



MAINFREIGHT POLAND

Internal procedure for reporting breaches of the law and taking follow-up actions in Mainfreight Poland sp. z o.o.

The Whistleblowing and Follow-Up Procedure, hereinafter referred to as the "Procedure", provides appropriate channels and procedures for reporting (suspected) breaches of the law that fall within the scope of the European Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law and the Law of 14 June 2024 on the protection of whistleblowers.

If you want to make a report, this Procedure will show you how to do it. You will also find out which notifications you can make via this Procedure. If you are unsure whether your application is covered by this Procedure or if you have any questions, you can contact your (branch) supervisor or a Team Member of the Training&Development team. Any non-team members can contact their local branch, which contact details are made available on our website. The meaning of the definitions used can be found in Appendix no. 1 and the Privacy Statement for this procedure can be found in Appendix no.2.

Who can make a report?

A report may be made by a natural person who has become aware of a breach of law in the context related to work at Mainfreight, hereinafter referred to as the Whistleblower. Whistleblowers are, m.in, for example:

1. Current team members;
2. Former employees;
3. Temporary workers;
4. A person performing work on a basis other than an employment contract, including a civil law contract;
5. Entrepreneur;
6. Proxy;
7. Shareholders or partners;
8. A member of a body of a legal entity or an unincorporated organisational entity;
9. Volunteers;
10. (Un)paid trainees;
11. Interns;
12. Any person working under the supervision and direction of contractors, subcontractors and suppliers.

Who is authorized to accept applications?

The Whistleblowing Centre is authorised to receive reports.

How can you make a Report?

Reports can be made through the following Internal Reporting Channels:

Online Application Form

A report can be reported online in writing via our online reporting channel that is available via our website. This service is available 24 hours a day.

Telephone Reports

Reports can also be made by phone by contacting the Whistleblowing Centre at the following numbers:

+48 22 153 27 25 Renata Korytkowska

+48 22 153 27 26 Agnieszka Brymerska

Calls are not recorded. The service is available during Mainfreight's business hours.

Personal conversation

You can also make a report through a personal conversation with a person from the Whistleblowing Center, which will be arranged within 14 days after the request via our Online Reporting Form.

Anonymous reports

Mainfreight does not accept anonymous reports. An anonymous report will not be considered.

Confidentiality and privacy

All reports will be treated confidentially. This means that the identity of the whistleblower, the person to whom the report relates, the third party named in the report and the content of the report are only made available to persons with written authorisation from Mainfreight. This also applies to all other information from which the identity of the reporting person can be determined, directly or indirectly.

We respect the privacy of everyone involved. Any personal data collected as part of this Procedure will only be used as part of this Procedure. For more details on how we handle your personal data, please refer to the Information Clause on the protection of personal data relating to this Procedure, which is attached as Appendix no. 2 to the Procedure.

What information do we need?

In order to investigate your report, we need as much Information as possible, such as:

- a description of any events;
- the background and reasons for your suspicions;
- all names of people involved and any dates and places.
- all documents confirming the suspicion;
- names and surnames of witnesses.

While we need some information to investigate your report, we do not recommend that you continue to investigate and collect evidence yourself. We recommend that you, as a Whistleblower, stay in touch with us in case you need additional information.



How is your Report handled?

Admission and registration

Once we have received your application, we will inform you of our acceptance within 7 days of receipt, unless you have not provided a contact address to which confirmation should be forwarded

If you report by phone or during a personal conversation with a person from the Whistleblowing Centre, the report will be recorded in the form of a written minutes of the conversation, reconstructing the exact course of the conversation. You will have the opportunity to check the protocol and correct it if necessary. You will then be asked to sign a protocol to approve it.

Initial assessment

Once a report is registered, the Whistleblowing Center will conduct an initial assessment. The case manager will investigate whether your report falls under this Procedure and whether your report relates to a crime. In addition, it also assesses whether your report is based on reasonable grounds and whether further investigation will be conducted.

Investigation

If a decision has been taken to carry out a further investigation, the person handling the case initiates an investigation. For the purposes of the investigation, the person handling the case may:

- request all relevant documents from Mainfreight Poland;
- consult with other members of the Whistleblowing Center team;
- interview the reporting person, the person concerned, witnesses and those involved;
- Involve experts to obtain the necessary information.

Any costs to be incurred in connection with the above activities must be approved in writing (also via e-mail) by the European Support Team before they are incurred.

Report

The person conducting the case prepares and signs the report.

When preparing the report, the case handler takes into account the confidentiality of the information provided to the case handler and the applicable laws and regulations. The report should include an assessment of the validity of the report, as well as recommendations for follow-up.

Follow-up

Once the report has been prepared, the Whistleblowing Centre will take follow-up action with due diligence.

Independence

The case handlers appointed by Mainfreight will carry out a preliminary assessment of the report and an investigation into the in a diligent and independent manner. If your report is about a case handler or a member of the European Support Team, you can:

1. contact another independent manager if possible.
2. Contact our Team Development Manager, Martin Devereux (martin@mainfreight.com) based on the Dutch procedure.

What feedback will you get?

In any case, you will receive the following information from us:

- 1) You will receive an acknowledgment of receipt of your report from the Whistleblowing Center within 7 days of your report, unless you have provided a contact address to which the acknowledgment should be forwarded.
- 2) You will receive information about the REFUSAL to accept the report for formal reasons inconsistent with this Procedure from the person from the Whistleblowing Center within 7 days of the report.
- 3) You will receive feedback within a reasonable period of time, not exceeding 3 months from the date of confirmation of receipt of the report or, if we have not provided you with the confirmation referred to above, 3 months after the expiry of 7 days from the date of the report, unless you have not provided a contact address to which the feedback should be sent.

Protection against retaliation

If you have made a report, you are protected from retaliation, provided that you had reasonable grounds to believe that the information being reported was true at the time of the report and that it was a violation of the law. In addition to you, the following individuals and entities are also protected from retaliation:

- i. any person and legal entity that assists you in the process of reporting violations of the law in a work-related context;
- ii. people who are related to you and who may experience retaliation in a work-related context, such as co-workers or relatives;
- iii. legal entities that you own, work for, or otherwise have a relationship with in a work-related context.

A person abusing this Procedure or failing to comply with the prohibition of retaliation may be subject to disciplinary measures, including possible dismissal.

External Requests

You can also report directly to the designated authorities. In Poland, this can be done at:

Ombudsman (Rzecznik Praw Obywatelskich) and other competent public authorities. The Ombudsman will carry out a preliminary analysis of such a report and forward it to the competent public authority for appropriate follow-up action, or will consider the report himself in the event that the report concerns a violation of the constitutional freedoms and rights of man and citizen – occurring in the relations of an individual with public authorities – and no other public authority is competent to take follow-up action.

If you have any doubts or experience retaliation from Mainfreight, you can also contact the experts of the National Labour Inspectorate (Państwowa Inspekcja Pracy), who will help you understand your rights and provide support.

Phone numbers:

- 801 002 419 - for callers from landlines
- 459 595 419 - for callers from mobile phones

The hotline is open from Monday to Friday from 9:00 a.m. to 3:00 p.m.

More information

Effective from: 25.09.2024

Version: 1.0

Comments: This procedure replaces any previous local whistleblowing rules within Mainfreight Poland. This procedure can be updated or modified.

Appendix 1 – Definitions used

In this Procedure, the following words shall have the following meanings:

"Violation of law" means, as defined by law, an act or omission that is unlawful or intended to circumvent the law, concerning:

- 1) corruption;
- 2) public procurement;
- 3) financial services, products and markets;
- 4) counteracting money laundering and terrorist financing;
- 5) product safety and compliance;
- 6) transport safety;
- 7) protection of the environment;
- 8) radiation protection and nuclear safety;
- 9) food and feed safety;
- 10) animal health and welfare;
- 11) public health;
- 12) consumer protection;
- 13) protection of privacy and personal data;
- 14) security of networks and ICT systems;
- 15) the financial interests of the State Treasury of the Republic of Poland, local government units and the European Union;
- 16) the internal market of the European Union, including public law rules on competition and state aid, and corporate taxation;
- 17) constitutional freedoms and rights of man and citizen – occurring in the relations of an individual with public authorities and not related to the areas indicated in points 1-16.

"Information of a breach of law" means information, including reasonable suspicion of an existing or potential breach of law, which has occurred or is likely to occur in Mainfreight, in which you have participated in the recruitment process or other pre-contractual negotiations, work or have worked, or in any other legal entity with which you maintain or have maintained contact in a work-related context, or information regarding an attempt to conceal such a violation of law.

"Mainfreight" means Mainfreight Poland sp. z o.o.

"Report" shall be understood as the oral or written communication of information to Mainfreight about a violation of the law.

"Whistleblowing Centre" means an impartial internal group of persons within Mainfreight's organisational structure authorised to receive reports, take follow-up actions, including verifying an internal report and further communicating with the whistleblower, including requesting additional information and providing feedback to the whistleblower.

"Person to whom the report relates" – it should be understood as a natural person, a legal person or an organizational unit without legal personality, to which the law grants legal capacity, indicated in the report as a person who committed an infringement of the law, or as a person with whom the person who committed the infringement of the law is related.

"Follow-up" means an action taken by Mainfreight to assess the accuracy of the information contained in the report and to prevent the violation of the law that is the subject of the report, in particular by means of an investigation, closing the procedure carried out as part of the internal procedure for reporting breaches of law and taking follow-up actions.

"Retaliation" should be understood as a direct or indirect act or omission in a work-related context that is caused by a report or public disclosure and that violates or is likely to violate the rights of the whistleblower or causes or is likely to cause unjustified harm to the whistleblower, including the unjustified initiation of proceedings against the whistleblower. Retaliation may consist of:

- 1) refusal to establish an employment relationship;
- 2) termination without notice of employment;
- 3) failure to conclude a fixed-term employment contract or an employment contract for an indefinite period after termination of a probationary employment contract, failure to conclude another fixed-term employment contract or failure to conclude an employment contract for an indefinite period after termination of a fixed-term employment contract – where the whistleblower had a reasonable expectation that such a contract would be concluded with him/her;
- 4) reduction of remuneration for work;
- 5) suspension of promotion or omission from promotion;
- 6) omission of work-related benefits other than remuneration or reduction of the amount of these benefits;
- 7) transfer to a lower position;
- 8) suspension from the performance of employee or official duties;
- 9) transferring the current duties of a whistleblower to another employee;
- 10) an unfavourable change in the place of work or the distribution of working time;
- 11) negative evaluation of work performance or a negative opinion about work;
- 12) imposing or imposing a disciplinary measure, including a financial penalty, or a measure of a similar nature;
- 13) coercion, intimidation or exclusion;
- 14) mobbing;
- 15) discrimination;
- 16) adverse or unfair treatment;
- 17) suspension of participation or omission from selection for participation in training to improve professional qualifications;
- 18) unjustified referral for medical examinations, including psychiatric examinations, unless separate regulations provide for the possibility of referring the employee for such examinations;
- 19) an action aimed at making it more difficult to find a job in a given sector or industry in the future, on the basis of an informal or formal sectoral or sectoral agreement;
- 20) causing a financial loss, including an economic loss, or loss of income;
- 21) causing other non-material damage, including infringement of personal rights, in particular the good name of the whistleblower

Appendix No. 2 – Information clause on the protection of personal data

This information clause on the protection of personal data in accordance with Articles 13 and 14 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (Journal of Laws of the European Union of 2016 No. 119, p. 1 as amended. (hereinafter: GDPR) explains how Mainfreight Poland sp. z o.o. collects, uses and shares personal data as part of this Procedure. This includes the personal data of whistleblowers, the persons affected by the report and other persons named in the report.

For more information on how we process your personal data, you can read our privacy statement on the www.mainfreight.com website and the information clause you received during your employment.

Who collects your personal data and who is responsible for this?

The administrator of personal data is Mainfreight Poland sp. z o.o. with its registered office in Konotopa

Contact with the Administrator is possible:

- 1) by post at: Konotopa 3A Rajdowa Street, 05-850 Ożarów Mazowiecki
- 2) by e-mail at: mainfreight.poland@mainfreight.com

For what purpose do we process your personal data?

We will only process personal data for the specific purposes related to this Procedure. These objectives include:

- 1) Record and follow up on submissions
- 2) investigating alleged violations;
- 3) contact with the Whistleblower and provide feedback;
- 4) creating analyses and statistics;
- 5) defense against possible claims related to the Procedure.

On what legal basis do we process your personal data?

We process your personal data on the basis of:

- 1) Article 6(1)(f) of the GDPR in order to pursue the legitimate interest of Mainfreight, i.e.:
 - creating analyses and statistics,
 - defend against possible claims related to the Procedure,
- 2) Article 6(1)(c) of the GDPR in order to comply with the legal obligations and rights incumbent on Mainfreight in connection with the need to implement the internal reporting procedure and the Whistleblower Protection Act, including for the purpose of recording submitted reports, taking follow-up actions, contacting the Whistleblower, providing feedback.
- 3) Article 6(1)(a) of the GDPR for the purpose of accepting a report of infringement under the Whistleblower Protection Act, whereby upon receipt of the report, Mainfreight processes the personal data to the extent necessary to accept the report or take possible follow-up action. Personal data that is not relevant to the processing of the report will be deleted immediately. Such personal data shall be erased within 14 days of establishing that they are irrelevant.

What personal data do we collect?

As part of this Procedure, we process the following personal data:

- 1) name, job title and contact details;
- 2) data on suspected violations of the law, which may be related to a specific person;
- 3) other personal data provided by the Whistleblower in the report of a breach of law, whereby personal data that is not relevant to the consideration of the report is immediately deleted. Such personal data shall be erased within 14 days of establishing that they are irrelevant.

Who do we share your personal data with?

Personal data collected for the above purposes may be transferred to lawyers, advisors, accountants, IT solution providers, postal operators, courier service providers, parent company Mainfreight in New Zealand.

In addition, personal data collected through this Procedure will only be disclosed to other parties if we are legally required to do so or if it is necessary to report a crime.

Do we transfer your personal data outside the European Economic Area?

Personal data collected through this Procedure will only be transferred outside the European Economic Area, i.e. to Mainfreight's parent company in New Zealand, if reasonably necessary. If we transfer your personal data outside the European Economic Area, we will ensure that we comply with all the rules and measures required by the GDPR to protect your personal data to the same level as in the European Economic Area. We would like to inform you that the European Commission has issued a decision for New Zealand recognising an adequate level of protection of personal data.

How long do we keep your personal data?

- 1) Personal data related to reports made under this Procedure will be processed for no longer than 3 years from the end of the calendar year in which the follow-up actions were completed or after the end of the proceedings initiated by these actions.
- 2) In the case of defence against claims, personal data will be processed until the final conclusion of court/administrative proceedings related to it or until the statute of limitations for claims arising from enforcement titles constituting the basis for enforcement of claims expires.

- 3) Personal data to the extent necessary to accept the notification or take possible follow-up action will be deleted immediately. Such personal data shall be erased within 14 days of establishing that they are irrelevant.
- 4) If disciplinary action is taken and a penalty is imposed as a result of the report sent, a record of such action may be included in the employee documentation. This data will be stored for a period of one year of impeccable work.

What rights do you have in relation to your personal data?

- 1) You have the right to request from Mainfreight access to your data, the issuance of a copy of your data, the restriction of processing and the rectification.
- 2) You have the right to object at any time – on grounds relating to your particular situation – to the processing of your personal data based on Article 6(1)(f) of the GDPR. Mainfreight is no longer permitted to process these personal data unless it demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.
- 3) You have the right to request Mainfreight to erase your personal data if the personal data is no longer necessary in relation to the purposes for which it was collected or otherwise processed, or the personal data has been unlawfully processed, unless the processing is necessary for the establishment, exercise or defence of legal claims.
- 4) You have the right to lodge a complaint with the supervisory authority (i.e. the President of the Office for Personal Data Protection <https://uodo.gov.pl/> 2 Stawki Street, 00-193 Warsaw; phone 606-950-000).

Voluntary

Providing personal data by the Whistleblower is voluntary and results from the Act of 14 June 2024 on the protection of whistleblowers, however, failure to provide personal data will mean that the request will be submitted anonymously and Mainfreight does not accept anonymous reports. Thus, failure to provide personal data will result in leaving the report unprocessed.

Source of personal data:

The Whistleblower provides his personal data himself. On the other hand, in the case of the persons to whom the report relates, witnesses and other persons named in the report, in accordance with Article 8(5) of the Whistleblower Protection Act, Mainfreight does not disclose the source of personal data, unless the Whistleblower had no reasonable grounds to believe that the information being the subject of the report was true at the time of making the report and that it was information about a violation of the law or that the Whistleblower had expressly consented to the disclosure of his or her identity. If one of the above occurs, we will inform you about the source of your personal data.