



## Supplier Drug Testing and Background Check Requirements

To the extent permitted by law, Supplier will perform thorough screening and selection of Supplier Personnel who will be performing Services for Lumen, including reasonable background checks, and will confirm the legal status of Supplier Personnel to work in the United States or the country in which they will be employed. Supplier shall meet the requirements of the Fair Credit Reporting Act and any regulations issued thereunder for any assignments within the United States, and with any other applicable state, provincial, federal, or country laws. **All required drug testing and background checks shall be completed, investigated and meet all acceptable criteria before Supplier Personnel are placed on Company assignment or customer property.** If Supplier Personnel were not subject to background checks and/or drug screening when previously assigned to Company or customer property, Company may agree to allow Supplier a maximum of 5 days in order for Supplier to complete required background checks and drug screens and provide status. Supplier will not be required to conduct new or updated background checks if Supplier has previously conducted reasonable background checks on Supplier Personnel that meet the requirements specified in (A) through (F) below, except as required by customer requirements or law.

- A. Background checks will include, at a minimum: (i) identity verification/Social Security Number trace; and (ii) a criminal history check consisting of an inquiry of official government record repositories for any federal, state, and local felony or misdemeanor adjudication (e.g., conviction, deferred judgment, nolo contendere or finding of criminal liability by a court of competent jurisdiction) and/or pending criminal charges for all areas of residence/employment over the last seven (7) years, or longer if commercially feasible and the information is available through public records. Please note additional requirements for certain remote workers in section (C).
- B. Requirements for Personnel with access to Lumen facilities, data, or network. In addition, if Supplier Personnel will have: (i) unescorted access to Lumen facilities; (ii) access to sensitive Lumen or customer data, such as CPI, CII, CPNI, Intellectual Property, or Sensitive PII; or (iii) access to Lumen's internal computer systems, networks or databases, Supplier will conduct the following background checks in addition to the checks specified in (A) above:
  - (a) education verification (if post-secondary degree required for the position); (b) employment history (last 2 positions or last 5 years if with same employer); and (c) references (if any of items (a) or (b) cannot be completed).
- C. Additional Requirements for Remote Workers with access to Lumen's network and/or sensitive data. See Section 1.2 below for additional requirements for Supplier Personnel who will be employed in a fully remote role, working outside of any Lumen or Supplier offices, and remotely accessing Lumen's network and/or sensitive data, such as CPI, CII, CPNI, Intellectual Property, or Sensitive PII. All of these requirements also apply to any subcontractor of the Supplier performing background investigation services on behalf of Supplier.
- D. In addition, if Supplier Personnel will have physical access to Lumen customers or

prospective customers, Supplier will conduct the following background check, as applicable, in addition to the checks specified in (A), (B), and/or (C) above:

- i. a search of the National Sex Offender registry.
- E. In addition to the checks specified in (A), (B), (C), and/or (D) above, Supplier will conduct additional background checks, if notified by Lumen that it is required by applicable legal, regulatory, or customer requirements.
- F. In addition, if Services performed by Supplier Personnel will: (i) involve the regular use of a motor vehicle while on Company business, including but not limited to field technician and outside sales positions; or (ii) involve safety-sensitive roles that include: (1) working aloft; (2) handling or proximity to hazardous or flammable materials, explosives, toxic chemicals, or similar substances; (3) positions in which impairment caused by alcohol or controlled substances would threaten the health, safety, or property of Supplier Personnel, co-workers, or the public; or (4) where controlled substance and alcohol testing are mandated by federal law, Supplier will conduct the following checks, as applicable, in addition to the checks specified in (A), (B), (C), (D) and/or (E) above:
  - i. (a) At a minimum, a 4 (panel) drug screen conducted by a properly accredited or certified laboratory; and (b) a Motor Vehicle Records (MVR) check, for positions involving the use of a motor vehicle.
    - (i) 4-panel drug screens include: Amphetamine/Methamphetamine, Cocaine (COC), Morphine/Opiate (MOI), Phencyclidine (PCP).
  - ii. (a) If Services performed by Supplier Personnel require support of a Federal contract/customer, then a 5-(panel) drug screen conducted by a properly accredited or certified laboratory;
    - (i) 5-panel drug screens include: Amphetamine/Methamphetamine, Cocaine (COC), Morphine/Opiate (MOI), Phencyclidine (PCP), Marijuana/Cannabinoids.
  - iii. In addition to drug screens specified in (F)(1) and (F)(2), above, Supplier will conduct additional drug screens, if notified by Lumen that it is required by applicable legal, regulatory, or customer requirements.

## **1.1 International Personnel**

If Supplier Personnel are based outside of the U.S. and all of the required checks described above are not available or legally permitted within the Supplier's country of operation, Supplier will notify Lumen of this fact and make every effort to utilize Supplier Personnel who could reasonably meet these standards. These efforts should include alternative screening to include verification of additional references, previous employment, education, identity, residence, and additional screening database checks if available.

## **1.2 Remote Workers with Access to Lumen's Network and/or Sensitive Data**

- (a) All Supplier Personnel involved in hiring must educate themselves on risk areas and red flags associated with candidate fraud and the DPRK IT Workers' Scheme. The FBI and

other sources have issued publicly available bulletins and advisories.

- (b) Interviews must take place (i) in person; or (ii) on video, with any red flags for voice-over technology or other indicators of fraud disqualifying a candidate.
- (c) For any discrepancies noted through a background check, Supplier must independently research and verify the candidate's education, employment, or other concerns before onboarding a resource with Lumen.
  - i. If any former employer of a candidate affirmatively states that such candidate never worked with the company, or that they have no records of employment for the candidate, documentation provided by the candidate (e.g., W-2 or pay stub) is not an acceptable alternative to a verification.
  - ii. If an educational institution or associated entity states that they are unable to locate records for a candidate, documentation provided by the candidate is not an acceptable alternative to a verification.
- (d) Employers listed by a candidate that are not widely known as established companies, or for which employees provide personal cell phone numbers or personal e-mail addresses for verification, should be independently researched in verifying former employment.
- (e) Names, addresses, and job history provided on an applicant's resume, I-9, license, and/or passport for background purposes, and for shipping equipment such as laptops, should be compared for discrepancies, with any inconsistencies flagged for review.

**Additional Requirements for Onshore (U.S.) Resources Who Work Remotely with Access to Lumen's Network and/or Sensitive Data:**

- (f) For onshore (U.S.) resources, Supplier must:
  - i. Conduct an in-person interview with each candidate, to occur at a location in close proximity to the candidate's identified workplace or home office, or;
  - ii. Use a Lumen pre-approved fraud identification service for each candidate considered as an onshore resource for a Lumen project.
  - iii. Upon candidate selection, Supplier will be required to review and share the most recent photograph of the candidate (e.g., Driver's License) with the Lumen hiring manager for purposes of identity verification.
- (g) Lumen will exercise sole discretion to reject a candidate for any lawful reason, including, but not limited to, a candidate that does not have proper video or audio, such as an inadequate lighting situation or lag in the audio to video dialogue.
- (h) The Supplier representative who participates in the candidate's pre-screening interview must participate in Lumen's interview of the candidate to ensure it is the same person, or alternatively, in the case of a video interview, must take a photo/screenshot of the person being interviewed for comparison by the Lumen interviewer.

If Supplier identifies any red flags for candidate fraud through the above processes but seeks to move forward with onboarding a candidate, they must report these red flags to Lumen for the final review and decision. Supplier Personnel must maintain documentation of all additional process steps for remote workers, whether onshore or offshore, which will be subject to audit.

### **1.3 Adjudication**

Supplier will consider all of the information provided from a background check, or MVR when applicable, when determining if the Supplier Personnel will provide services for Lumen. Supplier will not utilize or promptly remove from providing Services any Supplier Personnel who:

- (a) has had a positive or positive dilute drug test result within the last twelve (12) months, except that Supplier Personnel performing outside sales that don't require the operation of a motor vehicle will not be disqualified due to a positive finding for marijuana;
- (b) is not authorized to work in the United States or the country in which they will be employed by the Supplier;
- (c) has falsified, misrepresented or omitted information required to be disclosed or provided any misleading statement in the application or resume;
- (d) has been convicted (felony or misdemeanor) within the past 7 years, or longer if the crime was particularly egregious, of a crime: involving fraud, theft, or dishonesty; otherwise related to assignment duties; of violence; or which otherwise indicates a risk to Lumen property, the safety of Lumen employees, or the general public;
- (e) is subject to any pending criminal charge or arrest warrant, if (i) the matters alleged in the charge or warrant would disqualify the candidate based on guidelines listed in section (d) above, and (ii) the Supplier's investigation or inquiry indicates that the matters as charged are likely to be true;
- (f) for whom the Supplier has any reliable information which suggests that such person is unqualified, dishonest, untrustworthy, unreliable, or has any history of violence;
- (g) will perform Services for Lumen that involve the use of a motor vehicle and: does not currently possess a valid driver's license; has had any driving related suspensions or revocations of a driver's license within the last five (5) years; has any DWI, OWI or DUI convictions within the last five (5) years; has had 3 or more moving violations (including speeding) within the last three (3) years; has had 3 or more MV accidents within the last three (3) years; or whose MVR check otherwise indicates a risk to Lumen property, the safety of Lumen employees, or the general public.

### **1.4 Compliance**

At Lumen's request, Supplier will audit its compliance with all of the above requirements, and will, within 15 business days of Lumen's request, deliver a written certification to Lumen confirming that Supplier has been and is in compliance with these requirements. Supplier must maintain security/criminal investigation results for review by Lumen upon request. Details of actual results will remain confidential. Supplier will create and maintain documentation supporting compliance, including the U.S. Citizenship and Immigration Services Form I-9, for any Supplier Personnel, in accordance with the above requirements and related legal requirements. At Lumen's request, Supplier will furnish documentation supporting compliance.

## **1.5 Removal of Personnel**

Supplier will remove Supplier Personnel promptly from providing Services to Lumen when Lumen requests the removal for any lawful reason. Lumen is not obligated to pay for Services provided by the Supplier Personnel following Lumen's request for his or her removal. Lumen is not obligated to pay for any costs associated with replacing Supplier Personnel.