC Reviews 40 States' Unemployment Compensation Prepaid Cards\)](#), May 2011
- Policy Brief: [Protections Needed for Prepaid Payroll, Unemployment Benefits, Child Support, and Other Prepaid Payment Cards](#), March 2009

Other Resources

- PowerPoint: [Public Benefits and Wages on Prepaid Cards](#), November 2010

Work Transportation

Programs

[Working Cars for Working Families:](#)



A safe and reliable car is essential to the success of most working families. This NCLC project contains information on policies and programs (including car ownership programs for low-income families) to secure a fair deal when buying and financing a car.

Policy Analysis

Comments & Testimony

- [Group comments](#) to the FTC on the Used Car rule, March 12, 2013
- Testimony re: [Consumer Protection in the Used and Subprime Car Market](#), March 2009 (Before the U.S. House Subcommittee on Commerce Trade and Consumer Protection of the Committee on Energy and Commerce)

Policy Briefs, Reports & Press Releases

- Report: [Fueling Fair Practices - A Roadmap to Improved Public Policy for Used Car Sales and Financing](#), 2009

Other Resources

- PowerPoint: [Understanding the Impact of Car Ownership Programs for Low-Income Consumers](#), January 2012