

DRUG TESTING & BACKGROUND CHECK

Pfizer's Drug Testing and Background Check Requirements for Contingent Workers and Suppliers, Including Criminal and MVR Record Checks, FDA Debarment Database and DEA Controlled Substance Requirements

(Updated: 09/18/2018)

I. OVERVIEW

Drug testing, background, criminal and debarment checks are mandatory for all new Contingent Workers **who perform work at a Pfizer location and who are issued a permanent Pfizer Identity and Access Badge.** Drug testing, background, criminal and debarment checks may also be required by Pfizer for other Contingent Workers, in which case such requirement shall be clearly set forth in the applicable Statement of Work (SOW) or otherwise mutually agreed by the Parties in writing.

Conducting tests and screening is the responsibility of the individual Supplier. For Contingent Workers on boarded through the Contingent Labor MSP or Payrolling Program, background screening must be performed no earlier than 30 days prior to the start of the engagement. For all other Suppliers, education verification and employment history performed at point of hire by Supplier may be utilized even if performed earlier than 30 days prior to the start of the engagement. Drug testing must be performed no earlier than 30 days prior to start for all applicable Contingent Workers **who perform work at a Pfizer location and who are issued a permanent Pfizer Identity and Access site Badge.**

Compliance with this requirement is subject to periodic audit by Pfizer.

The occurrence of any substance abuse, disqualifying offenses or debarments during a Pfizer engagement must also be handled in accordance with these guidelines.

These requirements are current as of their date of issuance. Pfizer reserves the right to amend or modify these requirements at any time and will provide ample notice and an opportunity for discussion prior to implementation of any new requirements. Pfizer also reserves the right to require additional security checks, qualifications and background clearances for any individuals whose duties will require access to any areas deemed by Pfizer to be "restricted" or "special access" areas on any Pfizer site.

Drug testing shall be in accordance with the following:

- Supplier must conduct drug tests of all Contingent Workers to the full extent permitted by federal, state or local law. Drug testing must be successfully completed prior to the Contingent Worker's commencement date at Pfizer.
- Contingent Workers who fail their drug screen must not be assigned to a Pfizer engagement. A Contingent Worker may reapply after six months from the date of the failed drug screen.
- Drug testing is to be conducted by a NIDA Approved laboratory.
- The cost of the tests will be absorbed by the Supplier.
- If any Contingent Worker exhibits observable evidence of substance abuse or impairment during the course of any engagement, Pfizer reserves the right to remove them from the engagement and require the Supplier to conduct an immediate drug and alcohol screen, to the full extent permitted by federal, state and local law. Results of the screen (an indication of "pass" or "fail") must be provided to the Pfizer Sponsor and the Pfizer Staff Smart team at StaffSmart@pfizer.com. A Contingent Worker is permitted to return to work for Pfizer only if the screening was passed.
- A drug test will be considered valid for 1 (one) year or the length of the Contingent Worker's engagement, whichever is longer. Any break in engagement greater than 6 months will

necessitate a new drug screen.

- Employment of the Contingent Worker by a new Supplier, regardless of the time interval between engagements, will necessitate a new drug screen by the new Supplier.

Background Checks shall be conducted in accordance with the following:

- Supplier must conduct background checks related to the employment, education, criminal record, FDA debarment status and any required licenses or certifications (such as MVR and DEA) of any Contingent Worker provided to Pfizer to the full extent permitted by federal, state and local law. Detailed requirements for the background check are provided below.
- Background checks must be successfully completed prior to the Contingent Worker's commencement date at Pfizer.
- The cost of the background check is to be absorbed by the Supplier.
- Employment of the Contingent Worker by a new Supplier, regardless of the time interval between engagements, will necessitate a new background check by the new Supplier.
- The background check will be considered valid for one (1) year or the length of the Contingent Worker's engagement, whichever is longer. Any break in engagement greater than 6 months will necessitate a new background check. For Pfizer direct rehires the check is rerun regardless of length between term and hire. Notwithstanding the foregoing and in addition to this requirement, the Contingent Worker must be screened on an annual basis for Restricted Party Lists (as defined in Section D below) if a Contingent Worker is working on an assignment that either A) involves interacting directly with a Healthcare Institution (HCI), Healthcare Practitioner (HCP), consumer, or independent third-party patient assistance programs or B) perform activities, provide services or create materials relating to the Covered Functions and those activities, services or materials are not reviewed or supervised by a Pfizer employee prior to execution or dissemination and one of the following activities,:
 - Promotional Activities¹
 - Patient Assistance Program Activities²
 - Independent Charity Patient Assistance Programs

Certification of Compliance

- Prior to a Contingent Worker's commencement of engagement at Pfizer, the Supplier is required to obtain a completed drug screen and background check. Contingent Workers who fail the drug screen or background check must not be assigned to a Pfizer engagement.
- Pfizer reserves the right to audit results and compliance with the above requirements.

II. SUMMARY OF SCOPE OF BACKGROUND CHECK

¹ Promotional Activities include the selling, detailing, marketing, advertising, promoting, or branding of Government Reimbursed Products or the preparation or external dissemination of promotional materials or information about, or the provision of promotional services relating to, Government Reimbursed Products, including those functions relating to Pfizer's review and approval processes for promotional materials and any applicable review committee(s).

² This includes engaging in activities relating to any patient assistance program operated by Pfizer or any entity acting on behalf of Pfizer that provides free drugs to patients, including federal health care program beneficiaries (i.e., Pfizer's internal free drug program) or programs to provide financial assistance to patients in the form of cost-sharing assistance (i.e., co-pay coupons or co-pay cards).

- ✓ Pre-Screening for Current Unlawful Substance Abuse
- ✓ Verification of Personal Identity, Employment Record and Educational History
- ✓ Criminal Record Check (residences, employment locations and names during the past seven years, or as permitted under state and local law). Combination of local, state and county checks.
- ✓ Motor Vehicle Records (“MVR”) (only for subjects driving company-owned vehicles or driving on company business as a primary component of job)
- ✓ Debarment (Includes FDA/ORR Debarment, OIG and Excluded Parties)
- ✓ DEA Checks for Engagements involving Controlled Substances

III. SPECIFIC AREAS OF INQUIRY, ANALYSIS AND DECISION

A. SUBSTANCE ABUSE SCREENING

Pfizer maintains a substance abuse-free workplace. All Suppliers, especially those whose services are regularly delivered through onsite workers, are required to ensure that their employees, independent contractors and consultants, and all individuals whom they engage to work on Pfizer premises and/or Pfizer projects under their control and/or supervision, are and remain drug-free and compliant with Pfizer's drug-free workplace standards. Suppliers will be required to demonstrate that individuals, who are designated to work on Pfizer premises and/or on Pfizer projects, have passed drug tests, as follows.

Testing Methods

To the full extent permitted by federal, state and/or local law pre-hire drug screening is to be conducted. All urine samples will be screened using an immunoassay technique and all presumptive positive tests will be confirmed using gas chromatography/mass spectrometry (GC/MS) or another equally sensitive and reliable methodology. All confirmatory tests will be performed by a laboratory certified by the federal Substance Abuse and Mental Health Services Administration (SAMHSA) for federal workplace testing. Pfizer currently requires tests for cannabinoids (marijuana), cocaine metabolites, amphetamines (including methamphetamines and some prescription stimulants), opiates (including codeine, morphine, heroin, methadone, meperidine, hydrocodone, hydromorphone, and oxycodone), phencyclidine (PCP), barbiturates, and benzodiazepines (including Valium and Xanax).

B. EMPLOYMENT AND EDUCATIONAL HISTORY VERIFICATION

Pfizer requires verification of personal identity, employment and educational history for all Contingent Workers. Prior to assigning any individual to a Pfizer site placement or project, Suppliers are required to verify that the employment and educational histories of Contingent Workers are accurate and acceptable. Inaccurate information and/or unexplained gaps must be reviewed by the Supplier. Contingent Workers who fail to fully and accurately disclose information shall be disqualified from any Pfizer engagement. Employment history and reasons for leaving (including, but not limited to Pfizer engagements) must be verified and reviewed for the greater of either the last 7 years or the last 3 positions held. Contingent Workers terminated from prior employment for misconduct, violations of Policy or law, behavioral issues or other unacceptable reasons shall be disqualified from any Pfizer engagement. Verification of educational history should include the highest degree of education earned.

C. CRIMINAL and MOTOR VEHICLE REQUIREMENTS

Pfizer strives to maintain safe and secure working environments for all Colleagues, customers, business partners, visitors and guests. All Suppliers are required to verify criminal and MVR records to ensure that Contingent Workers do not pose a safety or security risk to Pfizer sites, property or personnel.

Prior to assigning any individual to a Pfizer placement or project the Supplier shall inquire as to whether the individual had been convicted of any criminal offense or offenses. The inquiry shall be followed by a detailed criminal records check. The failure to fully disclose any conviction prior to the criminal records check shall disqualify the individual from any Pfizer engagement.

If during the course of an engagement the Supplier has knowledge that a disqualifying offense is committed by a Contingent Worker, the Supplier must take the actions specified in this Policy.

Disqualifying Offenses

Certain criminal offenses that substantially relate to all anticipated Pfizer-related project duties pose risks to Pfizer's efforts to maintain safe and secure workplaces and business operations. These offenses are identified below as disqualifying offenses. The other listed offenses require further review by the Supplier to determine based on the relevant facts and applicable laws whether to assign the individual to a Pfizer project or placement. When conducting all such reviews, the Supplier is required to apply substantial deference to Pfizer's interests in maintaining a safe, violence-free and substance abuse-free working environment. All unresolved determination or questionable circumstances are to be considered disqualifying offenses.

Felonies

Except as restricted by applicable federal, state and local laws, all felony convictions, arrests (where prosecution is pending) and deferred adjudication, within the last seven (7) years shall be disqualifying offenses.

Misdemeanors/Violations/Other Offenses

Except as restricted by applicable federal, state and local laws, all convictions for misdemeanors, violations and other offenses within a period of seven (7) or as permitted under state or local law shall be reviewed to determine the underlying facts, followed by further Supplier review to determine whether a Pfizer placement would be appropriate. Factors include whether the offense substantially relates to the anticipated Pfizer-related project duties and/or poses risks to Pfizer's efforts to maintain safe and secure workplaces and business operations.

Pending Charges

Except as restricted by applicable federal, state and local laws, an individual charged with an offense (Felony and/or Misdemeanor) should be interviewed to determine the underlying facts, followed by further supplier review to determine whether a Pfizer placement would be appropriate during pendency of the charge[s]. Decisions should be based on underlying facts obtained from the candidate and other available sources, and not the mere pendency of a criminal charge. Factors include whether the offense substantially relates to the anticipated Pfizer-related project duties and/or poses risks to Pfizer's efforts to maintain safe and secure workplaces and business operations. An individual exonerated of the charge[s] may be considered for placement.

Outstanding Warrants

An individual with an outstanding arrest warrant may not be placed with Pfizer until the warrant has been dismissed or adjudicated.

Motor Vehicle Record (MVR)

MVR check is required prior to the placement of any individual in a position, the duties of which require the operation of a motor vehicle. When multiple licenses are involved, all of the applicant's licenses will be evaluated together in order to reach final hiring decision. Violations not listed below as disqualifying shall be reviewed to determine the underlying facts, followed by further supplier review to determine whether a Pfizer placement would be appropriate.

Disqualifying MVR Criteria:

- ✓ Current suspended, cancelled, expired, revoked license, no license, permit only, and ID card only; OR
- ✓ Single DWI/DUI within the past year, 2 or more DWI/DUI no time limit; OR
- ✓ 3 or more moving violations (do not count accidents) within the past 3 years. Careless and Reckless Driving will be considered moving violations; OR
- ✓ Accumulation of suspensions over 1 year in length within the last 3 years; OR
- ✓ More than 2 accidents with indication of fault within last 3 years; OR
- ✓ More than 3 accidents, no time limit

D. RESTRICTED PARTY LISTS

Pfizer will not provide access to our facilities or network for any individual listed on certain suspension, debarment, and exclusion lists and similar lists of restricted parties maintained by various government agencies (the “Restricted Party Lists”). As a result, all Suppliers are required to ensure that their employees, independent contractors, and consultants, and all individuals who work on Pfizer premises and/or on Pfizer projects under their control and/or supervision, are checked against the following Restricted Party Lists and any whose name appears must be disqualified from any Pfizer engagement. The Restricted Party Lists are available in searchable form on the official government websites (the links as of May 17, 2018 are set forth below).

In the event that an existing Contingent Worker is added to a Restricted Party List, or is the subject of an actual, pending or threatened formal adverse action, as that term is defined in 42 U.S.C. § 1320a-7e(g), during an engagement, the Supplier must remove the worker from all Pfizer engagements, whether conducted at a Pfizer site or elsewhere.

Restricted Party Lists:

1. Federal Department of Health and Human Services List of Excluded Individuals/Entities
<https://oig.hhs.gov/exclusions/>
2. U.S. Government Suspension and Debarment List
https://www.sam.gov/portal/SAM/?portal:componentId=16bb71aa-8903-43f5-99de-b6b2cd6234d6&interactionstate=JBPNS_r00ABXc0ABBfanNmQnJpZGdlVmlld0lkAAAAQA_TL2pzZi9mdW5jdGlvbmlkLmpzcAAHX19FT0ZfXw**&portal:type=action##11
3. Federal Drug Administration OIG Debarment List
<http://www.fda.gov/ICECI/EnforcementActions/FDADebarmentList/ucm2005408.htm>
4. Consolidated List of Restricted Parties http://export.gov/ecr/eg_main_023148.asp
5. Consolidated List of Persons, Groups and Entities Subject to E.U. Financial Sanctions
https://eeas.europa.eu/headquarters/headquarters-homepage/8442/consolidated-list-sanctions_en

E. DEA CONTROLLED SUBSTANCES CHECKS

Under Code of Federal Regulations (CFR) 1301.90 (Employee Screening Procedures) Pfizer is required to obtain additional information on all individuals who will have access to controlled substances as defined by the Drug Enforcement Administration. Suppliers must therefore ask the following questions of any individual considered for engagement to a Pfizer facility where they will be in contact with controlled substances. As set forth in Section III C above, an affirmative response to question 1 will preclude a candidate from assuming any engagement at Pfizer. An affirmative response to questions 2-5 will not necessarily preclude a candidate from working in a non-controlled substances area, but that information should be used by the Supplier as part of the overall evaluation of the individual’s qualifications for a Pfizer engagement.

1. Within the past five years, have you been convicted of a felony, or within the past two years, of any misdemeanor or are you presently formally charged with committing a criminal offense? (Do not include any traffic violations, juvenile offenses or military convictions, except by general court martial.) If yes, furnish details of convictions, offense, location, date and sentence.
2. In the past three years, have you ever knowingly used any narcotics, amphetamines or barbiturates, other than those prescribed to you by a physician? If yes, furnish details.
3. Have you at any time had an application for registration with the DEA denied for cause? If so, please describe the application and date of such denial.
4. Have you at any time had an application for registration with the DEA revoked for cause? If so, please describe the application and date of revocation.
5. Have you at any time surrendered a DEA registration for cause? If so, please describe the registration and the date of such surrendering.

In conducting this DEA controlled substances check, Suppliers should comply with the following guidelines:

- a. Obtain an authorization, in writing, that allows inquiries to be made of courts and law enforcement agencies for possible pending charges or convictions. The authorization must be executed by any Contingent Worker who is seeking to work in an area where access to controlled substances clearly exists.
- b. The person must be advised that any false information or omission of information will jeopardize his or her position with respect to the engagement.
- c. The application for employment should inform the person that information furnished or recovered as a result of any inquiry will not necessarily preclude engagement, but will be considered as part of an overall evaluation of the person's qualifications.
- d. The Supplier must commit to maintain fair employment practices, the protection of the person's right of privacy, and the assurance that the results of such inquiries will be treated by the Supplier in confidence and will be explained to the Contingent Worker.

IV. RETENTION OF RECORDS AND AUDIT

The Supplier must maintain records demonstrating its compliance with these background check requirements for each individual placed with Pfizer. Pfizer reserves the right to audit the Supplier's compliance. In the event Pfizer becomes aware that the Supplier failed to abide by the terms set forth herein, Pfizer reserves the right to remove and deny access to any individual who has not been screened as outlined above.

V. COMPLIANCE WITH APPLICABLE LAWS AND INDEMNIFICATION

The Supplier will implement these background check requirements in a manner that complies with all relevant federal, state and local laws. The Supplier agrees to indemnify and hold Pfizer harmless for all claims, damages, losses and liabilities (including claims or demands made by its employees, agents, consultants, independent contractors, and applicants) as a result of the Supplier's compliance or noncompliance with the foregoing requirements.

VI. FALSIFICATION OR OMISSION

The falsification or omission of any information provided by an employee, independent contractor, or consultant shall preclude the Supplier from placing the individual on any Pfizer engagement.