RESPONSE TO EMPLOYMENT-RELATED CHARGES AND LEGAL ACTIONS

Purpose

To set forth guidelines for appropriate response in the event the Company is contacted by a regulatory agency, threatened with legal action by an attorney or served with a summons and complaint relating to employment.

Scope

This Policy applies to all facilities of McWane, Inc. and its divisions and subsidiaries ("McWane" or "Company").

Policy Statement

It is McWane's intent to comply fully with all applicable laws and regulations in employment. If, despite our sincere efforts towards compliance, a team member receives notice of any of the following: employment litigation in an administrative, state, or federal court; a charge or investigation by EEOC, OFCCP, NLRB, OSHA or other regulator; a Civil Rights Commission charge or investigation; or FLSA litigation or a Wage & Hour Division investigation; the following procedures should be followed:

1. **Communication:** The team member must promptly communicate the contact, threat, notice or summons and complaint to the following parties in writing:

    a. Division Human Resources Manager
    b. Division General Manager
    c. Corporate Legal Department
    d. Corporate Human Resources (VP/Director)

2. **Receipt of Complaint:** When served with process or a charge, the date and time of service should be written on the document. Copies of all legal documents, whether sent or received by a lawyer or Company representative, must be forwarded to the above listed parties on the date when the documents are received.

3. **Confidentiality**: Secure all records relevant to the complaint or legal action and retain them in a safe and secure place pending further instruction from Corporate Legal or Human Resources. Strict confidentiality must be maintained regarding the matter. Information regarding the issue should be shared with others based only on their "need to know."

4. **Record Retention**: In addition to securing all relevant records, McWane must preserve all electronically stored information that may be relevant to the complaint or legal action. This includes email and other electronic communication, word processing documents, spreadsheets,

databases, calendars, telephone logs, contact manager information, internet usage files and network access information. McWane must take all reasonable steps to preserve such information, including ensuring that the relevant information is not discarded or thrown out in the normal course of everyday business. If you have any questions regarding whether or not a document is "relevant" or whether or not it should be "preserved," assume the answer is "yes."

This is the general requirement. From time to time, the Legal Department may issue litigation holds that require records to maintained in a different manner or for a different period than provided in this Policy and in the Company's Record Retention Policy. Please refer to the Record Retention Policy for more information concerning litigation holds.

5. **Retaliation**: It is unlawful to retaliate against any McWane team member who files a complaint or legal action. Supervisors must ensure that no retaliation or discriminatory behavior or action is taken toward these team member(s).

6. **Legal Guidance**: Divisions that require legal counsel to respond to actions referred to in this Policy may engage outside legal counsel located near the division, but the Corporate Legal Department must be notified in advance on a case-by-case basis as to the legal counsel being retained. Outside legal counsel should be from a firm that has been previously approved by McWane's General Counsel or the division must wait for approval before formally engaging outside legal counsel.

Questions

Questions regarding this Policy should be directed to your local Human Resources representative.

McWane reserves the right to modify, amend, supplement or replace this Policy at any time with or without prior notice.