



INSIGHT GLOBAL BACKGROUND CHECK POLICY

The purpose of this policy is to protect Insight Global and its clients by identifying candidates for employment whose criminal history suggests a propensity for criminal activity that creates an unacceptable risk to Insight Global and its clients. This policy applies to both employees supporting Insight Global's core operations and resources being placed to perform services at Insight Global's clients. **For candidates in California and New York City, and current employees in New York City, Insight Global will only apply the policies outlined in the location-specific addendums.** In creating this policy, Insight Global has identified the types of offenses that it believes present an unacceptable risk in light of the nature of the positions that Insight Global staffs (which routinely involve access to sensitive and confidential information of Insight Global's clients and the public, including confidential business information, financial data, and patient and consumer data, as well as access to client physical facilities and personnel, in some cases without on-site supervision by another Insight Global representative), while recognizing that an unduly restrictive policy may inappropriately screen out candidates who have committed only minor offenses or rehabilitated themselves.

POLICY

Insight Global conducts a thorough background check on all candidates for employment.¹ 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 clients, to the maximum extent permitted under law. 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; (iii) whether the conviction was an isolated incident or a pattern of conduct; (iv) other evidence of rehabilitation; and (v) the nature of the job held or sought, as well as any other requirements that may need to be considered under state or local law.

In conducting this individualized assessment, Insight Global typically considers the timing and gravity of the conviction as a preliminary step, using the following guidelines, to the extent consistent with law:²

¹ Unless otherwise required by the client, 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 certain states – such as California, Colorado, Kansas, Maryland, Massachusetts, Montana, Nevada, New Hampshire, New Mexico, New York, Texas, and Washington – Insight Global may refrain from considering convictions more than 7 years old, consistent with state law.



Convictions Less than 7 Years Old: Background check results that reveal one or more criminal convictions within the last seven (7) years for (i) any felony, or (ii) misdemeanors 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 result in enhanced scrutiny.

Convictions More than 7 but Less than 15 Years Old: Unless they represent a pattern of behavior that correlate strongly to enhanced safety or security risk in light of the nature of the position being sought (such as DUI convictions when an applicant is seeking a driving position), Insight Global will typically consider candidates eligible for employment notwithstanding the existence of convictions for (i) misdemeanors or (ii) felonies that do not involve theft or violence so long as the conviction is more than seven (7) years old. Felony convictions that do involve theft or violence will result in enhanced scrutiny.

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 review³ and may 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, to the extent permitted by law.

Should the results of a background check obtained through a third party background check provider reveal items of concern that might preclude an individual from employment after an individualized assessment is conducted, Insight Global will give notice to the impacted individual regarding the potentially disqualifying conviction and allow the individual a reasonable opportunity to present evidence that the

³ Insight Global's standard practice is to run and review a search covering the prior seven years, but – to the extent permitted by law – it may run longer searches if required by its client. 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 U.S. 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).



information is factually inaccurate or other mitigating circumstances exist 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. If the applicant does not establish the record is factually inaccurate or otherwise provide sufficient mitigating information, then the individual will be declined for employment.

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 FEDERAL, STATE, AND LOCAL LAWS; ANTI-DISCRIMINATION

To the extent that any federal, state, 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 permitted by law, if 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.

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, to the extent permitted 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 and/or under the terms of the currently applicable policy, to the extent changes have been made to the policy.



CALIFORNIA ADDENDUM

The following addendum applies to background checks for all California candidates.

Prior to making a conditional offer of employment to a candidate, Insight Global will not include on any application for employment any question that seeks the disclosure of a candidate's conviction history, nor will Insight Global otherwise inquire into or consider the conviction history of the candidate until after it has made a conditional offer of employment.

Insight Global will not consider any of the following while conducting a conviction history background check in connection with any application for employment: (i) an arrest not followed by conviction, unless the candidate is out on bail or on their own recognizance pending trial;⁴ (ii) referral to or participation in a pretrial or post-trial diversion program; and (iii) convictions that have been sealed, dismissed, expunged, or statutorily eradicated pursuant to law.

Should the results of a background check obtained through a third-party background check provider reveal items of concern that might preclude an individual from employment after an individualized assessment is conducted, Insight Global will provide written notification to the individual of any preliminary decision that the conviction history disqualifies the individual from employment. Such written notification shall include the following: (i) a description of the potentially disqualifying conviction(s) that form the basis for the preliminary decision to rescind the job offer; (ii) a copy of the conviction history report; (iii) an explanation of the individual's right and deadline to respond to the notice of preliminary decision before the decision becomes final; and (iv) notice that the individual's response to the preliminary decision may include submission of evidence challenging the accuracy of the conviction history report that is the basis for rescinding the job offer, evidence of rehabilitation and evidence of mitigating circumstances, or both.

If Insight Global makes a final decision to deny an individual employment solely or in part because of the individual's conviction history, Insight Global shall notify the individual in writing of the following: (i) the final denial or disqualification; (ii) any existing procedure Insight Global has for the applicant to challenge the decision or request reconsideration; and (iii) the applicant's right to file a complaint with the California Department of Fair Employment and Housing regarding the final decision.

⁴ With respect to candidates seeking employment at an Insight Global client's health facility, Insight Global may ask the candidate to disclose certain types of arrests – to the extent permitted by law – if the position at issue has regular access to patients, or has access to drugs and medication, as permitted under California Labor Code section 432.7(f).

KENTUCKY ADDENDUM

The following addendum applies to background checks for all Kentucky candidates.

Pursuant to K.R.S. 216.789, no long-term care facility, health care services agency providing staff to a nursing facility, or assisted living community shall knowingly employ a person in a position which involves providing direct care services to a resident or client within the state of Kentucky if that person has been convicted of a felony offense related to theft; abuse or sale of illegal drugs; abuse, neglect, or exploitation of an adult; or a sexual crime.

NEW YORK CITY ADDENDUM

The following addendum applies to background checks for all New York City candidates.

Insight Global will not, at any time, declare, print, or circulate (or cause the declaration, printing, or circulation of) any solicitation, advertisement, policy or publication that expresses, directly or indirectly, orally or in writing, any limitation or specification in employment regarding criminal history (criminal conviction, pending arrest or criminal accusation). This includes, but is not limited to, any language that states or implies phrases such as “no felonies,” “background check required” or “must have clean record.”

Prior to making a conditional offer of employment to a candidate, Insight Global shall *not* (i) include on any application for employment any question that seeks the disclosure of a candidate’s criminal history or (ii) otherwise inquire into or consider the criminal history of the candidate. Insight Global shall not consider a “non-conviction” at any time. A “non-conviction” means any arrest or criminal accusation, not currently pending, that was concluded in one of the following ways: (i) termination in favor of the individual, as defined by New York Criminal Procedure Law (“CPL”) Section 160.50, even if not sealed; (ii) adjudication as a youthful offender, as defined by CPL Section 720.35, even if not sealed or marked confidential; (iii) conviction of a violation, as defined in Penal Law Section 10.00, even if not sealed; (iv) conviction of a non-criminal offense that has been sealed under CPL Section 160.55; (v) conviction of a non-criminal offense, as defined by the law of another state, even if not sealed; or (vi) convictions that have been sealed under CPL Section 160.58 or 160.59. “Non-conviction” includes a criminal action that has been adjourned in contemplation of dismissal (“ACD”) pursuant to Sections 170.55, 170.56, 210.46, 210.47, or 215.10 of the CPL. ACDs shall not be considered a pending case unless the order to adjourn in contemplation of dismissal is revoked and the case is restored to the calendar for further prosecution. “Non-conviction” also includes a disposition of a criminal matter under federal law or the law of another state that results in a status comparable to a “non-conviction” under New York law.

After extending a conditional offer of employment to a candidate, Insight Global may (i) ask, either orally or in writing, whether the candidate has a criminal history; (ii) run a background check or, after receiving the candidate’s permission and providing notice, use a third-party background check provider to do so; and (iii) if Insight Global knows about a candidate’s criminal history, ask the candidate about the

circumstances that led to any conviction, arrest or criminal accusation. Should a candidate's criminal history (criminal conviction, pending arrest or criminal accusation) reveal items of concern that might preclude an individual from employment, Insight Global shall conduct an individualized analysis. To conduct the individualized analysis, Insight Global will request evidence of rehabilitation or good conduct from the candidate and confirm the applicant's date of birth as relevant to consideration of the person's age when the alleged or convicted crime occurred.

In conducting the individualized analysis, Insight Global will consider the following factors ("Factors") in evaluating the candidate's criminal history: (i) the public policy of New York State and New York City to encourage the licensure and employment of persons previously convicted of criminal offense(s) or with criminal justice involvement; (ii) the specific duties and responsibilities necessarily related to the employment sought or held by the person; (iii) the bearing, if any, of the criminal offense(s) for which the person was convicted, or that are alleged in the case of pending arrests or criminal accusations, on the person's fitness or ability to perform one or more such duties or responsibilities; (iv) with respect to a person's conviction(s), the time which has elapsed since the occurrence of the criminal offense(s); (v) the age of the person at the time of occurrence of the criminal offense(s) for which the person was convicted or that are alleged in the case of pending arrests or criminal accusations (and, where the person was 25 years of younger at the time of the occurrence, it shall serve as a mitigating factor); (vi) the seriousness of the offense(s); (vii) the legitimate interest of Insight Global in protecting property and the safety and welfare of specific individuals or the general public; and (viii) any additional information produced by the person, or produced on their behalf, in regards to their rehabilitation or good conduct, including but not limited to history of positive performance and conduct on the job or in the community (and, where the person has a certificate or relief from disabilities or good conduct, it shall create a presumption of rehabilitation).

After considering the Factors, Insight Global will determine whether (i) there is a direct relationship between the candidate's criminal history and the prospective job or (ii) employing the candidate would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public. If Insight Global determines that there is such a direct relationship or unreasonable risk and decides to revoke the conditional offer of employment that it extended to the candidate, Insight Global shall: (i) provide to the candidate a complete and accurate written copy of the background check inquiry, including each and every piece of information relied on to determine that the candidate has a criminal history; (ii) provide to the candidate a written copy of Insight Global's individualized analysis and provide the candidate the New York City Commission on Human Right's Fair Chance Act Notice (the "Notice")⁵; (iii) inform the candidate that, after receiving a complete written copy of the background check inquiry, copy of the individualized inquiry and the Notice, they will be given a reasonable time to respond to Insight Global's concerns, which shall be no less than five (5) business days; and (iv) consider any additional information provided by the candidate during the reasonable time period (the foregoing steps (i)-(v) hereinafter referred to as the "Fair Chance Process"). In connection with the final step of the Fair Chance Process, if within the reasonable time period the candidate

⁵ The Notice is available at the following hyperlink: https://www1.nyc.gov/assets/cchr/downloads/pdf/FairChance_Form23-A_distributed.pdf. Instead of providing the candidate the Notice, Insight Global may provide a comparable notice that (a) includes specific facts that it considered pursuant to its individualized inquiry and determination, (b) articulates Insight Global's concerns and basis for determining that there is a direct relationship or unreasonable risk, and (c) informs the candidate of their rights upon receipt of the notice, including how they can respond to the notice and the time frame within which they must respond.

provides additional information related to the concerns identified by Insight Global, then Insight Global will consider whether the additional information changes its decision to revoke the conditional offer of employment; if Insight Global reviews the additional information and still decides not to hire the candidate, Insight Global will relay that decision to the candidate in writing within a reasonable period of time.⁶

Current Employees

In addition, prior to taking an adverse employment action based on a *current* employee's criminal history (criminal conviction, pending arrest or criminal accusation), Insight Global shall (i) consider the Factors with respect to the employee's current employment; (ii) determine whether (a) there is a direct relationship between the alleged or convicted conduct and the job or (b) continuing to employ the person would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public; and, if there is such a direct relationship or unreasonable risk, then (iii) (a) disclose to the employee a written copy of any inquiry it conducted into their criminal history; (b) share with the employee a written copy of its individualized analysis; (c) allow the employee a reasonable period of at least five (5) business days from receipt of the inquiry and analysis to respond to its concerns; and (d) consider any additional information provided by the employee during the reasonable time period. Insight Global may place the employee on temporary leave while it undertakes the Fair Chance Process.

⁶ The Fair Chance Process is not required with regard to a candidate for employment: (i) in a position where federal, state, or local law requires criminal background check or bars employment of individuals based on criminal history; (ii) in positions regulated by self-regulatory organizations as defined in section 3(a)(26) of the Securities Exchange Act of 1934, as amended, 15 U.S.C. § 78a, where the rules or regulations promulgated by such organizations require criminal background checks or bar employment based on criminal history; or (iii) in positions as police and peace officers, working for law enforcement agencies, and certain other exempted city agencies.