Disclosures and Authorizations Introduction
IMPORTANT NOTICE/PLEASE READ

You have now come to the Disclosures and Authorizations section. In this section, you will review each separate background investigation disclosure and/or authorization applicable to you. Review each document carefully.

FAIR CREDIT REPORTING ACT CONSUMER REPORT DISCLOSURE

The Prudential Insurance Company of America and/or its parent or any of its affiliates, divisions, or subsidiaries (collectively, the "Company") may obtain a consumer report about you for the following employment purposes:

(1) The Company, as the unaffiliated Third Party Administrator of Fortitude Life Insurance & Annuity Company ("FLIAC"), may obtain a consumer report in connection with your application for third party appointee independent contractor status with FLIAC, or in connection with your current appointment with FLIAC; and

(2) The Company may obtain a consumer report in connection with your application for third party appointee independent contractor status with the Company, or in connection with your current appointment with the Company.

CALIFORNIA INVESTIGATIVE CONSUMER REPORT DISCLOSURE

(For California Residents and California Positions)

The Prudential Insurance Company of America and/or its parent or any of its affiliates, divisions, or subsidiaries (the "Company") may obtain an investigative consumer report about you for employment purposes from the following investigative consumer reporting agency:

Business Information Group, Inc. ("BIG")
P.O. Box 541
Southampton, PA 18966
800-369-2612
www.bigreport.com

Information obtained by the investigative consumer reporting agency identified above, and included in any report provided to the Company, may be obtained through a variety of means, including the inspection of lawfully available documents and information and/or direct or indirect contact and interviews with former employers, schools, financial institutions, public agencies, and others with whom you are acquainted who may have such knowledge.

Investigation(s) to be conducted by the investigative consumer reporting agency above, the results of which may be included in any report provided to the Company, may include various types of information about you regarding your character, general reputation, personal characteristics or mode of living, employment and work history, education, driving record, and criminal record, subject to any limitations imposed by applicable federal and state law.

A Summary of Your Rights Under California Civil Code Section 1786.22

(a) An investigative consumer reporting agency shall supply files and information required under Section 1786.10 during normal business hours and on reasonable notice.

(b) Files maintained on a consumer shall be made available for the consumer's visual inspection, as follows:

> **(1)** In person, if he appears in person and furnishes proper identification. A copy of his file shall also be available to the consumer for a fee not to exceed the actual costs of duplication services provided.
>
> **(2)** By certified mail, if he makes a written request, with proper identification, for copies to be sent to a specified addressee. Investigative consumer reporting agencies complying with requests for certified mailings under this section shall not be liable for disclosures to third parties caused by mishandling of mail after such mailings leave the investigative consumer reporting agencies.
>
> **(3)** A summary of all information contained in files on a consumer and required to be provided by Section 1786.10 shall be provided by telephone, if the consumer has made a written request, with

proper identification for telephone disclosure, and the toll charge, if any, for the telephone call is prepaid by or charged directly to the consumer.

(c) The term "proper identification" as used in subdivision (b) shall mean that information generally deemed sufficient to identify a person. Such information includes documents such as a valid driver's license, social security account number, military identification card, and credit cards. Only if the consumer is unable to reasonably identify himself with the information described above, may an investigative consumer reporting agency require additional information concerning the consumer's employment and personal or family history in order to verify his identity.

(d) The investigative consumer reporting agency shall provide trained personnel to explain to the consumer any information furnished him pursuant to Section 1786.10.

(e) The investigative consumer reporting agency shall provide a written explanation of any coded information contained in files maintained on a consumer. This written explanation shall be distributed whenever a file is provided to a consumer for visual inspection as required under Section 1786.22.

(f) The consumer shall be permitted to be accompanied by one other person of his choosing, who shall furnish reasonable identification. An investigative consumer reporting agency may require the consumer to furnish a written statement granting permission to the consumer reporting agency to discuss the consumer's file in such person's presence.

ADDITIONAL DISCLOSURES REGARDING BACKGROUND CHECK

The Prudential Insurance Company of America and/or its parent or any of its affiliates, divisions, or subsidiaries (the "Company") will obtain a consumer report about you for employment purposes (third party appointee independent contractor status with FLIAC and/or the Company). The report, which is commonly referred to as a "background check report," will be requested from the following consumer reporting agency: Business Information Group, Inc. ("BIG"). BIG's mailing address is P.O. Box 541, Southampton, PA 18966, and can be reached at 800-369-2612 or www.bigreport.com.

Please be advised that the report may include information about your criminal, employment, and education history, as well as other types of information that the Company is permitted by law to collect and consider.

If you reside in, work in, or will have a work location that is located in any of the below states or localities, please carefully read and ensure that you understand the corresponding notices that are listed below.

SAN FRANCISCO: If you are seeking employment or an independent contractor relationship with the Company in San Francisco, you must review a copy of the "A Notice to Job Applicants and Employees – San Francisco Fair Chance Ordinance," which is available here: https://sf.gov/sites/default/files/2022-12/FCO%20poster2020_0.pdf.

MINNESOTA: You have the right in most circumstances to submit a written request to the consumer reporting agency for a complete and accurate disclosure of the nature and scope of any consumer report the Company ordered about you. The consumer reporting agency must provide you with this disclosure within five (5) days after its receipt of your request or the date the report was requested by the Company, whichever date is later.

NEW YORK: You have the right, upon written request to the Company, to be informed whether the Company requested a consumer report about you and, if so, the name and address of the consumer reporting agency from which the report were requested. Shown above is the name and contact information of the consumer reporting agency from which the Company anticipates requesting the report. Please be advised that you may inspect and receive a copy of any consumer report requested about you by contacting that consumer reporting agency. Please note that the Company may request or utilize subsequent consumer reports in connection with any change or extension of your employment or independent contractor relationship with the Company. Lastly, please review a copy of "Article 23-A of the New York Correction Law," which will be provided to you later in this process.

NOTE: CALIFORNIA, MINNESOTA & OKLAHOMA: Please check the box below if you would like to receive (whenever you have such right under the applicable state law) a free copy of any consumer report requested about you. ☐

**** ALONG WITH YOUR COMPLETED APPOINTMENT APPLICATION, PLEASE RETURN THIS PAGE TO COMPANY ONLY IF YOU ARE REQUESTING A COPY OF YOUR CONSUMER REPORT ****

Para información en español, visite www.consumerfinance.gov/learnmore o escribe a la Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.

A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under FCRA. **For more information, including information about additional rights, go to www.consumerfinance.gov/learnmore or write to: Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.**

- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment – or to take another adverse action against you – must tell you, and must give you the name, address, and phone number of the agency that provided the information.

- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your "file disclosure"). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:

    - a person has taken adverse action against you because of information in your credit report;
    - you are the victim of identity theft and place a fraud alert in your file;
    - your file contains inaccurate information as a result of fraud;
    - you are on public assistance;
    - you are unemployed but expect to apply for employment within 60 days.

    In addition, all consumers are entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See www.consumerfinance.gov/learnmore for additional information.

- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.

- **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer

reporting agency, the agency must investigate unless your dispute is frivolous. See www.consumerfinance.gov/learnmore for an explanation of dispute procedures.

- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete, or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.

- **Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.

- **Access to your file is limited.** A consumer reporting agency may provide information about you only to people with a valid need – usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.

- **You must give your consent for reports to be provided to employers.** A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to www.consumerfinance.gov/learnmore.

- **You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.** Unsolicited "prescreened" offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt out with the nationwide credit bureaus at 1-888-567-8688.

- The following FCRA right applies with respect to nationwide consumer reporting agencies**:**

  CONSUMERS HAVE THE RIGHT TO OBTAIN A SECURITY FREEZE

  You have a right to place a "security freeze" on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit.

  As an alternative to a security freeze, you have the right to place an initial or extended fraud alert on your credit file at no cost. An initial fraud alert is a 1-year alert that is

placed on a consumer's credit file. Upon seeing a fraud alert display on a consumer's credit file, a business is required to take steps to verify the consumer's identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting 7 years.

A security freeze does not apply to a person or entity, or its affiliates, or collection agencies acting on behalf of the person or entity, with which you have an existing account that requests information in your credit report for the purposes of reviewing or collecting the account. Reviewing the account includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

- **You may seek damages from violators.** If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.

- **Identity theft victims and active duty military personnel have additional rights.** For more information, visit www.consumerfinance.gov/learnmore.

States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. For information about your federal rights, contact:

TYPE OF BUSINESS:	CONTACT:
1.a. Banks, savings associations, and credit unions with total assets of over $10 billion and their affiliates b. Such affiliates that are not banks, savings associations, or credit unions also should list, in addition to the CFPB:	a. Consumer Financial Protection Bureau 1700 G Street NW Washington, DC 20552 b. Federal Trade Commission Consumer Response Center 600 Pennsylvania Avenue NW Washington, DC 20580
2. To the extent not included in item 1 above: a. National banks, federal savings associations, and federal branches and federal agencies of foreign banks b. State member banks, branches and agencies of foreign banks (other than federal branches, federal agencies, and Insured State Branches of Foreign Banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act. c. Nonmember Insured Banks, Insured State Branches of Foreign Banks, and insured state savings associations d. Federal Credit Unions	a. Office of the Comptroller of the Currency Customer Assistance Group P.O. Box 53570 Houston, TX 77052 b. Federal Reserve Consumer Help Center P.O. Box 1200 Minneapolis, MN 55480 c. Division of Depositor and Consumer Protection National Center for Consumer and Depositor Assistance Federal Deposit Insurance Corporation 1100 Walnut Street, Box #11
3. Air carriers	Assistant General Counsel for Office of Aviation Protection Department of Transportation 1200 New Jersey Avenue SE
4. Creditors Subject to the Surface Transportation Board	Office of Public Assistance, Governmental Affairs, and Compliance Surface Transportation Board 395 E Street SW
5. Creditors Subject to the Packers and Stockyards Act, 1921	Nearest Packers and Stockyards Division Regional Office
6. Small Business Investment Companies	Associate Administrator, Office of Capital Access United States Small Business Administration 409 Third Street SW, Suite 8200
7. Brokers and Dealers	Securities and Exchange Commission 100 F Street NE
8. Institutions that are members of the Farm Credit System	Farm Credit Administration 1501 Farm Credit Drive McLean, VA 22102-5090
9. Retailers, Finance Companies, and All Other Creditors Not Listed Above	Federal Trade Commission Consumer Response Center 600 Pennsylvania Avenue NW Washington, DC 20580 (877) 382-4357

(For New York State Residents and New York State Positions)

ARTICLE 23-A of the New York Correction Law

LICENSURE AND EMPLOYMENT OF PERSONS PREVIOUSLY CONVICTED OF ONE OR MORE CRIMINAL OFFENSES

750. Definitions.

751. Applicability.

752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited.

753. Factors to be considered concerning a previous criminal conviction; presumption.

754. Written statement upon denial of license or employment.

755. Enforcement.

§ 750. Definitions. For the purposes of this article, the following terms shall have the following meanings:

(1) "Public agency" means the state or any local subdivision thereof, or any state or local department, agency, board or commission.

(2) "Private employer" means any person, company, corporation, labor organization or association which employs ten or more persons.

(3) "Direct relationship" means that the nature of criminal conduct for which the person was convicted has a direct bearing on his fitness or ability to perform one or more of the duties or responsibilities necessarily related to the license, opportunity, or job in question.

(4) "License" means any certificate, license, permit or grant of permission required by the laws of this state, its political subdivisions or instrumentalities as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. Provided, however, that "license" shall not, for the purposes of this article, include any license or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm.

(5) "Employment" means any occupation, vocation or employment, or any form of vocational or educational training. Provided, however, that "employment" shall not, for the purposes of this article, include membership in any law enforcement agency.

§ 751. Applicability. The provisions of this article shall apply to any application by any person for a license or employment at any public or private employer, who has previously been convicted of one or more criminal offenses in this state or in any other jurisdiction, and to any license or employment held by any person whose conviction of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license, except where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed by an executive pardon, certificate of relief from disabilities or certificate of good conduct. Nothing in this article shall be construed to affect any right an employer may have with respect to an intentional misrepresentation in connection with an application for employment made by a prospective employee or previously made by a current employee.

§ 752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited. No application for any license or employment, and no employment or license held by an individual, to which the provisions of this article are applicable, shall be denied or acted upon adversely by reason of the individual's having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of "good moral character" when such finding is based upon the fact that the individual has previously been convicted of one or more criminal offenses, unless:

(1) there is a direct relationship between one or more of the previous criminal offenses and the specific license or employment sought or held by the individual; or

(2) the issuance or continuation of the license or the granting or continuation of the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

§ 753. Factors to be considered concerning a previous criminal conviction; presumption. 1. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors:

(a) The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses.

(b) The specific duties and responsibilities necessarily related to the license or employment sought or held by the person.

(c) The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities.

(d) The time which has elapsed since the occurrence of the criminal offense or offenses.

(e) The age of the person at the time of occurrence of the criminal offense or offenses.

(f) The seriousness of the offense or offenses.

(g) Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.

(h) The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public.

2. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall also give consideration to a certificate of relief from disabilities or a certificate of good conduct issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified therein.

§ 754. Written statement upon denial of license or employment. At the request of any person previously convicted of one or more criminal offenses who has been denied a license or employment, a public agency or private employer shall provide, within thirty days of a request, a written statement setting forth the reasons for such denial.

§ 755. Enforcement. 1. In relation to actions by public agencies, the provisions of this article shall be enforceable by a proceeding brought pursuant to article seventy-eight of the civil practice law and rules.

2. In relation to actions by private employers, the provisions of this article shall be enforceable by the division of human rights pursuant to the powers and procedures set forth in article fifteen of the executive law, and, concurrently, by the New York city commission on human rights.

ACKNOWLEDGMENTS & AUTHORIZATION FOR

EMPLOYMENT-RELATED SCREENINGS

By signing below, I acknowledge that I have received, read, and understand each of the following documents:

- Fair Credit Reporting Act Consumer Report Disclosure
- California Disclosure Regarding Investigative Consumer Reports
- Additional Disclosures Regarding Background Check~~s~~
- A Summary of Your Rights Under the Fair Credit Reporting Act
- Article 23-A of the New York Correction Law

Based on my review of these documents, I authorize The Prudential Insurance Company of America and/or its parent or any of its affiliates, divisions, or subsidiaries (the "Company") to request consumer reports about me from a consumer reporting agency for the following employment purposes:

(1) The Company, as the unaffiliated Third Party Administrator of Fortitude Life Insurance & Annuity Company ("FLIAC") will request a consumer report in connection with my application for third party appointee independent contractor status with FLIAC, or in connection with my current appointment with FLIAC; and

(2) The Company will request a consumer report in connection with my application for third party appointee independent contractor status with the Company, or in connection with my current appointment with the Company.

I understand that under the Fair Credit Reporting Act and other state laws regulating the use of "consumer reports," the term "employment purposes" has been interpreted to include independent contractor relationships, affiliations, or contingent worker assignments, such that the Company is interpreting the term "employment purposes" to include non-employee relationships for purposes of these forms **exclusively**. As a result, as I am reviewing these forms as a prospective or current independent third party appointee, the fact that the Company has provided these forms **does not** mean that the Company intends to enter into an employment relationship with me or that I should consider myself an employee of the Company for any reason, if I ultimately provide services to the Company as an independent contractor, affiliate, or contingent worker.

I further understand that if I am appointed with FLIAC and/or the Company, nothing in these forms indicates that I am guaranteed appointment with FLIAC and/or the Company. In addition, if I am appointed, these forms do not alter the at-will nature of any appointment relationship I may have with the Company or FLIAC.

**** ALONG WITH YOUR COMPLETED APPOINTMENT APPLICATION, PLEASE RETURN THIS PAGE TO COMPANY WITH THE SIGNED AND DATED PAGE BELOW ****

I further acknowledge that this authorization is valid throughout any appointment I have or may have with the Company or FLIAC. Accordingly, the Company may request additional consumer reports about me without my further authorization at any time during my appointment with the Company or FLIAC so long as doing so is permitted by applicable law.

Lastly, by signing below, I represent that the information I have provided and/or will provide during the background check process is true, accurate, and complete. I understand that dishonesty or any material omission may disqualify me from employment or any independent contractor relationship, as applicable.

By entering my name and date in the boxes below, I agree, and it is my intent, to sign this document electronically. I understand that signing and submitting this form in this fashion is the legal equivalent of having placed my handwritten signature on the authorization. This authorization shall be valid in original, pdf, digital, faxed or photocopied form. This authorization shall expire upon termination of any appointment relationship I may have with the Company or FLIAC.

Please provide an electronic signature if you are able to do so. If you are not able to provide a signature electronically in the space provided below, please fax a signed copy of these forms to 856-446-2744.

Date (MM/DD/YYYY): _____

☐ I, _____ , agree.

Your signature

Are you able to provide an electronic signature?

☐ Yes ☐ No

**** ALONG WITH YOUR COMPLETED APPOINTMENT APPLICATION, PLEASE RETURN THIS PAGE TO COMPANY WITH YOUR SIGNATURE, AND DATE ****