

## 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 Luxembourg 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 person in the Europe Legal Department that is 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 in the legal entity's Legal or Human Resources Department that is authorized to receive reports, acknowledge their receipt and initiate or perform diligent follow-up action.
- **Luxembourg Law:** the [Act of 16 May 2023 transposing Directive \(EU\) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law](#) and other applicable regulations.
- **Regional Case Administrator:** a person in the Regional (i.e., Benelux) Legal Department that is 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.
- **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 Luxembourg Law (available [here](#)), namely any acts or omissions which are either unlawful, or run counter to the object or purpose of directly applicable provisions of national or EU 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.

### 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: 80-02-28-68  
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 Luxembourg S.à r.l.:

Voice mail: +352 28 29 17 60  
E-mail: LU.whistleblowing@fedex.com  
Face-to-face: By sending a request by voice mail or e-mail

For FedEx Express Luxembourg S.à r.l.:

Voice mail: +352 28 29 17 60  
E-mail: LU.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 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.

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.

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**

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, 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 or as required under applicable laws.

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 Luxembourg transposition of the EU Whistleblowing Directive to Competent Authorities and, where relevant, to institutions, bodies, offices or agencies of the European Union.

In Luxembourg, the [following authorities](#), in the context of their respective assignments, are authorized to receive external Reports:

- 1° The Financial Sector Supervisory Commission;
- 2° The Insurance Commission;
- 3° The Competition Authority;
- 4° The VAT administration;
- 5° The Labour and Mines Inspectorate;
- 6° The National Commission for Data Protection;
- 7° The Centre for Equal Treatment;
- 8° The Ombudsman as part of his mission of external control of places where people are deprived of their liberty;
- 9° The *Ombudsman fir Kanner a Jugendlecher*;
- 10° The Luxembourg institute of regulation;
- 11° The Luxembourg independent authority of audiovisual sector;
- 12° The Luxembourg and Diekirch bar associations;
- 13° The Chamber of Notaries;
- 14° The Medical College;
- 15° The Nature and Forests Administration;
- 16° The Water Management Administration;
- 17° The Administration of Air Navigation;
- 18° The National Consumer Ombudsman Service;
- 19° The Order of architects and engineers;
- 20° The Order of chartered accountants;
- 21° The Order of company auditors;
- 22° The Administration of Direct Contributions.

## 5. Policy Related Documents

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