



Employer Payment Sloth Affecting My Credit

Question: My employer forces us to use a corporate card for travel expenses. In my situation the employer sat on a \$10,000 expense report for 4 months. There was no way that I could afford to pay it myself. The principal did get paid, but there is a \$900.00 late fee which is currently due. Even though I was informed that this would never show up on my credit report, it does, and now neither the credit card company nor my employer wants to help me remove it. I really don't want to lose my job over this, but I do need my good credit back. All I want is for this entry to be removed and my score to go back to where it should be. Any suggestions?

Answer by Dan Persfull:

Are you contractually liable for the credit card? If not, then the credit card company should not be reporting it to the credit bureaus in your name, but if you are then the reporting is legitimate if you did not keep the account current for those 4 months. If you are not liable, then file a dispute outlining you are not contractually liable for the account and the situation that caused the delinquencies with the credit reporting agencies under the Fair Credit Reporting Act, and send a copy to your employer and credit card company.

You say you don't want to lose your job over this, I'd be more concerned about working for an employer that sat on expense reports for 4 months and then would not assist me in correcting a problem they created.

Bank's Right to Review Employee Accounts

Question: I have read all the articles relating to reviewing employee accounts on BOL. I know banks review employee accounts for suspicious activity and Internal Audit at previous bank lives have done so. We have a senior officer who is stating that the bank does not have a right to review employee accounts. Could you please site any legal or regulatory reference to support reviewing employee accounts?

Answer by Andy Zavoina:

I asked this question of counsel once and was asked to cite some protection the employee has. The information stays within the confidential walls of the bank and it is "the bank" doing the review, not any employee for their own gain. It isn't a privacy issue.

Answer by Ken Gollhofer: This "show me where it says that" game works both ways. Obviously, banks review the accounts of many customers for a wide variety of

reasons. If there is a prohibition against reviewing their employees' accounts then your *senior officer* should be readily able to cite you to it, unless of course he's just making it up as he goes.

Andy's right, there is no privacy issue.

FDIC Requires Background Check on New Employees?

Question: I thought I saw recently where banks are now required by the FDIC to do background checks on new employees. Is this correct and can you tell me where to look for more information on this matter?

Answer by Jim Bedsole:

Check out the [attachment](#)

<http://www.fdic.gov/news/news/financial/2005/fil4605a.html> to [FIL-46-2005](#)

<http://www.fdic.gov/news/news/financial/2005/fil4605.html> for the specific guidance provided by FDIC on this issue.

Answer by John Burnett:

BOL also provided an [article](#)

http://www.bankersonline.com/hr/jb_fdic_bckgrndscreen_060205.html covering the FDIC's guidance.

Monitoring Outbound Telephone Calls

Question: I am trying to assist my co-worker in finding an answer for a Call Monitoring Audit she has been assigned. One of the criteria she is looking for is disclosing that we may monitor the "outbound" call for quality and training purposes. She needs to find something that backs up this criterion. Is there a regulation for this? We are told this is not bank specific; the only thing we have found so far is a phone company's policy. We would rather have something "legal." In the event there is not a regulation it won't be audited or required. Can you please advise? Also, we have a VUR that states this same monitoring quote on inbound calls....obviously you can't do that on an outbound call.

Answer by Andy Zavoina:

Often you can look in the first section of your local telephone book. It will tell you whether one or all parties should be advised that the call is/may be recorded. Laws vary from state to state.

There is no requirement to audit this, though that is one way to show evidence that compliance procedures are being followed and to verify and improve customer service issues.