



Duesseldorf, January 2021

## **FD 5.5 Code of Conduct**

### ***Social manners / equal opportunities / mutual respect***

It is expected from all of our employees that they respect the dignity, privacy and personality rights of every single one in their work space. Discrimination, harassment and insults will not be accepted at any time. All employees of Küchler commit to treat all potential and existing employees fair and equal and to apply the principles of equal rights also during advanced training and continuing education.

Our concern is to promote and to maintain a trustworthy and fair work atmosphere via social and responsible contact among all people employed at Küchler. A part of the Küchler's company policy is to guarantee that the behavior of the employees is totally free of discrimination against others on the basis of gender, race affiliation, age, origin, religion, impediment, sexual orientation, civil state or of other relevant signs. These principles are valid for all aspects of the terms of employment like setting, working allocation, transportation, reimbursement, job discipline and notice of termination. Küchler tolerates no physical, sexual, racist, psychic, verbal or other forms of harassment. Even if there is the slightest chance that employees have been discriminated or been bothered, this failure should be announced to his / her superior immediately.

### ***Appearance in public / reputation of the company***

The name of Küchler in public is substantially influenced by the behavior and appearance of the employees. So every employee is held by the perception of his / her duties which may or may not have an effect on the reputation of Küchler. To that not only belongs the professional and flawless execution of the professional duties but also the esteem and the respect for the legitimate right of third parties as well as the omission of discriminating and Küchler in public damaging actions.

Private expressions of opinion in public by the employee should not refer to his function with Küchler. Nowadays this is also applies in particular with the use of social media like Facebook. All official actions related to the company are to be taken with the appropriate respect of the society and according to the company's reputation.



***Law-abiding behavior***

Every employee has to follow the legal regulations which matter to his / her activity. He / she has to find out independently and on his / her own about these regulations; Küchler will arrange all the necessary support besides providing suitable trainings and / or information on the matter.

***Contact with property and resources of the company***

The abusive use of company's property and /or employees to the fulfilment of purposes outside of the company's activity is not permitted.

***Choice of suppliers***

The choice of suppliers is made in a procedure according to objective and understandable criteria. Every employee involved has to inform his / her superior immediately if he / she could be prejudiced because of the selection procedure.

No employee may give private orders to a supplier with whom he / she deals within his / her official duties or at least not without the approval of his / her superior.

***Advantage granting / assignment of presents / bribery***

In dealing with business partners and competitors as well as government employees benefits may only be accepted or granted if already the bare impression of a deliberate or actual influencing is excluded from the decision-making processes. Business partners are e. g. customers, suppliers and service providers as well as third parties with whom such business relations could arise. Competitors are enterprises which can compete with us or already do compete. Allowances are e. g. presents, entertainments, invitations for events, takeover of travel expenses and customary services; whether they are granted directly or indirectly (e. g. to members of the own family or close organizations or enterprises), is unimportant.

In cases of doubt the employee has to discuss the acceptance or granting of a benefit in advance with the superior. The demanding of benefits is unacceptable in every case.

Monetary gifts and discounts may employees neither grant nor accept. Material presents, entertainments, invitations and other allowances may employees only grant and accept if they have no inappropriate high value and exceed neither the borders of the usual business circumstances nor the personal living standard.

In cases of doubt the granting is to be discussed in advance.



The granting of an advantage to a business partner is permitted if all the following conditions are fulfilled:

- it must be permitted after the valid federal state laws;
- it must correspond to the local habits;
- it must be fair;
- it must be booked properly and
- it must occur in the country in which the services are performed.

Even if presents from the most sincere motives of a personal or professional friendship are exchanged, they can be misunderstood and lead to an unacceptable influencing.

No employee may offer or grant bribes. In dealing with state authorities is to be paid attention particularly to the fact that no payments or other advantages are promised or granted to influence a decision or action of an official or other office-bearer. Particularly strict default is valid for allowances to office-bearer. Office-bearers are e. g. ministry officials, Assistant Secretaries, ministers, mayors, tax officers and members of the communal management. Also leading employees (e. g. managers) from enterprises in which the public authorities are involved or also private people which execute duties of the public administration can be considered as an office-bearer. Allowances beyond low-valued "little somethings" to an office-bearer have to be discussed in advance.

We tolerate neither bribery nor any other form of corrupt commercial behavior. Who acts for Küchler may offer or grant unfair advantages neither directly nor indirectly neither to individuals nor to enterprises which could affect business transactions. Unfair advantages are discounts, bribes, payments under the hand and all other comparable unfair material advantages.

#### ***Conflicts of Interests / Anti-Trust Guidelines***

Küchler emphasizes highly that its employees do not get in conflicts of interests or loyalty conflicts because of their official activity. Every employee is obliged to inform of a possible conflict between official and private interests immediately to his / her superior. Inevitable personal conflicts of interests, even in all likelihood, are to be revealed to the superiors. Nobody should get in situations where a conflict between his / her personal interests or family matter interfere with the interests of Küchler.

In case of a closed invitation to a tender or a public tender, it is prohibited to contact a competitor, directly or indirectly, formally or informally, to the intention of an agreement or to arrange a secret cartel agreement. If there are indications that other potential competitors are failing to comply with these guidelines, the relevant authorities must be notified. If during a meeting topics arise which are only intended for certain employee groups (higher management), other employees should be asked to leave.

The entire internal and external communication regarding the tender competition is to be formulated in such a way that outsiders (third parties as well as official authorities) could not be misinterpreted it as an intention for cartel formation.



### ***Jobs on the side***

A job on the side is the exercise of another activity, in particular

- as a board member or director,
- as an employee or
- in other function

at a foreign enterprise. The admission of a job on the side at a customer or supplier of Kuchler or another enterprise with which the employee is in the contact within the work activity for Kuchler is permitted only after previous approval.

The admission of another job on the side which is likely to influence unfavorably the efficiency of an employee is permitted only after previous vote.

In all other cases the admission of a job on the side is to be omitted.

### ***Data protection / confidentiality / contact with information***

Confidential business information or internal secrets (e. g. finance data, business strategies, customer data) may be revealed towards unauthorized thirds neither during nor after ending of the employment. The direct or indirect use of confidential business information during and after ending of the employment to the personal advantage of the employee or any third party and to the disadvantage of Kuchler is forbidden.

All employees are bound to comply with the data protection regulations and to contribute in particular to the fact that personal data is protected against unauthorized accesses. Cases of doubt and violation are to be appealed to the responsible superiors. The employees are bound to discretion on all internal confidential matters of Kuchler as well as to all confidential information about customer / business partners.

Personal data may only be processed or used under the federal data protection act, other legal regulations or other existing company arrangements.

### ***Environment, security and health***

The protection of person and environment has highest priority at Kuchler as every employee is responsible for the wellbeing of one another and the environment he / she is working in. All laws, regulations and guidelines to the environment protection and operational safety have to be followed. Every superior has to instruct, support and supervise his / her employees in this matter.

Effects on the environment have therefore to be avoided or reduced by making the right decisions and act responsibly.

We take all reasonable and implementable steps to guarantee safe, healthy and clean work surroundings. Employees of Kuchler are asked to find areas in which improvements are possible so work surroundings can be continuously updated for the better.