

CenturyLink: 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 CenturyLink, 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 from the start of this Agreement 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 (E) 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.
- B. In addition, if Supplier Personnel will have: (i) unescorted access to CenturyLink facilities; (ii) access to sensitive CenturyLink or customer data, such as CPI, CII, CPNI, Intellectual Property, or Sensitive PII; or (iii) access to CenturyLink's internal computer systems, networks or databases, Supplier will conduct the following background checks in addition to the checks specified in (A) above:
 - 1. (a) education verification (if post-secondary degree required for the position); (b) employment history (last 3 positions or last 5 years if with same employer); and (c) references (if any of items (a) or (b) cannot be completed).
- C. In addition, if Supplier Personnel will have physical access to CenturyLink customers or prospective customers, Supplier will conduct the following background check, as applicable, in addition to the checks specified in (A) and (B) above:
 - 1. a search of the National Sex Offender registry.
- D. In addition to the checks specified in (A), (B), and/or (C) above, Supplier will conduct the following background check, if notified by CenturyLink that it is required by applicable legal, regulatory, or customer requirements:
 - 1. a search of the U.S. Department of Treasury's Office of Foreign Assets Control

(OFAC) Specially Designated Nationals (SDN) List.

- E. 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) and/or (D) above:
1. (a) a five (5) 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.

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 CenturyLink 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 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 CenturyLink. 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 CenturyLink property, the safety of CenturyLink 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 CenturyLink 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; or whose MVR check otherwise indicates a risk to CenturyLink property, the safety of CenturyLink employees, or the general public.

1.3 Compliance

At CenturyLink's request, Supplier will audit its compliance with all of the above requirements, and will, within 15 business days of CenturyLink's request, deliver a written certification to CenturyLink confirming that Supplier has been and is in compliance with these requirements. Supplier must maintain security/criminal investigation results for review by CenturyLink 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 CenturyLink's request, Supplier will furnish documentation supporting compliance.

1.4 Removal of Personnel

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