3.22 Whistleblowing

1. Policy

This Policy seeks to ensure that adequate tools, procedures and safeguards are in place for FedEx Team Members and Third Parties to report information on former, actual or potential breaches that fall 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 Spanish 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.

Important Disclaimer:

This channel is not intended for handling enquires or complaints related to operational matters, such as delivery/pick-up delays or service disruptions, billing issues or payment disputes, damaged, lost or missing shipments, and/or general customer experience feedback.

If you are a customer and require assistance with any of these matters, we kindly ask that you contact our customer service team through the appropriate channel.

Communications that do not fall within the scope of this policy may not be reviewed or responded to, unless they are covered by the applicable whistleblowing regulations.

Please refer to section 4.1 to learn more about the types of breaches included within the scope of this policy.

3. Definitions

- **Central Case Administrator**: a representative of the Europe Legal Department authorized to receive reports, acknowledge their receipt and initiate or perform diligent follow-up action.
- **Corporate Integrity and Compliance**: the department that ensures that the FedEx Alert Line and the surrounding processes are fit for purpose from a functionality and legal / privacy perspective.
- **Information on Breaches**: information, including reasonable suspicions, about former, actual or potential breaches, which occurred or are very likely to occur, and about attempts to conceal such breaches.
- **Investigative Function**: the department that is considered competent and best placed to investigate a report.
- **Local Case Administrator**: a person authorised by the management body of FedEx Express Spain, S.L.U. to receive reports, acknowledge receipt of reports and initiate or take prompt follow-up action.
- **Regional Case Administrator**: a representative of the Regional Legal Department authorized to receive reports, acknowledge their receipt and initiate or perform diligent follow-up action.

- **Report:** the oral or written communication of information on former, actual or potential breaches in scope of this policy.
- **Reporting Person:** a natural person who reports or publicly discloses information on breaches obtained in the context of his or her former, current or future work-related activities.
- **Spanish Law**: Act 2/2023 of 20 February on the protection of persons who report regulatory infringements and the fight against corruption.
- **Team Member**: every officer, director, manager and employee of FedEx.
- **Third Party**: any individual, including former team members, who acquired information on former, 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.

4. Guidelines

4.1. Types of breaches in scope of this Policy

This Policy applies to the reporting of information on former, actual or potential breaches falling within the material scope of the EU Whistleblowing Directive and its transposition into Spanish Law (available here). 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.

4.2. Internal Reporting Channels

Former, actual or potential breaches covered by this Policy can be reported in writing, orally, or both. Reports can be made using one of the following channels:

4.2.1. The FedEx Alert Line (at group level)

The FedEx Alert Line is a service that FedEx contracts for through an independent vendor at FedEx group level. 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: 900-751-922
Online: fedexalertline.com

4.2.2. The Local Reporting Channel (at legal entity level)

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

For FedEx Express Spain, S.L.:
Voice mail: 0034 917286658

E-mail:	ES.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 a member of the entity's leadership or a member of the entity's Legal, Human Resources or Security department may be involved in an alleged breach or may not be impartial, the Reporting Person is advised to make a Report through the FedEx Alert Line and explain the potential conflict of interest or risk of partiality (or vice versa).

4.3. Anonymous Reports

All reporting channels allow for anonymous reporting. FedEx strictly prohibits any attempt to discover the identity of a Reporting Person who chooses to remain anonymous. However, we encourage Reporting Persons to reveal their identity as it is often difficult to investigate certain anonymous Reports. Providing contact information also allows us to communicate with (and provide updates to) the Reporting Person.

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 a local reporting channel are received by a Local Case Administrator and handled by authorized functions and individuals within the legal entity.

4.5. Follow-up

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

- verifying the Report to assess whether it is in scope of this Policy;
- asking the Reporting Person for further information, where needed;
- 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;
- assigning the matter for further investigation;
- providing feedback to the Reporting Person; and/or
- closing the matter.

Depending on the internal reporting channel used, a reported breach may be assigned for further investigation to the Legal, Security or Human Resources Department; the Internal Audit Department or any other internal party that is competent and deemed appropriate to investigate the reported breach in an independent and objective manner. If the Reporting Person is of the opinion that any of the above parties may be implicated or may not be impartial, he or she is requested to state this in his or her Report. Likewise, if the reported matter is to be assigned for further investigation to a department or person(s) outside of Spanish legal entity, the explicit consent of the Reporting Person must be obtained in advance.

A Local Case Administrator receiving a Report made through a local reporting channel must not disclose the identity of the Reporting Person to a Regional or Central level without the free and explicit consent of the Reporting Person.

4.6. Feedback to the Reporting Person

When making a Report, the Reporting Person may indicate an address, e-mail or safe place for notification purposes.

The Reporting Person will receive a confirmation of receipt within 7 days of receipt of his/her Report. No later than 3 months following that confirmation, or, if no confirmation was sent to the Reporting Person, 3 months from the expiry of the 7 day period after the communication was made, the Reporting Person will receive information on the measures envisaged or taken to assess the accuracy of the allegations and, where appropriate, to remedy the subject matter of the Report, as well as the reasons for such measures.

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) targeted by the allegations.

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 free and explicit consent of the Reporting Person, unless there is a necessary and proportionate obligation to disclose imposed by Union 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) targeted by the allegations.

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. However, the data may not be kept for a period of more than ten years.

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 any kind of retaliation, including threats or attempts of retaliation, against anyone who reports a former, 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 (e.g. colleagues or family members), 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.

4.11. Procedures for external reporting

While Reporting Persons are encouraged to first use internal reporting channels, they have the option of reporting breaches of EU Law and matters that fall within the scope of the Spanish transposition of the EU Whistleblowing Directive to Competent Authorities and, where relevant, to institutions, bodies, offices or agencies of the European Union.

In Spain, the following authorities, in the context of their respective assignments, are authorized to receive external Reports:

- 1° the Independent Authority for Whistleblower Protection (A.A.I.);
- 2° the Spanish Data Protection Agency (A.E.P.D.);
- 3° the Labour and Social Security Inspectorate (I.T.S.S.);
- 4° the National Markets and Competition Commission (C.N.M.C.);
- 5° the competent Regional Authorities;
- 6° the State Prosecutor's Office;
- 7° the European Anti-Fraud Office (OLAF);
- 8° the European Central Bank (BCE).

5. Policy Related Documents

- FedEx Code of Conduct
- FedEx Global Policy on Reporting Concerns

Document History

Date of revision	Regional (R) Localised (L) Country (C)	Version	Author (name and position)	Approved by (name and position)	Summary of changes
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