

TESORO LOGISTICS OPERATIONS LLC BACKGROUND CHECK REQUIREMENTS AND GUIDELINES

The following shall apply for purposes of Section 4(b) of the Carrier Access Agreement between Carrier and Tesoro (all terms contained herein shall be as defined therein):

A. **LEGAL AUTHORITY TO WORK IN THE U.S.** Carrier's completion of Employment Eligibility Verification Form I-9 or the Department of Homeland Security's e-verify for Authorized Drivers will facilitate Carrier's ability to establish identity and employment eligibility. Carrier may be required by law to complete a Form I-9 for its employees.

B. **VERIFY AND VALIDATE IDENTITY.** A social security-name trace search should be conducted to reveal names associated with a social security number, past and present addresses, and any fraudulent use of a social security number.

C. **CRIMINAL CONVICTION HISTORY.** In evaluating suitability for access to a Facilities, Carrier should carefully assess the relevance of the individual's criminal conviction history to the position for which the individual is being considered. In making a determination, such factors as the following should be considered:

- type of crime, i.e. nature and degree of the crime.
- relationship of the crime to the task to be performed.
- number of convictions.

Carrier shall not allow any person to access any Facilities who has been convicted of: (1) a felony offense within the past seven (7) years; or (2) two (2) misdemeanors in the past 12 months; or (d) three (3) misdemeanors in the past 3 years related to any of the following:

- **Violent crimes, property offenses, substance abuse, or fraud;**
- **Terrorism, espionage, sedition, or the unlawful possession, use, sale, distribution, or manufacture of an explosive, explosive device, firearm, or other weapon; or**
- **Other crimes on established list of disqualifying crimes applicable to hazmat drivers and transportation workers at ports (see CFR Sec. 1572.103)**

Criminal conviction history checks should include a review of federal, state and local criminal conviction records. For such purpose, "**Criminal Conviction**" includes probation, deferred adjudication and "no contest" pleas.

D. **FALSIFICATION OF APPLICATION.** Any person who falsifies material information on the Carrier's employment application shall not be designated as an Authorized Driver.

E. **WAIVER OF CONTRACTOR BACKGROUND CHECK VERIFICATION.** For good cause shown, Tesoro may elect, in its sole discretion, to grant a waiver to any of Carrier's personnel who fail to meet the Criteria. A request for such waiver may be submitted to Tesoro's Corporate Security Department via email at: ContractorNotices@tsocorp.com. Prior to Tesoro's consideration of any such request, Carrier will be responsible for obtaining required releases from the individual concerned appropriately releasing Tesoro from liability relating to Tesoro's granting of and/or use of the information in connection with consideration of the request. Carrier's representative will be notified in writing whether the waiver will be granted and access permitted to the proposed Authorized Driver.

F. **INFORMATION AN INDIVIDUAL MAY POSE A THREAT.** Carrier shall not permit any person to be an Authorized Driver if Carrier has knowledge or information indicating such person may pose a threat to the Facilities or to other persons. Examples of this type of information may be, but are not limited to, the following:

- The person has a pending felony charge.
- The person is on active parole or probation for one of the criminal convictions set out above.

G. **BACKGROUND TIME LIMIT DISQUALIFICATION.** Carrier shall ensure each Authorized Driver is properly assessed and has a valid driver's license/class of vehicle for which they are operating including proper endorsements, current medical card and TSA background check.

H. **ADDITIONAL REQUIREMENTS OF APPLICABLE LAW.** The requirements and guidelines of Section 4(b) of the Agreement and this Exhibit B shall be deemed to include any additional or different requirements that may be imposed by Applicable Law in respect of the Facilities or Authorized Drivers.