



Invenergy

Public Statement:

Fighting Against Forced
Labour and Child Labour in
Supply Chains Act

Invenergy Canada

MAY 2024

“Doing the right things in the right way is critical to our success. We have worked hard to build a reputation as a trustworthy and ethical company with our customers, investors, employees, and the communities where we live and work. That reputation drives business results.”

– MICHAEL POLSKY, CEO & FOUNDER, *Invenergy’s Code of Conduct*

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1. Introduction

This report (“**Report**”) is produced by Invenergy Holdings Canada Corp. and its Canadian subsidiaries¹ (“**Invenergy Canada**”) and constitutes as the first report prepared by Invenergy Canada pursuant to Canada’s recent Fighting Against Forced Labour and Child Labour in Supply Chains Act, (the “**Canadian Modern Slavery Act**” or “**Act**”).

Invenergy Canada is an affiliate of Invenergy LLC, headquartered in Chicago, Illinois, United States. Founded in 2001, Invenergy LLC and its global affiliates (collectively, “**Invenergy**”) have established a long track record of successfully executing, developing, owning, and operating clean energy projects, including utility-scale land-based and offshore wind, solar, transmission, energy storage, hydrogen, natural gas, and clean water, generating 31 gigawatts of projects in the 20+ years of operation.

As a leading sustainable energy solutions provider, Invenergy is committed to operating with integrity and respect for human rights in all its activities and markets and recognizes Modern Slavery as a global challenge requiring collective action and collaboration across industries and sectors. **Invenergy has adopted a zero-tolerance approach to Modern Slavery²**, which is supported by corporate values, policies, and procedures applicable to all employees and third parties acting on behalf of the Invenergy, such as contractors, agents, and consultants. Invenergy expects all business partners to share these high standards of ethical conduct and to join in efforts to eradicate Modern Slavery.

Invenergy is committed to making long-term investments in the communities where it develops clean energy projects, hiring locally and listening to landowners, business leaders and community members to ensure our projects benefit local economies and accomplish shared goals. Invenergy has over 2,500 employees, more than 200 projects completed or in-progress, and offices and projects in the Americas, Europe, and Asia. Invenergy Canada has 21 employees, offices in Montreal and Toronto, and owns and operates the St. Clair Energy Centre, a natural gas power station in St. Clair, Ontario.

2. Invenergy’s Compliance Program

Invenergy has a global compliance program (“**Compliance Program**”) that establishes clear boundaries to ensure compliance with all applicable laws and regulations across the jurisdictions in which we operate. Invenergy’s goal is to maintain and build upon its culture of integrity that has enabled the growth and success of our business, mitigation of risks, and the prevention of legal and regulatory infractions. While Invenergy’s Compliance Program is designed with the [United States Department of Justice’s \(DOJ\) Evaluation of Corporate Compliance Programs](#) guiding principles in mind, as well as the [United States Foreign Corrupt Practices Act \(“FCPA”\)](#), the Compliance Program is monitored and adapted to the regulations and best practices in all countries in which Invenergy operates, including Canada.

Invenergy’s Compliance Program consists of the following seven basic pillars:

- Governance & ESG;
- Risk Management;

¹ The presented joint report is submitted by the following entities: Invenergy Holdings Canada Corp., St. Clair Management Corporation, Invenergy St. Clair L.P. and St. Clair Power, L.P.

² The definition of Modern Slavery includes forced labour, child labour, human trafficking, forced participation in crime or forced sex work, among others.

- Design and implementation of Compliance policies;
- Training activities;
- Hotline;
- Incentives & discipline system; and
- Monitoring activities.

Invenergy's legal and compliance team(s) oversee and manage Invenergy's Compliance Program with dedicated resources to focus solely on compliance and the management and mitigation of compliance and regulatory risks. In addition, Invenergy has a compliance committee with direct access to executive management, comprising of teams across the business, including legal, compliance, information technology, finance, operations, public affairs, development, human resources, risk and insurance, among others who join ad-hoc. The committee's primary responsibility is to oversee and monitor the implementation and effectiveness of Invenergy's compliance activities.

3. Environmental, Social, and Governance (ESG) & Supply Chain Compliance Activities

3.1 ESG

Invenergy signed the SEIA Forced Labor Prevention Pledge, an initiative aimed at eliminating forced labor within the solar supply chain. This pledge is part of a broader effort by SEIA to ensure ethical labor practices and transparency in the sourcing of materials used in solar products. By signing the pledge, Invenergy committed to prevent forced labor and to take proactive steps to ensure supply chains are free from such practices.

Invenergy's environmental commitment goes beyond the development of clean energy projects. Invenergy is dedicated to advancing and promoting the responsible development, construction, and operation of clean energy projects. Understanding the impact of infrastructure on the landscape and how to minimize that impact while advancing the deployment of clean energy is a cornerstone of the company's process.

Invenergy works to build strong relationships with the communities in which we develop, operate, live, and work by giving back through philanthropic giving, volunteerism, and partnerships. Invenergy's focus areas include education, veteran services, health & emergency services, environmental stewardship, and other areas of community engagement.

Invenergy respects human rights in company operations and extended value chain and conducts business ethically and sustainably. The company works to elevate human potential through projects, partnerships and operations, something that cannot be accomplished without the essential respect for human rights throughout Invenergy's operations. Invenergy expects the same from suppliers, and focuses on working with long-term, strategic suppliers that demonstrate a commitment to engaging their workers, providing safe working conditions, and advancing environmental responsibility.

To learn more about Invenergy's ESG program and review the Invenergy 2023 Impact Report, please visit invenergyimpact2023.com.

3.2 Risk Management & Mitigation

Modern Slavery is a crime and a violation of fundamental human rights, as set forth by international standards and defined by local laws. Invenergy recognizes that Modern Slavery can take various forms, including servitude, forced and compulsory labor, child labor and human trafficking, all of which have in common the deprivation of a person's liberty by another to exploit them for personal or commercial gain. **Invenergy practices risk management activities including but not limited to performing third-party due diligence, establishing contractual requirements, and upholding policies which seek to combat the risks of Modern Slavery.**

3.2.1 *Third-Party Risk Management ("TPRM") and Due Diligence*

Invenergy expects third parties³ to share our values, act with integrity, and comply with all applicable laws and regulations. Before making any commitments to third parties, Invenergy conducts risk-based due diligence checks. **This process includes collecting and assessing information from external sources such as risk assessments in key risk areas that include human rights and Modern Slavery** and supplier specific risk profiling based on location, including the employment of vulnerable worker groups.

The Invenergy TPRM process involves a due diligence questionnaire and a risk assessment based on several factors, including:

- Country risks;
- Scope and level of financial commitment(s);
- Documentation provided by the third-party; and
- Internal and external research performed using various sources to check against sanctions lists, regulatory and law enforcement lists, adverse media, litigation, bankruptcy, etc.

In addition, Invenergy continuously evaluates and updates internal practices to identify and address supply chain risks, including those related to Modern Slavery.

Invenergy's due diligence process also includes making mitigation recommendations in the event that specific compliance risks are identified through screening. However, evidence of Modern Slavery in Invenergy supply chains has not been seen and therefore, to date, the development and design of remediation measures to address Modern Slavery has not been required. We will nevertheless remain vigilant in this regard.

Invenergy works towards mapping these risks further up the supply chain. Notably, an Invenergy affiliate received United States Department of Homeland Security (DHS) [Customs Trade Partnership against Terrorism \("CTPAT"\)](#) certification in 2023. In support of this certification standard, Invenergy regularly monitors high-risk areas in the company's supply chain, vendor standards, and security practices and expects these same practices from all engaged suppliers, contractors and other third parties.

³ *Third parties include vendors, suppliers, partners, contractors, and consultants.*

3.2.2

Contractual Clauses: Prevention of Modern Slavery

Invenergy suppliers are contractually required to comply with all applicable laws and to adhere to the [Vendor Code of Conduct](#). Third parties that fail to comply with applicable laws or Invenergy's internal compliance policies trigger a material breach of agreement, which allows Invenergy to take remedial steps, including termination.

In accordance with Invenergy risk identification exercises, certain inputs in the solar module supply chain have been flagged as a high-risk channel for Modern Slavery if produced in high-risk areas. Therefore, in solar modules supply agreements, Invenergy requires suppliers to confirm that no Modern Slavery was used in the production of components used while manufacturing solar modules and that no specific components are sourced from high-risk countries.

3.2.3

Design and Implementation of Compliance Policies

In support of transparency and setting clear employee expectations, Invenergy makes internal governing documents available to employees via an internal intranet. In addition, core integrity governing documents, such as the company's **Code of Conduct** and **Vendor Code of Conduct**, are made publicly available in multiple languages on Invenergy's website (<https://invenergy.com/legal/compliance>).

3.2.3.1

Invenergy's Code of Conduct

The backbone of Invenergy's Compliance Program is Invenergy's Code of Conduct. Importantly, Invenergy's Code of Conduct specifically dedicates a section, to addressing "**Anti-Slavery, Child Labor & Human Trafficking**". The section emphasizes Invenergy's zero-tolerance stance towards such practices and underscores the importance of ongoing monitoring of third-party relationships to prevent those activities from infiltrating company supply chains.

3.2.3.2

Invenergy's Vendor Code of Conduct

The prevention of Modern Slavery is a critical element of Invenergy's **Vendor Code of Conduct**. That is why it explicitly states, "**Child labor is strictly prohibited. All persons performing work for Vendors must meet minimum age limits, working hours, and work conditions governed by applicable laws, international treaties, and domestic regulations.**"

3.2.4

Training Activities

Invenergy has a global training program that also adapts to local needs in each of the jurisdictions in which Invenergy operates. Invenergy hosts a mix of mandatory annual FCPA and other applicable anti-corruption trainings to all applicable employees, including those in Canada.

Other key training areas delivered to employees, cover:

- Invenergy’s Code of Conduct, including principles and activities related to preventing practices related to Modern Slavery;
- Identification and prevention of conflicts of interest;
- Confidentiality of sensitive and personal information;
- Anti-trust best practices, and
- Other relevant risks.

3.3 Hotline

All company employees and third parties are directed to raise any concerns about any issue or suspicion of Modern Slavery in any part of Invenergy’s business, operations, or supply chains.

Invenergy’s Hotline (“**Hotline**”), [EthicsPoint - Invenergy, LLC](#), is where third parties and employees can report behaviors contrary to the law or to Invenergy’s internal policies, 24 hours a day, 7 days a week (in the local language), from all countries in which Invenergy operates, including Canada. Where allowed by law, Invenergy’s Hotline allows anonymous reporting.

As described in Invenergy’s **Code of Conduct**, any employee who breaches the Invenergy **Compliance Program** or laws related to anti-slavery, child labor and human trafficking will face disciplinary actions, up to and including termination.

3.4 Monitoring Activities

Invenergy is committed to upholding the highest standards throughout the company’s operations and supply chain. Monitoring activities include ongoing risk monitoring of reputable external vendors, supplier performance evaluations, and collaboration with industry partners to identify and address potential risks. Invenergy also continuously evaluates and enhances internal processes to ensure compliance with the **Vendor Code of Conduct** and applicable laws and regulations.

4 Contact us

If you have any inquiries concerning Invenergy Canada’s efforts to prevent Modern Slavery or this statement, please contact Invenergy’s compliance team at compliance@invenergy.com.

5 Approval

This public statement against Modern Slavery was approved in accordance with section 11(4)(b)(ii) of the Act by the Board of Directors of Invenergy Canada in Invenergy Holdings Canada Corp.

In accordance with the requirements of the Act, and in particular section 11 thereof, I, the undersigned, attest that I have reviewed the information contained in this Report for the entity listed above.

Based on my knowledge, and having exercised reasonable diligence, I attest that the information in this report is true, accurate and complete in all respects for the purposes of the Act, for the reporting year listed above.



William Borders
EVP, Legal and Chief Compliance Officer
Invenergy LLC

