

3.22 Whistleblowing

1. Policy

This Policy seeks to ensure that proper tools, processes and protection mechanisms are in place for Team Members and Third Parties to report information on actual or potential breaches acquired in a work-related context and falling within the material scope of the [EU Directive on the protection of persons who report breaches of Union law](#) ('the EU Whistleblowing Directive') and its transposition into Estonian Law. It does not limit the responsibility of FedEx Team Members to speak up and report all types of suspected breaches as referred to in the [FedEx Code of Conduct](#) and the [FedEx Global Policy on Reporting Concerns](#).

In the event of any contradiction or conflict between the terms of this Policy and the provisions of the applicable local law and regulation, the latter shall prevail.

2. Scope

This Policy applies to FedEx Team Members and Third Parties as defined below.

3. Definitions

- **Central Case Administrator** – a representative of the Europe Legal Department who is authorized to receive Reports, acknowledge their receipt, initiate or perform diligent follow-up action and communicate with the Reporting Person.
- **Competent Authority** - any national authority designated to receive Reports and give feedback to the Reporting Person, and/or designated to carry out the duties provided for in the Directive or by EU Member State national laws, in particular as regards follow-up.
- **Corporate Integrity and Compliance** – the department within Corporate Legal, led by the FedEx Chief Compliance Officer, that ensures the FedEx Alert Line and surrounding processes are fit for purpose from a functionality and legal / privacy perspective.
- **Estonian Law** – Act on the Protection of Whistleblowers of Work-related Violations of European Law.
- **Information on Breaches** – information, including reasonable suspicion, regarding an actual or potential violation of law that has occurred or is likely to occur in the organisation where the Reporting Person will work, works or has worked, or in any other organisation with which the Reporting Person has or has had contact in a Work-related Context, or information regarding an attempt to conceal such a violation.
- **Investigative Function** – the function that is considered best placed to investigate a Report.
- **Investigator(s)** – the person(s) assigned to investigate a Report.
- **Local Case Administrator** – a representative of the local Legal or local Human Resources Department who is authorized to receive Reports, acknowledge their receipt, initiate or perform diligent follow-up action and communicate with the Reporting Person.
- **Regional Case Administrator** – a representative of the Regional Legal Department who is authorized to receive Reports, acknowledge their receipt, initiate or perform diligent follow-up action and communicate with the Reporting Person.
- **Report** – the oral or written communication of Information on Breaches.
- **Reporting Person** – a natural person who reports or publicly discloses information on breaches acquired in the context of his or her work-related activities.
- **Team Member** – every officer, director, manager and employee of FedEx.

- **Third Party** – any individual, including former team members, who acquired information on actual or potential breaches in a Work-related Context. This includes former, current or future: agents; temporary agency staff; job candidates; contractors; consultants; freelance workers; service providers; subcontractors; suppliers; distributors; business partners; shareholders; persons in administrative, management or supervisory bodies; volunteers; (paid or unpaid) trainees; any persons working under the supervision and direction / management of a contractor, subcontractor or supplier; or any other person with whom FedEx did, does or may do business.
- **Work-related Context** – current or past work activities in the public or private sector through which, irrespective of the nature of those activities, persons acquire information on breaches and within which those persons could suffer retaliation if they reported such information.

4. Guidelines

4.1. Types of breaches in scope of this Policy

This Policy applies to the reporting of information on actual or potential breaches falling within the material scope of the EU Whistleblowing Directive and its transposition into Estonian Law. These include, for example, violations of EU Law (e.g., breaches in relation to a tender issued by a public authority, money laundering and terrorist financing, protection of the environment, public health or food safety); breaches affecting the financial interests of the EU (e.g., fraud, corruption and any other illegal activities affecting the financial interests of the European Union); breaches relating to the EU internal market (e.g., competition law infringements); and a variety of other matters that harm the public interest. A comprehensive overview of the breaches in scope of this Policy can be found in the Estonian law. A link to the Estonian law is provided [here](#).

Information on breaches reported for the purpose of protecting purely private interests (e.g., individual employment disputes) are excluded from the scope of this Policy.

4.2. Channels for internal reporting

Actual or potential breaches governed by this Policy can be reported in writing, orally, in person or in all of these ways. In the case of a request for making a Report in person, the Local Case Administrator shall be obliged to accept such Report within 14 days of the date on which it was requested. Reports can be made through one of the following channels:

4.2.1. The FedEx Alert Line

The FedEx Alert Line is a service that FedEx contracts for through an independent vendor. Reports to this service may be made by calling a toll-free telephone number or by completing an online questionnaire. Both the telephone hotline and online reporting tool are available 24-hours a day for use by FedEx Team Members and Third Parties.

Contact details:

Phone: 8000049154
Online: fedexalertline.com

4.2.2. Your Local Reporting Channel

A Reporting Person may also choose to reach out directly to the local reporting channel:

Contact details:

Voice mail: 0037 26271498

E-mail: EE.whistleblowing@fedex.com
Face-to-face: By sending a request by voice mail or e-mail

FedEx provides Reporting Persons with the opportunity to reach out to the internal reporting channel of their choice (i.e., to the FedEx Alert Line at group level or to the local reporting channel at legal entity level). If there is reason to believe that the Local Case Administrator may be implicated in a suspected breach or may not be impartial, the Reporting Person is advised to make a Report through the FedEx Alert Line (or vice versa).

4.3. Anonymous Reports

Both the Local Reporting Channel and the FedEx Alert Line allow for anonymous reporting. FedEx strictly prohibits any attempt to discover the identity of Reporting Persons who submitted an Anonymous Report. Please note, however, that Anonymous Reports may hinder or complicate any investigation that may follow and may prevent appropriate action from being taken.

4.4. Departments authorized to receive Reports

Reports submitted through the FedEx Alert Line are received by a Regional and/or Central Case Administrator and handled in line with FedEx's internal policies and procedures. Reports submitted through the Local Reporting Channel are received and administered by a Local Case Administrator.

4.5. Follow-up

Following receipt of a Report, the relevant case administrator will initiate or perform the necessary follow-up activities. These may include, amongst other:

- recording the Report in the internal case management system;
- verifying the Report to assess whether it is in scope of this Policy;
- asking the Reporting Person for further information, where needed;
- maintaining communication with the Reporting Person;
- aligning internally with other case administrators, with members of the FedEx Legal Department or the FedEx Corporate Integrity and Compliance Department, or with the relevant Investigative Function(s);
- taking action to assess the accuracy of the allegations made in the Report through, e.g., assigning the matter for further investigation;
- addressing a confirmed breach through, e.g., disciplinary action, prosecution, etc.;
- providing feedback to the Reporting Person;
- closing the matter;
- initiating remedial measures where needed.

Based on the issue at hand, a reported breach may be assigned for further investigation to the relevant Investigative Function. This can be the relevant Legal, Security or Human Resources Department; the Internal Audit Department; an external party (e.g. outside counsel); or any other internal party that is authorised and deemed appropriate to investigate the reported breach in an independent and objective manner.

4.6. Feedback to the Reporting Person

The Reporting Person will be provided with feedback on the progress of the investigation and the action envisaged or taken as follow-up to the Report, including the grounds for the choice of that follow-up, within 3 months from receipt of the Report, unless the Reporting Person has not indicated a contact address to which

feedback should be sent. This feedback will include information on whether or not an infringement of the law has been established and on the measures, if any, that have been or will be taken in response to the established infringement.

4.7. Confidentiality

It is the responsibility of all individuals involved in the receipt and/or follow-up of a Report – including those Team Members that receive updates on reported breaches as part of their role and responsibilities within FedEx – to protect the identity of the Reporting Person and of any other party mentioned in the Report, including the person(s) concerned, and to treat all Reports, including any attachments and consequent investigation findings, as strictly confidential information.

The identity of the Reporting Person, nor any other information from which the identity may be directly or indirectly deduced, must not be disclosed to anyone beyond the individuals described above without the explicit written consent of the Reporting Person, unless there is a necessary and proportionate obligation to disclose imposed by EU or national law in the context of investigations by national authorities or judicial proceedings, including with a view to safeguarding the rights of defence of the person(s) concerned.

4.8. Processing of personal data

Individuals involved in the receipt and/or follow-up of a Report must ensure that the processing of personal data is compliant with GDPR. They must not collect personal data which is manifestly not relevant for the handling of the Report. If accidentally collected, such data must be deleted without undue delay.

4.9. Recordkeeping

FedEx will keep records of all Reports received under this Policy. Recording of personal data in these records will be kept to a minimum, and Reports will be stored for no longer than necessary.

FedEx Corporate Integrity and Compliance will take the necessary technical and organizational measures to limit the number of individuals having access to the above records, and to prevent access to these records by non-authorized individuals. It will further ensure that legally binding agreements are in place with external vendors having access to the FedEx Alert Line and related case management system to ensure that the protection mechanisms and safeguards listed in this Policy are being maintained.

4.10. Non-retaliation

FedEx prohibits Retaliation, including threats or attempts of Retaliation, against anyone who reports an actual or potential breach in good faith. Reporting in good faith means that the Reporting Person had reasonable grounds to believe that the information on breaches reported was true at the time of reporting and that such information fell within the scope of this Policy.

FedEx also prohibits Retaliation against (1) any person who assisted a Reporting Person in the reporting process, (2) any person who assisted in an investigation into a Report, (3) third persons who are connected with the Reporting Person and who could suffer retaliation in a work-related context, and (4) legal entities that the Reporting Person owns, works for or is otherwise connected with in a work-related context.

Any Team Member who is found to have breached this non-retaliation principle, or to have threatened or attempted to do so, will be subject to discipline, up to and including termination of the employment relationship.

Protection from Retaliation is not available to a Reporting Person who has made a Report without having reasonable grounds to believe that it is based on truthful information (the "Knowingly False Report").

4.11. Procedures for external reporting

Reporting persons have the option of reporting breaches of EU Law and matters that fall within the scope of the local transposition of the EU Whistleblowing Directive to Competent Authorities and, where relevant, to institutions, bodies, offices or agencies of the European Union.

In Estonia, the following bodies are authorized to receive external reports:

- Labor Inspectorate (work-related violations);
- Estonian Rescue Board (fire safety);
- Ministry of Finance (violations related to public procurement);
- Environmental Board (environmental violations);
- Consumer Protection and Technical Regulatory Authority (violations related to product safety);
- Financial Supervision Authority (violations related to the activities of the subject of financial supervision); and
- any other state office, inspection, ministry, law enforcement agency or other state agency that have been given the competence to process a violation in a specific area.

5. Policy Related Documents

- [Code of Conduct](#)
- [Global Policy on Reporting Concerns](#)