



# COMMON GROUND

April 2015

## MCSA

235 N Pine St  
Lansing, MI 48933  
(517) 482-0729

### Board of Directors

Dale White - President

Glen Burg - Vice President

Joe Cozart - Treasurer

Don Grant - Board

Timothy Johnson - Board

J.R. Taylor - Board

Kevin Whaley - Board

Don Grant - Past President

### **Calendar of Events**

Member Meeting  
May 13, 2015  
6 pm  
Crowne Plaza, Novi

**Dear Member,**

I want to thank those MCSA members who have taken the time and effort to travel to Lansing and meet with members of the legislature and explain the contract security legislation and the importance of it. On behalf of the MCSA membership, we appreciate your time and effort. We were successful in moving the legislation from the Senate Committee and

Please plan to attend the annual meeting on May 13 at the Crowne Plaza in Novi. We will have a great dinner and presentations ranging from training to legislative and present MCSA members with their membership certificate.

By working together we strengthen the contract security industry.

Elections will be held in May for the Board of Directors positions of Vice-President, Secretary-Treasurer and Director. If you are interested in serving on the board please let us know.

As always, feel free to contact me for any reason.

Sincerely,

Dale White  
MCSA President

We are excited to announce the release of our new website!

[mcsa-online.org](http://mcsa-online.org)

## **MCSA Annual Meeting**

Wednesday, May 13  
27000 Karevich Dr,  
Novi, MI 48377

5:30 Social Networking (Cash Bar)

6:00 pm Dinner

6:45 Meeting Program

Legislative Presentation on new Contract Security Law  
Industry Presentations

### **Welcome Back Returning Members**

Ned Timmons \* LSS Consulting  
Michael Murphy \* Liberty Security  
Mark Ford \* Risk Security  
Derick Thomas \* Capital Security & Private Investigations  
Samantha Towler \* Crime Prevention Security Inc.  
David Rusch \* STT, Inc  
Denise Robertson \* STT, Inc  
Gary Godlewski \* White Collar Canine  
Brandon Pierce \* Stratus Security Management Inc

### **Featured Member**



Quality Security Services

#### **Quality Security Services for All Your Business Needs LICENSED AND BONDED**

Eagle Security Services, LLC. is a security services organization whose ownership has operated in the security business for over 20 years. Eagle Security Services is an employee oriented professional security service company that believes in achieving customer satisfaction through teamwork. Whether it's security in an office building or a customer service representative/receptionist you are looking for. Eagle Security Services has the right security officer, professionally trained to provide you with the best security coverage to meet your needs. This can be tailor-made to suit every environment with the assurance of maximum security for your employees, office or building.

We are a contract security provider who can do more than simply deter, detect and report. We can and will provide you with that very important first impression. Our employees will represent your company and will take pride and ownership in doing so. Eagle Security Services, L.L.C. is a security services organization whose ownership has operated in the security business for over 20 years. Eagle Security Services is an employee oriented professional security service company that believes in achieving customer satisfaction through teamwork.

## Mac Allan McCracken is the Chief Executive Officer of Eagle Security Services.

Mac has nearly 30 years of experience in the military, law enforcement, and security.

Special Forces Operator

Nuclear Site Security Specialist

Undercover Narcotics Agent

Police Drug and Bomb Dog Handler

Firearms and Defensive Tactics Instructor

Counter Sniper for the Special Reaction Team

Instructor / Training Officer

Bachelor Degree in Criminal Justice

Certified Police Officer

Certified First Class Fire Fighter

Certified PADI Scuba Rescue Diver

National Certified Emergency Medical Technician

Certified Police Firearms, Defensive Tactics, General Subjects Instructor

Member of the Michigan Critical Infrastructure Protection Team



## Walter Proia, Chief Operating Officer

Responsible for Managers, over 500 Security Officers and 200 Clients; hiring, firing, scheduling, payroll, sales, report distributions, pre-bid meetings, on-site inspections and training programs

Worked as Senior Operations Manager with Homeland Security, Federal Protective Service and FEMA for Disaster and Recovery Assistance (Protecting Government Equipment, Buildings and Personnel)

Maintains Client relations

Investigate and report irregularities such as fire hazards, unsafe conditions, and other security related hazards

Develop work orders for maintenance concerns that are security related

Develop training and customer service programs

F.E.M.A. Certified

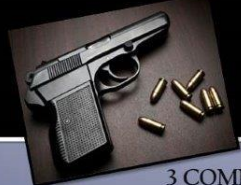
Trained CPR

First Aid Certifications

Level 4 Commission Security Officer

MCOLES Certification


Michigan Canceled Pistol License



SELF Defense Coverage  
Do I need it?  
**ABSOLUTELY!**

3 COMMON MISCONCEPTIONS:

- 1) My Homeowners policy protects me.  
Not the case. Home Owners policies restrict coverage to accidents. They deem a shooting as an intentional act (which it is). They will not defend you or pay a judgment on your behalf.
- 2) If I'm justified in my actions I should be ok, right?  
No, you could lose everything over it. Once you discharge your weapon you are very likely subject to legal prosecution and criminal/civil defense costs. In the end you are left with all the legal bills for your defense. The amount can be staggering.
- 3) I've heard of several insurance companies offering self defense coverage, they are all pretty much the same in what they cover.  
Nothing could be further from the truth! Since carriers like the NRA and USCCA make their offering to the general public out of necessity they must have restrictive policy language and submits built within their policy where they/you are most at risk. (For example, they severely limit amount of criminal defense that they offer.) Since availability is restricted to former agents, broader coverage can be provided.



[www.mcsa-online.org](http://www.mcsa-online.org)

## Running Credit Checks on Employment Candidates

By Riannon Ziegler

Many employers perform background checks on prospective employees, including candidates' credit history. While legal, employers must be mindful of the Fair Credit Reporting Act's (FCRA) requirements, which stipulate that employees and candidates must be given specific, clear, and obvious notice that the employer is going to run a credit check on them, and further, must be given proper notice before taking any adverse action, such as not hiring them, if based upon information revealed in the credit check.

Recently, employers are facing attacks on two fronts: the EEOC has begun filing "disparate impact" lawsuits against employers who perform credit checks on potential applicants because the practice allegedly rejects more minority applicants than white applicants; and several national employers have settled or are currently involved in lawsuits stemming from alleged violations of the FCRA:

In October 2014, Dollar General Corporation paid \$4.08 million dollars to settle a class action lawsuit in Virginia with a class of 200,000 job applicants who were purportedly sent outdated notices that a credit check was performed.

Early last year, grocery chain Publix paid \$6.8 million to settle a lawsuit with a class of job applicants who alleged that Publix buried the disclosure form alongside other job application materials.

In December 2014, Michaels Stores was served with a class action lawsuit, alleging that Michaels "neglected to properly inform job applicants that the company regularly performed background checks on potential employees during the application process."

In February 2015, Michaels Stores was served with a second class action lawsuit, alleging that her online job application with Michaels had "so much extra information it did not adequately notify her that the company would obtain her credit report."

Whole Foods faced a \$10 million lawsuit filed in a California federal court in February 2015, accusing the company of failing to provide applicants with a standalone disclosure form regarding the intent to obtain credit reports. Chuck E. Cheese was also hit with a similar lawsuit in March 2014, and Panera Bread faced identical allegations in a Florida federal court in July 2014.

### Best Practice Tips

Other than the obvious mandate to apply the same standards to all applicants, regardless of race, national origin, color, sex, religion, disability, or age, employers must:

1. Provide written notice to the applicant or employee stating that you might use credit information obtained for decisions regarding his or her employment. This must be a stand-alone document separate from the employment application.
2. Get the employee or applicant's written permission to perform the background check.
3. Certify to the company from which you are obtaining the report that:
  - a. You notified the employee or applicant and received their permission to get the credit report;
  - b. You complied with all FCRA requirements;
  - c. You will not discriminate against the applicant or employee, or in any way misuse the information obtained in violation of federal or state equal opportunity laws or regulations.

If taking adverse action based upon the information revealed, the FCRA requires:

1. BEFORE taking the adverse employment action, you must provide the employee with:

- a. Notice that includes a copy of the consumer report relied upon;
- b. A copy of "A Summary of Your Rights Under the Fair Credit Reporting Act," which should be received from the company that provided the report.

2. AFTER taking the adverse employment action, you must tell the applicant or employee (either orally, in writing, or electronically):

- a. That he or she was rejected because of information in the report;
- b. The name, address, and phone number of the company that provided the report;
- c. That the company providing the report did not make the adverse decision, and cannot provide specific reasons for it; and
- d. That he or she has a right to dispute the accuracy of the report, and to get an additional free report from the company within sixty (60) days.

For more information about credit checks or if you have any other employment law questions, please contact a member of our D&O and Employment Practices Group.



*Count on me to support my*

**Michigan Contract Security Political Action Committee - MCS-PAC**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, Zip Code \_\_\_\_\_  
Employer \_\_\_\_\_  
Work Address \_\_\_\_\_  
Telephone \_\_\_\_\_ Fax \_\_\_\_\_  
Email address \_\_\_\_\_

Note: MCS-PAC Contribution Personal Check enclosed:  
 \$25    \$50    \$75    \$100    \$1 a day/\$365    Other \$ \_\_\_\_\_

Note: MCS-PAC can accept personal checks  
**NO** corporate contributions accepted.

Please make your personal check payable to **MCS-PAC**  
Remit to: Michigan Contract Security Political Action Committee  
235 N. Pine Street • Lansing, MI 48933  
Voice: 517-482-0729 • Fax: 517-372-1501

**Thank you to first time participants and  
to those who continue to support MCS-PAC**

Click [here](#) to download pdf form.



## Legislative Report Julian Vail, LLC

### MCSA introduces re-write of PA 330

Senate Bills 161, 162, 163 and 164 were introduced in the Michigan Senate by Senator Booher on February 25, 2015. The bills were voted out of the Senate Regulatory Reform Committee and sent to the full Senate for final passage. On March 18, 2015, all of the bills were passed in the Michigan Senate. The bills were then sent to the Michigan House for action in that chamber shortly after the affirmative vote in the Senate. The House leadership assigned the bills to the Regulatory Reform Committee in the House where we await a date for hearing.

These bills are a continuation of the bills that passed the Senate in the 2014 session but were not passed in the House of Representatives.

MCSA members came to the Capitol and visited offices of many of the Senators to obtain their support for the bills. As a result of the hard work, the votes in the Senate were more supportive than the last time the bills were presented. The only issue of opposition that we are aware of is relating to fee increases. Many members of the House of Representatives do not support any fee increases; therefore, posing a threat to the proposed bills. MCSA members will be meeting with members of the House of Representatives to secure their support both in the committee and in the full House.

Presently, the rules affecting the Private Security Business industry under PA-330 are outdated and seriously flawed with respect to public safety, public trust, and the duties that security guards and security guard agencies are employed to perform.

A few points of the agreed upon language include:

Requires a mandatory minimum training for any individual seeking employment by a security guard agency that will provide security services for others. Such training needs to be required and provided by the security guard agency. The training will also need to be standardized and documented.

Allows an individual working as a security guard to carry a firearm, any commercially available baton, a chemical spray device, a taser, or restraint device with specialized training from the manufacturer.

Allows the use of firearms and less than lethal alternatives that are declared essential for security personnel.

For complete language go to:

[http://www.legislature.mi.gov/\(S\(fgkcekkryokfrjbf5tkh10az\)\)/mileg.aspx?page=getObject&objectName=2015-SB-0164](http://www.legislature.mi.gov/(S(fgkcekkryokfrjbf5tkh10az))/mileg.aspx?page=getObject&objectName=2015-SB-0164)



MCSA members testifying at the capitol.