

Combating Trafficking in Persons

General Information:

Section:	Ethics and Business Conduct	Version:	7.0
Subsection:	Other Business Conduct Concerns, Laws and Regulations	Effective Date:	April 4, 2024
Policy Number:	01-07-06	Referenced Policies:	See References section below
Policy Contact/Owner:	Stacey Prange, General Counsel		
Approved By:	Ted Wright, Chief Executive Officer		

Objective:

ND Defense LLC, its subsidiaries, and affiliates (together referred to as “ND” or “the Company”) is dedicated to conducting its businesses in a manner that protects the safety and health of its employees, contractors, and visitors. ND is also committed to the protection of human rights in our operations and is opposed to all forms of trafficking in persons, including slavery, forced labor, and child labor. ND is committed to complying with applicable laws prohibiting such practices.

Additionally, the requirements of Executive Order 13627 issued 9/25/2012, “Strengthening Protections Against Trafficking in Persons in Federal Contracts” as well as the Federal Acquisition Regulation (“FAR”); Ending Trafficking in Persons (48 CFR Parts 1, 2, 9, 12, 22, 42, and 52) and Defense Federal Acquisition Regulation Supplement (“DFARS”): Further Implementation of Trafficking in Persons Policy (48 CFR Parts 203, 204, 212, 222, and 252) all of which are an effort to address the crime of human trafficking by setting forth the Government’s zero tolerance policy regarding trafficking in persons and require affected employees to comply with it.

This policy provides the requirements necessary to create and maintain a safe and healthy work environment and to promote the eradication of trafficking in persons.

Defined Terms:

“Severe forms of trafficking in persons” - means the recruitment, harboring, transportation, provision or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subsection to involuntary servitude, peonage, debt bondage or slavery and sex trafficking.

Source: Section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

“Commercial Sex Act” - means “any sex act on account of which anything of value is given to or received by any person.” FAR 22.1702 Terms not specifically defined herein shall have the meanings prescribed in the above referenced FARs and DFARs.

Statement of Policy:

Combating Trafficking in Persons

ND is opposed to human trafficking and forced labor in any form. We are committed to working to mitigate the risk of human trafficking and forced labor in all aspects of our business. The U.S. Government has a zero-tolerance policy regarding any Government employees, contractor personnel and their agents engaging in any severe form of trafficking in persons. ND employees, contractors and our agents are required to comply with the applicable provisions contained in the FAR and DFARS and Executive Order 13627. To the extent the FAR, the DFARS, the Executive Order and this policy differ in their requirements, the stricter requirements must be followed.

Pursuant to the FAR, Government contractors, contractor employees, subcontractors, subcontractor employees, and their agents are prohibited from the following:

- Engaging in severe forms (i.e., using force, fraud, or coercion) of trafficking in persons during the period of performance of a contract
- Procuring commercial sex acts during the period of performance of a contract
- Using forced labor in the performance of a contract
- Destroying, concealing, confiscating, or otherwise denying access by an employee or contractor to his/her identity or immigration documents, such as passports or drivers licenses, regardless of issuing authority
- Using misleading or fraudulent recruiting practices during the recruitment of employees or contractors or offering of employment, such as failing to disclose, in a format and language accessible to the worker, basic information or making material misrepresentations during recruitment regarding the key terms and conditions of employment, including wages and fringe benefits, the location of work, the living conditions, housing and associated costs (if employer or agent provided or arranged), any significant costs to be charged to the employee or contractor, and, if applicable, the hazardous nature of the work
- Using recruiters that do not comply with local labor laws of the country in which the recruiting takes place
- Charging employees or contractors recruitment fees
- Failing to provide return transportation or pay for the cost of return transportation upon the end of employment, for an employee or contractor who was not a national of the country in which the work is taking place and who was brought into that country for the purposes of working on a U.S. Government contract, subcontract or portion(s) of contracts or subcontracts performed outside the United States
- Failing to provide return transportation or pay for the costs of return transportation upon the end of employment, for an employee or contractor who is not a United States national and who was brought into the United States for the purpose of working on a U.S. Government contract or subcontract, if the payment of such costs is required under existing temporary worker programs or pursuant to a written agreement with the employee for portions of contracts and subcontracts performed inside the United States
- Providing or arranging housing that fails to meet the host country housing and safety standards
- If required by law or contract, failing to provide an employment contract, recruitment agreement or other required work document in writing in a language the employee or contractor understands. If the employee or contractor must relocate to perform the work, the work document shall be provided to the employee or contractor at least five days prior to the relocation.

Any violations of the FAR, the DFARS, the Executive Order and/or this policy could result in disciplinary action which may include but are not limited to, an employee's/contractor's removal from the contract, reduction in benefits or termination of employment.

Additional information about Trafficking in Persons can be found at the website for the Department of State's Office to Monitor and Combat Trafficking in Persons at <http://www.state.gov/j/tip/>.

Reporting

This policy and the requirements herein are incorporated and referenced within the ND Code of Conduct. Employees and contractors who identify potentially unsafe working conditions/practices or suspected human trafficking concerns are expected to immediately report such issues in accordance with ND Policy **09-03-03 Reporting Complaints/Grievances & Suspected Violation and Anti-Retaliation**. Summarized reporting protocol includes:

- Immediate supervisor or next higher-level manager (normal first course of action)
- ND's Vice President of Human Resources at 662-524-1260 or Susan.Dittrich@NDDefense.com
- ND's General Counsel at Stacey.Prange@NDDefense.com
- Local Security office or FSO
- Employees and contractors may also use the independent hotline option to report policy violations while remaining anonymous. ND's Business Abuse and Compliance Hotline ("Hotline") is operated by *Lighthouse Services*, an independent and multi-lingual company available 24 hours a day, 7 days a week. When accessing the Hotline, indicate you are an ND Defense employee or contractor. A specially trained interview specialist documents your concern and relays the information to ND management for the appropriate follow-up. You do not need to provide your name if you are not comfortable doing so.
 - Toll-free phone: 1-855-650-0005 (English speaking USA and Canada)
 - Website: <https://report.syntrio.com/nndefense>
 - E-mail: reports@lighthouse-services.com
 - Fax: 215-689-3885 (must include company name with report)

In addition, individuals suspecting human trafficking violations may utilize the Global Human Trafficking Hotline at 1-844-888-FREE or at help@befree.org or the Department of Defense (DOD) at www.dodig.mil/hotline/ or toll free at 800-424-9098.

Procedure:

ND's overall general compliance plan, as required by FAR 52.222-50(h) is the guiding reference to ensure compliance with this policy. See the link to ND's **Combating Trafficking in Persons Compliance Plan** under Appendices and Attachments section below.

Scope, Governance and Accountability:

Scope - This policy pertains to all employees, contractors and designated representatives of ND Defense LLC.

Roles and Responsibilities - Employees and contractors are responsible for reading, understanding, and complying with the statements in this policy. Employees or contractors should consult their manager, Vice President of Human Resources, Director of Contracts if they are uncertain whether a specific action would

be in violation of the FAR, the DFARs, the Executive Order and/or this policy. In turn, management should consult with the Company's General Counsel as needed.

The Company's General Counsel is responsible for providing guidance when contacted with issues relating to Combatting of Trafficking in Persons. Additionally, General Counsel is responsible for coordinating ND's response to all pertinent regulatory and legislative inquiries or matters related to this policy.

Accountability - All ND employees and contractors are accountable for compliance to this policy. Violation of this policy is subject to disciplinary action, up to and including termination. Violators may also be subject to legal proceedings and/or fines as applicable by law.

References:

09-03-03 Reporting Complaints/Grievances & Suspected Violations and Anti-Retaliation

Revisions and Approvals:

Date	Version	Approver	Change Description
3/17/2014	3.0	Bruce Patterson	Previously effective NIC policy 01-10 (<i>"Safety, Health, and Human Trafficking"</i>)
02/26/2015	1.2	Bob Walsh	Previously effective ND policy 05-06 (<i>"Combatting Trafficking in Persons"</i>)
11/1/2019	4.0	Jim Grooms, Chief Operations Officer	Revise/update policy with additional information and in conjunction with Navistar Defense new policy formatting and structure. This policy version consolidates previous NIC policies 01-10 and ND policy 05-06. Exclude Safety & Health portions of policy which will be included in separate policies.
6/1/21	5.0	Jim Grooms, Chief Operations Officer	Revise policy to align title with FAR terminology, re-assign policy owner, and emphasis specific reporting protocol as indicated in policy 09-03-03.
1/1/24	6.0	Ted Wright, Chief Executive Officer	Revise policy, correct personnel information and re-assign approver.
4/4/24	7.0	Ted Wright, Chief Executive Officer	Update with new Company name & logo

Appendices and Attachments:

01-07-06 (A) [ND Combating Trafficking in Persons Compliance Plan](#)