



CHEMOURS U.S. SUPPLIER CRIMINAL BACKGROUND INVESTIGATION REQUIREMENTS

Chemours is committed to providing a safe working environment for its employees and for Suppliers performing work or services at Chemours sites (including plants, laboratories, and offices). Supplier **shall** develop and implement investigative procedures, select the investigative agency, obtain signed consent forms from Supplier employees (includes all individuals hired by the Supplier to perform work or services at a Chemours facility); initiate criminal background investigations, and maintain consent forms and investigative reports on file.

The following requirements **shall** be applicable to all Suppliers who assign or reassign supplier employees to work or provide services at a Chemours facility and Supplier **shall** ensure that all investigations meet the requirements set forth in this document. A Supplier that violates any part of the Chemours Supplier Criminal Background Check Program may be subject to termination of its contract with Chemours.

Pre-Assignment Background Investigation

Supplier **shall** develop and implement all the criminal background provisions set forth in this document. No supplier employee **shall** be assigned to perform work or services at a Chemours facility without the written approval of Chemours if such supplier employee has been charged with any felony or misdemeanor crime(s) (that are not either dismissed, nolle pros or not guilty) during the prior seven (7) year period, or has any known criminal charges (that are not either dismissed, nolle pros or not guilty) beyond the seven (7) year period.

Criminal charges for any felony or misdemeanor crime (that is not either dismissed, nolle pros or not guilty), during the seven (7) year period from the date of final disposition, will be taken into consideration before a supplier employee is permitted to work at any Chemours facility. For such supplier employee to be considered for work at a Chemours facility, that supplier employee's criminal record must be reported to Chemours Site Security or its designee without the personal identifiers (e.g., Name, Date of Birth and Social Security number), prior to the supplier employee being permitted access to the facility. Chemours Site Security will review the exact nature of the criminal record. At the sole discretion of Chemours, if the determination has been made to allow the supplier employee access to the facility, a written approval from Chemours Site Security will be provided to the Supplier. Any exception to the above must be reviewed and approved in writing by Chemours Global Security.

Supplier Criminal Background Check Process Requirements

- (1) Supplier criminal background check program **shall** be in compliance with the Fair Credit Reporting Act and Chemours U.S. Supplier Criminal Background Investigation Requirements to the fullest extent permitted by applicable laws.
- (2) The Investigation period **shall** cover a minimum of seven (7) years prior to the start date of assignment or reassignment of the supplier employee to a Chemours facility and **shall** demonstrate that each supplier employee does not have any known criminal charges (that are not either dismissed, nolle pros or not guilty) during such seven-year period.
- (3) Any investigation search **shall** include criminal records of the appropriate Prothonotary's office (county court clerk, county courthouse, or similar records custodian), including all such offices for any

jurisdiction in which the proposed supplier employee has lived and/or worked during the preceding seven (7) year period. For the purposes of this investigation, database searches are only permitted when the courthouse provides the database search information.

- (4) Investigation search **shall** include multi-state criminal record/national criminal file search. Note: This is the only non-courthouse database search permitted.
- (5) Supplier **shall** validate for Chemours each supplier employee's legal authorization to work (e.g., I-9, E-Verify).
- (6) Supplier **shall** confirm for Chemours the Supplier's verification and validation of each supplier employee's Social Security number.
- (7) Supplier **shall** take note that for CFATS-regulated sites and during the access process, the Department of Homeland Security (DHS) *may require* the submittal of additional personal information (e.g. Date of Birth, Country of Origin, etc.) for the purpose of a DHS Terrorist Screening Database (TSDB) search.
- (8) Criminal background check **shall** have been conducted by Supplier within ninety (90) days prior to the start date at a Chemours facility.
- (9) No new criminal background check is required if the Supplier employee has had a criminal background check that covers the seven-year period prior to the assignment to any Chemours facility and was conducted under a program that conforms to all the provisions of the criminal background check program; and
 - The Supplier employee remains with the same Supplier and the date of a reassignment to either the same Chemours facility or a different Chemours facility is within six (6) months from the date of departure from the previous Chemours assignment. If greater than six (6) months, the County and National Criminal Background Checks are the only checks required.

or

 - The Supplier employee transfers between Suppliers – but never leaves the Chemours facility and only if all background check program documents are also transferred with the supplier employee.
- (10) If the date of any reassignment is greater than six (6) months from the date of departure from the previous Chemours assignment and with a new Supplier, then all of the provisions for the criminal background check program apply.
- (11) If the Supplier has an employee who has either a felony or misdemeanor charge(s) (that is not either dismissed, nolle pros or not guilty) and the Supplier wishes for the employee to be assigned to work at a Chemours site, the criminal record report with personal identifiers removed (e.g., Name, Date of Birth and Social Security number) must be provided to Chemours Site Security for approval or rejection.



- (12) Prior to assignment of a Supplier employee to a Chemours site, Supplier **shall** provide to Chemours Site Security, or its designee, the names of all assigned supplier employee(s), on Supplier letterhead, confirming that all supplier employee(s) have completed the criminal background check and have legal authorization to work with no discrepancies noted.
- (13) Supplier **shall** advise Chemours when any of their supplier employees are arrested and/or have criminal charges pending for any felony or misdemeanor crime(s) (that are not either dismissed, nolle pros or not guilty) during the period of their assignment at a Chemours facility.
- (14) Any variation from the completion of the entire background investigation provisions need be approved in advance by Site Security, and **shall** comply with one of the following requirements:
 - (a) Short term Assignment (assignment not greater than seven (7) consecutive days): Escort is permitted in lieu of the criminal background investigative provisions if the assignment is not greater than seven (7) consecutive days. If the assignment is greater than seven (7) consecutive days, escort **shall** be in place while all investigative provisions are in progress.
 - or**
 - (b) Shutdowns/Turnarounds: In lieu of an escort the supplier **shall** have conducted a National Criminal File Search on each supplier employee prior to entry; and all other criminal background investigative provisions **shall** be in progress.
- (15) Any prime Chemours Supplier **shall** be responsible to ensure that all of its sub-contractors are in compliance with the Chemours U.S. Supplier Criminal Background Investigation Requirements.
- (16) Supplier is responsible for supplier employee(s) (includes all individuals hired by the Supplier to perform work or services at a Chemours facility) granting third party (Chemours) authorization to view background check results.
- (17) Supplier grants permission to Chemours to audit Supplier’s compliance with the provisions of the Criminal Background Investigation Requirements.

Subcontracted Work

The contracted Supplier to Chemours (“Prime Supplier”) **shall** be responsible for the compliance with all the criminal background check requirements set forth in this document by all Supplier’s subcontractors. Prime Supplier **shall** obtain and maintain confirmation in writing from all its subcontractors that these requirements have been satisfied. Only Prime Supplier may initiate, at the request of its subcontractor, authorization to assign or reassign a subcontractor employee to a Chemours facility if their worker has been charged with felony or misdemeanor crime(s) (that are not either dismissed, nolle pros or not guilty) as set forth in these requirements.

Criminal Background Check Program Audits

Upon request, Supplier **shall** provide to Chemours Site Security, within no more than seven (7) working days of the request, written copies of the original criminal background check investigative documents for the individual names provided. Such documents **shall** be provided, without personal identifiers (e.g., Name, Date of Birth and Social Security number), for the purpose of auditing contract compliance. After audit completion, all copies or



reports furnished **shall** be destroyed by Chemours or returned to Supplier if requested. In the event of Supplier non-compliance, appropriate action will be taken as determined by Chemours.

Incident Investigation

In the event of a Chemours work rule violation, upon request, Supplier **shall** provide to Chemours Site Security the original criminal background investigation report of the involved individual showing the personal identifiers (e.g. Name, Date of Birth and Social Security number).

Investigative Agency

Supplier **shall** be solely responsible for selecting an agency to perform the background investigation and to determine the accuracy and reliability of the firm selected. One agency from which Chemours will accept reports is:

InfoMart
1582 Terrell Mill Road
Marietta, GA 30067
Attention: Mike Swilley

1-770-984-2727, Ext 1226
Mike.Swilley@infomart-usa.com

Chemours by setting forth an investigative agency whose reports it will accept for its purposes makes no warranties, express or otherwise, as to the accuracy and reliability of such agency.

Conclusion

The purpose of Chemours communicating criminal background investigation related provisions in its contracts is for the protection of its own interests. There is no intention to communicate to the Supplier a multifaceted criminal background investigation program that will meet Supplier's particular needs. It is the sole responsibility of the Supplier to develop suitable additional programs and procedures it deems necessary to comply with laws and to protect its business and operations.