

SUPPLIER CODE OF CONDUCT

Element Resources LLC (“Element”) is committed to the highest standards of product quality and business integrity in dealings with Suppliers, ensuring that business is conducted honestly and ethically, and in strict compliance with laws, rules, and regulations applicable to the countries in which Element operates. Further, Element is committed to ensuring that work conditions of the supply chain are safe, that workers are treated with respect and dignity, and that manufacturing processes are environmentally and socially responsible.

To ensure that Element’s relationships with Suppliers meet and support these expectations, Element requires that Suppliers acknowledge and support Element’s Supplier Code of Conduct and seek to conform to the standards documented below. Acknowledgement will be deemed to occur when Supplier ships products or goods, or provides services to Element or otherwise purchases from Supplier. Failure to comply with these standards may result in Supplier disqualification. For the Code to be successful, suppliers must regard the Code as a total supply chain initiative.

LABOR

Suppliers are committed 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, migrant, student, contract, direct employees, and any other type of worker. Suppliers shall employ workers who are legally authorized to work in their location/facility and are responsible for validating employees’ eligibility to work status through appropriate documentation.

Freely Chosen Employment

Forced, bonded (including debt bondage) or indentured labor or involuntary prison labor; slavery or trafficking (or engaging in severe forms of human trafficking) of persons shall not be used. This includes transporting, harboring, recruiting, transferring or receiving vulnerable persons by means of threat, force, coercion, abduction or fraud for the purposes of exploitation. All work must be voluntary. Workers must not be required to surrender any government-issued identification, passports or work permits as a condition of employment. Suppliers are prohibited from destroying, concealing, confiscating, or otherwise denying employees’ access to identity or immigration documents. Excessive fees are unacceptable and all fees charged to workers must be disclosed, including recruiting fees.

Underage Labor

Suppliers shall ensure that no underage labor has been used in the production or distribution of their goods or services. A child is any person under the minimum employment age according to the laws of the facility's country, or, in the absence of law, under the minimum age for completing required education.

Working Hours

Workweeks are not to exceed the maximum set by local law.

Wages and Benefits

Compensation paid to workers shall comply with all applicable wage laws, including those relating to minimum wages, overtime hours, and legally mandated benefits. Deduction from wages as a disciplinary measure shall not be permitted.

Humane Treatment

There is to be no harsh and inhumane treatment, including any sexual harassment, sexual abuse, the procurement of commercial sex acts, physical punishment, threats of violence, mental or physical coercion, or verbal abuse of workers; nor is there to be the threat of any such treatment. Disciplinary policies and procedures in support of these requirements shall be clearly defined and communicated to workers.

Anti-Discrimination

Suppliers should be committed to a workplace free of harassment and unlawful discrimination. Companies shall not engage in discrimination based on race, color, age, gender, sexual orientation, ethnicity, disability, pregnancy, religion, political affiliation, union membership or marital status in hiring and employment practices such as promotions, rewards, and access to training. In addition, workers or potential workers should not be subjected to medical tests that could be used in a discriminatory manner. All employment decisions must be based on the individual's ability to do the job.

Freedom of Association

Suppliers shall respect the rights of workers to associate or not to associate with any group, as permitted by and in accordance with all applicable laws and regulations.

SUPPLIERS:

- May not engage in fraudulent or misleading recruitment practices;
- May not employ recruiters that violate the labor laws of the country where the recruitment takes place;
- Fail to provide return transportation to an employee who is not a national of the country where the work is to take place, subject to limited exceptions;
- Provide housing, if required, that fails to meet host country safety or housing laws; or
- Fail to provide a written work document, if required.

HEALTH AND SAFETY

Suppliers shall proactively manage health and safety risks to provide an incident-free environment where occupational injuries and illnesses are prevented. Suppliers must implement management systems and controls that identify hazards and assess and control risk related to their specific industry. Also, suppliers shall provide potable drinking water and adequate restrooms; fire exits and essential fire safety equipment; emergency aid kits and access to emergency response including environmental, fire, and medical; adequate heat and ventilation; and reasonable entry and exit privileges.

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.

ENVIRONMENTAL

In manufacturing operations, adverse effects on the community, environment, and natural resources are to be minimized while safeguarding the health and safety of the public.

Environmental Permits and Reporting

All required environmental permits (e.g. discharge monitoring), approvals, and registrations are to be obtained, maintained and kept current and their operational and reporting requirements are to be followed.

Hazardous Materials

Chemical and other materials posing a hazard if released to the environment are to be identified and managed to ensure their safe handling, movement, storage, use, recycling or reuse, and disposal.

Wastewater and Solid Waste

Wastewater and solid waste generated from operations, industrial processes, and sanitation facilities are to be characterized, monitored, controlled, and treated as required prior to discharge or disposal.

Air Emissions

Air emissions of volatile organic chemicals, aerosols, corrosives, particulates, ozone depleting chemicals, and combustion by-products generated from operations are to be characterized, monitored, controlled, and treated as required prior to discharge.

IMPORT/EXPORT COMPLIANCE

Suppliers will comply with all applicable laws and regulations in connection with the labeling and transfer of products, services, equipment, information or knowledge across borders. Suppliers are responsible for understanding how export control laws apply and for conforming to these laws in connection with their supply of products and/or services to Element.

ETHICS

In order to meet social responsibilities and to achieve success in the marketplace, Suppliers 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. Suppliers shall have a zero tolerance policy to prohibit any and all forms of bribery, corruption, extortion and embezzlement (covering promising, offering, giving or accepting any bribes). All business dealings should be transparently performed and accurately reflected on Participant's business book and records. Monitoring and enforcement procedures shall be implemented to ensure compliance with anti-corruption laws.

No Improper Advantage

Bribes or other means of obtaining undue or improper advantage are not to be offered or accepted.

Disclosure of Information

Information regarding business activities, structure, financial situation, and performance is to be disclosed in accordance with applicable regulations and prevailing industry practices. Falsification of records or misrepresentations 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.

Protection of Identity

Programs that ensure the confidentiality and protection of supplier and employee whistleblower are to be maintained.

Privacy

Comply with privacy and information security laws and regulatory requirements when personal information is collected, stored, processed, transmitted, and shared.

Non-Retaliation

Suppliers should have a communicated process for their personnel to be able to raise any concerns without fear of retaliation.

CONFLICT OF INTEREST

Suppliers will not enter into transactions with Element employees that may create an actual or perceived conflict of interest. Suppliers must not give or offer to give gifts (other than of nominal value) or favors (such as entertainment) other than customary business courtesies to Element employees.

CONFLICT MINERALS

Element is committed to ensuring that our supply chain is free from metals that have contributed to human rights abuses and armed conflicts, whether directly or indirectly (“Conflict Minerals”) that are sourced from the Democratic Republic of Congo and certain adjoining countries (“Covered Countries”). Element expects its Suppliers to comply with the following: providing timely responses to information requests on the source and origin of Conflict Minerals in Suppliers’ materials and goods supplied to Element; providing all documentation, declarations or certificates reasonably requested with regard to Supplier’s own supply chain to determine the chain of custody and origin of any Conflict Minerals; maintaining a policy that prohibits the use of Conflict Minerals that originate from Covered Countries and making these requirements apply to its direct suppliers and sub-tier suppliers and requiring them to do the same with lower tiers of suppliers; taking measures to purchase parts, components or materials from direct suppliers and sub-tier suppliers who source minerals for their products from smelters or refiners validated as not being sourced from Covered Countries.

REPORTING VIOLATIONS

Violations of Element’s Supplier Code of Conduct may be reported confidentially in local language(s). If an individual has knowledge that any of these Supplier standards have been violated or may be violated, please report the issue by using the country-specific toll-free telephone Hotline numbers that are listed below. These numbers are also available on the Element website. Reports may be made anonymously.

This document is not intended to nor does it create any third party rights.

WORLDWIDE HOTLINE NUMBERS

United States (866) 394-3301

Canada (866) 804-0965