



## Terms of Commitment to Ethical Sourcing

Burlington requires its vendors to warrant that all goods are made in compliance with all applicable laws, both U.S. laws and the laws of the country in which the goods are produced. This warranty includes the U.S. Fair Labor Standards Act of 1938, which governs how employers pay and treat their employees.

Burlington is committed to protecting workers, in the United States and abroad, by promoting ethical and lawful employment practices. These practices are required to be followed by all Burlington Partners. Burlington maintains a Code of Conduct (“Code”), which requires that its Partners comply with all applicable domestic and international employment laws and regulations. Burlington’s Code specifically forbids the use of forced and child labor. All of the Company’s vendors are provided with these requirements, which can be accessed on the “Vendor Relations” section of Burlington’s website at <http://www1.burlingtoncoatfactory.com/Others/VendorRelations.aspx>.

Burlington will not tolerate any violation of its Code, and will swiftly investigate any reports that forced or child labor was utilized in the manufacture of products that the Company sells. Burlington will not accept products or services from vendors that employ or utilize forced or child labor. Such vendors will have the opportunity to remedy any actual or potential violations through the implementation of a corrective action plan and Burlington will conduct a subsequent audit. Should the vendor continue to fail to meet the Company’s standards, Burlington reserves the right to take whatever action it deems appropriate, up to and including termination of Burlington’s business relationship with the vendor.

Burlington will conduct annual inspections of factories engaged in the production of products where Burlington is the importer of record. The Company requires that all Burlington vendors review Burlington’s compliance procedures and practices to ensure compliance with the California Transparency in Supply Chains Act, as well as Burlington’s Code. Vendors must be able to demonstrate compliance at Burlington’s request and may be subject to periodic audits. While Burlington expects full compliance, any violations should be reported immediately to Burlington’s compliance counsel.

### **EMPLOYMENT PRACTICES**

Burlington will only conduct business with Partners whose workers are:

- 1) Treated fairly;
- 2) Present voluntarily;
- 3) Not put at risk of physical harm;
- 4) Fairly compensated;
- 5) Allowed the right of free association; and
- 6) Not exploited.

Partners shall ensure procedures are in place by which workers, alleging violations of these Terms of Engagement, may do so without fear of negative repercussions.

In addition, Burlington Partners must adhere to the following:

#### ***Child Labor and Prison Labor/Forced Labor***

“Child” is defined as a person who is younger than 15 (or 14 where the law of that country permits) or younger than the age for completing compulsory education in the country where such age is higher than 15. Burlington will not utilize Partners who use or permit the use of child labor in any of their facilities.



“Forced Labor” is defined as any work or service that is extracted from any person under the threat of penalty for its non-performance and for which the worker does not offer himself voluntarily.

To ensure that workers are working voluntarily, Burlington requires adherence to the following:

- Involuntarily keeping workers identification documents is prohibited.
- Observe all legal requirements for the work of authorized minors, particularly those relating to hours, wages, minimum education, and working conditions. Burlington supports the development of legitimate, workplace apprenticeship programs, and Partners will be expected to comply with all laws and regulations applicable to such apprenticeship programs.
- Partners shall not use or permit use of bonded, indentured, prison, forced, or child labor in the manufacture or finishing of products ordered by Burlington. These types of labor are strictly prohibited.

#### ***Disciplinary Practices***

- Partners shall treat workers with respect and dignity.
- The use of corporal punishment, physical, sexual, psychological, verbal harassment, or other forms of mental or physical coercion, abuse, or intimidation are prohibited.
- Partners shall not use or permit the use of fines as a disciplinary practice.

#### ***Discrimination***

Employment (hiring, wages, benefits, advancement, termination, and retirement) is based on worker’s ability and not personal characteristics including, but not limited to, gender, age, disability, sexual orientation, racial characteristics, cultural or religious beliefs, or similar factors.

#### ***Free Association***

- Workers are free to join organizations of their own choice.
- Partners shall recognize and respect rights of workers to freedom of association and collective bargaining.
- Workers are not subject to intimidation or harassment in the peaceful exercise of their legal right to join or refrain from joining an organization.

#### ***Health & Safety***

- Partners must provide workers with a clean, safe and healthful work environment, designed to prevent accidents and injuries arising out of or occurring while in the course of work or as a result of the operation of a Business Partner’s facility.
- Partners must comply with all applicable, legally mandated standards for workplace health and safety.
- Partners who provide residential facilities for their workers must provide safe and healthy facilities, separate from production facilities that comply with legally mandated standards for health and safety.

#### ***Supply Chain Security:***

Suppliers should have a written security plan and regularly evaluate security procedures to protect the international supply chain from unauthorized access.

#### ***Wages and Benefits***

- Partners must pay workers’ wages and legally mandated benefits that comply with the higher of: b. any applicable law, or



c. to match the prevailing local manufacturing or industry practices.

- Workers must be compensated for overtime hours at legal premium rates, or in countries where such laws do not exist, at least equal to their regular hourly wage rate.

#### ***Women's Rights***

- Ensure that workers who are women receive equal treatment in all aspects of employment.
- Pregnancy tests will not be a condition of employment or continuation thereof.
- Pregnancy testing, if provided, will be voluntary.
- Workers will not be exposed to hazards that may endanger reproductive health.
- Partners will not force workers to use contraception.

#### ***Working Hours***

- Partners operate based on prevailing local work hours. Any workers, who work over normal local work hours, should be compensated as prescribed by the local labor laws
- Except in extraordinary circumstances, Partners may limit workers' hours, on a regularly scheduled basis to comply with legal limits. Such limits must be in compliance with regular and overtime hours established by local laws and regulations in the applicable jurisdiction.
- Subject to the requirements of local law, a regularly scheduled workweek of no more than 60 hours and at least one (1) day off in every seven (7) day period are encouraged.
- Partners must comply with applicable laws, which entitle workers to vacation time, leave periods and holidays.
- Partners must regularly provide reasonable rest periods and at least one (1) day off within a seven (7) day period.
- Partners should record hours worked.

#### **ETHICAL STANDARDS**

Burlington will seek to identify and work with Partners who aim to maintain a set of ethical standards compatible with Burlington standards. Bribes, kickbacks, or other similar unlawful or improper payments, offered or given to any person or entity in an attempt to obtain or retain business, are strictly prohibited.

#### **ENVIRONMENTAL REQUIREMENTS**

Burlington will only do business with Partners who comply with all applicable government laws and regulations, international standards, U.S. regulations prohibiting the use of ozone depleting chemicals (hydrochlorofluorocarbons), and the International Trade in Endangered Species of Wild Fauna and Flora, as listed in the United States Endangered Species Act of 1973.