




Amalgamated Transit Union

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Office of the International President

MEMORANDUM

TO: ATU Locals Representing First Transit/First Student Employees
FROM: International President Lawrence J. Hanley 
RE: Recovery Under First Group/FCRA Settlement (Workers and Job Applicants)

REVISED AND UPDATED

DATE: April 28, 2011

This is a revised update on the successful ATU financed litigation against First Group (First Transit, Inc, and First Student, Inc.) for claims under the Federal Fair Credit Reporting Act (FCRA), reflecting the most recent recovery estimates.

In September 2010, the Federal Court gave preliminary approval to a \$5.9 million dollar settlement of the class action lawsuit brought by ATU represented employees and job applicants of First Transit, Inc. and First Student, Inc. The complaint alleged that the companies obtained criminal background reports about employees and job applicants without written authorization, and in some cases, used the reports to deny jobs to applicants without first providing them with a copy of their criminal background report in violation of federal law. Under the agreement, the companies agreed to stop their unlawful use of background checks.

With this settlement, thousands of workers and job applicants for the two subsidiaries of Cincinnati based First Group America are eligible to share in about \$4.3 million dollars of the overall \$5.9 million dollars, after attorneys fees and administration costs are deducted.

A court approved "Settlement Administrator" will be responsible for notifying employees and job applicants within the classes covered by the agreement by May 1, 2011, of their options for participating in the settlement and the process to follow for recovery of payment. The Settlement Administrator will also establish a special web site to respond to questions and provide the necessary information to affected individuals and otherwise see that the terms of the final settlement agreement are properly implemented. You may wish to distribute this memo and alert affected employees to check for this information.



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FCRA Settlement

In response to any inquiries regarding eligibility and potential settlement amounts to be received by affected employees and/or job applicants, please refer the individual to the Settlement Administrator. The address and phone number are listed below.

Based on the information provided to the ATU, the five categories of employees and job applicants covered by the settlement are listed below, along with estimated settlement payment each individual may receive.

- All current First Group employees and applicants who had a background check procured about them between October 5, 2007, and August 10, 2010: **between \$25 and \$45 per person.**
- All First Group employment applicants rejected because of a criminal background check between October 5, 2007, and August 10, 2010: **between \$126 and \$313 per person.**
- All former First Group employees who were terminated because of the criminal background check but signed Part 1 form: **approximately \$750 per person.**
- All former First Group employees who were terminated because of a criminal background check and never signed the Part 1 form: **between \$2,000 and \$4,000 per person.**
- All current and former First Group employees who had a criminal background check report procured without their authorization but were not terminated: **between \$150 and \$300 per person.**

Requests for information and questions should be directed to the settlement administrator at the address and phone number listed below.

Settlement Administrator
Attention: FCRA Case
P. O. Box 10564
Tallahassee, FL 32302-1564
Phone 1-877-296-8543

/bp

c: Robert H. Baker, Sr., International Executive Vice President
Oscar Owens, International Secretary-Treasurer
ATU International Vice Presidents & Representatives ·