

Cernavoda C34

FCSA open door and non-retaliation Policy

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Policy

1. Scope

This FCSA Open Door and Non-Retaliation policy (the 'Policy') applies to all FCSA project personnel (including joint venture partner companies' employees, permanent staff or independent contractors).

This Policy may be amended from time to time. Implementation and application of this Policy is monitored by the FCSA Governance & Compliance Director. All terms in ***bold and italics*** are defined in the Glossary (section 6 of this Policy).

2. Purpose

The purpose of this Policy is to provide all FCSA project personnel with the means to express Project related ***concerns*** and to communicate FCSA's policy prohibiting ***retaliation*** against an individual for expressing a ***concern*** in ***good faith*** or engaging in ***protected activity***.

This Policy is a channel of open communication between the FCSA project personnel and the FCSA project management to encourage open discussions to enhance and facilitate the resolution of problems and/or ***concerns***.

3. Policy

FCSA believes a clear channel for the expression of ***concerns*** and suggestions is fundamental to a sound and safe work environment. FCSA is committed to promoting a culture where all FCSA project personnel feel safe to engage in frank and honest communication and encourages all FCSA project personnel to feel comfortable speaking-up and raising ***concerns***. Therefore, FCSA encourages open communication between the FCSA project personnel and management to enhance problem resolution, a safe work environment and work morale. The FCSA project personnel are free to discuss any matter of ***concern*** at any time without fear of reprisal. The FCSA project personnel and their management have the responsibility to facilitate problem resolution through support and application of this Policy.

FCSA prohibits ***retaliation*** against anyone for engaging in any ***protected activity***. FCSA encourages all FCSA project personnel to raise all ***concerns*** using internal channels when appropriate; however, in many countries, specific external reporting channels are also available for reporting ***concerns***.

4. Procedure

4.1 Reporting a Concern:

The FCSA project personnel should seek guidance utilizing the ***Speak-Up Channels*** they feel most comfortable with before taking any action if they suspect an action or omission would violate any law, rule, regulation, FCSA policies or the FCSA Code of Conduct and Ethics. If FCSA project personnel are unsure about a compliance and ethics situation or if they have concerns, the FCSA project personnel should ask the question or raise the ***concern***.



The following **Speak-Up Channels** are available for FCSA project personnel to ask a question or express a **concern**:

1. Immediate Supervisor;
2. Higher Level of Supervision;
3. Human Resources or Employee Relations;
4. The FCSA Governance & Compliance Director;
5. The FCSA Compliance and Ethics Integrity Portal & Hotline (coming soon).

In most cases, a supervisor should be the first point contact as they are in the best position to understand and resolve the FCSA project personnel's problems or respond to their **concerns**. If the supervisor is unable to respond effectively to the FCSA project personnel's **concerns**, or the FCSA project personnel is uncomfortable discussing the matter with their supervisor, the FCSA project personnel may contact the next level of supervision. The FCSA project personnel may continue to pursue resolution from any level of the organization.

At any time, the FCSA project personnel may meet with company Human Resources or company Employee Relations, or with the FCSA Governance & Compliance Director to discuss any **concern**. These individuals are trained in problem resolution and can be helpful in assisting the FCSA project personnel with a variety of compliance work-related issues.

If the FCSA project personnel is uncomfortable discussing a **concern** with any of the above resources or is dissatisfied with their response, they may utilize the FCSA Compliance and Ethics Integrity Portal & Hotline.

All **concerns** raised will be managed with discretion and confidentiality (including the identity of the person who raised the **concern**) to the extent possible. FCSA project personnel, who deliberately and knowingly make incorrect or misleading reports are not entitled to protection. Intentionally incorrect or misleading compliance reporting may result in disciplinary action up to and including removal of the relevant personnel from the **project** and /or termination of employment via their company.

4.2 Handling Concerns

Upon receipt of a **concern**, the recipient of the **concern** shall immediately report the **concern** via the FCSA Compliance and Ethics Integrity Portal & Hotline for appropriate administration and management. Within seven (7) days of raising a **concern**, the reporter will be notified that the reported **concern** has been received and a prompt investigation will occur. The reporter will also be given an opportunity to review, correct, and approve the initial report and any summaries of the reporter's interview(s). In addition, the reporter will be provided follow-up information and feedback during the investigation within a reasonable time not exceeding 3 (three) months from the date the report was received.

FCSA will also take appropriate action to remediate and take disciplinary action for any violation of laws, rules, regulations, or FCSA policies, including the FCSA Code of Conduct & Ethics, which action can include removal from the **project**, termination of employment, filing civil complaints and/or referring a matter to criminal authorities.

4.3 Identifying Retaliation

FCSA prohibits **retaliation** against any individual who has engaged in **protected activity**. **Retaliation** can take many forms and includes, but is not limited to:

1. Termination;
2. Demotion;
3. Denial of a promotion;
4. Unsupported poor performance review;
5. Adverse compensation action;
6. Disciplinary action;
7. Creating a hostile or intimidating work environment;
8. Transfer of duties, change of work location, or change in working hours;
9. Any other unfair treatment.

4.4 Consequences of Retaliation

FCSA expressly prohibits any form of **retaliation** against any individual who raises a **concern** in **good faith**. Any FCSA project personnel who retaliates against an individual who engaged in **protected activity** or who otherwise violates this Policy is subject to disciplinary action up to, and including removal from the **project** and/or termination of employment.

5. Exceptions

None.

6. Glossary

Concern

refers to any question, allegation, report, accusation, or assertion regarding a potential violation of: (i) FCSA's Code of Business Conduct and Ethics; (ii) other FCSA policies and procedures; or (iii) any applicable rule, regulation, or law.

Good Faith

refers to reasonable grounds to believe, in light of the circumstances and the information available at the time of expressing a **concern**, that the matter(s) reported are true. A report does not have to be proven true to be made in good faith.

Project

refers to the engineering, procurement, and construction management of a project for EnergoNuclear S.A. in order to complete the construction of reactor units ("Unit(s)") 3 and 4 of the Nuclear Power Plant in Cernavoda, Romania.

Protected Activity

refers to any act or omission in **good faith** related to or arising from raising a **concern**, participating in an investigation, refusing to participate in suspected improper or wrongful activity, making a disclosure protected under applicable whistleblower laws, or exercising any other workplace right that is protected by law.

Retaliation

refers to punishing someone for reporting, in **good faith**, an allegation or concern. Retaliation can include any negative job action such as demotion, unjustified discipline, firing, salary reduction or job or shift reassignment and other examples described in section 4.3 of this Policy and can be performed directly or indirectly.

Speak-Up Channel(s)

refers to any means for which the FCSA project personnel can raise a question or a **concern** as described in section 4.1 of this Policy.