

Infinera Supplier Code of Conduct

June 3, 2019

As a global company, Infinera Corporation (“Infinera”) seeks to be a good corporate citizen in its dealings with customers, suppliers, employees and the communities where Infinera is located throughout the world. To ensure alignment across the supply chain, Infinera expects its suppliers to adhere to its core business principles. The Infinera Supplier Code of Conduct (the “Code”) sets out the minimum standards expected of Infinera’s suppliers, so they act ethically, responsibly and in compliance with applicable laws and regulations.

This Code is not intended to replace the laws and regulations in force in any country where Infinera suppliers operate. 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 Code address the same subject, and are not in conflict, the highest standard shall be applied. Should any of the requirements in this Code conflict with applicable local laws in the sense that it would represent a breach of applicable local laws if the Code were applied, the highest standards consistent with applicable local laws shall be applied.

The Code is required to be applied by Infinera’s suppliers to their first tier (or direct) suppliers and subcontractors, including providers of contract labor, at a minimum.

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

LABOR

Supplier shall respect internationally proclaimed human rights and shall avoid being complicit in human rights abuses of any kind. Supplier shall respect the personal dignity, privacy and rights of each individual.

Wages & Benefits. Supplier 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. All use of temporary, dispatch and outsourced labor will be within the limits of local law requirements.

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

Freely Chosen Employment. 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. Supplier shall comply with all local and national minimum working age laws or regulations and not use child labor. Suppliers 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 supplier, 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/Human Treatment. Supplier 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.

Non-discrimination. Suppliers 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. Supplier 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

Suppliers 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. Suppliers shall use recognized management systems such as OHSAS 18001, ILO Guidelines on Occupational Safety or equivalent. In addition, Supplier must adhere to the following health and safety standards.

Occupational Safety. 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.

Prohibit the use, possession, distribution, or sale of illegal drugs while on Infinera-owned or -leased property or in connection with performance of work for Infinera.

Emergency Preparedness. Potential emergency situations and events are to be identified and assessed, and their impact minimized by implementing emergency plans and response procedures including: emergency reporting, employee notification and evacuation procedures, worker training and drills, appropriate fire detection and suppression equipment, clear and unobstructed egress adequate exit facilities and recovery plans. Such plans and procedures shall focus on minimizing harm to life, the environment and property.

Occupational Injury and Illness. Procedures and systems are to be in place to prevent, manage, track and report occupational injury and illness including provisions to: encourage worker reporting; classify and

record injury and illness cases; provide necessary medical treatment; investigate cases and implement corrective actions to eliminate their causes; and facilitate return of workers to work.

Industrial Hygiene. Worker exposure to chemical, biological and physical agents is to be identified, evaluated, and controlled according to the hierarchy of controls. Potential hazards are to be eliminated or controlled through proper design, engineering and administrative controls. When hazards cannot be adequately controlled by such means, workers are to be provided with and use appropriate, well-maintained, personal protective equipment. Protective programs shall include educational materials about the risks associated with these hazards

Physically Demanding Work. Worker exposure to the hazards of physically demanding tasks, including manual material handling and heavy or repetitive lifting, prolonged standing and highly repetitive or forceful assembly tasks is to be identified, evaluated and controlled.

Machine Safeguarding. Production and other machinery shall be evaluated for safety hazards. Physical guards, interlocks and barriers are to be provided and properly maintained where machinery presents an injury hazard to workers.

Sanitation, Food, and Housing. Workers are to be provided with ready access to clean toilet facilities, potable water and sanitary food preparation, storage, and eating facilities. Worker dormitories provided by Supplier or a labor agent are to be maintained to be clean and safe, and provided with appropriate emergency egress, hot water for bathing and showering, adequate lighting heat and ventilation, individually secured accommodations for storing personal and valuable items, and reasonable personal space along with reasonable entry and exit privileges.

Health and Safety Communication. Suppliers shall provide workers with appropriate workplace health and safety information and training in the language of the worker or in a language the worker can understand for all identified workplace hazards that workers are exposed to, including but not limited to mechanical, electrical, chemical, fire, and physical hazards. Health and safety related information shall be clearly posted in the facility or placed in a location identifiable and accessible by workers. Training is provided to all workers prior to the beginning of work and regularly thereafter. Workers shall be encouraged to raise safety concerns.

ENVIRONMENT

Infinera recognizes its social responsibility to protect the environment and expects its suppliers to share its commitment by working toward protecting the environment, conserving resources and continuously improve its environmental performance. Supplier is encouraged to establish an environmental management system (such as ISO 14001 and Health Eco Management and Audit System (EMAS)). As a part of this commitment, all Infinera suppliers 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.

Hazardous Substance Management and Restriction. Supplier shall implement a systematic approach to identify, manage, reduce, and responsibly dispose of or recycle hazardous substances.

Solid Waste. Supplier shall implement a systematic approach to identify, manage, reduce, and responsibly dispose of or recycle non-hazardous waste. Supplier shall implement a systematic approach to identify, control, and reduce wastewater produced by its operations. Supplier shall conduct routine monitoring of the performance of its wastewater treatment systems. Supplier shall implement a systematic approach to prevent contamination of storm water runoff. Supplier shall prevent illegal discharges and spills from entering storm drains.

Air Emissions Management. Supplier shall identify, manage, reduce, and responsibly control air emissions emanating from its operations that pose a hazard to the environment. Supplier shall conduct routine monitoring of the performance of its air emission control systems.

Pollution Prevention and Resource Reduction. Supplier shall reduce energy, water, and natural resource consumption by implementing conservation and substitution measures. Supplier shall minimize hazardous substances consumption by implementing reduction and substitution measures.

Boundary Noise. Supplier shall identify, control, monitor, and reduce noise generated by the facility that affects boundary noise levels.

Environmental Permits and Reporting. Supplier shall obtain, keep current, and comply with all required environmental permits. Supplier shall comply with the reporting requirements of applicable permits and regulations.

Materials Restrictions. Suppliers are to adhere to all applicable laws, regulations and customer requirements regarding prohibition or restriction of specific substances in products and manufacturing, including labeling for recycling and disposal.

Energy Consumption and Greenhouse Gas Emissions. Energy consumption and all relevant Scopes 1 and 2 greenhouse gas emissions are to be tracked and documented, at the facility and/or corporate level. Supplier is to look for cost-effective methods to improve energy efficiency and to minimize their energy consumption and greenhouse gas emissions.

ETHICS

Suppliers must not offer gifts or favors to Infinera employees in an attempt to inappropriately influence business decisions and 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. Supplier 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 suppliers must adhere to the following standards.

Infinera's Purchasing Ethics Policy. Comply with Infinera's Purchasing Ethics Policy (available at Infinera's website).

Disclosure of Information. All business dealings should be transparently performed and accurately reflected on supplier's business books and records. Information regarding participant labor, health and safety, environmental practices, business activities, structure, financial situation and performance is to be disclosed in accordance with applicable regulations and prevailing industry practices. 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.

Intellectual Property. Intellectual property rights are to be respected; transfer of technology and know-how is to be done in a manner that protects intellectual property rights; and, customer and supplier information is to be safeguarded.

Fair Business. Standards of fair business, advertising and competition are to be upheld.

Protection of Identity and Non-Retaliation. Programs that ensure the confidentiality, anonymity and protection of supplier and employee whistleblowers are to be maintained, unless prohibited by law. Supplier should have a communicated process for their personnel to be able to raise any concerns without fear of retaliation.

Conflicts of Interest. Avoid the appearance of or actual improprieties or conflicts of interests. Supplier 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 supplier. In the course of negotiating the supplier's agreement or performing the supplier's obligations, dealing directly with a supplier's personnel's spouse, domestic partner, or other family member or relative employed by Infinera is also prohibited.

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

Responsible Sourcing of Minerals. Supplier shall have a policy in place to reasonably ensure that the tantalum, tin, tungsten and gold in the products they supply, or manufacture does not directly or indirectly finance or benefit armed groups in the Democratic Republic of the Congo or an adjoining country. Supplier shall conduct a reasonable country of origin inquiry and exercise due diligence on the source and chain of custody of these minerals. Supplier shall make their reasonable country of origin inquiry and due diligence measures available to customers upon request.

MANAGEMENT SYSTEMS

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

Company Statement. Supplier shall develop a company statement affirming its commitment to high standards of social and environmental responsibility, ethical conduct, and continuous improvement. Supplier shall post this statement in the primary local language at all its facilities.

Management Accountability and Responsibility. Supplier 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.

Risk Assessment and Management. Supplier 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.

Performance Objectives with Implementation Plans and Measures. Supplier shall have written standards, performance objectives, targets, and implementation plans, including periodic assessments of the performance against those objectives.

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

Audits and Assessments. Supplier shall perform periodic evaluations of its facilities and operations, and the facilities and operations of its subcontractors and next-tier suppliers to ensure compliance with this Code and the law.

Training. Programs for training managers and workers to implement supplier's policies, procedures and improvement objectives and to meet applicable legal and regulatory requirements.

Worker Feedback, Participation and Grievance. Ongoing processes, including an effective grievance mechanism, to assess employees' understanding of and obtain feedback on or violations against practices and conditions covered by the Code and to foster continuous improvement.

Corrective Action Process. A process for timely correction of deficiencies identified by internal or external assessments, inspections, investigations and reviews.

Documentation and Records. Creation and maintenance of documents and records to ensure regulatory compliance and conformity to company requirements along with appropriate confidentiality to protect privacy.

Supplier Responsibility. A process to communicate the Code requirements to suppliers and to monitor supplier compliance to the Code.