



Supplier Code of Conduct			Ord. Nr./Ord.-No.		EBERT  HERA
			Stand/Date	05.01.2023	
			Rev.	1	
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1 PREAMBLE

The group of companies is committed to environmentally and socially responsible corporate governance. We expect the same conduct from all our suppliers. We also expect our employees to observe the principles of ecological, social and ethical conduct and to integrate these principles into the corporate culture. Furthermore, we strive to continuously optimize our corporate actions and our services in terms of sustainability and ask our suppliers to contribute to this by adopting a holistic approach.

The contractual partners agree on the validity of the following terms for a common Code of Conduct applicable to future cooperation. This agreement serves as the basis for all future deliveries. The contractual partners undertake to comply with the principles and requirements of the Code of Conduct and to attempt to contractually oblige their subcontractors to comply with the standards and regulations listed in this document. This agreement shall become effective upon signature. Any violations of this Code of Conduct may ultimately be grounds and cause for the company to terminate the business relationship, including all associated supply contracts.

The Code of Conduct is based on national laws and regulations such as the Supply Chain Due Diligence Act (LkSG) as well as international conventions such as the United Nations Universal Declaration of Human Rights, the guidelines on children's rights and business principles, the United Nations Guiding Principles on Business and Human Rights, the International Labour Organisation's international labour standards, and the UN Global Compact.

2 SUPPLIER REQUIREMENTS

2.1 Labor & human rights

Elimination of forced labour


No forced labour, slave labour or similar form of labour may be used. All work must be done by choice, and employees must be able to end the work or the employment relationship at any time. Furthermore, no worker may be subjected to unacceptable treatment such as psychological cruelty or sexual or other personal harassment. The hiring or use of security guards must be refrained from if, during their use, persons are treated or injured in an inhumane or degrading manner or if freedom of association is impaired.

Prohibition of child labour

Child labour is forbidden at every phase of production. The suppliers are called upon to adhere to the ILO conventions recommended minimum age for the employment of children. According to these recommendations, the age should not be lower than the age at which compulsory school attendance ends and should in no case be lower than 15. If children are discovered to be working, the supplier is to document the measures that are to be taken to remedy the situation and enable the children to attend school. The rights of young workers under the age of 18 must not be used for labour deemed damaging to the health, safety, or morality of children. Special protective regulations shall be observed.

Fair wages

The wage for regular working hours and overtime must comply with at least the statutory national minimum wage or the customary minimum wage for the industry, whichever is higher. In any case, the wage for overtime hours must be higher than the wage for regular hours. If the wage is not sufficient to cover the usual cost of living while allowing the worker to accumulate a minimum amount of savings, the supplier is obligated to increase the worker's pay to reach a sufficient level for this. All legally mandated benefits are to be provided to employees. Wage deductions as a punitive measure are not permitted. The supplier must ensure that the employees receive clear, detailed and regular written information about the composition of their pay.

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Fair working hours

The working hours must comply with the applicable laws and industry standards. Overtime is only permitted if it is performed on a voluntary basis and does not exceed a total of 12 overtime hours per week. After six consecutive working days, an employee is to be provided with at least one day off. The total weekly working hours must not regularly exceed 48 hours.

Freedom of association

The right of employees to form and join organizations of their own choosing and to engage in collective bargaining and strikes is to be respected. In cases in which freedom of association and the right to hold collective meetings are legally restricted, alternative possibilities for an independent association of employees for the purpose of collective bargaining are to be permitted. Employees shall not be discriminated against on the basis of forming, joining or being a member of this kind of organization. Employee representatives are to be granted free access to their colleagues' workplaces to ensure that they are able to exercise their rights in a lawful and peaceful manner.

Prohibition of discrimination

Discrimination against employees in any form is prohibited unless justified on the grounds of the job requirements. This applies, for example, to discrimination on the basis of gender, national, ethnic or social background, skin colour, disability, health status, political convictions, world view, religion, age, pregnancy or sexual orientation. The personal dignity, privacy and personal rights of every individual shall be respected.

Health protection; occupational safety

The supplier is responsible for a safe and healthy working environment. Through the construction and use of suitable workplace safety systems, the necessary preventive measures must be taken to prevent accidents and injuries to health that could occur in connection with workplace activities. Excessive physical or mental fatigue must be prevented through suitable measures. Employees must also be regularly informed and trained about the applicable health protection and safety norms and measures. Employees must be provided access to adequate quantities of drinking water and clean sanitary facilities.

Preservation of the natural basis of life

The supplier shall not extract resources from land, forests or waters, the use of which secures the natural basis of life for people, in violation of legitimate rights. It must refrain from harmful soil alterations, water and air pollution, noise emissions as well as excessive water consumption if this harms the health of people, significantly impairs the natural basis for the production of food or prevents the access of people to safe drinking water or sanitary facilities.

Grievance mechanisms


The supplier shall pass on information received from group of companies on the availability and implementation of a grievance procedure, including those responsible for managing it, to its employees in an appropriate manner. All employees must be able to use the grievance procedure anonymously with effective protection against discrimination. In the absence of a notice, the supplier shall be responsible for establishing an effective grievance mechanism at the operational level for individuals and communities who could be affected by negative impacts.

Dealing with conflict minerals

For the conflict minerals tin, tungsten, tantalum and gold, as well as for additional raw materials such as cobalt, the company establishes processes in accordance with the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, and it expects its suppliers to do the same. Smelting and refining without appropriate and audited due diligence processes must be avoided.

Local communities and vulnerable groups

Suppliers shall respect the rights of local communities, including indigenous peoples and other vulnerable and disadvantaged groups. Suppliers shall obtain indigenous peoples' free, prior and informed consent on whether and how to carry out business activities. Unlawful eviction and deprivation of land is not accepted. Suppliers shall listen to the concerns of local residents and strive to create positive impacts through local engagement. The support of local job creation, local sourcing, education provisioning and infrastructure development is encouraged.

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2.2 Health & safety

Occupational health and safety

Suppliers must adequately protect their employees from chemical, biological and physical hazards. Physically demanding tasks and conditions in the workplace, as well as risks associated with the infrastructure used, must be adequately managed to protect their employees. Suppliers shall ensure safe workplaces, work stations and work equipment through appropriate maintenance and necessary technical protective measures to mitigate risks and prevent accidents and occupational illnesses. The supplier must also establish appropriate controls for the tasks to be performed and safe work procedures and provide employees with appropriate personal protective equipment.

Process safety

Suppliers must have safety programs and management systems in place to manage and maintain all their production processes in accordance with applicable safety standards. Programs must be appropriate to the risks of the facility and process. Suppliers must adequately communicate, disclose and identify hazards and inherent hazards associated with their processes and products to ensure that affected or potentially affected third parties are protected. Similarly, major incidents must be analysed and communicated in a timely manner. For hazardous equipment and processes, the supplier must regularly conduct specific risk assessments and take measures to prevent the occurrence of incidents such as chemical releases, fires or explosions.

Product safety

Suppliers must comply with product safety regulations, label products properly and communicate product-handling requirements. They shall provide to relevant parties the applicable documentation containing all necessary safety-relevant information for all hazardous substances in case of a legitimate need. This includes product information, safety data sheets, notification or registration confirmations, uses and exposure scenarios. Suppliers proactively and transparently share information about the health, safety, and environmental aspects of their products with all relevant parties.

Emergency preparedness, risk information and training

Suppliers must provide safety information to employees and contractors about identified risks in the workplace. They must receive appropriate and continuous training to ensure that they are adequately protected at all times. Suppliers must identify and assess relevant risks and emergency situations in the workplace, in the public environment and in the living quarters provided by the company. Their potential impact shall be minimized through appropriate protective measures, effective emergency plans, regular drills and response procedures.

2.3 Environmental responsibility

Treatment and discharge of industrial wastewater


Wastewater from operating procedures, production processes and sanitation facilities is to be typed, monitored, tested and treated as needed before it is introduced or disposed of. Beyond this, measures should be introduced to reduce the generation of wastewater.

Dealing with air emissions

General emissions from operating procedures (air and noise emissions) and greenhouse gas emissions are, before they are released, to be typed, routinely monitored, and treated as needed. It is also the supplier's responsibility to monitor their emissions treatment systems and find cost-effective solutions to minimise all emissions.

Dealing with waste and hazardous substances

The supplier shall pursue a systematic approach in order to identify solid waste, manage it, reduce it, and responsibly dispose of or recycle it. The prohibitions on exporting hazardous waste stipulated in the Basel Convention of 22 March 1989, as amended, must be observed. Chemicals and other materials that pose a danger when they are released into the environment are to be identified and managed in such a way that

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safety is ensured when people interact with these materials, as well as when they are transported, stored, used, recycled. Mercury shall be used in accordance with the prohibitions of the Minamata Convention of 10 October 2013; persistent organic pollutants shall be used in accordance with the Stockholm Convention of 23 May 2001, as amended.

Reducing consumption of raw materials and natural resources

The use and consumption of resources during the production process and the generation of waste of any sort, including water and energy, are to be reduced and avoided. This takes place either directly at the place where the waste is generated or through processes and measures – for example, through changing production or maintenance procedures or processes in the company, through the use of alternative materials, through economizing, through recycling or through the reuse of materials.

Dealing with energy consumption and efficiency

Energy consumption must be monitored and documented. Cost-saving solutions need to be found to improve energy efficiency and minimise energy consumption.

2.4 Ethical business conduct and compliance

Fair competition

The standards of fair business, fair advertising and fair competition must be observed. Beyond this, the relevant antitrust laws, which particularly prohibit agreements and other activities to influence prices or conditions, are to be applied. These regulations further prohibit agreements between customers and suppliers that are intended to limit customers' freedom to autonomously determine the prices and conditions for their resale of goods.

Privacy/data protection

The supplier commits to fulfil the reasonable expectations of its client, subcontractors, customers, consumers and employees concerning the protection of private information. In the collection, storage, processing, transmission and transfer of personal information, the supplier is to observe the laws on data protection and information security as well as the regulatory requirements.

Intellectual property

Intellectual property rights are to be respected; transfers of technology and expertise are to be carried out in such a way that intellectual property rights and customer information are protected.


Integrity/corruption, personal gains

The highest standards of integrity are to be applied to all business activities. The supplier must pursue a zero-tolerance policy regarding the prohibition of all forms of bribery, corruption, extortion and embezzlement. Processes for monitoring and implementing standards are to be applied in order to ensure compliance with anticorruption laws.

3 IMPLEMENTATION OF REQUIREMENTS

We expect our suppliers to identify risks within supply chains and take appropriate measures. In the case of a suspected violation, as well as to safeguard supply chains with heightened risks, the supplier must inform the company promptly and, if necessary, regularly about the identified violations and risks and about the measures taken.

The company uses a self-assessment questionnaire as well as sustainability audits at the suppliers' production sites to monitor compliance with the standards and regulations stated in this document. The supplier agrees to the client conducting the aforementioned audits to monitor compliance with the code at the supplier's production sites during normal business hours, with sufficient advance notice and as carried out by persons tasked by the client. The supplier can object to specific audit measures if these measures violate mandatory data protection regulations.

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If a violation of the rules of this Code of Conduct is identified, the client shall notify the supplier of this in writing within one month and will provide a suitable period of time within which the supplier's conduct is to be brought into compliance with these rules. If the violation cannot be remedied within the foreseeable future, the supplier must notify the company without undue delay and work with the company to create a concept with a time schedule to end or minimize the violation. If the grace period expires fruitlessly or if the implementation of the measures included in the concept does not bring about a remedy after the end of the time schedule and a less restrictive remedy is not available, the company may terminate the business relationship and terminate all contracts. The legal right to extraordinary cancellation without providing an additional time period shall remain unaffected, as shall the right to claim damages.


4 SUPPLIER ACKNOWLEDGEMENT AND CONSENT

By signing this document, the supplier commits to act responsibly and adhere to the principles and requirements specified herein. The supplier commits to communicate the content of this code in a comprehensible manner to employees, contractors and subcontractors and to make all necessary arrangements to meet the requirements.

The management of the Ebert HERA Esser Group

Baden-Baden, 10.01.2023

(Company stamp & signature)

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5 REFERENCES

Labor & Human rights

Conflict Minerals

www.responsiblemineralsinitiative.org

International Labour Standards (ILO)

<http://www.ilo.org/public/english/standards/norm/whatare/fundam/index.htm.ilo.org>

OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas – OECD

<https://www.oecd.org/daf/inv/mne/mining.htm>

Universal Declaration of Human Rights | United Nations

<https://www.un.org/en/about-us/universal-declaration-of-human-rights>

Health & Safety

PSCI (pscinitiative.org)

<https://pscinitiative.org/home>

Responsible Care Global Charter

<https://www.icca-chem.org/responsible-care-global-charter/>

Environmental responsibilities

Circular Economy

<https://www.ellenmacarthurfoundation.org/>

Convention on Biological Diversity

<https://www.cbd.int/>

Basel Convention

<https://www.basel.int>

Minamata Convention

<https://www.mercuryconvention.org>

Science Based Target

<https://sciencebasedtargets.org/>

Stockholm convention

<https://www.pops.int>

Ethics

BSCI Code of Conduct

<https://www.amfori.org/content/amfori-bsci-code-conduct->

Ten Principles of UN Global Compact

<https://www.unglobalcompact.org/>