



# Symmetry Energy Solutions Business Partner Code of Conduct

## Our Commitment

Symmetry Energy Solutions, LLC (“Symmetry”) is committed to conducting business with the highest ethical standards and to maintaining a reputation as a respected corporate citizen. We operate our business under a wide range of competitive situations, subject to a variety of laws, regulations, and cultures. To continue to be successful, Symmetry must constantly seek and implement flexible and innovative ways to achieve our business objectives. Yet, within this environment, we must be unwavering in continuing to perform on a high ethical level to maintain our valuable reputations, which is critical to our long-term success.

The purpose of this Business Partner Code of Conduct (“Code”) is to encourage the same ethical, legal, and socially responsible conduct from any individual or entity with which we conduct business. Such entities may include suppliers, vendors, independent contractors, subcontractors, agents, brokers, or consultants (singularly “Business Partner” and collectively, “Business Partners”).

It is important that our business partners understand and share Symmetry’s commitment articulated above. Symmetry expects its business partners to operate in full compliance with all applicable laws, rules and regulations, and all requirements included in this Code.

By consistently applying these high ethical standards to all our collective business activities, Symmetry believes that the relationship with its business partners will reap added benefits beyond simply a commercial arrangement.

## STATEMENT OF SHARED RESPONSIBILITIES

In the conduct of its business and in fulfilling its obligations to its investors, employees, customers and other stakeholders, Symmetry's policy is to do so ethically. To that end, Symmetry expects its business partners (individually, a "Business Partner") to share this responsibility during the conduct of all business activities as follows:

- Treating all stakeholders in an honest and fair manner.
- Conducting all business activities with integrity and operating in compliance with all applicable local, state, and federal laws.
- Avoiding all conflicts of interest.
- Safeguarding and properly using all confidential and proprietary information, assets, and resources, as well as those which other organizations have entrusted to the parties.
- Maintaining the confidentiality of nonpublic information and not acting on such information for personal gain.
- Striving for honesty and fairness in all business dealings.
- Committing to quality performance.

## COMPLIANCE WITH LAWS, RULES, AND REGULATIONS

The Business Partner will comply with all applicable laws, rules, and regulations of the United States and the states, counties, and municipalities in which it operates and will maintain suitable measures to ensure compliance with such laws, rules, and regulations.

Where applicable laws are less restrictive than this Code, Business Partners must comply with this Code, even if their conduct would otherwise be legal. If applicable laws are more restrictive than this Code, Suppliers must always, at a minimum, comply with those laws. Nothing in this Supplier Code is meant to supersede any more specific provisions in a particular contract, and to the extent there is any inconsistency between this Code and any other provision of a particular contract, the contract provision will control.

In addition, and specifically, the Business Partner understands and agrees to the following:

### *Consumer Protection and Deceptive Trade Practices*

The Business Partner will strictly comply with all applicable federal and state laws and regulations relating to consumer protection, deceptive trade practices, unfair business practices, or consumer fraud.

### *Compliance with Antitrust Laws/ Fair Competition*

The Business Partner will comply with all applicable antitrust laws, trade practice laws, and any other competition laws, rules, and regulations dealing with monopolies, unfair competition and restraints of trade, and relationships with competitors and customers. The Business Partner will not enter into agreements with competitors or engage in other acts that may unfairly impact competition, including, but not limited to, collusive bidding, illegal boycotts, price fixing, price discrimination, or market allocations.

### *Anti-Corruption and Anti-Bribery*

Symmetry does not tolerate any form of corruption. Accordingly, the Business Partner will comply with applicable laws and regulations concerning bribery and anti-corruption, including those concerning foreign corrupt practices if applicable. The Business Partner will neither engage in nor tolerate any form of corruption, bribery, theft, embezzlement, extortion or the use of illegal payments, including without limitation, any payment or other benefit conferred on any individual, company or government official, for the purpose of influencing the decision-making process in violation of applicable laws.

The Business Partners must have in place clear commitments to work against corruption and bribery in all forms and must comply with all applicable local, federal and international laws and regulations related to anti-bribery, including, as applicable, the Foreign Corruption Practices Act, and must meet or exceed relevant regulations and industry standards. Where standards differ, the standard that offers the greatest protection and/or ethical standard will apply. The Business Partner must not offer illegal benefits or favors such as bribe payments,

kickbacks, or other illegal benefits including inappropriate gifts or undue hospitality towards Symmetry employees for the exchange of business opportunities.

#### *International Trade*

The Business Partner will comply with all applicable import and export control laws, including without limitation, sanctions, embargoes and other laws, regulations, government orders and policies controlling the shipment of goods, technology, and payments.

#### *Prevention of Money Laundering*

Our Business Partner will comply with all applicable laws, rules and regulations governing the prevention of money laundering and will not participate in any money laundering activity or the financing of terrorist or criminal activities and must comply with applicable trade sanctions programs. The Business Partner should conduct careful due diligence in selecting business partners to ensure compliance with this requirement and applicable laws.

### **CONFLICTS OF INTERESTS**

Our employees are expected to act in Symmetry's best interests. Private interests and personal consideration cannot affect business decisions. Symmetry and the Business Partner will avoid any activity or situation which may lead to a conflict of a private interest of a Symmetry employee with a Business Partner and the business interests of Symmetry. A Business Partner becoming aware of a conflict-of-interest situation will immediately notify Symmetry about it. Business Partners are expected to act objectively in all business dealings involving Symmetry and avoid circumstances that would call into question whether a transaction was negotiated fairly and at arms-length.

### **WORKING CONDITIONS AND HUMAN RIGHTS**

The Business Partner will respect human rights, avoid causing or contributing to adverse human rights impacts within the context of their own activities and address any adverse human rights impacts that they identify through a legitimate remediation process.

Symmetry further expects the Business Partners seek ways to prevent or mitigate adverse human rights impacts that are directly linked to their business operations, products, or services through a business relationship, even if they do not directly contribute to those impacts. The Business Partner must treat all individuals with respect and fairness and comply with all applicable federal, state, and local laws and regulations relating to the following:

- *Forced Labor and Violence Against Workers*

Prohibition of forced labor, including any forms of modern slavery, human trafficking as well as unethical recruitment practices. Business Partners must use due diligence to ensure that subcontractors do not use such labor. Physical punishment, confinement, use of weapons, threats of violence, or other forms of physical, sexual, psychological, or verbal harassment or

abuse are strictly prohibited. Business Partners are required to avoid practices that promote or support mistreatment of members of the community in which they operate.

- *Prohibition of Child Labor*

The unlawful use of child labor by Business Partners is forbidden under any circumstances. In all cases the Business Partner shall comply with all applicable laws regulating hours and working conditions for minors.

- *Anti-Discrimination and Anti-Harassment*

Business Partners must treat all workers with dignity and respect and be guided throughout their operations by the principle of equality of opportunity. Disrespectful, inappropriate behavior, unfair treatment or retaliation of any kind will not be tolerated. Actions such as threats of violence and/or other forms of physical, sexual, psychological, or verbal abuse and/or harassment will never be allowed or condoned. Business Partners must comply with all laws prohibiting discrimination in hiring and employment practices including in determining salary, benefits, advancement, discipline, termination, or retirement. Such discrimination is prohibited on any basis, including nationality, ethnicity, gender, disability, age, sexual identity or orientation, religion and beliefs, social status, or race.

- *Wages and Working Hours*

Business Partners' employees and workers must be compensated and provided with wages and benefits that comply with applicable laws, including required compensation for overtime work and other premium pay dictated by law. Business Partners shall comply with all laws and industry standards related to the number of hours worked per day and/or week and consecutive days worked. Employees and workers shall be provided with reasonable daily and weekly work schedules and adequate allowance shall be made for time off.

- *Health & Safety*

The Business Partner will provide a safe and healthy work environment for their employees, subcontractors, customers, and all visitors to their premises. This includes, for example, requiring regular safety training and reviews; handling, storing, and using hazardous substances properly; following all safety policies, procedures, and work rules, and complying with all local and federal safety regulations.

- *Freedom of Association*

Business Partners must respect the right to freedom of association, organization, and collective bargaining in a lawful and peaceful manner without retaliation, penalty, or interference.

## **ENVIRONMENT AND CLIMATE PROTECTION**

The Business Partner will operate its business in a safe and responsible manner for protecting the environment in compliance with all applicable laws, regulations and permit

requirements. The Business Partner will use resources in a responsible manner by reducing consumption of energy, water, raw materials, and supplies where possible. Business Partners are also encouraged to identify and monitor environmental impacts of their activities and, wherever possible, reduce those impacts.

## **DATA PROTECTION, BUSINESS INFORMATION AND INTELLECTUAL PROPERTY**

It is the Business Partner's responsibility to ensure that any sensitive business information, trade secrets, or confidential customer or consumer data gained by virtue of the business activities with Symmetry (hereinafter referred to as "Business Information") is held in strict confidence and not improperly used or disclosed to third parties, and its disclosure within the Business Partner's organization is limited to those who are required to have access. Business Partners must not disclose any sensitive or proprietary information or trade secrets to anyone unless disclosure is required by law. Confidential information includes all non-public information that might be of use to competitors, or harmful to Symmetry or its customers, if disclosed.

The Business Partner ensures that any Business Information is appropriately collected, processed, secured, and stored. The Business Partner will protect and secure Symmetry's intellectual property as confidential Business Information. At no time should Symmetry's intellectual property rights be infringed. This includes copyright, trademarks, patents, inventions, and designs, all of which may only be used with the permission of an authorized Symmetry representative and for purposes of contracted objectives.

The Business Partner will comply with all applicable laws concerning data privacy and protection if the Business Partner's business activities result in its receipt, review, or in any handling such information. To the extent the Business Partner has entered into a confidentiality or non-disclosure agreement with Symmetry, the terms thereof shall control.

## **BUSINESS CONTINUITY**

The Business Partner performs frequent and sufficient activities for the purpose of identifying and assessing risks to business continuity. For identified risks, mitigation measures as well as backup and continuity plans are carried out to minimize the impact of interruptions and disruptions for operations supporting Symmetry business.

## **COMPLIANCE WITH THIS BUSINESS PARTNER CODE OF CONDUCT**

Symmetry regards the provisions of this Business Partner Code of Conduct, which we may amend from time to time, to be essential for the business relationship between Symmetry and the Business Partner. Therefore, compliance with the provisions herein is essential for the

business relationship between the Business Partner and Symmetry, and which the Business Partner acknowledges and agrees.

Business Partners shall implement effective management systems and a governance structure to facilitate compliance with all applicable laws and regulations and promote continuous improvement with respect to the expectations set forth in this Business Partner Code of Conduct.

In the event of significant breaches by the Business Partner of this Business Partner Code of Conduct, Symmetry reserves the right to terminate the business relationship with the Business Partner subject to applicable laws.

The Business Partner will support Symmetry's implementation of legally required and other due diligence processes by actively participating in related initiatives, such as self-assessment questionnaires.

Symmetry reserves the right to audit the Business Partner's compliance with this Business Partner Code of Conduct in an appropriate manner. Any audit will be scheduled at business hours mutually agreed with the Business Partner and will be prepared for by the Business Partner providing an appropriate level of documentation which substantiates in a clear and transparent manner the adherence to this Business Partner Code of Conduct.

## **GRIEVANCES AND COMPLAINTS**

The Business Partner and its respective employees and stakeholders are encouraged to report violations of this Business Partner Code of Conduct to Symmetry's chief compliance officer at [legal@symmetryenergy.com](mailto:legal@symmetryenergy.com). A Business Partner will support any investigations into alleged violations. Additionally, in line with its own due diligence efforts, a Business Partner should provide a grievance/complaint reporting mechanism.