



## FAQ

**From: Christine Curtis  
Director of Security GOM**

**REF: Request to Clarify Contactor Background Screen**

**Date: October 31, 2014**

### **What is the reason/objective for this request?**

The BP Background Screening program was developed after several risk assessments identified failure to screen contractors as a gap in our security program. BP currently screens its own employees but does not screen contractors which make up a significant number of the BP off shore work force. We have reviewed past workplace violence incidents and identified perpetrators whom if they had been screened would not have been eligible to work off shore. In addition, a federal law enforcement agency that reviews off shore workers has stated our two concerns should be the number of registered sex offenders and gang members we have working off shore. BP has chosen to be proactive in this area and implement this program.

**All off-shore personnel must currently hold a TWIC card which requires a thorough background screening through Homeland Security and the FBI. There is a 5 Year renewal requirement for TWIC. Why is the TWIC background verification not an acceptable tool?**

\*The TWIC program checks for only a certain number of criminal offenses; Espionage, Treason, Sedition, Terrorism, Improper transportation of hazardous materials, crimes against explosives, murder and violation of the Federal Racketeering Act. Most of these offenses will cause you to fail a TWIC background with cause for appeal. Most appeals are won by the subject of the TWIC card.

In addition they will check for firearm violations, extortion, fraud money laundering, identity theft, bribery, smuggling, immigration related crimes, drug distribution, arson and kidnapping. These crimes do not necessarily disqualify you from obtaining a TWIC card. They are crimes that BP would seriously look at for removal from off shore work.

The Heliport in Houma is a designated Port of Entry and as such is visited frequently by ICE (Immigration and Customs). They frequently arrest personnel coming in from off shore on warrants. All of those persons have TWIC cards. As recently as three months ago, they arrested a man with a warrant that had a valid TWIC card. He received it by using false ID.



**Who is Responsible for verification of Subcontractor personnel being a part of the BP Contractor Screening Program?**

The Contracting Company is responsible for all personnel they send to work off shore for BP under their contract to have a background screen. Some companies chose to have their subcontractors register directly with First Advantage and enrol their employees in First Advantage. The subcontracting company will receive the background information from First Advantage; they then would make the decision on whether to submit the employee to Halliburton to work on a BP off shore facility.

**What does First Advantage offer that our other vendors do not?**

There are many good background screening companies in the market. We did an extensive RFP and chose First Advantage (Also the owner of Lexus-Nexus Background Screening Program). Choosing one vendor for BP allowed us to bring consistency into the screening process by setting the criteria and verifying all off-shore personnel are being screened. This also allowed us to negotiate a price structure based on quantity and made our security costs transparent.

**How is Confidentiality of the Contract employee maintained by First Advantage?**

First Advantage employs a fully-staffed Legal/ Regulatory Compliance Department. One of the primary functions of this department is to ensure that every aspect of First Advantage's business remains compliant with the terms of the FCRA, the Gramm-Leech-Bliley Act and other relevant statutes applicable to First Advantage line of products. First Advantage has on-site legal counsel that assists its Compliance Department by analysing the extent of regulatory changes and their effect on its operations. As a consumer reporting agency, First Advantage closely monitors all legislative and legal issues surrounding the FCRA and state equivalent statutes. The Compliance Department determines if new procedures or procedural changes are required; if so, the necessary changes are communicated to the affected First Advantage departments. These changes are implemented before any regulatory changes become effective. First Advantage is compliant with the terms of the FCRA and to date, it has never been found non-compliant with the FCRA or by any regulatory agencies.

In addition, FADV deploys background screening products offering a technology solution that has received the U.S. Department of Homeland Security SAFETY Act Qualified Anti-Terrorism Technology Designation. This designation means that our customers get peace of mind knowing that our background screening services constitute safe and effective antiterrorism technology, based on an assessment by the U.S. Department of Homeland Security. It also ensures that users of our Enterprise Advantage product are protected against lawsuits arising out of a terrorism incident involving the use of our solution, since it is a SAFETY Act designated technology.



**.What other agencies are notified by First Advantage of employees information?**

Employee SPII is held confidential and not shared with other agencies.

BP will not have access to background screens on individuals

**Are First Advantage and BP willing to sign a confidentiality agreement with the Contracting Company with regard to the sensitive personal information?**

Yes. First Advantage currently has an NDA in place with BP, but are willing to accommodate executing a separate NDA with the contracting company if required.

**It is stated that First Advantage can deliver a completed process in 1-3 days. Can they actually deliver on this process?**

We completed a pilot program with First Advantage and screens were completed in 2 ½ days. There may be certain situations where the information cannot be obtained in that time frame but we feel confident they can produce the majority of results in that time frame

**What qualifies First Advantage to make determinations on work and educational history and qualifications for Contract employees, as indicated in the Contractor Background Screening Program?**

First Advantage does not make determinations on suitability. First Advantage provides information to the Contracting Company for them to review. The contracting company makes the decision on whether to employ this person to work on BP facilities off shore.



**Is the First Advantage background screening program “one size fits all” or will it vary depending on the employees job?**

The majority of people will have a Level 1 screen performed. (See Policy) In some cases a level 2 screen will be applied. A Level 2 screen applies to personnel where their role could have high impact to security or reputation risks. This role will be identified at the time of contract hiring. (See Policy) Examples would be someone that does significant ordering for BP, someone in finance that has signatory rights on accounts, a security manager.

Screens that do not pertain to job performance will not be applied. For example: Driving Records will not be checked unless a person drives a company vehicle.

**According to BP’s Contractor Background Policy, Security Criteria for Basic Check and vetting, it states that contractors must conduct background checks on their employees that meets this policy. Our current process utilizing TWIC meets BP’s requirements. Why is an additional request being made of Halliburton now?**

At this time contracting companies all have varying degrees of background screening programs. We are unable to audit every program for consistency and compliance. To maintain a safe environment for everyone off shore BP is implementing a standardized background screen for all off shore contractors across the Gulf of Mexico.

**We would like to have clarification on the following items in your proposed program:**

**Does this require all employees working off shore to have additional screenings or as stated in the program “those with specialized job roles, safety sensitive or security related positions”?**

All contract personnel working on a BP off-shore facility – owned, operated or leased – will have the basic level 1 background screen. Level 1 does not include financial information.

Additional screening (Level 2) will only be done on personnel who have high impact security or reputational risks associated with their job function and will be working off shore. Those positions will be identified and noted that additional screening may be done.

**What is BP’s definition of these job roles?**

These job roles will be clarified at the time they are contracted with BP.

Refer to Contractor Background Screen: Level 2 Background Check.

This would be for off-shore personnel only (Example – a clerk that orders a significant amount of supplies (over \$10,000)



**It is stated “Contracting Companies will review information and take appropriate action”  
What does BP consider appropriate action?**

Please see Contractor Background Policy: Basic Background Check : Criminal History Bullet Points 4 and 5 describing review of convictions

BP is providing a consistent means of securing background information for companies that employ personnel off-shore for BP. The responsibility of reviewing that information and making appropriate decisions lies within your company policies.

**How will BP address the issue of providing Halliburton employees with a copy of the First Advantage screening as required by the Fair Credit reporting Act of 1997?**

All employees will need to consent to a background screen. At the time they sign the consent form contract companies should provide them with the Fair Credit Reporting Act notifications as provided by First Advantage.

**How will BP address emergency call outs?**

The Backgrounds Screen is done in two parts. The first part is when you enter the person’s name. You get an immediate response back based on data base searches. BP will accept this for emergencies. (The second part takes between 1-3 days to complete) An e-mail or phone call should be made to the Director of Security to get an exemption. The Director of Security will notify I-Logistics to make this person available to fly.

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**With the additional requirement to oversee the First Advantage background screenings, both initially and at the 5 year intervals, how does BP plan to compensate the Contractor for this increased cost of doing business with BP ?**

This would be a discussion with PSCM

**Other Oil Companies are not requiring this. Why is BP?**

BP has identified this as a significant gap in our security program and we are moving forward to close this gap. Global Security is also reviewing this program to see if it would be applicable to roll out to all BP locations world wide.

In addition other oil companies are looking at this and similar programs as well as API.

