



## **BLOOMIN' BRANDS, INC.**

### ***BACKGROUND CHECK POLICY***

#### **A. Purpose**

Bloomin Brands, Inc. ("Company") believes that hiring qualified individuals to fill positions contributes to the overall strategic success of the Company. Background checks serve as an important part of the selection process for certain job positions. This type of information is collected as a means of promoting a high performance, high integrity workforce and safe work environment for current and future employees. Background checks also help the Company obtain additional job application related information that helps determine the candidate's overall employability, and promotes the protection of the current people, property, and information of the Company.

#### **B. Policy**

New Hires/Promotions. The Company will perform pre-employment background checks on final candidates for certain positions, based on the criteria identified in Attachment A (which may be revised at the discretion of the ELT). Only the items identified in Attachment A will be conducted as part of the background check process (i.e., activities such as reference checks will not be conducted as part of the background check policy).

Limited Background Checks. If an employee changes positions in the Company from a field based position to a home office position, any additional background checks required for the new position (as indicated in Attachment A) which have not been performed within the last 12 months, will be performed.

Scope of Background Check. The components of each candidate's background check are based on the position, job relevancy and business necessity. The background checks performed by the Company are identified in Attachment A (which may be revised over time). Temporary employees and temporary agencies providing contracted labor to the Company shall be subject to the same standards set forth in this policy. The Company's expectation is that all vendors providing services on Company (owned or leased) premises to have a background check policy at least as extensive as this Policy.

Compliance with Laws. All background searches shall be conducted in accordance with applicable laws (including the federal Fair Credit Reporting Act and local credit reporting laws) and the Company's other policies, including the Company's Discrimination & Harassment policy. Background checks shall be performed only after appropriate authorizations and consents have been obtained. For positions requiring credit reports, appropriate pre-adverse and adverse action notices together with a copy of the report will be sent to the candidate pursuant to federal and any state FCRA laws prior to taking any adverse action based on a credit report. In international markets, background checks consistent with this Policy will be conducted, in compliance with all applicable laws.

Confidentiality. The results of a pre-employment/job change background check are confidential and are to be shared with members of the Company on a strict “need to know” basis.

Use of Background Information. In general, the relevance of a particular pre-employment /job change background check as it relates to a candidate’s eligibility for employment is based upon the following factors: the nature of the job for which the applicant is being considered; the nature of any adverse or negative information; in the case of a criminal conviction, the facts surrounding the matter are particularly relevant; the age of any adverse or negative information; and the age of the applicant at the time of the adverse incident in relation to the present.

Having adverse information, including a criminal history or conviction does not automatically preclude a candidate’s eligibility for employment.

E-Verify. The Company will use the E-Verify system to verify whether an applicant (who has received an offer of employment) is eligible to work in the United States. E-verify is currently implemented in all mandated states. The balance of the states will implement E-Verify with a date to be determined.

## ATTACHMENT A

Home Office Positions				
	Type of Background Check			
Position	Education	Criminal	Employment	Credit
All Positions	x	x	X	
VP & above	x	x	x	
Attachment A-1	x	x	x	x
Field Positions				
	Type of Background Check			
Position	Education	Criminal	Employment	MVR
RVP	x	x	x	
JVP	x	x	x	
MP/ OP / CP		x	x	
KM/CM/RT/FT		x		
Mgr (FOH) / Admin		x		
PDD / Key				
AKM/S.Chef/GSM		CI G/Fleming's/Roy's		
Hourly				
Drivers				x

### Abbreviations:

AKM=Asst. Kitchen Mgr; CM= Culinary Mgr; CP=Chef Partner; FT=Food Tech; GSM=Group Sales Mgr; RT=Regional Trainer; PDD=Private Dining Dir.

### DEFINITIONS:

Home Office – means any position based in or paid out of the Tampa or Newport Beach Home Office or solid line report into the Newport Beach or Tampa Home Office.

Education Check – means a confirmation of highest degree obtained from the last educational institution attended.

Criminal Check – means an inquiry and review of any criminal convictions from the past 7 years, to be conducted in each county identified in the SSN verification check (including international locations where possible).

Employment Verification Check – means an inquiry and verification of the last 7 years prior employment through confirmation from employer(s) or employer reporting systems of dates and titles.

Credit Check – means obtaining a credit report on key financial personnel as determined by the CFO. The current list of positions subject to credit checks are identified in Attachment A-1.

## **ATTACHMENT “A – 1”**

### **POSITIONS SUBJECT TO CREDIT CHECK**

President / Chief Executive Officer  
Chief Financial Officer  
Chief Financial Officer – International  
Group Vice-President Controlling  
Vice President Treasury