

BNA Constructors Canada GP (“**BNACA**”)
35 Prospect Avenue
Windsor, Ontario
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2023 Report on Fighting Against Forced Labour and Child Labour in Supply Chain

Prepared by

BNA CONSTRUCTORS CANADA GP

in respect of the

Gordie Howe International Bridge Project

May 2024

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I. STATEMENT DEVELOPMENT AND APPROVAL SUMMARY

BNA Constructors Canada GP (“**BNA Constructors**”) has prepared this Modern Slavery Report on Fighting Against Forced Labour and Child Labour in Supply Chain (the “**Report**”) covering the period of **January 1, 2023, to December 31, 2023** in respect of the Gordie Howe International Bridge Project (the “**Project**”) for the partners of the general partnership. The Report is made pursuant to section 11 of *the Fighting Against Forced Labour and Child Labour in Supply Chains Act and to amend the Customs Tariff* (the “**Act**”).

This Report has been reviewed and was approved on May 30, 2024 by BNA Constructors’ Executive Committee.

In accordance with the requirements of the Act, and in particular section 11 thereof, I attest that I have reviewed the information contained in the Report on behalf of BNA Constructors. To the best of my knowledge and belief, and having exercised reasonable diligence, I attest that the information in this Report is true, accurate and complete in all material respects for the purposes of the Act, for the reporting year listed above.

José Luis Méndez Sánchez

Project Director

BNA Constructors Canada GP

May 31, 2024

I have authority to bind the general partnership.

II. INFORMATION ADDRESSING THE REQUIREMENTS OF SUBSECTION 11(3) OF THE ACT

A. STRUCTURE, ACTIVITIES AND SUPPLY CHAINS

1. STRUCTURE

BNA Constructors is an Ontario general partnership created on September 10, 2018 by the following three entities:

- Dragados Canada, Inc. (“**Dragados**”), a company duly constituted and existing under the laws of Canada, having its registered office at 150 King Street West, Suite 2103, Toronto, Ontario M5H 1J9;
- Fluor Canada, Ltd. (“**Fluor**”), a company duly constituted and existing under the laws of Canada, having an office at 55 Sunpark Plaza SE, Calgary, Alberta, Canada, T2X 3R4; and,
- Aecon Infrastructure Management Inc., (“**Aecon**”), a company duly constituted and existing under the laws of Alberta, having an office at 20 Carlson Court, Suite 800, Toronto, Ontario, M9W 7K6.

The sole purpose of BNA Constructors is to provide design and construction services to Bridging North America General Partnership (“**Project Co**”), which is the developer entity that has, as of September 28, 2018, entered into an agreement with the Windsor-Detroit Bridge Authority to design, build and finance, operate, maintain, and perform lifecycle rehabilitation for the Project.

BNA Constructors’ staff is mainly comprised of employees of Dragados, Fluor or Aecon that have been seconded to the Project. BNA Constructors, through an affiliated subcontracting entity, also has a craft workforce of over 250 employees on the Project. Many of the staff and all the craft are based at BNA Constructors’ sites offices located close to the Project.

2. ACTIVITIES

The Project is a new international crossing between Windsor, Ontario, Canada and Detroit, Michigan, USA, for which all design and construction work is performed and managed by BNA Constructors Canada GP. The design and build portion of the Project is expected to continue until September 2025.

3. SUPPLY CHAIN

As of April 2024, BNA Constructors has engaged close to 1,000 domestic and international suppliers for the Project with key areas of spend including materials, equipment and services such as heavy construction equipment, concrete, steel, specialist equipment, piping, asphalt, cladding, industrial/engineering consumables such as fuel, lubricants, abrasives, adhesives, sealants, bridge components, major plant and equipment, personal protective equipment, subcontractors such as electricians, plumbers, glaziers, steel fixers, and other tradespeople, labour hire, insurance, professional services, technology, and telecommunications.

The products and services may be sourced locally or imported by BNA Constructors for use in the development, design, and construction of the Project.

B. POLICIES AND DUE DILIGENCE PROCESSES

BNA Constructors has maintained, since its inception in 2018, a business commitment with the different persons or entities that interact with it and its mainly seconded employees based on ethical principles that guide the functioning of BNA Constructors and are part of the common corporate culture of the constituent partner corporations.

We are committed to ensuring that there are no human rights violations, including modern slavery or human trafficking, in our supply chains or in any part of our business. BNA Constructors is committed to acting ethically and with integrity in all our business relationships, and we expect the same high standards from all our subcontractors, suppliers, and other business partners.

OUR POLICIES

Governance and leadership

Our governance framework is founded on the partnerships common core values of integrity, quality, client satisfaction, people, corporate citizenship, accountability, honesty, open communication, trust candour and compliance with applicable law, all underpinned by safety. These values form common denominators of the respective codes of ethics and business conduct, and codes of conduct for business partners, of the partner corporations.

The partner codes of ethics and business conduct policies are reviewed and updated regularly and adapt and evolve with applicable law. These partner values form the BNA Constructors’ own code of conduct under its human resources Policy Manual, and which sets the standard of behaviour and conduct BNA Constructors expects from all its employees, subcontractors, suppliers and partners, which includes all BNA Constructors’ procurement activities.

In order for BNA Constructors to design and implement its own procedures, common partner policies and positions from the top-level parent corporations (Grupo ACS / Dragados, Fluor Corporation, and Aecon Group Inc.) have been taken into consideration and applied to the extent possible to the Project work and supply chain of BNA Constructors. These policies have a common backbone in that they seek to mitigate the risk of slavery and human trafficking occurring in our supply chain, provide knowledge and training to recognize and report same, protect whistleblowers, assiduously screen suppliers and flow down the parent company’s commitments to transparency and integrity:

Grupo ACS / Dragados Group:

- [Human Rights Policy](#)
- [ACS General Code of Conduct](#)
- [Code of Conduct for Business Partners](#)
- [ACS Corporate Social Responsibility](#)

Fluor Corporation:

- [Code of Business Conduct and Ethics Policy](#)
- [Modern Slavery Statement](#)
- [Supplier Code of Conduct](#)
- [Code of Business Conduct and Ethics for Members of the Board of Directors](#)

Aecon Group Inc.

- [Human Rights Policy](#)
- [Code of Ethics and Business Conduct](#)
- [Supplier Code of Conduct](#)
- [Corporate Social Responsibility and Sustainability](#)

Compliance

The partner corporations of BNA Constructors are collectively responsible for overseeing ethics and compliance at the Project, including adapting Project policies to comply with the evolving ethical and legal landscape, such as the compliance required by the Act. Current ethics and compliance activities of BNA Constructors prior to the Act already focused, among others, on anti-corruption, anti-bribery, criminal law compliance, sustainability, health and safety, competition and anti-trust, harassment, discrimination of any kind, or violence of any kind and protection of human rights. These compliance activities are monitored and audited to ensure their effectiveness.

BNA Constructors is committed to upholding human rights through a variety of codes and policies that are flowed down from the partner corporations. BNA Constructors’ human resources Policy Manual formalizes a due diligence process to identify, prevent, mitigate, and remedy adverse impacts that take place in the scope of its activity and global value chain. This Policy establishes responsibility for respecting internationally recognized human rights. As the Act is relatively new, BNA Constructors is in the process of being updated to specifically include the updated Canadian federal law regarding child labour and forced labour and how-to review, monitor, evaluate and report on the effectiveness of the process.

Procurement

BNA Constructors conducts procurement activities in compliance with all applicable laws, its own policies, procedures and code of ethics and business conduct. These requirements for those it do business with, including subcontractors and suppliers, require conformance to BNA Constructors ethical standards in business practices. After each prospective subcontractor or supplier has been screened, each subcontract or supply agreement has express provisions requiring such contractors to agree conform to a supplier code of conduct that requires such contractors to uphold ethical business and labour practices of BNA Constructors and to comply with applicable law which now includes the prohibition of modern slavery. These template contracts emphasize BNA Constructors’ commitment to maintaining responsible and sustainable business practices throughout its operations and supply chains.

BNA Constructors also utilizes procurement frameworks which prescribe policy, systems, and processes to support supply chain due diligence. Screening activities include assessing risks in our applicable business sectors, conducting due diligence, and vetting subcontractors and suppliers prior to awarding any work. As part of the framework, BNA Constructors additionally has a procurement and purchase procedure that defines the subcontractor/supplier registration and onboarding process, including questionnaires for assessment, a suite of mandatory template commercial contracts (which forbid human rights abuses), and a set of requirements for suppliers’ management of their suppliers. Despite most procurement having been completed for the Project as of the date of this report, BNA Constructors is in the process of reviewing its template commercial contracts to maximize BNA Constructors ability to confirm subcontractor/supplier compliance to the Act. This approach is also key for BNA Constructors to maintain a reliable and trusted supply chain and proactively identify and manage risks throughout the term of each contract, including in respect of compliance to the Act.

OUR DUE DILIGENCE PROCESSES:

The partners of BNA Constructors have implemented a due diligence system regarding human rights, considering both the context of BNA Constructors' operations as well as the activities carried out by them. This allows the partners of BNA Constructors to ensure that they have the management capacity, tools, and commitments necessary to act with due diligence in its global commercial relationships and operations, while always respecting internationally recognised human rights and applicable laws. This assessment includes an analysis of forced labour and child labour risks. The system is based on the ‘*protect, respect and remedy*’ pillars of the United Nations' Guiding Principles.

Through this system, the partners of BNA Constructors analyze certain human rights indicators, as well as any changes that may have occurred in terms of risk analysis and the identification of control mechanisms.

The results of risk assessments are intended to help the partners of BNA Constructors continue to improve their policies and processes and to prioritize their ongoing efforts to prevent and, if necessary, mitigate adverse human rights impacts through their own business activities.

C. FORCED LABOUR AND CHILD LABOUR RISKS

BNA Constructors is committed to combating the use of forced labour and child labour. This commitment is an essential part of our global perspective and a fundamental principle that shapes our daily operations. We expect our business partners, suppliers, contractors, and clients to share our dedication to ethical standards.

We understand that the construction industry is susceptible to the risks of forced labour and child labour. Therefore, we adopt a proactive approach to mitigate these risks. As detailed in this report, we have implemented various policies, processes, and practices to manage and prevent forced labour and child labour risks in our supply chain. Our approach, due diligence, and assurance are facilitated by collaboration between specialist functions at BNA Constructors or at the partner offices.

Our supply chains may include different participants, such as subcontractors, suppliers, recruitment agencies, and various specialized service providers, depending on the specific needs of the Project. As a general partnership that procures goods and services from Canada and from abroad, we have committed

to avoiding purchasing "at-risk" goods and services that may unintentionally contribute to the use of forced labour and child labour. We achieve this through our due diligence processes and by utilizing our template contracts, which include a supplier code of conduct and the requirement to adhere to applicable law, and which is subject to audit.

D. REMEDIATION MEASURES

BNA Constructors has not identified instances of forced or child labour in our activities or supply chain. Therefore, no remediation measures have been taken.

E. REMEDIATION OF LOSS OF INCOME

BNA Constructors has not identified any loss of income to vulnerable families resulting from measures taken to eliminate the use of forced labour or child labour in its activities and supply chains.

F. TRAINING

BNA Constructors is committed to providing training to all its personnel. As part of our onboarding process, new personnel are required to complete mandatory training as soon as they join the Project. Additionally, all employees are assigned annual mandatory training by their partner corporations that employ them, which includes various courses proposed by different departments, including annual ethics and compliance training and certifications, overseen by partner compliance departments. These yearly mandatory training requirements also include training regarding human rights, anti-corruption, competition laws, harassment, diversity and inclusion, cybersecurity, and other topics. This training is intended to, among other things, promote a high level of understanding of the risks of modern slavery and human trafficking in our supply chains and business, including how to recognize it.

Ethics and compliance training by the partners of BNA Constructors includes training in respect of modern slavery, forced/child labour, and human trafficking, with the aim of promoting our commitment to fighting against forced labour and child labour and providing employees with the tools to identify signs of modern slavery and how to take action.

G. ASSESSING EFFECTIVENESS

BNA Constructors assessment of effectiveness is evidence-based and includes monitoring the achievement of objectives, monitoring and analyzing risk assessments and external and internal audit results, monitoring and closeout of corrective action plans, training participation rates, communications engagement, completion of improvement plans and responsiveness to grievances and monitoring corrective actions conducted by parent companies.

III. STEPS TAKEN IN THE PREVIOUS FINANCIAL YEAR IN ORDER TO PREVENT AND REDUCE RISKS OF FORCED LABOUR AND CHILD LABOUR

In 2023, the partners of BNA Constructors took several actions to enhance our capabilities to identify, mitigate, and prevent the risks of human rights violations, including forced labour and child labour, across our operations and supply chain and to respond effectively to impacts that may arise. These actions included, but were not limited to:

Policies and procedures

- continued updates to the partner policies that address modern slavery including codes of ethics and business conduct, supplier codes of conduct and other policies that address human rights;
- incorporating these policies and procedures regarding modern slavery in subcontracts and supply agreements by reference,
- providing training to our employees yearly, which includes human rights; and
- reviewing prospective supplier or subcontract screening requirements and other due diligence in respect of modern slavery.

Risk Assessment

Below are some examples of risk assessments conducted by certain of the partners of BNA Constructors:

- Human Rights Impact Assessment: at the partner level an assessment of the potential adverse effects on human rights arising from Project activities. The partners developed a human rights risk matrix setting out the outcome of this evaluation and in 2023 and conducted a review of potential impacts and control measures in respect of human rights.
- Criminal Compliance Risk Assessment: at the partner level an assessment of the potential to be exposed to criminal liability was conducted in the form of a criminal compliance risk assessment and identification of controls to produce a criminal compliance risk and control matrix. This assessment included the analysis of certain human rights risks such as human trafficking, crimes against workers' rights, crimes relating to sexual harassment, and crimes against natural resources and the environment, among others.
- Anti-Corruption Risk Assessment: at the partner level a risk assessment on bribery and anti-corruption in accordance with the requirements of ISO 37001:2016 was conducted. This type of risk assessment is conducted regularly.
- Enterprise Risk Assessment: at the partner level, Enterprise Risk Management assessments to identify, analyze, and manage enterprise risks, including workforce issues, that could positively or negatively impact the achievement of objectives, strategies, business model or reputation.

Due Diligence

- the partners of BNA Constructors regularly conduct third-party due diligence to evaluate potential suppliers, subcontractors and business partners for ethics and compliance as part of its partnering and supply chain activities. This process involves an examination of third parties for sanctions, watch lists, adverse litigation, politically-exposed-people (PEP) lists, and adverse

- print and social media. Additionally, financial due diligence is conducted for key business partners.
- recruitment and hiring processes and controls are used to ensure that all workers are recruited voluntarily.

Awareness and training

- the partners of BNA Constructors regularly host or provide access to seminars for their employees related to their respective codes of ethics and business conduct, including human rights.
- the partners continue to make available a whistleblower email address and telephone line for confidential and anonymous reporting.
- the partners provide mandatory annual ethics and compliance training.
- the partners promote, via the internet, micro-learning, and periodic communications, among others, the mechanism whereby unethical and illegal behaviour can be reported, including human rights violations.
- makes updates to policies and procedures available to BNA Constructors personnel.

Monitoring and Review

- the partners of BNA Constructors investigate reports of non-compliance.
- the partners monitor, review and evaluate the effectiveness of compliance to policies and procedures regularly including through conducting annual internal and external audits, and annual management reviews.

IV. CONCLUSION

BNA Constructors is committed to preventing forced labour or child labour from taking place in our Project and in our supply chain. The partners will continue to review our policies, procedures, and practices periodically to determine any enhancements we can make to help prevent forced labour or child labour.