

# Rules of Conduct for Suppliers and Partners of FuG Elektronik GmbH

## Motivation

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For FuG-Elektronik GmbH, entrepreneurship means responsibility. We are responsible for our employees, our customers and suppliers, but also for our fellow human beings and for nature in general. We can and want to use our business to influence the development of our planet in a healthy, fair and livable way.

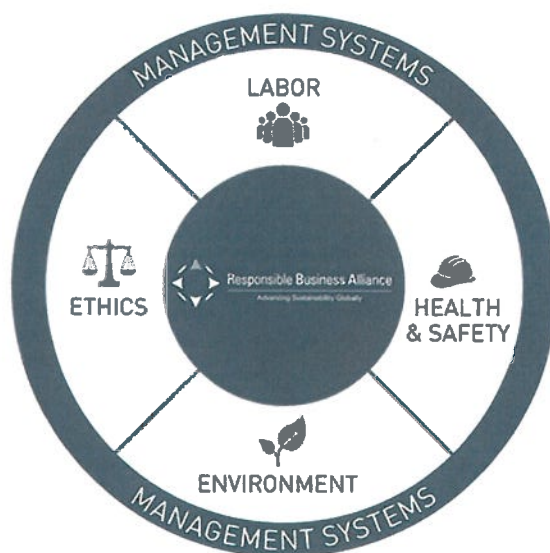
This sense of responsibility includes ensuring that recognized standards of human rights, environmental protection and business ethics are adhered to not only in our company, but throughout the supply chain.

In general, we are convinced that all company activities should comply with the laws and regulations of the countries in which the company operates. Nevertheless, we want to go further and strengthen social and ecological responsibility together with our partners. With this Code of Conduct, we want to agree on principles that provide for this increased responsibility.

## Entitlement

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Our Code of Conduct is based on the Responsible Business Alliance (RBA), which many of our suppliers have already ratified. Only editorial changes have been made to the RBA code.



Quelle: <http://www.responsiblebusiness.org/code-of-conduct/>

The Code consists of five sections. Sections A, B and C contain standards for work, health and safety and the environment, respectively. Section D Ethics adds business-related standards. Section E describes the elements of an acceptable system for managing compliance with this Code.

In accordance with the United Nations Guiding Principles on Business and Human Rights, the provisions of the Code are derived from the main international human rights standards, including the International Labor Organization (ILO) Declaration on Fundamental Principles and Rights at Work and the United Nations Universal Declaration of Human Rights.

## Labor

The Signatories undertake to uphold the human rights of workers and to treat them with dignity and respect as understood by the international community. This applies to all workers, including temporary workers, migrants, students, contract staff, direct employees and all other workers.

The labor standards are:

- **Freely chosen employment**

Servitude (including debt bondage) or forced labor, involuntary or exploitative prison labor, slavery or human trafficking may not be used. This includes transportation, ports, recruitment, transfer or reception of persons by threat, force, coercion, kidnapping or fraud for work or services. There shall be no unreasonable restrictions on the free movement of workers in the facility, as well as unreasonable restrictions on entering or leaving operational facilities. As part of the recruitment process, workers must be provided with a written employment contract in their mother tongue containing a description of the conditions of employment before the employee leaves his country of origin and no substitution or changes in the employment contract may be made on arrival, as permitted in the receiving country, provided that these changes do not comply with local laws and offer the same or better conditions. All work must be voluntary and employees are allowed to leave work or terminate their employment at any time. Employers and agents are allowed to allow employees to access their ID or immigration documents, e.g. a government-issued ID, passport or work permit, unless required by law. Employees are not required to pay employers' or agents' hiring fees or any other related fees for their employment. If it is determined that such fees have been paid by employees, these fees will be refunded to the employee.

- **Young workers**

Child labor must not be used at any stage of production. The term "child" refers to any person under the age of 15 or under the age of completion of compulsory education or below the minimum age for employment in the country, whichever is the largest. The use of legitimate learning programs in the workplace that comply with all laws and regulations is supported. Workers under the age of 18 (young workers) are not allowed to perform work that could endanger their health or safety, including night shifts and overtime.

The participant must ensure the proper administration of the student staff through proper keeping of the student records, strict due diligence of the educational partners and protection of student rights in accordance with the applicable laws and regulations. The participant provides appropriate support and training to all student employees. In the absence of local laws, the wage rate for student workers, interns and apprentices must be at least equal to the wage rate for other career starters who perform the same or similar tasks.

- **Working time**

Studies of business practices clearly link the burden on workers with the reduction of productivity, the increase in fluctuation and the increase in injuries and illnesses. The working time may not exceed the maximum value laid down by law. In addition, a working week should not be longer than 50 hours per week, including overtime, except in emergencies or unusual situations. Employees must have at least one day off every seven days.

- **Wage and Benefits**

Compensation paid to workers must comply with all applicable wage laws, including those relating to minimum wages, overtime and benefits required by law. In accordance with local laws, employees are compensated for overtime at salary rates higher than the regular hourly rates. Wage deductions as a disciplinary measure are not permitted. For each pay period, employees must be provided with a timely and comprehensible pay slip that contains sufficient information to verify the exact remuneration for the work done. The use of temporary work, the dispatch of workers to outsourced workplaces is subject to local laws.

- **Humane Treatment**

There must be no harsh and inhuman treatment, including sexual harassment, sexual abuse, corporal punishment, mental or physical coercion or verbal abuse of workers. Such treatment must not be threatened. Disciplinary policies and procedures to support these requirements must be clearly defined and communicated to employees.

- **Non-Discrimination**

Signatories commit to a workforce that is free from harassment and unlawful discrimination. Companies may not allow or apply discrimination based on ancestry, color, age, gender, sexual orientation, gender identity and expression, ethnic or national origin, disability, pregnancy, religion, political affiliation, union membership, covered veteran status, protected genetic information or marital status in hiring and employment. Employment practices such as wages, promotions, rewards and access to training must also be granted. Workers must be provided with adequate arrangements for religious practices. In addition, workers or potential workers should not be subjected to medical tests or physical examinations that could be used in a discriminatory manner.

- **Freedom of association**

In accordance with local laws, signatories must respect the right of all workers to form and join unions of their choice, to engage in collective bargaining and peaceful assembly, and to respect the right of workers to refrain from such activities. Workers and/or their representatives must be able to openly communicate and share with management their ideas and concerns regarding working conditions and management practices without fear of discrimination, retaliation, intimidation or harassment.

## Health and Safety

Signatories recognize that a safe and healthy work environment not only minimizes the incidence of work-related injuries and illnesses, but also improves the quality of products and services, the consistency of production, and the retention and morale of workers. The Signatories also recognize that the continuous use and education of workers is essential to identify and resolve health and safety problems at work in the EU.

Recognized management systems such as ISO 45001 Occupational Health and Safety-Management and ILO Guidelines on Safety and Health at Work have been used as a reference in the development of the Code and can be a useful source of additional information.

The health and safety requirements are:

- **Occupational safety**

The hazard potential of workers (e.g. chemical, electrical and other energy sources, fire, vehicles and crash hazards) shall be identified and evaluated and controlled through proper planning, technical and administrative controls, preventive maintenance, safe working procedures (including lockout of employees / energy shutdown) and ongoing safety training. If the hazards cannot be adequately controlled in this way, workers must be provided with adequate, well-groomed personal protective equipment and educational material on risks to workers associated with these hazards. Appropriate steps must also be taken to keep pregnant women/nursing mothers out of the high-risk work environment or to reduce workplace health and safety risks for pregnant women and nursing mothers, including those associated with their work assignments.

- **Emergency preparedness**

Potential emergency situations and events must be identified and evaluated, and their impact must be minimized through the implementation of contingency plans and response procedures, including: emergency notifications, procedures for notifying and evacuating employees, training and exercise of employees, appropriate fire detection and suppression equipment, clear and unhindered exit, appropriate exit options and recovery plans for the development of new plans. These plans and procedures must focus on minimizing damage to life, the environment and property.

- **Occupational Injury and Illness**

Procedures and systems are to be in place to prevent, manage, track and report occupational injury and illness, including provisions for: promoting workers' reporting; classify and record injuries and cases of illness; provide the necessary medical treatment; investigate accidents and take remedial action to eliminate their causes; and facilitate the return of workers to work.

- **Industrial hygiene**

The exposure of workers to chemical, biological and physical agents shall be identified, evaluated and controlled in accordance with the control hierarchy. Potential hazards shall be eliminated or controlled by proper design, construction and management controls. If the hazards cannot be adequately controlled in this way, workers must be equipped with and use adequate, well-maintained personal protective equipment. Protection programs include educational materials about the risks associated with these hazards.

- **Physically Demanding Work**

Worker exposure to the hazards of physically demanding tasks, including manual material handling and heavy or repetitive lifting, prolonged standing and highly repetitive or forceful assembly tasks is to be identified, evaluated and controlled.

- **Machine Safeguarding**

Production and other machinery shall be evaluated for safety hazards. Physical guards, interlocks and barriers are to be provided and properly maintained where machinery presents an injury hazard to workers.

- **Sanitation, Food and Housing**

Workers are to be provided with ready access to clean toilet facilities, drinking water and sanitary food preparation, storage, and eating facilities. Worker dormitories provided by the Participant, or a labor agent are to be maintained to be clean and safe, and provided with appropriate emergency exits, hot water for bathing and showering, adequate lighting and heat and ventilation, individually secured accommodations for storing personal and valuable items, and reasonable personal space along with reasonable entry and exit privileges.



- **Health and Safety Communication**

The participant shall provide workers with adequate information and training on health and safety at work in the language of the worker or in a language that the worker can understand for all identified hazards at work, including but not limited to mechanical, electrical, chemical, fire and physical hazards. Health and safety information shall be clearly displayed in the establishment or in a place that is identifiable and accessible to workers. All employees are trained and regularly retrained before work begins. Workers shall be encouraged to raise any health and safety concerns without retaliation.

## Environment

Participants recognize that environmental responsibility is integral to producing world-class products. Participants shall identify the environmental impacts and minimize adverse effects on the community, environment and natural resources within their manufacturing operations, while safeguarding the health and safety of the public. Recognized management systems such as ISO14001 and the Eco Management and Audit System (EMAS) were used as references in preparing the Code and may be a useful source of additional information.

The environmental standards are:

- **Environmental Permits and Reporting**

All required environmental permits (e.g. drain water monitoring), approvals and registrations are to be obtained, maintained and kept on latest status and their operational and reporting requirements are to be followed.

- **Pollution Prevention and Resource Reduction**

Emissions and discharges of pollutants and generation of waste are to be minimized or eliminated at the source or by practices such as adding pollution control equipment; modifying production, maintenance and facility processes; or by other means. The use of natural resources, including water, fossil fuels, minerals and rain forest products, is to be conserved by practices such as modifying production, maintenance and facility processes, materials substitution, re-use, conservation, recycling or other means.

- **Hazardous Substances**

Chemicals, waste and other materials posing a hazard to humans or the environment are to be identified, labeled and managed to ensure their safe handling, movement, storage, use, recycling or reuse and disposal.

- **Solid Waste**

Participants shall implement a systematic approach to identify, manage, reduce, and responsibly dispose of or recycle solid waste (non-hazardous).

- **Air Emissions**

Air emissions of volatile organic chemicals, aerosols, corrosives, particulates, ozone depleting substance and combustion byproducts generated from operations are to be characterized, routinely monitored, controlled and treated as required prior to discharge. Ozone-depleting substances are to be effectively managed in accordance with the Montreal Protocol and applicable regulations. Participants shall conduct routine monitoring of the performance of its air emission control systems.

- **Materials Restrictions**

Participants are to adhere to all applicable laws, regulations, and customer requirements regarding the prohibition or restriction of specific substances in products and manufacturing, including labeling for recycling and disposal.

- **Water Management**

Participants shall implement a water management program that documents, characterizes, and monitors water sources, use and discharge; seeks opportunities to conserve water; and controls channels of contamination. All wastewater is to be characterized, monitored, controlled, and treated as required prior to discharge or disposal. Participants shall conduct routine monitoring of the performance of its wastewater treatment and containment systems to ensure optimal performance and regulatory compliance.

- **Energy Consumption and Greenhouse Gas Emissions**

Participants are to establish a corporate-wide greenhouse gas reduction goal. Energy consumption and all relevant Scopes 1 (company-owned car fleets) and 2 (electricity and heat from energy services) greenhouse gas emissions are to be tracked, documented, and publicly reported against the greenhouse gas reduction goal. Participants are to look for cost efficient methods to improve energy efficiency and to minimize their energy consumption and greenhouse gas emissions.

## Ethics

To meet social responsibilities and to achieve success in the marketplace, Participants and their agents are to uphold the highest standards of ethics including:

- **Business Integrity**

The highest standards of integrity are to be upheld in all business interactions. Participants shall have a zero-tolerance policy to prohibit any and all forms of bribery, corruption, extortion and embezzlement.

- **No Improper Advantage**

Bribes or other means of obtaining undue or improper advantage are not to be promised, offered, authorized, given or accepted. This prohibition covers promising, offering, authorizing, giving or accepting anything of value, either directly or indirectly through a third party, in order to obtain or retain business, direct business to any person, or otherwise gain an improper advantage. Monitoring, record keeping and enforcement procedures shall be implemented to ensure compliance with anti-corruption laws.

- **Disclosure of Information**

All business dealings should be transparently performed and accurately reflected on the Participant's business books and records. Information regarding participant's labor, health and safety, environmental practices, business activities, structure, financial situation and performance is to be disclosed in accordance with applicable regulations and prevailing industry practices. Falsification of records or misrepresentation of conditions or practices in the supply chain are unacceptable.

- **Intellectual Property**

Intellectual property rights are to be respected, transfer of technology and know-how is to be done in a manner that protects intellectual property rights; and, customer and supplier information is to be safeguarded.

- **Fair Business, Advertising and Competition**

Standards of fair business, advertising and competition are to be upheld.



- **Protection of Identity and Non-Retaliation**

Programs that ensure the confidentiality, anonymity and protection of supplier and employee whistleblowers<sup>2</sup> are to be maintained, unless prohibited by law. Participants should have a communicated process for their personnel to be able to raise any concerns without fear of retaliation.

- **Responsible Sourcing of Minerals**

Participants shall adopt a policy and exercise due diligence on the source and chain of custody of the tantalum, tin, tungsten and gold in the products they manufacture to reasonably assure that they are sourced in a way consistent with the Organization for Economic Co-operation and Development (OECD) Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas or an equivalent and recognized due diligence framework.

- **Privacy**

Participants are to commit to protecting the reasonable privacy expectations of personal information of everyone they do business with, including suppliers, customers, consumers and employees. Participants are to comply with privacy and information security laws and regulatory requirements when personal information is collected, stored, processed, transmitted and shared.

## MANAGEMENT SYSTEMS

Participants shall adopt or establish a management system with a scope that is related to the content of this Code. The management system shall be designed to ensure: (a) compliance with applicable laws, regulations and customer requirements related to the participant's operations and products; (b) conformance with this Code; and (c) identification and mitigation of operational risks related to this Code. It should also facilitate continual improvement.

The management system should contain the following elements:

- **Company Commitment**

Corporate social and environmental responsibility policy statements affirming Participant's commitment to compliance and continual improvement, endorsed by executive management and posted in the facility in the local language.

<sup>2</sup> Whistleblower definition: Any person who makes a disclosure about improper conduct by an employee or officer of a company or by a public official or official body.

- **Management Accountability and Responsibility**

The Participant clearly identifies senior executive and company representative(s) responsible for ensuring implementation of the management systems and associated programs. Senior management reviews the status of the management systems on a regular basis.

- **Legal and Customer Requirements**

A process to identify, monitor and understand applicable laws, regulations and customer requirements, including the requirements of this Code.

- **Risk Assessment and Risk Management**

A process to identify the legal compliance, environmental, health and safety<sup>3</sup> and labor practice and ethics risks associated with Participant's operations. Determination of the relative significance for each risk and implementation of appropriate procedural and physical controls to control the identified risks and ensure regulatory compliance.

- **Improvement Objectives**

Written performance objectives, targets and implementation plans to improve the Participant's social, environmental and health and safety performance, including a periodic assessment of Participant's performance in achieving those objectives.

- **Training**

Programs for training managers and workers to implement Participant's policies, procedures and improvement objectives and to meet applicable legal and regulatory requirements.

- **Communication**

A process for communicating clear and accurate information about Participant's policies, practices, expectations and performance to workers, suppliers and customers.

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<sup>3</sup> Areas to be included in a risk assessment for environmental health and safety are production areas, warehouse and storage facilities, plant/facilities support equipment, laboratories and test areas, sanitation facilities (bathrooms), kitchen/cafeteria and worker housing/dormitories.

- **Worker Feedback, Participation and Complaints**

Ongoing processes, including an effective complaint management, to assess workers' understanding of and obtain feedback on or violations against practices and conditions covered by this Code and to foster continuous improvement. Workers must be given a safe environment to provide complaint and feedback without fear of reprisal or retaliation.

- **Audits and Assessments**

Periodic self-evaluations to ensure conformity to legal and regulatory requirements, the content of the Code and customer contractual requirements related to social and environmental responsibility.

- **Corrective Action Process**

A process for timely correction of deficiencies identified by internal or external assessments, inspections, investigations and reviews.

- **Documentation and Records**

Creation and maintenance of documents and records to ensure regulatory compliance and conformity to company requirements along with appropriate confidentiality to protect privacy.

- **Supplier Responsibility**

A process to communicate Code requirements to suppliers and to monitor supplier compliance to the Code.

## REFERENCES

The following standards were used in preparing this Code and may be useful sources of additional information. The following standards may or may not be endorsed by each Participant.

Dodd-Frank Wall Street Reform and Consumer Protection Act

<http://www.sec.gov/about/laws/wallstreetreform-cpa.pdf>

Eco Management & Audit System

[http://ec.europa.eu/environment/emas/index\\_en.htm](http://ec.europa.eu/environment/emas/index_en.htm)

Ethical Trading Initiative [www.ethicaltrade.org](http://www.ethicaltrade.org)/ILO Code of Practice in Safety and Health

[www.ilo.org/public/english/protection/safework/cops/english/download/e000013.pdf](http://www.ilo.org/public/english/protection/safework/cops/english/download/e000013.pdf)

ILO International Labor Standards

[www.ilo.org/public/english/standards/norm/whatare/fundam/index.htm](http://www.ilo.org/public/english/standards/norm/whatare/fundam/index.htm)

ISO 14001

[www.iso.org](http://www.iso.org)

National Fire Protection Association

[www.nfpa.org](http://www.nfpa.org)

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

<https://www.oecd.org/daf/inv/mne/OECD-Due-Diligence-Guidance-Minerals-Edition3.pdf>

OECD Guidelines for Multinational Enterprises

<http://www.oecd.org/investment/mne/1903291.pdf>

Universal Declaration of Human Rights

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

United Nations Convention Against Corruption

<https://www.unodc.org/unodc/en/treaties/CAC/>

United Nations Convention on the Rights of the Child

<https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

United Nations Convention on the Elimination of All Forms of Discrimination Against Women

<https://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx>

United Nations Global Compact

[www.unglobalcompact.org](http://www.unglobalcompact.org)

United States Federal Acquisition Regulation

[www.acquisition.gov/far/](http://www.acquisition.gov/far/)

SA 8000

<https://sa-intl.org/programs/sa8000/>

Social Accountability International (SAI)

[www.sa-intl.org](http://www.sa-intl.org)

## DOCUMENT HISTORY

Version 1.0 –Released October 2004.

Version 1.1 –Released May 2005. Converted document to RBA format, minor page layout revisions; no content changes.

Version 2.0 –Released October 2005 with revisions to multiple provisions.

Version 3.0 –Released June 2009 with revisions to multiple provisions.

Version 4.0 –Released April 2012 with revisions to multiple provisions.

Version 5.0 –Released November 2014 with revisions to multiple provisions.

Version 5.1 –Released March 2015 with revision to A1 to take effect January 1, 2016.

Version 6.0 –Released January 2018 with revisions to multiple provisions.

Version 7.0 –Released January 2021 with revisions to multiple provisions.

The RBA Code of Conduct was initially developed by a number of companies engaged in the manufacture of electronics products between June and October 2004. Companies are invited and encouraged to adopt this Code. You may obtain additional information from: <http://www.responsiblebusiness.org>

Quelle: [http://www.responsiblebusiness.org/media/docs/RBACodeofConduct7.0\\_English.pdf](http://www.responsiblebusiness.org/media/docs/RBACodeofConduct7.0_English.pdf)

Schechen, im August 2021



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