

Ohio Department of Rehabilitation and Correction

Authority for Release of Information

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|-----------------------|-------------|--|----------------------|-----------|
| Last Name: | First Name: | Middle Name: | Social Security No.: | |
| Street Address: | City: | County: | State: | Zip Code: |
| Driver's License No.: | | Place of Birth (county or city, state, country): | | |
| Sex: | Race: | Date of Birth (m/d/y): | | |

I, authorize a review and full disclosure of all records, or any part thereof, concerning myself, by and to **any** duly authorized agent of the Ohio Department of Rehabilitation and Correction, whether the said records are of public, private, or confidential nature.

The intent of this authorization is to give my consent for full and complete disclosure of the records of all educational institutions, courts, police agencies, present and previous employment to include pre-employment records, background reports, efficiency ratings, discipline records, termination records, complaints or grievances filed by or against me, and salary records.

The intent of this authorization is to provide full and free access to the background and history of my personal life, for the specific purpose of pursuing a background investigation which may provide pertinent data for the Ohio Department of Rehabilitation and Correction to consider in determining my suitability for worksite entry to provide contracted services, volunteer services, or for employment by that department. It is my specific intent to provide access to personal information, however personal or confidential it may appear to be, and the sources of information specifically identified herein.

I understand that any information obtained by a personal history background investigation which is developed directly or indirectly, in whole or in part, upon this release authorization will be considered in determining my suitability for worksite entry to provide contracted services, volunteer services, or for employment by the Ohio Department of Rehabilitation and Correction. I understand that all materials pertaining to this background investigation become the property of the Ohio Department of Rehabilitation and Correction and will not be returned to me.

I hereby give permission and waive all provisions of company policy and law forbidding any school, court, police agency, employer, firm or person, from disclosing any knowledge or information they have concerning me. I agree to indemnify and hold harmless the person to whom this request is presented and his or her agents and employees, for and against all claims, damages, losses, and expenses, including reasonable attorney's fees, arising out of or by reason of complying with this request. (see ORC 4113.71, Employer immunity as to job performance information disclosures, on the reverse of this form.) I further understand that in the event my application is disapproved, the sources of confidential information cannot be revealed to me.

A photocopy of this release form will be valid as an original hereof, even though the said photocopy does not contain an original writing of my signature.

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| Signature: | Date: |
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§ 4113.71

Employer immunity as to job performance information disclosures.

(A) As used in this section:

- (1) “Employee” means an individual currently or formerly employed by an employer.
- (2) “Employer” means the state, any political subdivision of the state, any person employing one or more individuals in this state, and any person directly or indirectly acting in the interest of the state, political subdivision, or such person.
- (3) “Political subdivision” and “state” have the same meanings as in section 2744.01 of the Revised Code.

(B) An employer who is requested by an employee or a prospective employer of an employee to disclose to a prospective employer of that employee information pertaining to the job performance of that employee for the employer and who discloses the requested information to the prospective employer is not liable in damages in a civil action to that employee, the prospective employer, or any other employer is not liable in damages in a civil action to that employee, the prospective employer, or any other person for any harm sustained as approximate result of making the disclosure or of any information disclosed, unless the plaintiff in a civil action establishes, either or both of the following:

- (1) By a preponderance of the evidence that the employer disclosed particular information with the knowledge that it was false, with the deliberate intent to mislead the prospective employer or another person, in bad faith, or with malicious purpose;
- (2) By a preponderance of the evidence that the disclosure of particular information by the employer constitutes an unlawful discriminatory practice described in section 4112.02, 4112.021 [4112.02.1], or [4112.02.2] of the Revised Code.

(C) If the court finds that the verdict of the jury was in favor of the defendant, the court shall determine whether the lawsuit brought under division (B) of this section constituted frivolous conduct as defined in division (A) of section 2323.51 of the Revised Code. If the court finds by a preponderance of the evidence that the lawsuit constituted frivolous conduct, it may order the plaintiff to pay reasonable attorney’s fees and court costs of the defendant.

(D)(1) This section does not create a new cause of action or substantive legal right against an employer.

(2) This section does not affect any immunities from civil liability or defenses established by another section of the Revised Code or available at common law to which an employer may be entitled under circumstances not covered by this section.

HISTORY: 146 v H 44. Eff 7-3-96.

The provisions of § 2 of HB 44 (146 v --) read as follows:

SECTION 2. Section 4113.71 of the Revised Code, as enacted by this act, shall apply only to cause of action against employers, as defined in the section, for harm that allegedly arises from the disclosure of job performance information pertaining to an employee, as defined in that section, which occurs on or after the effective date of this act. With respect to causes of action against employers for harm that allegedly arose from a disclosure of job performance information pertaining to an employee prior to the effective date of this act, the liability or immunity from liability of an employer and the defenses available to an employer shall be determined as if section 4113.71 of the Revised Code has not been enacted.