MCWANE, INC.
HUMAN RESOURCES POLICIES

TEAM MEMBER ELIGIBILITY VERIFICATION

Purpose

To provide guidance for complying with the Immigration Reform and Control Act of 1986 and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (collectively, the "Acts").

Scope

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

Policy Statement

McWane's policy and practices prohibit the use of the employment verification process for unlawful discrimination against U.S. citizens and authorized workers with respect to hiring, firing, recruitment or referral for a fee because of citizenship status or national origin.

Furthermore, it is the Company's policy to be in full compliance with the Acts and their regulations. All candidates for employment will be informed (by a document suited to this purpose) of these Acts and regulations during the hiring process and will be required, after an offer has been extended, to provide proof of identity and employment eligibility to work in the United States.

Each facility will incorporate into its internal process for managing employment eligibility the requirements that a current Employment Eligibility Verification Form ("I-9 Form") is completed and the information provided post-offer by a prospective team member is verified by the U.S. Citizenship and Immigration Services ("USCIS") E-Verify service. The current I-9 Form and more information can be found at www.uscis.gov/i-9-central. E-Verify will verify that the information team members provide is valid and that the documents are genuine.

No-Match Guidelines

In the event that the facility receives a written notice from the Social Security Administration ("SSA") reporting that a team member's name and social security number ("SSN") on a Form W-2 do not match the information in the SSA's database (i.e., "No-Match Letter"), the facility will obtain and document a resolution of the No-Match Letter per current USCIS and SSA regulations and guidelines, which may be amended, including the following:

1. Within thirty (30) days of receiving the No-Match Letter, the Human Resources Manager should check the Company's records to determine if the discrepancy is because of typographical or similar clerical error in the Company's records or in its communication with the SSA.

2. If there is a typographical or clerical error, the Company's records should be corrected and the SSA should be informed of the error. Specifically, within three (3) days of identifying the error, a new I-9 Form should be completed using the Company's new hire procedures and the corrected name

and/or SSN should then be verified with the SSA. The Human Resources Manager should make and keep a record of the manner, date and time of the verification with the SSA.

3. If no Company clerical error is detected, the Human Resources Manager should promptly confirm with the team member that the information (i.e., his or her name and SSN) in the Company records is correct:

    a. If the team member provides corrected information, within three (3) days of receiving the same, the Human Resources Manager should correct the Company records, have the team member complete a new I-9 Form using the Company's new hire procedures and the corrected name and/or SSN should then be verified with the SSA. The Human Resources Manager should make and keep a record of the manner, date and time of the verification with the SSA.

    b. If the Company records are correct, the Human Resources Manager should inform the team member of the date that the Company received the No-Match Letter and advise the team member to resolve the discrepancy with the SSA within one-hundred twenty (120) days of the date the Company informed the team member of the discrepancy. Because the SSA may experience considerable delay in resolving the mismatch, the Human Resources Manager should periodically communicate with the team member to learn the status of the team member's efforts to resolve the issue with the SSA. Once the discrepancy is corrected, the team member must provide documentation of the resolution of the issue to the Company. Within three (3) days of receiving documentation of the resolution, the Human Resources Manager should correct the Company records, have the team member complete a new I-9 Form using the Company's new hire procedures and the corrected name and/or SSN should then be verified with the SSA.

4. If the discrepancy cannot be resolved within one-hundred twenty (120) days of the date the Company informed the team member of the discrepancy, the Human Resources Manager should have the team member complete a new I-9 Form using the Company's new hire procedures, except that: (A) the Human Resources Manager should not accept an I-9 document that was the subject of the No-Match Letter; and (B) the team member shall provide a document (within the list of acceptable I-9 documents) that includes a photograph. Further, the Human Resources Manager may not accept a team member's receipt for an application for a replacement of an acceptable I-9 document to establish employment authorization and/or identity.

5. If the facility receives a No-Match Letter during the team member's employment (i.e., after the initial hire), no adverse action should be taken against the team member based solely upon the receipt of the No-Match Letter, including, but not limited to, lay-off, suspension, firing, harassing or otherwise discriminating behavior.

6. The Human Resources Manager should, in every circumstance described above, make a record of the manner, date and time of the verification. The Human Resources Manager should document all efforts to resolve the discrepancy with the team member and the team member's efforts to resolve

such discrepancy with the SSA. In all instances of verification, the new I-9 Form must be retained with the prior Form(s).

Tentative Nonconfirmation Guidelines

In the event that the facility receives a Tentative Nonconfirmation ("TNC") from the SSA or the Department of Homeland Security ("DHS") indicating that the information entered in E-Verify from the team member's I-9 Form did not match records available to DHS or SSA, the facility (through its Human Resources Manager or other person designated to administer the employment verification process for the facility) will obtain and document resolution of the TNC per current USCIS, SSA and DHS regulations and guidelines, which may be amended, including the following:

1. **Referral to SSA**

    a. When the facility receives a TNC issued by the SSA, the Human Resources Manager must print the notice as directed by E-Verify. The Human Resources Manager must promptly notify the team member in private of the finding and provide him or her with the notice and letter containing information specific to the team member's E-Verify case. The Human Resources Manager must also provide both the English and the translated notice and letter to those team members with limited English proficiency. The Human Resources Manager should provide written referral instructions to the team member and instruct him or her to take the English copy of the letter to the SSA. The Company must allow the team member to contest the TNC and not take any adverse action against the team member if he or she chooses to contest the finding, while their case is still pending.

    b. The Human Resources Manager should obtain the team member's response about whether he or she will contest the TNC as soon as possible after the facility receives the TNC. Only the team member may determine whether he or she will contest the TNC.

        i. If the team member chooses not to contest the TNC, the case will automatically become a Final Nonconfirmation in E-Verify, and the Company may terminate the team member.

        ii. If the team member chooses to contest the TNC and the SSA cannot resolve the TNC discrepancy, the case will become a Final Nonconfirmation in E-Verify, and the Company may terminate the team member.

    c. The Human Resources Manager must refer the team member to the SSA field office only as directed by E-Verify. The Human Resources Manager should record the case verification number, review the team member information submitted to E-Verify to identify any errors, and find out whether the team member contests the TNC. The Human Resources Manager should transmit the SSN, or any other corrected team member information that the SSA requests, to the SSA for verification again if E-Verify indicates a need to do so.

d. If directed to a SSA field office by E-Verify, the Human Resources Manager must instruct the team member to visit the SSA office **within eight (8) Federal Government work days**. The SSA will electronically transmit the result of the referral to the Company within ten (10) Federal Government work days of the referral unless it determines that more than ten (10) days is necessary.

e. While waiting for case results, the Human Resources Manager should check the E-Verify system on a regular basis for case updates.

f. The Human Resources Manager shall not ask the team member to obtain a printout from the SSA number database (the Numident) or other written verification of the SSN from the SSA.

g. The Human Resources Manager should, in every circumstance described above, make a record of the manner, date and time of the TNC resolution efforts. The Human Resources Manager should document all efforts to resolve the TNC discrepancy with the team member (and the SSA, if applicable) and the team member's efforts to resolve the TNC discrepancy with the SSA.

2. **Referral to DHS**

a. When the facility receives a TNC issued by the DHS, the Human Resources Manager must print the notice as directed by E-Verify. The Human Resources Manager must promptly notify the team member in private of the finding and provide him or her with the notice and letter containing information specific to the team member's E-Verify case. The Human Resources Manager must also provide both the English and the translated notice and letter to those team members with limited English proficiency. The Company must allow the team member to contest the TNC and not take any adverse action against the team member if he or she chooses to contest the finding, while their case is still pending.

b. The Human Resources Manager should obtain the team member's response about whether he or she will contest the TNC as soon as possible after the facility receives the TNC. Only the team member may determine whether he or she will contest the TNC.

   i. If the team member chooses not to contest the TNC, the case will automatically become a Final Nonconfirmation in E-Verify, and the Company may terminate the Team Member.

   ii. If the team member chooses to contest the TNC and the DHS cannot resolve the TNC discrepancy, the case will become a Final Nonconfirmation in E-Verify, and the Company may terminate the team member.

c. If the team member chooses to contest the TNC, the Human Resources Manager should instruct the team member to contact the DHS through its toll-free hotline (as found on the

referral letter) **within eight (8) Federal Government work days**. The DHS will electronically transmit the result of the referral to the Company within ten (10) Federal Government work days of the referral unless it determines that more than ten (10) days is necessary.

d. If the Human Resources Manager detects a photo mismatch, the Human Resources Manager should provide the photo mismatch TNC to the team member and follow the instructions outlined in Section 2.a above.

e. If the team member contests a photo mismatch TNC, the Human Resources Manager should send a copy of the team member's Form I-551, Form I-766, U.S. passport or passport card to the DHS for review by:

   i. Scanning and uploading the document through E-Verify; or

   ii. Sending a photocopy of the document by express mail.

f. If the Human Resources Manager cannot determine whether there is a photo match/mismatch, the Human Resources Manager should forward the team member's documentation to the DHS as described above. The Human Resources Manager should resolve the case as instructed by the DHS representative who will determine the photo match or mismatch.

g. While waiting for case results, the Human Resources Manager should check the E-Verify system on a regular basis for case updates.

h. The Human Resources Manager should, in every circumstance described above, make a record of the manner, date and time of the TNC resolution efforts. The Human Resources Manager should document all efforts to resolve the TNC discrepancy with the team member (and the DHS, if applicable) and the team member's efforts to resolve the TNC discrepancy with the DHS.

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.