

# Modern Slavery and Human Trafficking Statement Fiscal 2022

To comply with the following:

the California Transparency in Supply Chains Act  
2010, the United Kingdom Modern Slavery Act 2015  
the Australia Modern Slavery Act 2018, and Canada's Fighting  
Against Forced Labor and Child Labor in Supply Chains Act of 2023.

June 5, 2023

This statement is a joint statement (the “Joint Statement”) made under the Australia Modern Slavery Act of 2018; Section 54(1) of the United Kingdom Modern Slavery Act 2015; the California Transparency in Supply Chains Act of 2010; and Canada’s Fighting Against Forced Labor and Child Labor in Supply Chains Act of 2023, and constitutes the statement against modern slavery and human trafficking by Infinera Pty Ltd (Company Reg. Number: ACN 162 198 781), Infinera Limited (Company Reg. Number: 5242459), Infinera Canada Inc. (Company Reg. Number: 3238160) and Infinera Corporation.

## **Organization's Structure**

Founded in December 2000, Infinera Corporation is a listed company (NASDAQ: INFN) incorporated in the United States under the laws of Delaware and headquartered in San Jose, California. Infinera Corporation has eighty-nine (89) subsidiaries worldwide (hereinafter, collectively referred to as “Infinera”) and has offices in forty-nine (49) locations globally.

As of December 31, 2022, Infinera had 3,267 employees worldwide, located in forty-two (42) countries, whose international reach brings a diverse, inclusive, and global perspective to its operations. Infinera has approximately 0.9% of its workforce based in Australia, 2.4% based in the UK, and 4.1% based in Canada.

Infinera strives to maintain a culture of compliance with all applicable laws and regulations and adhere to the highest standards of ethics and business conduct concerning slavery, servitude, forced or compulsory labor, and human trafficking in the supply chain. Infinera’s employees and human capital are Infinera’s most valuable assets. Infinera engages its employee base to foster a productive and ethical workplace culture so it can compete in today’s marketplace successfully and sustainably.

## **Operations**

Infinera is a semiconductor manufacturer and global supplier of innovative networking solutions that enable telecommunications service providers, cloud operators, wholesale carriers, enterprises, utilities, and governments to scale their optical transport networks and deliver high-bandwidth business and consumer communication Services. The Infinera portfolio of systems and subsystems solutions delivers industry-leading economics and performance in long-haul, submarine, data center interconnect, and metro transport applications.

Infinera markets and sells its solutions globally through its direct sales and services organization and through many channel and reseller partners. In addition to entering into agreements with resellers, Infinera has several other types of sales and marketing-focused alliances with entities. Infinera’s sales, services, and marketing professionals are based in the Americas, Europe, the Middle East, and Asia and focus on direct and channel sales, sales operations, professional services, and account management.

## **Annual Consolidated Revenue**

For fiscal 2022, Infinera’s consolidated revenue was approximately USD 1.5 billion.

## Consultation Processes

Infinera has acted in consultation with entities that it owns or controls in preparing this Joint Statement.

## Infinera's Supply Chains

During fiscal year 2022, Infinera engaged with more than 1,000 suppliers from over seventy (70) countries globally. In Australia, Infinera engaged with twenty-six (26) suppliers. In the UK, Infinera engaged with sixty-two (62) suppliers. In Canada, Infinera engaged with fifty-two (52) suppliers.

Infinera's supply chains include the suppliers of equipment and components needed to build and maintain its solutions and manufacture its products. The leading suppliers of Infinera are based in Asia.

In addition, Infinera contracts with contract manufacturers ("CM") and suppliers that provide goods and services that relate chiefly to the provision of components and subsystems.

Infinera's major spending categories include direct materials, real estate, energy and utilities, facility maintenance and repairs, payroll services, professional services (including legal and accounting services), information technology and telecommunications, travel and entertainment, courier and delivery, public relations, and marketing.

## Infinera's Policies on Slavery and Human Trafficking

Infinera has appropriate policies that underpin its commitment to ensure that there is no modern slavery or human trafficking in its supply chains or any part of its business. Infinera reviews and updates its policies as necessary to ensure it follows best practices and requires its business partners, including its suppliers, to do the same. These policies embody its corporate values and the international principles encompassed by:

- the Universal Declaration of Human Rights;
- the International Labor Organization's Declaration on Fundamental Principles and Rights at Work;
- the United Nations Guiding Principles on Business and Human Rights; and
- the United Nations Global Compact.

Infinera's Supplier Code of Conduct reflects its commitment to acting ethically and with integrity in all of its business relationships and to implementing and enforcing effective systems and controls to ensure slavery and human trafficking is not taking place anywhere in its supply chains. The Supplier Code of Conduct sets out the minimum standards expected of all Infinera suppliers to ensure they act ethically, responsibly, and in compliance with applicable laws and regulations. It must be applied by Infinera suppliers to their first-tier suppliers and subcontractors, including providers of contract labor, at a minimum.

In addition to the Supplier Code of Conduct, Infinera's internal Code of Business Conduct and Ethics addresses modern slavery concerns. Infinera frequently reviews and updates these policies as needed.

### **Due Diligence Processes for Slavery and Human Trafficking**

Infinera has zero tolerance for slavery and human trafficking. To ensure all those in its supply chains comply with Infinera values and ethics, Infinera has a rigorous supply chain compliance program in place. The compliance program consists of:

**Supplier Code of Conduct Compliance** - Infinera requires its suppliers to conduct their business lawfully, but also in compliance with the same high standards of integrity and ethics. The Supplier Code of Conduct governs Infinera's relationship with its CMs and suppliers.

**Verification** – Infinera conducts surveys and business reviews of its major CMs and suppliers to assess and evaluate their performance on topics including labor conditions, child labor and human trafficking. Infinera considers these principles in selecting its CMs and suppliers. Infinera currently conducts third-party audits and verification as part of its onboarding process using Source Intelligence and Ecovadis.

**Certification** – Infinera suppliers must certify compliance with the Supplier Code of Conduct, which addresses human rights, forced labor, child labor, and other ethical standards.

Infinera also conducts due diligence on its channel partners and resellers to ensure that when they work on behalf of Infinera, they conduct business in a manner that is consistent with Infinera's policies and values.

Infinera also has in place systems to:

- Identify and assess potential risk areas in its supply chains.
- Mitigate the risk of slavery and human trafficking in its supply chains.
- Monitor potential risk areas in its supply chains.
- Protect whistleblowers.

### **Internal Accountability**

Infinera requires all employees and management, including those responsible for supply chain management, to comply with Infinera's Code of Business Conduct and Ethics and all applicable laws. Non-compliance with Infinera's standards may result in disciplinary or corrective action or termination. In addition, Infinera's Whistleblower Policy allows an employee to raise concerns without fear of retaliation.

Infinera has a dedicated cross-functional compliance team, which consists of involvement from the following departments:

- Procurement
- Legal
- Internal Audit
- Human Resources

- Sales
- Finance

## **Training**

Infinera employees with direct responsibility for supply chain management receive training on all Infinera policies, practices, and procedures designed to ensure that Infinera's supply chain is free of human trafficking and slavery, including general risk mitigation. Infinera employees also receive training on the Infinera Code of Business Conduct and Ethics, which details Infinera's support and respect for internationally proclaimed human rights and which reinforces Infinera's commitment to ethical business practices and good corporate citizenship. Infinera's training programs are reviewed and updated as necessary. Infinera also requires its business partners to provide training to their staff and suppliers and providers.

## **Our Effectiveness in Combating Slavery and Human Trafficking**

Infinera is committed to responsible sourcing, including eliminating human trafficking and slavery, if any, in its supply chain, and continuously evaluates ways to improve its current practices and procedures. If Infinera learns of any allegations of human trafficking or slavery through its whistleblowing system, supplier audits, or any other means, it will act promptly and effectively in the best interests of the workers affected, which could mean the termination of the business relationship with the CM, supplier or contractor concerned.

Infinera has appointed Source Intelligence and EcoVadis as independent third parties to conduct externally facilitated reviews to bring insights on ways Infinera can address slavery and human trafficking.

In fiscal 2022, Infinera's Environmental, Social and Governance ("ESG") Working Group conducted an ESG materiality assessment that included an assessment of global human rights relating to promoting the protection of human rights in Infinera's operations and in its supply chain by ensuring Infinera's activities do not have negative impacts on workers' rights or freedoms, and taking action to remove from the supply chain child labor, forced or compulsory labor, unsafe working conditions, harm to migrant workers, and excessive working hours. This ESG material assessment, which included benchmarking against several of Infinera's peer companies, will help Infinera improve its ability to protect its supply chain against slavery and human trafficking. Infinera is committed to continuing our dedication to ethical and sustainable business practices and will continue to utilize the ESG Working Group to continue to monitor and make recommendations on how to further improve our supply chain integrity, including mitigating the risk of human slavery and trafficking.

## **Board Approval**

This Joint Statement was approved by the Board of Directors of our parent company, Infinera Corporation, on June 5, 2023.

### **INFINERA CORPORATION**



David Heard  
Chief Executive Officer and Director  
Date: June 5, 2023

### **Australia**

This Joint Statement was approved by the board of Infinera Pty Ltd.



Name: Michael Fernicola  
Title: Director  
Date: June 5, 2023

### **United Kingdom**

This Joint Statement was approved by the board of Infinera Limited.



Name: Michael Fernicola  
Title: Director  
Date: June 5, 2023

### **Canada**

This Joint Statement was approved by the board of Infinera Canada Inc.



Name: David L. Teichmann  
Title: Director  
Date: June 5, 2023