



2016

# ES & EL ENGINEERING CODE OF ETHICS

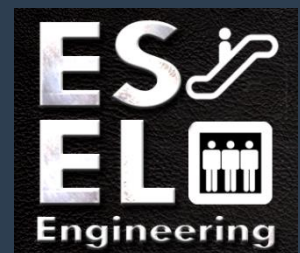
CODE  
OF  
ETHICS



**Sedick Kamaldien**

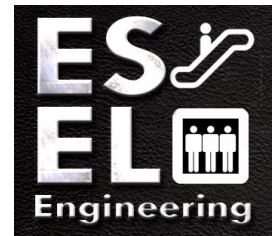
Director

6/11/2016



ES & EL Engineering (ES & EL Eng.) is an Escalator/  
Elevator & General Engineering Consultancy and Services  
provider. World class quality services in the Cape  
Metropolitan area.

Website: <http://es-el-engineering.co.za>



Dear Team

We recognize that individuals have a natural instinct when it comes to understanding what constitutes ethical business conduct. However, we also recognize that there are times when doing the right thing may not be clear and guidance is needed to help ensure the Company's reputation is protected. Not only is it the right thing to do, but it is our responsibility to be diligent in protecting the reputation, which has been the cornerstone of our success since the first day.

To help us, we have established a business ethics program which explains who we are and how we conduct business. The program consists of our Code of Conduct, ongoing communication, training and communication channels in which each of you can ask questions or communicate concerns. The goal of the business ethics program is to prevent, identify and correct issues as we continue to grow and serve our valued customers and consumers.

Our Business Ethics Code of Conduct guides all of us, regardless of whether we are a member of the Board of Directors, working in our corporate offices, or working at one of our depots or other facilities. It is important that you are familiar with the Code so that you can apply its principles in your daily work activities.

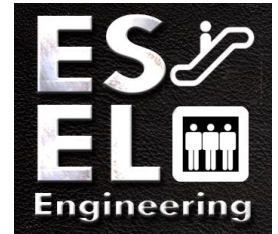
We have a rich heritage and strong core values of growth, hard work, helping one another, enthusiasm and integrity. We must always remember that our reputation and our future success depend on the manner in which we conduct ourselves and the decisions we make each day.

Sincerely,  
M.S. Kamaldien



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## ETHICS PROGRAM OVERVIEW

### INTRODUCTION

ES & EL Engineering's Ethics Code of Conduct is a document that serves as a guide to the ethical and legal responsibilities which governs each of us. It does not address every ethical issue, nor summarize all Laws and policies. Instead, the Code provides us with guidance and directs us to resources to help us make the right decision when the answer may not be clear. Throughout the Code of Conduct, we speak of Company rules and policies. In these cases, please refer to the Standards of Conduct, your supervisor, or a Human Resources representative for the specific policy guidelines.

The Company enjoys a diverse workforce made up of individuals from a wide variety of cultures and backgrounds. Whilst we recognize local Laws and customs may dictate the necessity for this Code to be flexible. We do expect all employees to adhere to its philosophies and underlying principles.

So that you know what is expected of you, you are asked to read the Code, think about how it applies to you in your role with the Company, learn how you can ask for advice or get answers to questions you might have and keep it handy for future reference. The Ethics, Legal and Human Resources Departments are corporate support functions and you are encouraged to seek guidance from these resources when necessary. You will also be required to complete ethics training on an annual basis to keep ethics and ethical decision making top of mind.

### OUR CORE VALUES & CODE OF CONDUCT

In 2015, the Company's founder, Sedick Kamaldien, articulated his vision for the future, which included a company with high business ethics and an excellent reputation. It is this vision that serves as a guiding light for all of us to aspire to as we work to promote a culture of meaningful participation where consumers, customers and employees are advocates of our Company.

Our values of Growth, Helping One Another, Enthusiasm, Hard Work and Integrity serve as the foundation of the Business Ethics Code of Conduct. The Code is the cornerstone of the

business ethics program and applies to all employees, contractors, officers and members of the Board of Directors. All employees are required to complete an annual refresher course on ethics to serve as a reminder of the Company's expectations relating to ethical business conduct. By living our values, we demonstrate that our business is conducted consistently with the high ethical standards we expect from each other and that others have the right to expect from us. In complying with the Code of Conduct, asking yourself the following basic questions should help guide you to the right decision.

The decision is right if you can answer "yes" to these questions: -

- ✚ Am I being fair and truthful?
- ✚ Is the action legal and consistent with Company policy?
- ✚ Am I acting in the best interests of the Company and our stakeholders?
- ✚ Would I be proud to tell someone I respect about it?
- ✚ Would I be comfortable seeing it reported in the news media or via social media?
- ✚ Will it protect the Company's reputation as an ethical company?

## COMPLYING WITH THE CODE

Our success depends on maintaining our reputation for trust that we have with one another and with our customers, suppliers and vendors. Not only is it the right thing to do, but we expect that each of us will perform our duties and act with integrity by complying with both the letter and the spirit of applicable Laws, rules, regulations and Company policies, procedures that govern our business and living up to this Code of Conduct to earn that trust.

All of us are expected to read, understand and acknowledge the Code. Failure to comply may result in disciplinary action up to and including termination of employment. The Code is not intended to describe every situation, nor cover all Company policies and procedures.

If you want to learn more about a specific policy or procedure, you are encouraged to discuss the matter with your supervisor or a Human Resources representative.

No reason, including the desire to meet business plans or profit objectives, can ever be an excuse to compromise the Law or the guidelines contained herein. In addition, none of us may use a contractor, consultant or other third party to do anything that would be prohibited by Law or this Code.

Sometimes upholding our values and the Code may require more than mere compliance with these Laws and regulations. Should you have questions, there are a number of resources available to you to help you understand those that apply to your job.

Representatives from the Ethics Department, Legal Department, Safety Department or Human Resources are always available for you to call on.



If you are a manager, you serve as both a role model and a resource for those you manage and are expected to promote an ethical work environment. You also know that perception matters, transparency is critical and the answers are not always as clear as you would like. Open and honest two-way communication is critical. You must also be alert to indications that illegal or unethical conduct has occurred and make sure that it is reported.

## SET AN EXAMPLE

Chances are you will find yourself faced with an ethical dilemma at one time or another during your career. All of us are accountable to the Company and to each other. To maintain high ethical standards, you should: -

- ✚ Demonstrate in both words and actions what it means to act with integrity
- ✚ Operate in an honest and candid manner
- ✚ Create an open environment that invites engagement
- ✚ If you are a manager, ensure those you supervise understand and act according to the Company's policies and expectations
- ✚ Reinforce that help is available if it's needed
- ✚ Know about the resources that are available if an issue or concern is identified
- ✚ Support employees who in good faith ask questions or raise concerns
- ✚ Report instances of noncompliance with the Law, Company policies or the Code.

## ASKING QUESTIONS AND COMMUNICATING CONCERNS

If you are unsure about how to handle a particular situation or if you have observed conduct that you believe may violate the Code of Conduct, there are a number of resources available to you for assistance. The Code sets forth our responsibility as employees to communicate any circumstances or actions that violate or appear to violate its principles.

Aside from that, we cannot live up to our commitment to act with integrity if we, as individuals, don't speak up when we should. If you have a question, concern, or wish to report a violation...

## **CONTACT: -**

Your manager or another member of management. Your manager is often the best place to start. Depending on your concern, however, you may feel more comfortable talking to someone else.

These resources are available and ready to help: -

- ✚ A Human Resources Representative
- ✚ A Safety Representative
- ✚ The Legal Department
- ✚ The Ethics Department

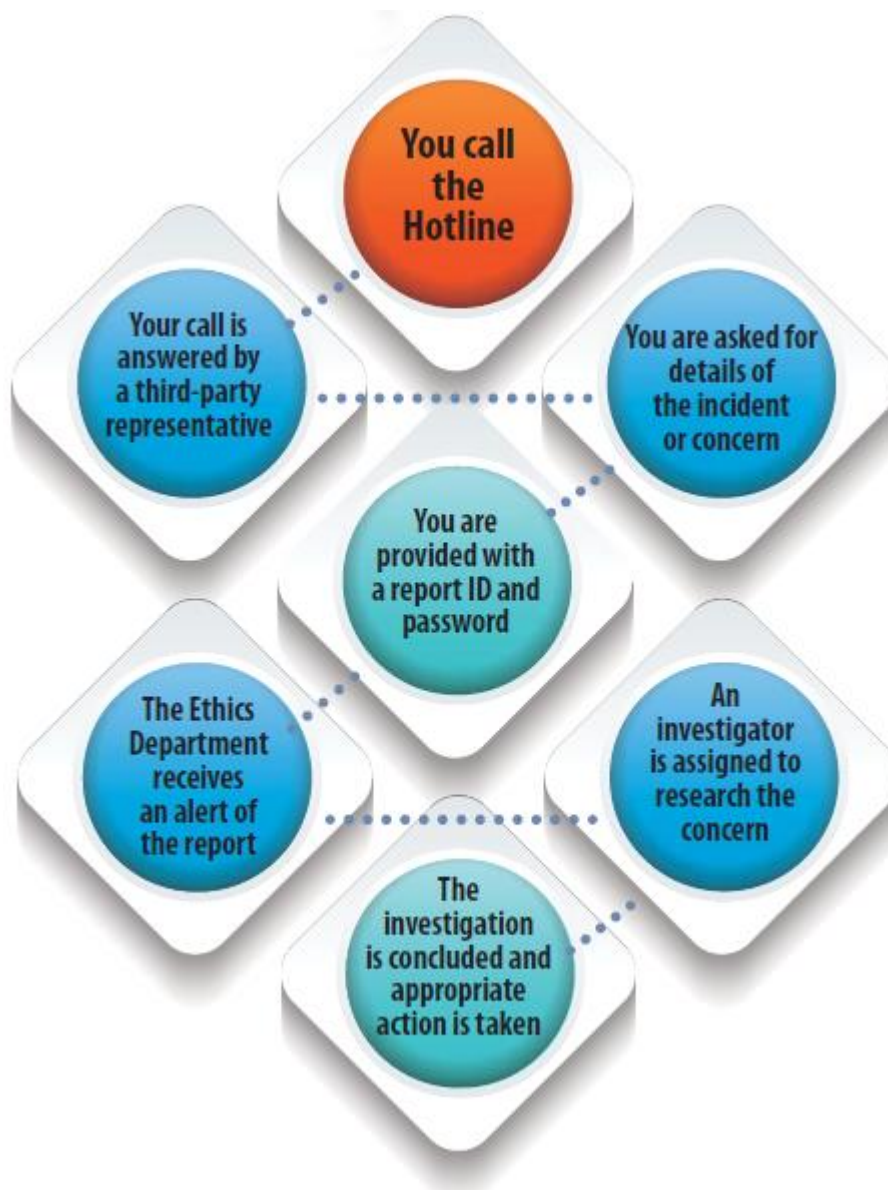
The following flowchart outlines the process when you contact your manager or other Company representative:



**CALL: -**

The Ethics hot line is available during working hours You can ask questions, receive guidance or communicate concerns. You may also choose to remain anonymous. Your report will be investigated and you may be asked for additional information. If you have elected to report anonymously questions will be posted through the ethics line for you to review and respond.

The following flowchart outlines the process when calling the Ethics Helpline:





### **WEBSITE: -**



The website is hosted on an external server and available 24 hours a day, seven days a week. You will need to provide certain information relating to your concern. It will then be assigned for investigation. You may also choose to remain anonymous if you elect this reporting option.

## **FOLLOW UP AND RETALIATION**

The business ethics program is designed to ensure that anyone acting in good faith has the means to communicate questions, concerns, or perceived violations of the Code of Conduct without fear of retaliation. You can be assured that your concern will be treated seriously and fairly and you will be treated with dignity and respect. Your concern will also be kept confidential to the extent possible.

If you choose to remain anonymous when reporting your concern or asking questions, you should know that it may be more difficult to appropriately investigate your concern. If you report concerns via the ethics helpline or website, you have the opportunity to learn of the outcome by calling back or logging in to your email account.

Due to privacy considerations, however, specific details of any action taken may not be provided. We are no different than any other company that strives to achieve the highest ethical standards.

Any company inevitably will encounter issues down the line. When that happens, we want them reported so they may be addressed. It takes courage to report an activity or decision that is, or has the appearance of being, contrary to our values. In these situations, it is important you know we will listen to your concerns.

Retaliation against any employee for reporting a concern in good faith or for cooperating in an investigation will not be tolerated. If you are a manager, you have an added responsibility to ensure you protect an employee who may come to you to report a concern or to ask questions.

We take claims of retaliation seriously. Individuals engaged in retaliatory conduct will be subject to disciplinary action up to and including termination of employment.

If you believe you or someone you know has been retaliated against for raising a good faith concern, you should immediately contact the Ethics Department. Allegations of retaliation will be investigated and appropriate action taken.



## **WE ARE RESPONSIBLE FOR TELLING THE TRUTH**

Investigations of actual or perceived violations of the Code or other Company policies may be conducted. Discussions are a fundamental part of the process whether they relate to a question, concern, or investigation. You are required to cooperate fully and honestly if you are interviewed or asked to provide information regarding an actual or perceived violation.

You may not interfere with individuals who may be witnesses to a matter under investigation, nor conceal or destroy any information pertinent to an investigation. Violators may be subject to disciplinary action up to and including termination of employment.

## **MUTUAL RESPECT**

## **PROFESSIONALISM IN THE WORKPLACE**

Professionalism is a conduct and an image, which encourages confidence, trust and respect of our co-workers, customers and the general public. It projects expertise and leadership and captures the high standards of excellence in our core values. It also demonstrates social and ethical responsibility and respect for diverse cultures and beliefs.

Each of us deserves to be treated with dignity. We encourage diversity and diverse opinions, and expect everyone to help create an inclusive and ethical culture. We are committed to a policy of equal opportunity for all qualified applicants and employees without regard to race, color, gender, religion, age, national origin, ancestry, disability, military status, or other legally protected status.

Through a shared commitment to an open and inclusive culture, we support our vision of being a Company that offers great opportunities and a place where people like to work, allowing us to attract the best people and achieve the best results.

Harassment and discrimination on any basis made unlawful by South African Law, including harassment and discrimination based on sex, race, color, religion, national origin, age, disability or other protected classes is strictly prohibited.



Not only do these actions violate the Law, they erode trust and are exactly the opposite of what we stand for. Any incidents of alleged harassment or discrimination must be reported immediately by using any one of the resources outlined earlier in this Code.

## HEALTH AND SAFETY

Your safety at ES & EL Engineering is one of our top priorities. We want all employees to go home at the end of their work shift in the same condition as they arrived. Each of our facilities develops and administers safety programs and emergency plans to prevent workplace accidents and injuries.

This also includes reporting to work free from the influence of alcohol or any illegal or controlled substances that could prevent you from conducting your work activities safely. The Company also maintains a smoke and tobacco-free environment. This means you may not smoke or use other tobacco products, including cigarettes, electronic cigarettes, pipes, cigars, snuff or chewing tobacco, anywhere on or inside company buildings, property, plants, or in vehicles owned, leased or rented by the Company, except those areas specifically identified as smoking areas.

We are also committed to prevent workplace violence. There are policies in place prohibiting behaviour that undermines employee safety, including acts or threats of violence or other forms of intimidation. We all have a responsibility to immediately communicate accidents and unsafe practices or conditions to appropriate personnel.

## PRODUCT INTEGRITY

We depend on our ability to supply the highest quality products with minimal safety risks. We must each ensure that we appropriately handle or dispose of any product that is damaged, of substandard quality, contains foreign material or appears to have been tampered with. We have very specific inspection processes that ensure our products meet quality standards and it is the responsibility of all of us to ensure that these processes are followed.

Inferior products reduce quality and increase risks. Our products are identified as inferior when they contain substandard materials or foreign objects. The deliberate mishandling, tampering of product, materials or packaging will not be tolerated and will result in disciplinary action up to and including termination of employment.



## USE OF SOCIAL MEDIA

We embrace the power of social media and its enormous role in the connected world. From Company and brand-sponsored Facebook sites, to those employees who support customers on Twitter or other social networking sites, we use these sites to help connect with each other as well as to help connect with our customers in a whole new way.

Whenever you use social media, whether for work or for personal use that relates to the Company in some way, keep our social media guidelines in mind. You can request a copy of the guidelines from your manager or from a Human Resources representative. The guidelines will help you when doing things like posting to a blog about the Company or updating your professional status.

## BUSINESS PRACTICES

## COMPETITION/ANTITRUST

South Africa have fair competition or antitrust Laws that safeguard the rights of consumers and prohibit restraint of trade, unfair practices, or abuse of economic power.

We are committed to conducting business in a manner that promotes fair competition and free enterprise consistent with these principles. We do not knowingly enter into business arrangements that would eliminate or discourage competition or that would provide us with an improper competitive advantage. In general, agreements to fix or control prices, agreements to allocate markets or customers, or agreements in which a seller refuses to sell one product unless the buyer agrees to purchase another product are contrary to these principles and our Code of Conduct.

If you have questions about how the antitrust or similar Laws apply to a particular situation, please seek appropriate guidance from applicable Company policy, a member of management, the Legal Department, or the Ethics Department.

## CONFLICTS OF INTEREST / ENTERTAINMENT & GIFTS

A conflict of interest exists where an individual's interests conflict with the interests of the Company. You may have a direct or indirect personal interest in a transaction or matter such that it would reasonably appear to affect the judgment that you exercise on behalf of the Company, influence your actions or lead you to neglect one or more of the Company's business interests.

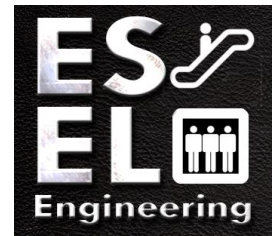
While conducting the Company's business we must avoid conflicts of interest, or the appearance of a conflict of interest, as well as any relationship or activity that might impair our ability to make objective and fair decisions when performing at work. We are committed to competing on the basis of the quality of our products and services. All of us should avoid any actions that result in business being gained, or create the impression that business was gained, in exchange for any gift, meals, or entertainment.

Examples of how a personal conflict of interest may occur: -

- ✚ Employees or members of their immediate family are affiliated with a firm which either provides goods or services to an ES & EL Engineering business unit or is a competitor of ES & EL Engineering
- ✚ Employees or members of their immediate family acting as a contractor, vendor, or consultant to ES & EL Engineering
- ✚ Holding a second job that interferes with your employment with ES & EL Engineering
- ✚ Use of Company assets, intellectual property or ES & EL Engineering's confidential information in a way that advantages the employee or members of their immediate family
- ✚ Having a close, personal relationship with a subordinate employee.

You have a responsibility to disclose to your manager or supervisor in writing any situation, transaction, or relationship that might give rise to an actual or potential conflict of interest. The giving or receiving of gifts may also create a conflict of interest or the appearance of a conflict of interest.

To ensure that business-related gifts, meals, or entertainment are not subject to abuse and do not create or appear to create a conflict of interest, we only permit gifts to be given or received if they are limited in occurrence and reasonable in value. Gifts also must not influence or give an appearance of influencing the recipient.



You may accept occasional meals, refreshments, entertainment and similar business courtesies so long as they are not lavish or excessive and do not create the appearance of an attempt to influence business decisions. Each circumstance may be different and you are encouraged to contact the Ethics Department to discuss the specific situation if you question the appropriateness of the giving or receiving of a gift.

You may also be required to complete a Gifts & Entertainment Form documenting the approvals of any gifts or entertainment depending on its value. Please contact the Ethics Department for more information on this topic.

Notwithstanding the above, under no circumstance should you accept or give any gift or courtesy as a bribe. More specific guidance is available in Company policy or from an appropriate member of management.

The South African Corrupt Practices Act and the Laws of other countries restrict the giving or receiving of gifts, meals and entertainment to government officials. ES & EL Engineering is no exception and prohibits gifts to or from government employees unless applicable regulations permit the giving and acceptance of the gift.

We prohibit payment of gratuities to public officials to expedite or obtain routine governmental actions, except where such practices are lawful and customary.

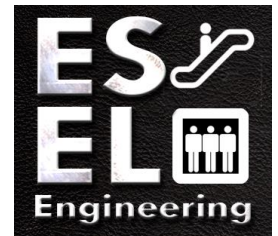
## VENDOR RELATIONSHIPS

We select our suppliers, vendors and contractors in a non-discriminatory manner based upon the quality, price, service, delivery and supply of goods and services. Such decisions must never be based on personal interest or the interests of family members. All vendor, supplier and business relationships with outside parties should be formalized in written agreements in accordance with Company purchasing and contracting policies. It is generally not appropriate for an employee to also act as a vendor to the Company.

## USE OF COMPANY RESOURCES

Company assets assist employees to achieve our business goals. Inappropriate or illegal use of Company property hurts all of us. Except as specifically authorized by the Company, Company assets, including time, equipment, materials, resources and proprietary information, must be used for legitimate business purposes only.

The Company reserves the right to access, monitor, copy, transcribe, forward, download, capture and/or disclose all communication sent via email or voice mail at any time with or



without notice. Use of these systems constitutes consent to being monitored by the Company and you should have no expectation of privacy in connection with your use of these resources.

## **SALARY AND WAGE STANDARDS**

We follow all applicable South African Laws and regulations that govern salary and wage, including pay rates, overtime, meal and tea breaks. These Laws and regulations apply to all of us and it is never ok to ignore or work around them. Violations of Laws and regulations should be reported immediately.

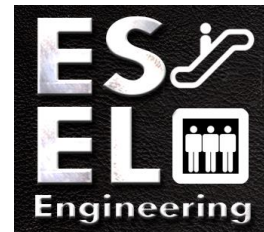
## **ACCURACY & RETENTION OF BUSINESS RECORDS**

It is our policy to record and report business information honestly and accurately. Anyone involved in creating, transmitting, or entering information into the Company's financial and operational records are responsible for doing so accurately and with appropriate supporting documentation. No officer, employee, or agent may make any entry that intentionally hides or disguises the true nature of a transaction.

Compliance with established Company policies, our system of internal controls and generally accepted accounting principles is necessary at all times. Knowingly entering false or inaccurate information into accounting or other systems is prohibited and may be illegal.

Our commitment to accuracy and appropriate retention of business records includes prohibiting unauthorized destruction of or tampering with any records, whether in written or electronic form, when we are required to maintain the records or when we have reason to know of threatened or pending government investigation or litigation relating to the records.

Records include such things as paper copies, electronic files, audio or video recordings. If you have questions about whether particular records should be retained, please seek appropriate guidance from applicable Company policy, a member of management, the Legal Department, or the Records & Information Management Department.



## CONFIDENTIAL & PROPRIETARY INFORMATION

We all have a responsibility to safeguard confidential business information and to use such information only for Company purposes. Whether you work with protected health information, employee information or confidential business information, you are entrusted to ensure that only people with a business need have access to the information you create, share and store.

Confidential business information includes, without limitation, the Company's inventions; trade secrets; business plans and projections; sales, cost and profit figures and projections; new product or marketing plans; customer details and programs; research and development ideas or information; manufacturing processes or methods; personnel information; information regarding potential acquisitions, divestitures and investments and any other matters considered or reasonably expected to be considered confidential by the Company.

Do not release any confidential information without a valid business purpose, proper authorization and, as appropriate, a properly executed confidentiality agreement. We also expect the same commitment to confidentiality from our consultants and suppliers.

Employees should not do business with suppliers or vendors who need access to the Company's confidential information until an appropriate confidentiality agreement is executed. If you have questions about this, please seek appropriate guidance from applicable Company policy, a member of management, or the Legal Department.

## ENVIRONMENTAL

As good corporate citizens, we are conscious of the impact that our business can have on the environment, and we continuously work to reduce our own impact on the world as we strive to grow as a Company and enrich the lives of our stakeholders.

We abide by all applicable environmental Laws and regulations and are committed to conducting our business in an environmentally conscientious manner that is socially responsible, scientifically based and economically sound. Not only is it the right thing to do but it's good for business too.





## CIVIC AND POLITICAL ACTIVITY

We encourage you to get involved in the civic process in your own way for the same reason we're committed to supporting the communities where we work and live through charitable giving and volunteerism. We believe that a community gets stronger when everyone who lives there is engaged and invested in making it a better place to live.

If you want to contribute your personal time or money to political activities, that's a great way to get involved but it is important that you are clear that you are acting on your own behalf and not on behalf of the Company. The financial and other resources of the Company shall not be used for any direct or indirect political activity, except where allowed by Law.

You are not to use the Company's name in a way that suggests the Company sponsors or endorses your personal political activities, nor can you use your position to pressure fellow employees to make political contributions or support or oppose specific candidates.

Only authorized employees can lobby elected or appointed government officials on behalf of the Company to influence proposed or existing legislation, regulation, rule, code or ordinance that affects our business.

Those employees are responsible for knowing and strictly conforming to the legal requirements applicable to such matters. Participation in voluntary political action committees, which operate in accordance with the Law is permitted.

## REGULATORY & LEGAL INQUIRIES

It is our policy to cooperate with government authorities in their proper performance of inquiries or investigations. It is important that such matters be properly coordinated. Any inquiry from government officials or entities may include requests for information, notice of an investigation, or the service of a subpoena.

Any inquiry from a government official or entity should be referred to the Legal Department, unless you have been specifically authorized to respond to such inquiries. In that case, you are required to provide accurate information and fully inform the Legal Department.