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## About EthicsPoint

### What is EthicsPoint?

EthicsPoint is a comprehensive, confidential and secure reporting system administered by NAVEX Global that enables management, employees, and our other stakeholders to work together to understand and address concerns of misconduct in the workplace while cultivating a positive work environment.

### Why do we need a system like EthicsPoint?

- The system allows BKV to protect our reputation for conducting business ethically by responding to compliance concerns in a way that respects our employees and other stakeholders' privacy and security.
- Our employees are our most important asset. By creating open channels of communication for them, and for all stakeholders, we promote a positive work environment and maximize productivity.
- We are committed to fostering an environment where open, honest communications are the expectation, not the exception. We want to ensure all stakeholders a platform to share their concerns.

A confidential secure reporting system augments our other efforts to foster a culture of integrity and ethical decision-making.

# Reporting – General

## Who can report?

Anyone including employees, vendors, landowners, and customers can report concerns or ask questions using the EthicsPoint system.

## May I report using either the internet or the telephone?

Yes. EthicsPoint enables you to file a confidential, anonymous report via either the telephone or the internet.

## What types of situations should I report?

BKV encourages reporting of anything that seems like it is a violation of the BKV Code of Conduct. Issues may include suspicion of:

- criminal activity such as fraud or theft
- employee misconduct such as bullying or harassment
- safety and health violations
- managerial wrongdoing
- violations of conflict of interest

## I am a BKV employee. If I see a violation, shouldn't I just report it to my manager, security, or human resources and let them deal with it?

When you observe behavior that you believe violates our Code of Conduct, we expect you to report it. Ideally, you should bring any concerns forward to your direct manager or other member of our management team. We recognize, however, that there may be circumstances when you are not comfortable reporting the issue in this manner. It is for such circumstances that we have partnered with NAVEX Global to offer an alternative reporting platform. We would rather you report anonymously than keep the information to yourself.

## Why should I report what I know? What's in it for me?

We are proud that our company values conducting business in an ethical way and encourages employees and other stakeholders to report concerns about violations of our Code of Conduct. We all have the right to work in a positive environment and to be treated with respect, and with that right comes the responsibility of acting in an ethical manner and letting the appropriate people know if someone is not acting in accordance with our Code of Conduct. By working together, we can ensure BKV remains a safe and productive environment.

### **Does management really want me to report?**

We certainly do. In fact, we need you to report. You may have knowledge of an activity that may be a cause of concern. Your reporting will help to protect the employees, business partners and culture of BKV.

### **Where do these reports go? Who can access them?**

Reports are entered directly on the EthicsPoint secure server. NAVEX Global makes these reports available only to specific individuals within the company who are charged with evaluating the report. Each of the report recipients has the responsibility to keep all reports confidential.

### **Isn't this system just an example of someone watching over me?**

No. EthicsPoint is a positive aspect of our overall philosophy that allows us to ensure a safe, secure, and ethical workplace. You are encouraged to seek guidance on ethical dilemmas, provide positive suggestions or communicate a concern. Effective communication is critical in today's workplace and this is a great tool to enhance that communication.

### **Should I be concerned about retaliation?**

No. We encourage our employees to report concerns and ask questions using the EthicsPoint system. Retaliation against an employee who files a report in good faith or participates in an investigation is prohibited and will not be tolerated.

## Reporting Security & Confidentiality

**I am a BKV employee, and it is my understanding that any report I send from a company computer generates a server log that shows every website that my PC connects with. Won't this log identify me as the report originator?**

NAVEX Global does not generate or maintain any internal connection logs with IP addresses, so no information linking your PC to EthicsPoint is available. If you feel uncomfortable making a report on your work PC, you have the option of using a PC outside our work environment through the EthicsPoint secure website.

**Can I file a report from home and remain anonymous?**

A report from home, a neighbor's computer or any internet portal will remain secure and anonymous. An internet portal never identifies a visitor by screen name and the EthicsPoint system strips away internet addresses so that anonymity is maintained.

**I am concerned that the information I provide EthicsPoint will ultimately reveal my identity. How can you assure me that will not happen?**

The EthicsPoint system has processes in place to protect your confidentiality. However, if you wish to remain anonymous, you - as a reporting party - need to ensure that the body of the report does not reveal your identity by accident. For example, "From my cube next to Jan Smith..." or "In my 33 years...".

**Is the telephone toll-free hot line confidential and anonymous too?**

Yes. You will be asked to provide the same information that you would provide in an internet-based report and an interviewer will type your responses into the EthicsPoint website. These reports have the same security and confidentiality measures applied to them during delivery.

**What if I want to be identified with my report?**

There is a section in the report to identify yourself if you wish.

## Tips & Best Practices

### **I am aware of some individuals acting unethically, but it doesn't affect me. Why should I bother reporting it?**

We believe in the expectations laid out in our Code of Conduct and expect ethical behavior from all our stakeholders. All unethical conduct, at any level, ultimately hurts the company and all employees. You only need to consider what has happened in recent corporate scandals to see the disastrous effects that a lapse in ethics can have on an otherwise healthy company. If you know of any incidents of misconduct or ethical violations, consider it your duty to report it.

### **I am not sure if what I have observed or heard is a violation of company policy, or involves unethical conduct, but it just does not look right to me. What should I do?**

File a report. NAVEX Global can help you prepare and file your report so it can be properly understood. We'd rather you report a situation that turns out to be harmless than let possible unethical behavior go unchecked.

### **What if my direct supervisor, customer, or other managers are involved in a violation? Won't they get the report and start a cover-up?**

The EthicsPoint system and report distribution processes ensure that implicated parties are not notified or granted access to reports in which they have been named.

### **What if I remember something important about the incident after I file the report? Or what if the company has further questions for me concerning my report?**

When you file a report at the EthicsPoint website or through the EthicsPoint call center, you receive a unique, randomized number called a "Report Key" and are asked to choose a password. You can return to the EthicsPoint system again either by internet or telephone and access the original report to add more detail or answer questions posed by a company representative. We strongly suggest that you return to the site in the time specified to answer company questions. You and the company now have entered into an "anonymous dialogue," where situations are not only identified, but can also be resolved, no matter how complex.

### **Are these follow-ups on reports as secure as the first one?**

All EthicsPoint correspondences are held in the same strict confidence as the initial report, continuing under the umbrella of anonymity.

**What if I lose my Report Key or forget the password I created?**

To ensure that security and confidentiality is maintained, if you lose your report key or password, you will need to file a new report. Mention in the new report that it is related to a report or question you previously submitted.

**Can I still file a report if I don't have access to the internet?**

You can file an EthicsPoint report from any computer that has internet access. Many public locations, including the public library, have computers with internet access. If you don't have access to, or are uncomfortable using a computer, you can call the EthicsPoint toll-free hotline, which is available 24 hours a day, 365 days a year. The hotline number is 1.844.733.0072.