

Infinera Partner Code of Conduct

As a global company, Infinera Corporation (“Infinera”) seeks to be a good corporate citizen in our dealings with customers, suppliers, resellers, partners, employees and the communities where we are based across the world. In order to ensure alignment across the supply chain, Infinera expects its partners and resellers to adhere to Infinera’s core business principles. This Partner Code of Conduct sets out the minimum standards expected of Infinera’s partners and resellers so they act ethically, responsibly and in compliance with applicable laws and regulations. “Partner” refers to a person or entity, such as a reseller, who has been approved by Infinera to directly re-sale Infinera products or services to its customers as an independent company at its own risk.

This Infinera Partner Code of Conduct is not intended to replace the laws and regulations in force in any country where an Infinera Partner operates. It seeks to encourage and respect these laws and regulations, and ensure that they are faithfully and effectively enforced. Where the provisions of applicable local laws and the Infinera Partner Code of Conduct address the same subject, and are not in conflict, the highest standard shall be applied. Should any of the requirements in the Infinera Partner Code of Conduct conflict with applicable local laws in the sense that it would represent a breach of applicable local laws if the Infinera Partner Code of Conduct were applied, the highest standards consistent with applicable local laws shall be applied.

This Infinera Partner Code of Conduct is required to be applied by Infinera’s Partners to their subcontractors, including providers of contract labor, at a minimum.

Infinera expects its Partners to provide transparency on fulfillment of the conformity with this Infinera Partner Code of Conduct by self-assessment or through third party audit in a format approved by Infinera at the Partners’ own cost.

HUMAN RIGHTS

Infinera supports the UN Declaration on Human Rights and the UN Global Compact’s 10 principles (<http://www.unglobalcompact.org>). Partner shall respect internationally proclaimed human rights, and shall avoid being complicit in human rights abuses of any kind. Partner shall respect the personal dignity, privacy and rights of each individual.

LABOR

Compensation. Partner must comply with all applicable wage and hour laws and regulations, including those relating to minimum wages, overtime, and other elements of compensation, and will provide all legally mandated benefits.

Hours of Work. Partner will maintain work hours in compliance with all applicable wage and hour laws and regulations. Partner will not require employees to work more than any limits on regular and overtime hours allowed by any applicable local law.

Forced Labor. Forced, bonded (including debt bondage) or indentured labor, involuntary prison labor, slavery or trafficking of persons shall not to be used. This includes transporting, harboring, recruiting, transferring or receiving vulnerable persons by means of threat, force, coercion, abduction or fraud for the purpose of exploitation. All work must be voluntary and workers shall be free to leave work at any

time or terminate their employment. Workers shall not be required to lodge deposits of money, identity papers or similar in order to get or keep their employment/work.

Young Workers. Partner shall comply with all local and national minimum working age laws or regulations and not use child labor. Partners cannot employ anyone under the age of 15, under the age for completing compulsory education, or under the legal minimum working age for employment—whichever is higher. If any young worker is known to work at the premises of the Partner, it shall immediately take steps to redress the situation in accordance with the best interests of the child. Infinera only supports the development of legitimate workplace apprenticeship programs, which comply with all laws and regulations and will not do business with those who abuse such systems. Workers under the age of 18 shall not perform hazardous work that is likely to jeopardize the health or safety of young workers.

Harassment. Partner will treat each employee with dignity and respect, and will not engage in or permit corporal punishment, threats of violence, or other forms of harassment whether based on race, color, gender, sexual orientation, ethnicity or national origin, religion, political affiliation disability, age, or any other legally protected characteristic.

Nondiscrimination. Partners will maintain workplaces that are free from discrimination or physical or verbal harassment, and shall promote equality of opportunity or treatment in employment and occupation. The basis for recruitment, hiring, placement, training, compensation and advancement should be qualifications, performance, skills and experience. Disciplinary policies and procedures in support of these requirements shall be clearly defined and communicated to workers.

Freedom of Association. Open communication and direct engagement between workers and management are the most effective ways to resolve workplace and compensation issues. Partner shall respect the rights of workers to associate freely, join or not join labor unions, seek representation, and join workers' councils in accordance with local laws and, where a significant proportion of the workforce agrees, collective bargaining of employees and/or workers. Workers shall be able to openly communicate and share grievances with management regarding working conditions and management practices without fear of reprisal, intimidation or harassment.

HEALTH and SAFETY

Partners will make proper provision for the health, safety and welfare of their employees, visitors and contractors and those in the community who may be affected by their activities. Partners shall use recognized management systems such as OHSAS 18001, ILO Guidelines on Occupational Safety and Health or equivalent. Partners must, without limitation

- Provide a safe and healthy work environment and fully comply with all safety and health laws, regulations, and practices including those applicable to the areas of occupational safety, emergency preparedness, occupational injury and illness, industrial hygiene, physically demanding work, machine safeguarding, sanitation, food and housing. Adequate precautionary steps must be taken to eliminate hazards inherent in the working environment using engineering controls where practical. Whenever necessary, workers are to be provided with, and instructed to use appropriate personal protective equipment. Individuals shall not be disciplined for raising safety concerns.

- Provide adequate and regular training to ensure that workers are adequately educated on health and safety issues.
- Prohibit the use, possession, distribution, or sale of illegal drugs while on Infinera-owned or Infinera-leased property or in connection with the performance of work for Infinera.

ENVIRONMENT

Infinera recognizes its social responsibility to protect the environment and expects its Partners to share its commitment by working toward protecting the environment, conserving resources and continuously improve its environmental performance. Partner is encouraged to establish an environmental management system. As a part of this commitment, all Infinera Partners must, without limitation:

- Comply with all applicable environmental laws and regulations and maintain and keep current all required environmental permits and registrations and follow the operational and reporting requirements of such permits.
- Endeavor to minimize environmental impact such as waste of all types, and water and energy, by implementing appropriate conservation measures in their facilities, through their maintenance and production processes, and by recycling, re-using or substituting materials. If applicable, identify the chemicals or other materials being released that pose a threat to the environment and manage them appropriately to ensure the safe handling, movement, storage, use, recycling or reuse and disposal.

ETHICS

Partners must not offer gifts or favors to Infinera employees in an attempt to inappropriately influence business decisions. All Infinera Partners must conduct their business interactions and activities with high ethical standards and integrity, while complying with applicable laws and regulations on bribery, fraud, corruption and prohibited business practice. Partner shall not offer, promise or give any undue advantage, favor or incentive to any public official, international organization or any other third party. This applies regardless of whether the undue advantage is offered directly or through an intermediary.

Without limitation Infinera Partners must:

Business Records. Honestly and accurately record and report all business information and comply with all applicable laws regarding their completion and accuracy. Create, retain and dispose of business records in full compliance with all applicable legal and regulatory requirements. Be honest, direct and truthful in discussions with regulatory agency representatives and government officials.

Conflicts of Interest. Avoid the appearance of or actual improprieties or conflicts of interests. Partners must not deal directly with any Infinera employee whose spouse, domestic partner, or other family member or relative holds a significant financial interest in the Partners. In the course of negotiating the Partner's agreement or performing the Partner's obligations, dealing directly with a Partner's personnel's spouse, domestic partner, or other family member or relative employed by Infinera is also prohibited.

Anti-Bribery. In all of its activities, Partner shall comply with (i) the anti-boycott provisions of the BIS Regulations and of Section 999 of the United States Internal Revenue Code and any regulations

promulgated thereunder, as amended from time to time, (ii) the United States Foreign Corrupt Practices Act, and (iii) any applicable anti-bribery laws, including the UK Bribery Act.

Insider Trading. In the normal course of business, Partners may come into possession of information that may be considered material, nonpublic information of Infinera (“Inside Information”). Partners and its employees or agents are not permitted to use or share Inside Information for stock trading purposes until it is publicly announced to the market or for any other purpose except as otherwise permitted by law.

Competition. Partner shall under no circumstances cause or be part of any breach of general or special competition regulations, such as illegal cooperation on pricing, illegal market sharing or any other behavior that is in breach of relevant competition laws.

Money Laundering. Partner shall be firmly opposed to all forms of money laundering and shall take steps to prevent its financial transactions from being used by others to launder money.

Privacy. Partner shall commit to protecting the reasonable privacy expectations of personal information of everyone they do business with, including resellers, customers, consumers and employees. Partners are to comply with privacy and information security laws and regulatory requirements when personal information is collected, stored, processed, transmitted, and shared.

MANAGEMENT SYSTEMS

Infinera believes that sound management systems and commitment are key to enriching the social and environmental well-being of our supply chain. Infinera holds its Partners accountable to this Code and all of its standards. Partner shall implement or maintain, as applicable, a management system that facilitates compliance with this Code and the law, identifies and mitigates related operational risks, and facilitates continuous improvement.

Company Statement. Partner shall develop a company statement affirming its commitment to high standards of social and environmental responsibility, ethical conduct, and continuous improvement.

Management Accountability and Responsibility. Partner shall clearly identify senior executive and company representative(s) to ensure implementation of management systems and associated programs. Senior management reviews the status of the management system on a regular basis.

Export and Import Controls. Partner must understand and comply with all applicable laws and regulations that govern the export, re-export or import of products, software or technology.

Risk Assessment and Management. Partner shall develop and maintain a process to identify labor and human rights, health and safety, environmental, business ethics, and legal compliance risks associated with its operations; determine the relative significance of each risk; and implement appropriate procedures and controls to control the identified risks.

Communications. Partner shall have a process for communicating clear and accurate information about its policies, practices, expectations and performance to workers and customers.

Audits and Assessments. Partner shall perform periodic evaluations of its facilities and operations, and the facilities and operations of its subcontractors to ensure compliance with this Code and the law.