



# BERKSHIRE RESPONSIBLE CONTRACTOR CODE OF CONDUCT

## Context

Berkshire recognizes the importance of implementing an executable environmental, social, and governance (“ESG”) policy within the Firm’s investment management platform and has created a culture that places our ESG initiatives in the forefront of the construction and management of our investment portfolios. For this reason, we have created the BerkshireTHRIVE program. This program is rooted in a holistic philosophy that includes general sustainability, environmental, social, governance, resilience, and health and well-being objectives. These objectives apply at the corporate level and at Berkshire-managed properties.

Berkshire relies on the support and leadership of its Contractors to help fulfill the objectives of the THRIVE initiative. As a representative of Berkshire, Contractors are subject to the Responsible Contractor Code of Conduct (as defined below).

This Code of Conduct is subject to Berkshire’s fiduciary duties to exercise prudent judgment and to endeavor to act in the best interests of its Investment Vehicles and its investors.

## Purpose and Applicability

This Responsible Contractor Code of Conduct outlines expectations that Berkshire has of Responsible Contractors and their employees when working with our Company and employees.

Berkshire is committed to conducting business in an ethical manner that is consistent with our fiduciary responsibility and we expect our Responsible Contractors to uphold the same values, which are outlined in the Responsible Contractor Expectations below.

## Responsible Contractor Expectations

Responsible Contractors shall comply with all applicable local, state, and federal laws, rules, and requirements that govern the following:

- **Labor standards.** Responsible Contractors shall operate in accordance with fair labor standards. For example, Responsible Contractors shall ensure that employees meet immigration requirements and/or employment eligibility and do not employ child, forced, or illegal labor in their operations. Additionally, it is expected that Responsible Contractors will pay employees a legal minimum wage and adhere to all health and occupational safety requirements.
- **Employment laws.** Responsible Contractors shall adhere to all applicable employment laws. For example, Responsible Contractors shall abide by their own employee handbooks regarding the matters including workplace discrimination, harassment, and bullying.



- **Confidentiality and privacy.** Responsible Contractors shall comply with all applicable confidentiality and privacy laws. For example, Contractors shall provide appropriate security for all personal identifiable, confidential, or proprietary information received through the provision of services to Berkshire. Additionally, Responsible Contractors shall immediately notify Berkshire of any data breach that may compromise this information.
- **Business ethics.** Responsible Contractors shall operate in accordance with business ethics standards. For example, Responsible Contractors shall ensure that gifts and entertainment are not used to gain improper advantage, not allow the gifting or receipt of bribes or kickbacks, deal fairly and honestly in business relationships, avoid conflicts of interest, and immediately notify Berkshire of any potential conflict of interest.
- **Taxes and business records.** Responsible Contractors shall ensure that all taxes are paid, and business records are maintained in accordance with law.
- **Environmental law.** Responsible Contractors shall operate within requirements of all applicable environmental laws.

## Compliance Monitoring and Reporting

Responsible Contractors shall acknowledge they have received, read, understood, and will conform to this Code of Conduct via their signature on Berkshire's contract or related agreement. Berkshire expects Responsible Contractors to comply with any investigation or audit in connection with compliance with this Code.