

## BACKGROUND CHECK POLICY

### POLICY

Insight Global conducts a thorough background check on all candidates for employment.<sup>1</sup> All offers of employment are contingent upon the results of the background check. Results must be satisfactory to both Insight Global and, where applicable, our client. Below is a guide to background check results that may preclude the hiring of a candidate, categorized by the age and nature of the conviction(s):

**Convictions Less than 7 Years Old:** Background check results that reveal one or more criminal convictions within the last seven (7) years for (A) any felony, or (B) any misdemeanor that would present a safety or security risk, such as those involving, for example, theft, violence, sexual assault, weapons, fraud, dishonesty, computer-related offenses, or certain drug related offenses, will preclude the individual from being eligible for employment with Insight Global.<sup>2</sup>

**Convictions More than 7 but Less than 15 Years Old:** Insight Global will review convictions for felonies that are more than seven (7) but less than fifteen (15) years old on a case-by-case basis. If Insight Global determines that they present a safety or security risk (as

1 A new background check is not required for external candidates being considered for rehire with the same Insight Global client where the gap of employment with Insight Global is less than ninety (90) days.

2 For applicants seeking employment in locations that require it, Insight Global conducts an individualized assessment to determine whether the candidate's conviction history has a direct and adverse relationship with the specific duties of the position for which the candidate is being considered. As part of this individualized assessment, Insight Global considers (i) the nature and gravity of the offense or conduct; (ii) the time that has passed since the offense or conduct and completion of the sentence; and (iii) the nature of the job held or sought.

described above and as determined by Insight Global in its sole discretion, they will preclude the individual from being eligible for employment by Insight Global. Neither misdemeanors nor other felonies (such as non-violent drug offenses) that are more than seven (7) years old will preclude a candidate for employment under this policy.

**Convictions More than 15 Years Old:** Should any background check reveal a criminal conviction more than fifteen (15) years old, such candidate shall be eligible for hire unless Insight Global affirmatively determines that the nature of the offense is directly related to the job duties or presents a safety or security risk to Insight Global, its employees, the client, or the client's employees.

### PROCEDURE

The hiring account manager and/or recruiter are responsible for initiating the criminal background check upon a conditional offer of employment being made to a candidate. The candidate should be notified that he/she is under consideration for the position, and that any offer of employment is conditioned on the receipt of background check results that are satisfactory to both Insight Global and, if applicable, the client. Each



candidate will be required to sign a consent form (either electronically or in hardcopy) prior to the initiation of any background check. Insight Global may rely on reported results of background checks conducted by or on behalf of its clients or business partners so long as Insight Global can reasonably conclude from the information provided that the results of that background check would not preclude employment of the candidate in accordance with this policy.

All background checks will include a comprehensive criminal history review<sup>3</sup> and will include a social security trace, and may also include prior employment verification, educational verification, credit history, a department of motor vehicle records review, or any other search requested by an Insight Global client.

Should an individual be precluded from employment as described herein based on background check results obtained through a third party background check party, Insight Global will give notice to the impacted individual regarding the disqualifying conviction and allow the individual reasonable opportunity to present evidence that the information is factually inaccurate prior to making an adverse hiring decision. If the applicant establishes that the record is factually inaccurate, then that record cannot be considered in the employment decision.

Notwithstanding the above, falsification of any information submitted by a candidate for employment in new hire paperwork will preclude the individual from being eligible for employment with Insight Global.

## **COMPLIANCE WITH LOCAL LAWS; ANTI-DISCRIMINATION**

To the extent that any state, federal or local law imposes limits on the ability of employers to conduct background checks or consider criminal records when making employment decisions, this policy shall be construed to require background checks and consider criminal records only to the extent permitted by such law. In no event shall this policy be used as a pretext to discriminate against any candidate based on such candidate's race or any other protected characteristic.

## **FIRST TIME OFFENDER AND DEFERRED ADJUDICATION PROGRAMS**

To the extent that an offense reflects participation in a first time offender program or deferred adjudication program during which sentencing is deferred following a preliminary determination of guilt, Insight Global will treat this as a conviction until the individual has successfully completed the program, at which point the offense shall no longer be considered a conviction under Insight Global's background check policy.

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<sup>3</sup>Insight Global's standard practice is to run a search covering the prior seven years, but it may run longer searches if required by its client and reserves the right to review convictions that are older than seven years if revealed on a background check. In recognition of the potential disparate impact of a foreign criminal background check requirement and in light of the fact that a background check is conducted by US immigration authorities as a condition to issuing a visa, Insight Global will not run an international criminal record search unless (i) the client for whom the candidate is performing services requires such a search as a job-related business necessity or (ii) Insight Global otherwise determines that such a search is warranted (for example, where a candidate has spent an extensive amount of time abroad since having received a visa).

## **ARRESTS AND RIGHT TO INVESTIGATE UNDERLYING FACTS**

Arrests that have not resulted in convictions will not preclude a candidate from employment with Insight Global; however, unless prohibited by by law, Insight Global reserves the right to investigate the facts and circumstances underlying the arrest and make an independent determination as to whether the candidate is suitable for employment based on the conduct Insight Global believes to have occurred. If a candidate is hired with a criminal case pending, his or her suitability for continued employment will be reviewed upon disposition of the case and may result in termination if such proceeding results in a conviction that would have precluded hiring under the policy at the time the conditional offer of employment was made.

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