



EISENWERK SULZAU-WERFEN  
R. & E. WEINBERGER AG

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## Supplier Code of Conduct

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for Eisenwerk-Sulzau Werfen, R.&.E Weinberger AG

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**E S W**

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**At ESW, we conscientiously integrate the standards and commitments set forth in our Supplier Code of Conduct into the way we do business. We expect our suppliers to follow this Code in their own business.**

### Board of directors

Dr. Georg Hemetsberger (CEO)

Dipl.-Ing. Michael Brandner (CTO)

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## **Our understanding of sustainability in supplier management**

ESW sees sustainability as an essential part of its business processes. In addition to process-related, economic and technical criteria, our procurement activities also take account of social and ecological aspects such as human rights, fair working conditions, fair competition, corruption prevention, and health and environmental protection.

As an industrial company with high materials expertise we procure raw materials, goods and services from suppliers worldwide to secure the sustainable success of our customers with innovative product and service solutions. The basis for this is a responsible corporate philosophy focused on long-term value creation. For this reason, we integrate suppliers directly into our sustainability strategy.

In the area of conflict between product/service, market, region and process, quality, reliability, costs, innovation, integrity and sustainability are essential factors for our supplier selection. ESW will therefore only select suppliers who conduct their business with professionalism and integrity, share our social and environmental values, and recognize and support our quality standards and health and safety culture.

### **Therefore, we expect the following from our suppliers:**

- Conduct their business activities in full compliance with all applicable laws, regulations, guidelines and industry codes.
- Strict adherence to ethical principles for employee and human rights, environmental protection, health protection and occupational safety.
- Integrating, applying and sharing these principles with their own suppliers and subcontractors.
- Recognizing the importance of diversity and inclusion through strict compliance with all equal opportunity and non-discrimination laws, regulations and policies.
- Ensuring that there is no violation of laws or discrimination of any kind in the workplace.
- Conscious, respectful treatment of cultural differences, beliefs and issues.

This Supplier Code of Conduct sets out the minimum requirements on sustainability and human rights issues and defines the core principles that ESW expects all business partners and suppliers to adhere to. ESW reserves the right to suspend or terminate the business relationship with a supplier who does not comply with these principles or applicable law at any time.

### **1. Respect for human rights and no discrimination**

ESW employees as well as all business partners and suppliers have the right to fair, courteous and respectful treatment. No one may be harassed or discriminated against on the basis of their ethnic origin, skin color, nationality, ancestry, gender, sexual identity, faith or religious affiliation, ideology, political views, age, physical constitution, appearance or other personal characteristics.

ESW expects that its suppliers also promote equal opportunities and equal treatment and prevent discrimination in the hiring of employees as well as in the promotion or granting of training and further education measures.

No employee of a supplier may be discriminated against on the grounds of gender, age, skin color, culture, ethnic origin, nationality, sexual identity, gender, disability, religious affiliation, political views or ideology.

## 2. Child labor

ESW rejects any form of child labor, including among its business partners, customers, suppliers and their subcontractors. The definition of child labor is based on the principles of the United Nations Global Compact and the relevant provisions of the ILO (International Labour Organization).

ESW therefore expects its suppliers to prohibit and refrain from any form of child labor in their companies and within the supply chain.

We encourage suppliers to actively engage in the abolition of child labor within their own sphere of influence, for example through cooperation (e.g. in the context of initiatives) and collaboration with non-governmental organizations.

## 3. Forced labor/modern slavery

Any form of slavery is incompatible with our ethical principles. We expect our suppliers and their subcontractors to fight against any form of modern slavery and human trafficking in the supply chain and not to tolerate it under any circumstances. In particular, the rights of indigenous peoples as well as local communities shall be respected, promoted and protected throughout the supply chain.

## 4. Employee rights and working conditions

ESW is committed to the principles of social responsibility. Therefore, it is in the company's interest that fair working conditions apply. Compliance with all local legislation on minimum wages, social benefits, overtime, working and break times and working conditions is a matter of course for ESW.

ESW therefore also expects its suppliers to comply with all employee rights of the respective applicable national legislation as well as fair working conditions worldwide.

ESW will not contract or use private or public security forces if, in the use of these security forces

- a) the prohibition of torture and cruel, inhuman or degrading treatment is disregarded,
- b) injury to life or limb; or
- c) the freedom of association and the freedom to organize are violated.

## 5. Freedom of association

The right of all employees to form and join trade unions and employee representative bodies is recognized by suppliers. Where this right is restricted by local law, alternative means of employee representation that comply with the law shall be encouraged.

## 6. Compensation and Working Hours

Suppliers shall pay employees in a timely manner and in accordance with applicable wage laws, including minimum wages, overtime, prohibition of excessive overtime and mandated benefits.

## 7. Health, Safety and Fire Protection

Safety in the workplace and the safety of our products are fundamental principles for ESW. Processes, operating facilities and equipment, and all workplaces must comply with applicable legal obligations for occupational safety and health and fire protection.

ESW therefore expects its suppliers to know and comply with the applicable national legislation on health protection, occupational safety and fire protection. We require that suppliers have an appropriate occupational safety organization. This includes, for example, the containment of actual and potential occupational safety risks by means of suitable protective measures and the deployment of employees who are sufficiently qualified and instructed to carry out their activities safely.

ESW welcomes its suppliers having a certified occupational safety management system and takes this positively into account when selecting suppliers.

## **8. Environmental protection**

The protection of the environment is an integral part of ESW's corporate policy and this is therefore also consistently demanded of all suppliers.

ESW expects its suppliers to be aware of the applicable national legislation on environmental protection and to comply with it. This also includes the fulfillment of all official requirements as well as the product-related environmental regulations in the target country.

We require that suppliers have an appropriate environmental protection organization and ensure the protection of the following protected goods:

- Protection of people, animals and plants by preventing emissions that are hazardous to the environment and/or health and avoiding the manufacture of products with ingredients that are hazardous to the environment and/or health.
- Protection of the atmosphere by preventing air pollution by harmful and/or greenhouse gases and by maintaining air quality.
- Protection of the soil by preventing the creation of harmful soil changes and limiting land use.
- Protection of water by preventing lasting harmful water changes, treating all wastewater, and using this resource sparingly.
- Protecting all natural resources by
  - Preventing excessive use of natural resources,
  - Promoting the use of renewable energy and energy efficiency,
  - reducing the generation of hazardous waste and waste for disposal,
  - the correct and harmless disposal of waste,
  - promotion of the use of renewable raw materials,
  - as well as the development and production of recycling-oriented products.

For ESW, it is also a matter of course that our suppliers also take responsibility for damage already incurred and caused by their own business activities and make their contribution to repairing the damage or minimizing the effects of the damage.

ESW welcomes it if its suppliers have a certified environmental management system and takes this positively into account in the context of its supplier selection.

## 9. Handling hazardous substances and waste

ESW is aware of the risks to those affected by the use of hazardous materials, chemicals and substances and fulfills its responsibility to prevent, minimize or end these risks. Therefore, we expect the supplier to apply procedures that not only ensure the delivery of parts and components, but also take into account environmental and health and safety aspects. Therefore, the supplier must label these materials in accordance with applicable regulations and ensure that they are handled, transported and stored safely. He must also ensure that they are properly reused, recycled or disposed of. The specifications from the following conventions must be followed:

- the Minamata Convention (use of mercury),
- the Stockholm Convention (persistent organic pollutants), and
- the Basel Convention (transboundary movements of hazardous wastes and their disposal).

In addition, all further laws and regulations applicable to the operating location or the respective market concerned (e.g. European Regulation (EG) No. 1907/2006(REACH)) with regard to hazardous substances, chemicals and substances shall be complied with. The supplier is obliged to inform ESW upon request about the use of substances in production and operation that are subject to legal regulations / restrictions, as well as to provide written process descriptions for handling these substances. We also expect the supplier to inform itself about future legislation applicable to it and to prepare for its timely implementation.

## 10. Conduct in the business environment/fair competition

Suppliers must conduct business in a manner consistent with fair and vigorous competition and in compliance with applicable competition laws. Suppliers must comply with fair business practices, including accurate and truthful advertising.

## 11. Corruption and Bribery

All bribery, corruption, extortion, money laundering and embezzlement are prohibited. Suppliers shall not grant benefits, offer, pay or accept bribes. This also applies to illegal inducements (e.g. bribes) and any illegal influence in business or government relations. Also, intermediaries (e.g., subcontractors, wholesalers, agencies, consultants) must not be used to conduct or support such illegal activities.

Suppliers must therefore implement effective fraud prevention and reporting programs and report to ESW all incidents of fraud (confirmed or under investigation) related to the business relationship with ESW.

## 12. Entertainment/Invitations/Gifts

Even when gifts are exchanged for the most sincere motives of personal or professional friendship, they may be misunderstood and construed as an attempt to exert improper influence. We must not offer or accept gifts or entertainment that might cast doubt on our personal integrity or the integrity and independence of ESW and its suppliers.

In order to avoid both the facts and the appearance of improper business dealings with existing or potential business partners, ESW employees, as well as our suppliers, must adhere to the following principles:

#### *Offering gifts and entertainment*

- Gifts or offers of entertainment may only be offered if they are appropriate and if no impression can be created that the recipient has been influenced in his or her decision-making process.
- Gifts may only be of nominal value and offers of entertainment may not exceed a reasonable limit. Wasteful or inappropriate gifts or offers of entertainment are prohibited.

#### *Accepting gifts and offers of entertainment*

- It is prohibited to solicit or request gifts or entertainment. This includes not only items of value, but any kind of benefit.
- Unsolicited gifts or offers of entertainment may only be accepted if they do not exceed a courtesy in the ordinary course of business and are in accordance with accepted local business practices.
- Offers of entertainment may only be accepted if they arise from the normal course of business, cannot be interpreted as lavish, and are within reasonable bounds.

If in doubt as to whether an unsolicited gift or offer of entertainment can be accepted, employees must contact their supervisor and/or the Compliance Officer.

### **13. Use of ESW's Name/Trademarks/Logo**

The use of ESW's name, trademarks or other similar information in advertising, media releases or supplier product endorsements is not permitted without ESW's prior written approval.

### **14. Avoiding Conflicts of Interest**

Suppliers should avoid any interactions with ESW employees that could create or appear to create a conflict with ESW. For example, suppliers may not employ or otherwise make payments to ESW employees that have not been approved in advance by ESW.

### **15. Money laundering**

ESW expects its suppliers to comply with all relevant legal obligations to prevent money laundering and not to engage directly or indirectly in money laundering activities or terrorist financing.

### **16. Intellectual property and plagiarism**

All intellectual property rights must be respected by suppliers. The transfer of technologies and know-how must be implemented in such a way that the protection of intellectual property rights of the respective owner is ensured.

For this reason, the use of plagiarized or counterfeit materials is prohibited. The use, further processing or placing on the market of plagiarized materials is not approved by ESW. Furthermore, detected plagiarisms will not be put into circulation by the supplier, but will be reported to the responsible law enforcement authorities.

### **17. Supply chain integrity and supply chain due diligence**

The supplier undertakes to observe human rights and environmental due diligence obligations in an appropriate manner in its respective supply chains.

The requirements of the Supply Chain Due Diligence Act shall be complied with within its scope of application.

### **18. Export/Import Control**

Suppliers shall comply with all applicable import and export control laws, regulations and sanctions of the country in which the supplier is located and all countries in which transactions are conducted, including import, export, re-export, transfer or disclosure.

This includes all types of transactions of goods, software, technology or technical support that may be subject to trade restrictions, regardless of the type of transfer. Suppliers must cooperate with ESW in determining applicable export control restrictions. In addition, suppliers must fully comply with other applicable trade and customs laws.

### **19. Privacy and data protection**

Suppliers must comply with and respect all laws on the protection of personal data and data privacy. Suppliers shall use personal data (e.g. of employees or business partners of ESW) only in accordance with the legal requirements for data protection.

Suppliers must protect confidential information, including personal data, received from or processed on behalf of ESW and actively prevent loss, misuse, theft, fraud, unauthorized access, disclosure or alteration, and promptly report any potential breaches or security vulnerabilities. Suppliers should employ an appropriate information security system.

### **20. Conflict materials**

Suppliers shall ensure that products supplied to ESW do not contain metals derived from minerals or their derivatives that originate from conflict zones where armed groups commit serious human rights violations and are directly or indirectly financed or abetted. Furthermore, the guidelines of EU Regulation 2017/821 and the Dodd-Frank Wall Street Reform and Consumer Protection Act must be strictly observed.

In case a product contains one or multiple of these so-called conflict minerals (e.g. tin, tantalum, tungsten, gold or respective ores), at ESW, we expect that supplier can - upon request - ensure and provide transparency of their supply chain all the way to the smelting works.

### **21. Product quality and performance**

Suppliers shall respect all contracts with ESW and deliver goods and services on time and to the agreed-upon specifications. All goods must comply with applicable quality, safety checks, and labeling requirements.

### **22. Compliance with the Supplier Code of Conduct - Monitoring**

In order to determine the compliance of suppliers with the principles and requirements of this ESW Supplier Code of Conduct, we reserve the right to audit them ourselves, through third parties or by means of Supplier Self Assessments.

Furthermore, ESW expects its suppliers to implement these standards in an appropriate form.

In addition, on-site audits may be carried out by ESW or a third party commissioned by ESW or by the customer in coordination with the supplier. Supplier shall cooperate to the best of its ability in responding to self-disclosure questionnaires and in audits and shall report truthfully.

ESW is provided with these audit results, which have a direct influence on the supplier evaluation and approval as a supplier. Any violation of the principles and requirements stated in the ESW Supplier Code of Conduct will be considered as a significant impairment of the contractual relationship on the part of the supplier. In case of suspicion of non-compliance with the described principles and requirements of the ESW Supplier Code of Conduct, ESW reserves the right to request further information about the respective facts from the supplier.

Furthermore, ESW has the right to terminate without notice individual or all contractual relationships with suppliers who demonstrably do not comply with this Supplier Code of Conduct or who do not strive for and implement improvement measures.

This Supplier Code of Conduct is permanently available to all ESW suppliers on the ESW- homepage.

Each supplier must refer its employees to this Supplier Code of Conduct and explain its contents. Every supplier of ESW is called upon to examine his own conduct on the basis of the above standards and instructions for action and to adapt it if necessary.

Violations of our Supplier Code of Conduct will not be tolerated and may also result in civil or criminal consequences.

### **23. Whistleblowing system/Whistleblowing**

If supplier employees believe that ESW employees or any person acting for or on behalf of ESW has engaged in illegal or otherwise unauthorized activities, they must report it immediately to ESW.

ESW provides a whistleblower system by establishing internal reporting channels. This can be used free of charge by all suppliers as contact persons at any time if a confidential tip-off about a suspected criminal offense or similarly serious irregularities relating to ESW is to be given. The relevant contact information can be found on the ESW- homepage and is also listed at the end of this document.

The duty of confidentiality ensures that the identity of whistleblowers is reliably protected and not disclosed.

#### **CONTACT: Whistleblowing**

The EU Whistleblowing Directive with its transposition into national law of the Member States obliges ESW to establish internal reporting channels so that whistleblowers can confidentially report (suspicions of) legal violations to them.

Such reports can be submitted via the ESW whistleblowing contact information below:

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Email: [whistleblowing@esw.co.at](mailto:whistleblowing@esw.co.at)

Phone: +43/664/4177681

Personal report:

RWH Group Compliance Officer (CCO)

Bundesstraße 4

5451 Tenneck / Austria

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#### **24. Review and Declaration**

ESW will continually assess the suitability and effectiveness of this Code and the implementation program.

By acknowledging this document, the supplier confirms that the Supplier Code of Conduct has been reviewed, understood, and that it is consenting to abide by all of its stated requirements.

**Signed by:**

**Position:**

**Organization name:**

**Date:**