

# Code of Conduct (CoC)

## A. Eberle GmbH & Co KG

<b>Managementsystem</b>	DIN EN ISO/IEC 27001 // DIN EN ISO 9001 // DIN EN ISO 14001
<b>Organisation</b>	A. Eberle GmbH & Co. KG
<b>Version</b>	<b>1.1</b>
<b>Version vom</b>	<b>25.09.2025</b>
<b>Status</b>	<b>freigegeben</b>
<b>Klassifizierung</b>	<b>Öffentlich</b>
<b>Dok-ID</b>	
<b>Doc-Owner   Orga</b>	Quality Management   AE
<b>Freigabe durch   Orga</b>	Management Board   AE
<b>Ablageort</b>	L:\Allgemein\Firmendokumente\englisch

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## Referenced documents / websites

## 1 Introduction / Preamble

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A. Eberle GmbH & Co KG is committed to ecologically and socially responsible corporate governance. We expect the same behavior from our suppliers and our partners. We also expect our employees to observe the principles of ecological, social and ethical behavior and to integrate them into the corporate culture. Furthermore, we strive to continuously optimize our entrepreneurial activities and our products and services, but also our internal processes, in terms of sustainability and constantly ask our suppliers to contribute to this in terms of a holistic approach.

The Code of Conduct is based on local and national laws and regulations, such as the Supply Chain Sourcing Obligations Act (German LkSG), as well as international conventions such as the United Nations Universal Declaration of Human Rights, the Guidelines on Children's Rights and Business Conduct, the United Nations Guiding Principles on Business and Human Rights, the International Labor Standards of the International Labor Organization, and the United Nations Global Compact.

## 2 Scope of application

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This CoC applies to all business areas of the undersigned company worldwide.

The undersigned company undertakes to promote compliance with the contents of this CoC also at its suppliers and in the further value chain within the scope of its respective possibilities and scope for action.

## 3 Social responsibility

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### 3.1 Exclusion of forced labor

No forced labor, slave labor, or work comparable in this way may be used. All work must be voluntary and without threat of punishment. Employees must be able to terminate work or employment at any time. In addition, there must be no unacceptable treatment of workers, such as psychological hardship, sexual and personal harassment, and humiliation. The hiring or use of security guards must be refrained from if, during their use, persons are treated or injured in an inhumane or degrading manner or if freedom of association is impaired.

- § 2 Abs. 2 Nr. 3, 4, 11 LkSG
- ILO-Conventions 29 und 105 (The International Labor Organization)
- fourth principle of the UN Global Compact

### 3.2 Prohibition of child labor

Child labor may not be used in any phase of production. The undersigned company undertakes to comply with the recommendation from the ILO conventions on the minimum age for the employment of children. According to this, the age should not be less than the age at which compulsory schooling ends according to the law of the place of employment and in any case not less than 15 years. If children are found at work, the undersigned company shall document the measures to be taken to remedy the situation and enable the children to attend school. The rights of young workers shall be protected. Children under the age of 18 shall not be employed in work that is harmful to the health, safety or morals of children. Special protective regulations shall be observed.

- § 2 Abs. 1, 2 LkSG
- ILO- Conventions 79, 138, 142 and 182
- fifth principle of the UN Global Compact

### 3.3 Fair payment

The payment for regular working hours and overtime must correspond to the national statutory minimum wage or the minimum standards customary in the industry, whichever is higher. In any case, the payment for overtime must exceed the payment for regular hours. Insofar as the payment is not sufficient to cover the costs of ordinary living and to build up a minimum level of reserves, the Supplier shall be obliged to increase the payment accordingly. Employees shall be provided with all benefits prescribed by law. Wage deductions as punitive measures are not permitted. The undersigned company shall ensure that employees receive clear, detailed and regular written information on the composition of their payment.

- § 2 Abs. 2 Nr. 8 LkSG
- ILO-Conventions 26 and 131

### 3.4 Fair working hours

Working hours must comply with applicable laws or industry standards. Overtime is permitted only if it is performed on a voluntary basis and does not exceed 12 hours per week, while employees must be granted at least one day off after six consecutive working days. Weekly working hours may not regularly exceed 48 hours.

- ILO-Conventions 1 und 14

### 3.5 Freedom of association

The right of employees to form and join organizations of their choice and to bargain collectively and to strike shall be respected. In cases where freedom of association and the right to collective bargaining are restricted by law, alternative means of independent and

free association of employees shall be provided. Employee representatives shall be protected from discrimination. Employees shall not be discriminated against on the basis of forming, joining or being a member of such an organization. Employee representatives shall be granted free access to the workplaces of their colleagues to ensure that they can exercise their rights in a lawful and peaceful manner.

- § 2 Abs. 2 Nr. 6 LkSG
- ILO-Conventions 87, 98, 135, 154
- Third principle of the UN Global Compact

### **3.6 Prohibition of discrimination**

Discrimination, unequal treatment of employees, in any form is inadmissible unless it is justified in the requirements of employment. This applies, for example, to discrimination based on gender, race, caste, national, ethnic or social origin, skin color, disability, health status, political conviction, origin, religion, age, pregnancy or sexual orientation. The personal dignity, privacy and personal rights of each individual are respected.

- § 2 Abs. 2 Nr. 7 LkSG
- ILO-Conventions 110, 111 and 159
- Sixth principle of the UN global compact

### **3.7 Health protection, safety at work**

The undersigned company is responsible for a safe and healthy working environment. By setting up and applying appropriate occupational safety systems, necessary precautionary measures are taken against accidents and damage to health that may arise in connection with the activity. Excessive physical or mental fatigue shall be prevented by taking appropriate measures. In addition, employees are regularly informed and trained about applicable health and safety standards and measures. Employees shall be provided with access to drinking water in sufficient quantities and access to clean sanitary facilities.

- § 2 Abs. 2 Nr. 5 LkSG
- ILO-Conventions 155 and 164

### **3.8 Preservation of natural resources**

The undersigned company shall not, in violation of legitimate rights, deprive land, forests or waters, the use of which secures the livelihood of persons. It shall refrain from harmful soil changes, water and air pollution, noise emissions and excessive water consumption if this harms the health of persons, significantly impairs the natural basis for the production of food or prevents the access of persons to safe drinking water or sanitary facilities.

- § 2 Abs. 2 Nr. 9, 10 LkSG

### 3.9 Complaint mechanisms

The undersigned company shall pass on information on accessibility, responsibility and the implementation of a complaints procedure to its employees in an appropriate manner. The complaints procedure must be accessible to employees while maintaining confidentiality of identity and effective protection against discrimination. In the absence of a notice, the supplier itself shall be responsible at the facility level for establishing an effective grievance mechanism for individuals and communities who may be affected by adverse impacts.

### 3.10 Dealing with conflict minerals

For the conflict minerals tin, tungsten, tantalum and gold, as well as for other raw materials such as cobalt, the company establishes appropriate processes necessary to fulfill the due diligence requirements for promoting responsible supply chains for minerals from conflict and high-risk areas in accordance with the Guiding Principles of the Organisation for Economic Cooperation and Development (OECD) and expects the same from its supplier. Smelters and refiners without adequate, audited due diligence processes should be avoided

## 4 Ecological responsibility

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### 4.1 Treatment and discharge of industrie

The undersigned company complies with the regulations and standards on environmental protection that affect its respective operations and acts in an environmentally conscious manner at all of its sites.

### 4.2 Handling waste and hazardous substances

The solid waste generated shall be identified, handled, reduced and responsibly disposed of or recycled. The prohibitions on the export of hazardous wastes in the Basel Convention of March 22, 1989, as amended, shall be observed. Chemicals or other materials that pose a hazard when released into the environment shall be identified and handled in a manner that ensures safety during their handling, transport, storage, use, recycling or reuse, and disposal. Mercury shall be used in accordance with the prohibitions of the Minimata Convention of October 10, 2013, and persistent organic pollutants in accordance with the Stockholm Convention of May 23, 2001, as amended.

### 4.3 Reduce consumption of raw materials and natural resources

The use and consumption of resources during production and the generation of waste of any kind, including water and energy, shall be reduced or avoided. This is done either

directly at the point of origin or through procedures and measures, for example by changing production and maintenance processes or procedures in the company, by using alternative materials, by savings, by recycling or with the help of the reuse of materials.

#### **4.4 Dealing with energy consumption / efficiency**

Energy consumption is to be monitored and documented. Economic solutions must be found to improve energy efficiency and minimize energy consumption.

### **5 Ethical business conduct**

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#### **5.1 Fair competition**

The standards of fair business, fair advertising and fair competition must be observed. In addition, the applicable antitrust laws must be applied, which in particular prohibit agreements and other activities that influence prices or conditions when dealing with competitors. Furthermore, these regulations also prohibit agreements between customers and suppliers aimed at restricting customers' freedom to determine their prices and other conditions autonomously when reselling.

#### **5.2 Confidentiality / data protection**

The undersigned company undertakes to meet the reasonable expectations of its client, suppliers, customers, consumers and employees with regard to the protection of private information. The undersigned company shall comply with data protection and information security laws and government regulations when collecting, storing, processing, transmitting and disclosing personal information.

#### **5.3 Intellectual property**

Intellectual property rights shall be respected; technology and know-how transfers shall be made in a manner that protects intellectual property rights and customer information.

#### **5.4 Integrity / Bribery, Taking Advantage**

The highest standards of integrity must be applied in all business activities. The signatory company shall have a zero tolerance policy in prohibiting all forms of bribery, corruption, extortion and embezzlement. Procedures for monitoring and enforcing standards shall be in place to ensure compliance with anti-corruption laws.

- OECD-Guidelines chapter seven

## 6 Implementation of the requirements in the direction of our suppliers

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We expect our suppliers to identify risks within their supply chains and to take appropriate measures at an early stage. In the event of suspected violations, as well as to safeguard supply chains with increased risks, the supplier will inform the company promptly and, if necessary, regularly about the identified violations and risks as well as the measures taken. The Company will verify compliance with the standards and regulations set forth in this document using a self-assessment questionnaire and risk-based audits at supplier production sites. The Supplier agrees that the Company may conduct such audits once a year or for specific reasons to verify compliance with the Code of Conduct at the Supplier's production sites during normal business hours after reasonable advance notice by persons appointed by the Company. The supplier may object to individual audit measures if these would violate mandatory data protection regulations. Should a violation of the regulations of this Code of Conduct be identified, the Customer shall immediately notify the Supplier of this in writing within one month and set the Supplier a reasonable grace period to bring its conduct into compliance with these regulations. If it is not possible to remedy the situation in the near future, the Supplier shall notify the Company of this immediately and, together with the Company, draw up a concept with a timetable for ending or minimizing the violation. If such a violation has occurred culpably, the grace period expires fruitlessly or the implementation of the measures contained in the concept does not provide a remedy after the expiration of the time schedule and makes a continuation of the contract until the ordinary termination unreasonable for the Customer, no milder means is available, the Customer may terminate the contract the business relationship and terminate all contracts after the fruitless expiration of the set deadline, if he has threatened to do so when setting the grace period. A statutory right to extraordinary termination without setting a grace period, in particular in the case of violations that are to be considered very serious, shall remain unaffected, as shall the right to claim damages.

## 7 Awareness and consent of the management

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By signing this document, the management of A. Eberle GmbH & Co KG undertakes to act responsibly and to comply with the principles/requirements listed.

The management undertakes to communicate the contents of this Code of Conduct to employees, agents and subcontractors in a manner that is comprehensible to them and to take all necessary precautions for the implementation of the requirements.

This document is part of the Sustainable Supply Chain module of the online tool Sustainability Management for SMEs of the Bavarian State Office for the Environment. The working materials were developed within the framework of the Bavarian Environmental Pact in cooperation with the Bayerischer Industrie-und Handelskammertag e. V. (BIHK). Further information can be found at [2]:

Nürnberg

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Stefan Hoppert,  
Managing Director - A. Eberle GmbH & Co KG

*[1] In addition to the exchange with representatives of the companies of the Sustainable Supply Chain Pilot Project, publicly available information from the following companies/initiatives was used: Beiersdorf AG; BMW Group; HELLA Group; memo AG; Lindt & Sprüngli Group; peiker acoustic GmbH & Co. KG; Electronic Industry Citizenship Coalition; Business Social Compliance Initiative; Bundesverband Materialwirtschaft, Einkauf und Logistik e.V. The sample text was checked by a law firm for conformity with the General Terms and Conditions of Business*

## Referenced documents / websites

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[2]<https://www.umweltpakt.bayern.de/werkzeuge/nachhaltigkeitsmanagement/>  
[https://www.ihk-nuernberg.de/de/media/PDF/Publikationen/Recht-Steuern/merkblatt\\_verhaltenskodex-fuer-lieferanten\\_stand-20211118.pdf](https://www.ihk-nuernberg.de/de/media/PDF/Publikationen/Recht-Steuern/merkblatt_verhaltenskodex-fuer-lieferanten_stand-20211118.pdf)