

Energy Harbor Business Practices 6.5

Gifts and Gratuities

Rev. 06/17/2020

Inappropriate gifts, gratuities or entertainment can be viewed as a means to improperly influence business relationships and also can give rise to conflicts of interest.

Business Standards

Employees or their immediate families (any child, stepchild, parent, stepparent, spouse, sibling, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, or sister-in-law or any other person sharing the household of any such related person other than a tenant or household employee) will not use employment with Energy Harbor to solicit any cash, gifts or free services from any Energy Harbor customer, vendor or contractor for personal benefit. Accepting or extending a gift, favor, service or privilege, including travel and entertainment, from an existing or potential customer, vendor or contractor that is more than a nominal value or exceeds the level of standard business courtesies likely creates a conflict of interest. Similarly, the acceptance of cash (whether in the form of a gift or a loan) or a gift certificate in any amount is also prohibited.

A supplier to Energy Harbor or its affiliates may offer a discount on services or products purchased by company employees due to their status as company employees. Such discounts can only be accepted by the employee or his or her immediate family member when the discounts are available to all employees and notice of such fact is given to all employees.

Accepting or offering meals, beverages or tickets to events, golf outings and other social events is acceptable as long as the cost is reasonable and attendance serves a legitimate business purpose such as networking. The acceptance or offering of invitations is not to be used as a business prerequisite.

Gifts or gratuities will not be accepted or extended if they reasonably could be considered improperly to influence Energy Harbor's business relationship with or create an obligation to a customer, vendor or contractor; violate laws, regulations or our Code of Business Conduct; constitute an unfair business inducement; or cause embarrassment, negative publicity or any other adverse impact to Energy Harbor.

Authority and Responsibility

The Director of Human Resources and the Human Resource Department has the authority to set policies related to accepting gifts and gratuities. The Director of Human Resources and the Human Resource Department also has the authority to resolve questions regarding proper ethical conduct, including matters relating to gifts and gratuities. However, except that certain matters (including waivers of the Code of Business Conduct for Executive Officers) require consideration by Energy Harbor's Board of Directors or applicable Board Committee.



If Energy Harbor employees have questions regarding the appropriateness of a gift, gratuity or invitation, address the concern with your immediate supervisor, Legal, the Director of Human Resources and the Human Resource Department or contact the Employee Concerns Line via the toll-free telephone number 1-844-977-0483 or energyharbor.ethicspoint.com.

Scope

The policies related to gifts and gratuities apply to employees of Energy Harbor.