

**Company Name** Tesla  
**Industry** Automotive (Own Operations and Supply Chain)  
**Overall Score** 7.3 out of 100

Theme Score	Out of	For Theme
1.4	10	A. Governance and Policies
0.9	25	B. Embedding Respect and Human Rights Due Diligence
1.5	20	C. Remedies and Grievance Mechanisms
3.0	25	D. Performance: Company Human Rights Practices
0.4	20	E. Performance: Responses to Serious Allegations

Please note that any small differences between the Overall Score and the added total of Measurement Theme scores are due to rounding the numbers at different stages of the score calculation process.

Please note also that the "Not met" labels in the Explanation boxes below do not necessarily mean that the company does not meet the requirements as they are described in the bullet point short text. Rather, it means that the analysts could not find information *in public sources* that met the requirements *as described in full* in the CHRB 2022 Methodology document for the sector concerned. For example, a "Not met" under "General HRs Commitment", which is the first bullet point for indicator A.1.1, does not necessarily mean that the company does not have a general commitment to human rights. Rather, it means that the CHRB could not identify a public statement of policy in which the company commits to respecting human rights.

## Detailed assessment

### A. Governance and Policies (10% of Total)

#### A.1 Policy Commitments (5% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
A.1.1	Commitment to respect human rights	1	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: General HRs commitment: It indicates: 'Tesla believes the ethical treatment of all people and regard for human rights is core to our mission of a sustainable future (...). This human rights policy is the formalization of our commitment to uphold and respect these rights and the values they represent. We endorse and base our definition of human rights on the United Nation's Universal Declaration for Human Rights ("UDHR")'. [Human Rights Policy and Responsible Materials Policy, 07/2021: <a href="https://tesla.com">tesla.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Commitment to the UNGPs</li> <li>• Not Met: Commitment to the OECD Guidelines for Multinational Enterprises</li> </ul>
A.1.2.a	Commitment to respect the human rights of workers: ILO Declaration on Fundamental Principles and Rights at Work	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Company has a commitment to the ILO Core</li> <li>• Not Met: Company has an explicit commitment to All four ILO Core: The Company's Human Rights Policy covers: child labour and forced labour. Code of Business Conduct indicates: 'We do not discriminate against anyone, at any time'. However, no evidence found that the Company commits to respect the right to freedom of association and collective bargaining. [Human Rights Policy and Responsible Materials Policy, 07/2021: <a href="https://tesla.com">tesla.com</a>] &amp; [Code of business conduct an ethics: <a href="https://tesla-cdn.thron.com">tesla-cdn.thron.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Company expect suppliers to commit to ILO Core</li> <li>• Not Met: Company explicitly list All four ILO for suppliers: The Supplier Code of Conduct indicates: 'Forced, bonded (including debt bondage) or indentured labor,</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>involuntary or exploitative prison labor, slavery or trafficking of persons is not permitted. (...) Child labor is not to be used in any stage of manufacturing. (...) Companies shall not engage in discrimination or harassment'. Regarding the rights to freedom of association and collective bargaining, it states: 'In conformance with local law, suppliers shall respect the right of all workers to form and join trade unions of their own choosing, to bargain collectively, and to engage in peaceful assembly as well as respect the right of workers to refrain from such activities'. However, it is not clear whether the Company requires to respect those rights in all contexts, as it indicates 'in conformance with local law'. In these cases (companies referring to local laws in freedom of association and collective bargaining), companies are expected to require alternative mechanisms or equivalent workers bodies where the right to freedom of association and collective bargaining is restricted under law. [Supplier Code of Conduct, 07/2021: <a href="https://www.tesla.com">tesla.com</a>]</p>
A.1.2.b	Commitment to respect the human rights of workers: Health and safety and working hours	0.5	<p>The individual elements of the assessment are met or not as follows: Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Commitment to respect H&amp;S of workers: The Code of Business Conduct and Ethics indicates: 'Our goal is to have as close to zero injuries as humanly possible. Employees and others who visit our sites must therefore follow all safety and health requirements. Employees should report to work and continue their shift without being under the influence of illegal drugs or alcohol. No exceptions. Employees are empowered to stop any task if conditions are unsafe. If you see something that could put someone's health or safety at risk, report it immediately to your manager and take action to keep yourself and others safe. Always report all injuries, illnesses, property damage, and near misses'. However, it is not clear the Company has a publicly available policy statement committing it to respect the health and safety of workers. No further evidence found. [Code of business conduct an ethics: <a href="https://www.tesla-cdn.thron.com">tesla-cdn.thron.com</a>]</li> <li>• Not Met: Respect ILO labour standards on working hours or Commits to 48 hours regular work week</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: Expect suppliers to commit to H&amp;S of their workers: The Supplier Code of Conduct indicates: 'Suppliers recognize that in addition to minimizing the incidence of work-related injury and illness, a safe and healthy work environment enhances the quality of products and services, consistency of production and worker retention and morale. Suppliers also recognize that ongoing worker input and education are essential to identifying and solving health and safety issues in the workplace'. It then lists its health and safety standards, that include: Occupational Safety, Emergency Preparedness, Occupational Injury and Illness, Industrial Hygiene, Physically Demanding Work, Machine Safeguarding, Sanitation, Food, and Housing, Health and Safety Communication. [Supplier Code of Conduct, 07/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> <li>• Not Met: Expect suppliers to commit to ILO labour standard or to 48 hours regular work week: The Supplier Code of Conduct indicates: 'Working hours are not to exceed the maximum set by local law. Further, a workweek should not be more than 60 hours per week, including overtime, except in emergency or uncommon circumstances. All overtime must be voluntary'. However, no formal commitment about respecting the ILO conventions on working hours was found. Alternatively, the Company would achieve this by committing to a 48 hours regular working week, and consensual overtime paid at a premium rate. [Supplier Code of Conduct, 07/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> </ul>
A.1.3.a.MO	Commitment to respect human rights particularly relevant to the industry – responsible sourcing of minerals (MO)	1.5	<p>The individual elements of the assessment are met or not as follows: Score 1</p> <ul style="list-style-type: none"> <li>• Met: Responsible mineral sourcing: The Responsible Materials Policy indicates: 'Tesla's goal is to create a conflict-free value chain'. However, a 'goal' is not considered a formal statement of commitment according to CHRB wording criteria. The Conflict minerals report (SD report) states that 'Tesla is committed to sourcing only responsibly produced materials. This means having safe and humane working conditions in our supply chain and ensuring that workers are treated with respect and dignity'. It also indicates that 'Tesla is committed to sourcing responsibly and considers mining activities that fuel conflict as unacceptable'. This report is considered a proxy for policy statements under CHRB revised approach. [Human Rights Policy and Responsible Materials Policy, 07/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> <li>• Met: Based on OECD Guidance: The Conflict minerals Report (SD report) states that 'Our conflict minerals process and policies are designed to conform in all material respects with the OECD Guidance'. This report is considered a proxy for policy statements under CHRB revised approach. [Human Rights Policy and Responsible Materials Policy, 07/2021: <a href="https://www.tesla.com">tesla.com</a>] &amp; [2020 Conflict minerals report, 2021: <a href="https://www.tesla.com">tesla.com</a>]</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> <li>• Met: Requires suppliers to commit to responsible mineral sourcing: The Responsible Materials Policy indicates: 'Tesla's suppliers are required to use reasonable efforts to ensure that their parts and products supplied to Tesla do not contribute to armed conflict, human rights abuses, or environmental degradation, regardless of sourcing location. For all materials used in Tesla products, Tesla requires its suppliers to establish policies, due diligence frameworks, and management systems consistent with the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas or the OECD Guidelines for Multinational Enterprises. Tesla's requirements for suppliers are designed to accomplish the goal of only sourcing materials from suppliers who behave in concordance with our company mission'. [Human Rights Policy and Responsible Materials Policy, 07/2021: <a href="https://tesla.com">tesla.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: Commits to follow OECD Guidance for all minerals: As indicated above, the Responsible Materials Policy states that 'for all materials used in Tesla products, Tesla requires its suppliers to establish policies, due diligence frameworks, and management systems consistent with the OECD Due Diligence Guidance for Responsible Supply Chains'. [Human Rights Policy and Responsible Materials Policy, 07/2021: <a href="https://tesla.com">tesla.com</a>]</li> <li>• Not Met: Suppliers expected to make similar requirements of their suppliers</li> </ul>
A.1.3.b.MO	Commitment to respect human rights particularly relevant to the industry – vulnerable groups (MO)	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Women's rights</li> <li>• Not Met: Children's rights</li> <li>• Not Met: Migrant worker's rights</li> <li>• Met: Expects suppliers to respect these rights: The Supplier Code of Conduct indicates: 'Suppliers are committed to uphold the human rights of workers, and to treat them with dignity and respect as understood by the international community. This applies to all workers including temporary, migrant (...) and any other type of worker'. [Supplier Code of Conduct, 07/2021: <a href="https://tesla.com">tesla.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: CEDAW/Women's Empowerment Principles</li> <li>• Not Met: Child Rights Convention/Business Principles</li> <li>• Not Met: Convention on migrant workers</li> <li>• Not Met: Expecting suppliers to respect these rights</li> </ul>
A.1.4	Commitment to remedy	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: The Company commits to remedy</li> <li>• Not Met: Company expect suppliers to make this commitment: Regarding child labour: 'If child labor is identified, assistance and remediation according to the stricter of international standards or local standards shall be provided'. However, it is not clear the Company expects suppliers to committing it to remedy the adverse impacts on individuals and workers and communities that it has caused or contributed to beyond child labour. [Supplier Code of Conduct, 07/2021: <a href="https://tesla.com">tesla.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Collaborating with other remedy initiatives</li> <li>• Not Met: Work with suppliers to remedy impact</li> </ul>
A.1.5	Commitment to respect the rights of human rights defenders	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Zero tolerance attacks on HRs Defenders (HRDs)</li> <li>• Not Met: Company expect suppliers to make this commitment</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Work with HRD to create safe and enabling environment</li> </ul>

## A.2 Policy Commitments (5% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
A.2.1	Commitment from the top	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Board level responsibility for HRs: The Company states that 'We believe that sound corporate governance is critical to helping us achieve our goals, including with respect to ESG. [...] Our ESG Sustainability Council is made up of leaders from across our company, and regularly presents to our Board of Directors, which oversees our ESG impacts, initiatives and priorities'. The Impact reports indicates that 'the Board of Directors serves as a prudent fiduciary for shareholders and oversees the management of Tesla's business - including oversight of Tesla's ESG impacts, initiatives and priorities. With those responsibilities in mind, the Board sets high standards for Tesla and its employees, officers and directors'. No evidence found, however, on the board member/committee tasked with specific governance oversight of respect for human rights. [2021 Form 10K, 04/02/2022: <a href="#">sec.gov</a>] &amp; [2020 Impact report, 2021: <a href="#">tesla.com</a>]</li> <li>• Not Met: Describe HR expertise of Board member</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Speeches/letters by Board members or CEO</li> </ul>
A.2.2	Board responsibility	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Board/Committee review HRs strategy: Although the Impact report indicates that 'the Sustainability Council also regularly presents this [impact report-related data and content] information to Tesla's Board of directors for review', no details found of the process in place to discuss and review human rights management processes, strategy or policy at supervisory board level [2020 Impact report, 2021: <a href="#">tesla.com</a>]</li> <li>• Not Met: Examples/trends re HR discussion in the last reporting period</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Meets both requirements under score 1</li> <li>• Not Met: How affected stakeholders/HR experts informed discussions</li> </ul>
A.2.3	Incentives and performance management	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Incentives for at least one board member</li> <li>• Not Met: At least one key HR risk, beyond employee H&amp;S</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Performance criteria made public</li> <li>• Not Met: Review of other board performance criteria</li> </ul>
A.2.4	Business model strategy and risks	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Board process to review business model and strategy</li> <li>• Not Met: Describe frequency and triggers for reviewing</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Meets both requirements under score 1</li> <li>• Not Met: Example of actions decided</li> </ul>

## B. Embedding Respect and Human Rights Due Diligence (25% of Total)

### B.1 Embedding Respect for Human Rights in Company Culture and Management Systems (10% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
B.1.1	Responsibility and resources for day-to-day human rights functions	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Score of 1 on A.1.2.a: See indicator A.1.2.a</li> <li>• Not Met: Senior responsibility for HR implementation and decision making</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: How it assigns Day-to-day responsibility: The Company describes below resources allocated to supply chain management. No further details found on how human rights-related responsibilities are cascaded from senior management, including own operations. [2020 Modern Slavery Act Transparency Statement, 06/2021: <a href="#">tesla.com</a>]</li> <li>• Not Met: Day-to-day resources and expertise allocation in own ops</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> <li>• Met: Resources and expertise allocation in the supply chain: The Company states that 'Tesla maintains a specialized team within the company's global supply chain organization to lead our due diligence efforts with respect to conflict minerals and modern slavery. These efforts cover all of Tesla's subsidiaries throughout the world, including those in the United Kingdom. In addition, an internal cross functional Tesla Responsible Sourcing Steering Committee composed of Tesla management from Supply Chain, Internal Audit, Environmental, Health and Safety, Policy, ESG, Compliance and Legal oversees these due diligence efforts and potential risks and issues within our global supply base. Our efforts have been approved, and the letter of authorisation sent to our global suppliers, signed by a Vice President of Tesla's Global Supply Management'. [2020 Modern Slavery Act Transparency Statement, 06/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> </ul>
B.1.2	Incentives and performance management	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Senior manager incentives for human rights</li> <li>• Not Met: At least one key HR risk, beyond employee H&amp;S</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Performance criteria made public</li> <li>• Not Met: Review of other senior management performance</li> </ul>
B.1.3	Integration with enterprise risk management	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: HR risks is integrated as part of enterprise risk system: Although the Company expresses concern about human rights risks related to its minerals supply chain, no evidence of human rights risks being integrated to the Company's risk management system was found. The 2020 Impact report describes the Board's role in risk oversight. However, no details found on whether, and how, human rights-related risks and impacts are integrated in the enterprise risk management. [Impact Report 2019, 2019: <a href="https://www.tesla.com">tesla.com</a>] &amp; [2020 Impact report, 2021: <a href="https://www.tesla.com">tesla.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Provides an example</li> <li>• Not Met: Audit Ctte or independent risk assessment</li> </ul>
B.1.4.a	Communication /dissemination of policy commitment(s) to workers and external stakeholders	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Score of 1 on A.1.2.a: See indicator A.1.2.a</li> <li>• Not Met: Communicates its policy to all workers in own operations: The Company indicates that 'Tesla's Human Rights and Conflict Minerals Policy [now Human Rights and Responsible materials policy] sets out our approach to this [modern slavery and human trafficking] and is applied throughout the company and across our global supply chain. Tesla employees must also adhere to our Code of Business Conduct and Ethics [available on website]'. The Company also indicates that 'Tesla's employee onboarding process includes an overview about our values and key programs, such as our commitment to DEI [Diversity, equity and inclusion] and human rights'. However, no details found on how human rights commitments are actively communicated to all workers, including in local languages. Evidence found refers to new employees. [2020 Modern Slavery Act Transparency Statement, 06/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Communication of policy commitments to stakeholder</li> <li>• Not Met: How policy commitments are made accessible to audience</li> </ul>
B.1.4.b	Communication /dissemination of policy commitment(s) to business relationships	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Meets ILO requirement for suppliers on A.1.2.a: See indicator A.1.2.a</li> <li>• Not Met: Steps to communicate policy commitments to supply chain: Although the Company indicates that contacts with suppliers require them to adhere to the code, it is not clear whether the actual policy commitments are actively communicated as part of this contracts (or just the requirement to comply with the codes and policies) or through other means. The Modern Slavery statement indicates that 'all of our suppliers are required to adhere to our Human Rights and Conflict Minerals Policy and Supplier Code of Conduct, and provide evidence of existence of policies that address, amongst other things, social issues'. No evidence found either in relation to communicating policies down the supply chain. [2020 Modern Slavery Act Transparency Statement, 06/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Requires suppliers to communicate policy requirements</li> <li>• Met: How HR commitments made binding/contractual: The Company indicates in the Conflict Minerals report that ' In addition to the Tesla Supplier Code of Conduct ("Code"), we also have the Human Rights and Conflict Minerals Policy ("Policy") that outline our expectations to all suppliers and partners that work with us, as well</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>as our commitment to conflict-free sourcing. [...] Our contracts with suppliers also require them to adhere to Tesla's expectations, including our Code, Policy, and environmental, health and safety requirements'. [2020 Conflict minerals report, 2021: <a href="https://www.tesla.com">tesla.com</a>] &amp; [2020 Modern Slavery Act Transparency Statement, 06/2021: <a href="https://www.tesla.com">tesla.com</a>]</p> <ul style="list-style-type: none"> <li>• Not Met: Company requires suppliers to cascade down to their suppliers</li> </ul>
B.1.5	Training on Human Rights	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Scores at least 1 on A.1.2.a: See indicator A.1.2.a</li> <li>• Not Met: How workers are trained on HR policy commitments</li> <li>• Not Met: Trains relevant managers including procurement: The Company indicates that 'It is important to us that our employees are aware of the issues surrounding modern slavery and that employees who work with suppliers are trained on issues of human trafficking, modern slavery and child labour, particularly with respect to mitigating such risks within our supply chain'. However, no details found on the training conducted. [2020 Modern Slavery Act Transparency Statement, 06/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Score of 2 on A.1.2.a: See indicator A.1.2.a</li> <li>• Not Met: Meets both requirements under score 1</li> <li>• Not Met: Trains suppliers to meet company's HR commitment</li> <li>• Not Met: Disclose % trained</li> </ul>
B.1.6	Monitoring and corrective actions	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Scores at least 1 on A.1.2.a: See indicator A.1.2.a</li> <li>• Not Met: Monitoring implementation of HR policy commitments across global ops and supply chain: The Company that actions to assess its effectiveness include 'continue to audit our suppliers on a range of environmental, social and governance issues including their policies on forced labour; where appropriate, require suppliers to undergo a specialized audit focused on their facility labour practices'. No further details found, including how it monitors compliance with human rights commitments in its own operations. The Company also reports in relation to its monitoring of supply chains related to minerals and natural materials sourcing, although these aspects of supply chain monitoring and due diligence are assessed in specific indicators'. [2020 Impact report, 2021: <a href="https://www.tesla.com">tesla.com</a>] &amp; [2020 Modern Slavery Act Transparency Statement, 06/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> <li>• Not Met: Proportion of supply chain monitored</li> <li>• Not Met: Describe how workers are involved in monitoring</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Score of 2 on A.1.2.a: See indicator A.1.2.a</li> <li>• Not Met: Describes corrective action process: The Company indicates that it is committed to 'disciplining contractors and appropriate parties who fail to meet the requirements of our Supplier Code of Conduct and Human Rights and Conflict Minerals Policy, including potential termination of contract'. No further details found on the corrective action process for non-compliances found. [2020 Impact report, 2021: <a href="https://www.tesla.com">tesla.com</a>] &amp; [2020 Modern Slavery Act Transparency Statement, 06/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> <li>• Not Met: Disclose findings and number of corrective action</li> </ul>
B.1.7	Engaging and terminating business relationships	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: HR affects selection of suppliers</li> <li>• Met: HR affects on-going supplier relationships: The Company states that 'Our Tier 1 automotive suppliers are required to register and complete the domestic and international material compliance requirements in the International Material Data System (IMDS) to meet EU and other international material and environmental related regulations. This requirement is mandated for all suppliers who supply their products or raw materials to us as part of our production-parts approval process. Tesla, along with our partners and independent third parties, conducts audits to observe these principles in action. If there is a reasonable basis to believe a supplier partner is in violation of the Code, Tesla will transition away from that relationship unless the violation is cured in a satisfactory manner'. Tesla's supplier code of conduct covers aspects related to human rights. [Impact Report 2019, 2019: <a href="https://www.tesla.com">tesla.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Describe positive incentives offered to respect human rights</li> <li>• Not Met: Working with suppliers to meet HR requirements: Although the Company reports work conducted with suppliers, this is made in the context of mineral and other natural materials, which are assessed under their specific</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			indicators. No evidence found of proactive work conducted with general supply chain to help them meet company's human rights commitments. [2020 Modern Slavery Act Transparency Statement, 06/2021: <a href="https://www.tesla.com">tesla.com</a> ] & [2020 Impact report, 2021: <a href="https://www.tesla.com">tesla.com</a> ]
B.1.8	Approach to engagement with affected stakeholders	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not Met: Stakeholder process or systems to identify and engage with workers/communities in the last two years: Although the Company describes venues for employee engagement and participation of multi-stakeholder initiatives, no evidence found of a system to identify and engage with affected stakeholders, and how it has engaged with them, in a human rights context, in the last two years. [2020 Impact report, 2021: <a href="https://www.tesla.com">tesla.com</a>]</li> <li>• Not Met: Discloses stakeholders that HRs may be affected</li> <li>• Not Met: Provides two examples of engagement with stakeholders</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not Met: Analysis of stakeholder views on company's HR issues</li> <li>• Not Met: Describe how views influenced company's HR approach</li> </ul>

## B.2 Human Rights Due Diligence (15% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
B.2.1	Identifying human rights risks and impacts	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not Met: Identifying risks in own operations</li> <li>• Not Met: Identifying risks through relevant business relationships: The Company reports in relation to its due diligence efforts in relation to mineral sourcing, which are assessed under mineral's specific indicators. No evidence found of a general due diligence system to identify potential human rights risks and impacts in the supply chain beyond mineral context. [2020 Impact report, 2021: <a href="https://www.tesla.com">tesla.com</a>] &amp; [2020 Modern Slavery Act Transparency Statement, 06/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not Met: Describe ongoing global risk identification in consultation with stakeholder/HR experts</li> <li>• Not Met: Triggered by new circumstances</li> <li>• Not Met: Describes risks identified</li> </ul>
B.2.2	Assessing human rights risks and impacts	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not Met: Describe process for assessment of HR risks and discloses salient HR issues</li> <li>• Not Met: How process applies to supply chain: The Company reports in relation to its due diligence efforts on mineral sourcing, which are assessed under mineral's specific indicators. The Impact report indicates that 'risks are prioritized based on several factors: their impact on human rights, significance to the business, Tesla's ability to drive change and our relationship with the supply base, among other things'. However, this seems to refer to the importance given to risks. It is not clear the process by which the company assesses which are the salient human rights risks that it faces. No evidence found of a general due diligence system to assess saliency of potential human rights risks and impacts in the supply chain beyond mineral context. [2020 Modern Slavery Act Transparency Statement, 06/2021: <a href="https://www.tesla.com">tesla.com</a>] &amp; [2020 Impact report, 2021: <a href="https://www.tesla.com">tesla.com</a>]</li> <li>• Not Met: Public disclosure of the results of HR assessment: The Company reports in relation to risks related to sourcing of different type of minerals used in its products. No evidence found, however of a disclosure covering risks and impacts related to all its supply chain. [2020 Modern Slavery Act Transparency Statement, 06/2021: <a href="https://www.tesla.com">tesla.com</a>] &amp; [2020 Impact report, 2021: <a href="https://www.tesla.com">tesla.com</a>]</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not Met: Meets all requirements under score 1</li> <li>• Not Met: How it involved affected stakeholders in the assessment</li> </ul>
B.2.3	Integrating and acting on human rights risks and impact assessments	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not Met: Action Plans to mitigate risks</li> <li>• Not Met: Description of how global system applies to supply chain: As indicated in previous indicators, action plans on supply chain refer to different mineral sourcing, which are covered under its specific indicators.</li> <li>• Not Met: Example of actions decided on at least 1 salient HR issues</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not Met: Meets all requirements under score 1</li> <li>• Not Met: Involve stakeholders in decisions about actions</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
B.2.4	Tracking the effectiveness of actions to respond to human rights risks and impacts	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not Met: System for tracking or monitor if actions taken are effective</li> <li>• Not Met: Lessons learnt from checking system effectiveness</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not Met: Meets both requirements under score 1</li> <li>• Not Met: Involve stakeholders in evaluation of actions taken</li> </ul>
B.2.5	Communicating on human rights impacts	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not Met: Provides two examples of comms with stakeholders</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not Met: Describe challenges to effective comms and how it is working to address them</li> </ul>

### C. Remedies and Grievance Mechanisms (20% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
C.1	Grievance channel(s)/mechanism(s) to receive complaints or concerns from workers	1.5	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Met: Channel accessible to all workers: The Company indicates that 'Our employees can report concerns to their supervisor or HR partner. If they prefer to report another way, the Integrity Line is available 24 hours a day, seven days a week. The Integrity Line allows employees to report concerns anonymously and without fear of retaliation. Consistent with the U.N. Guiding Principles, Tesla publicizes the Integrity Line to promote accessibility, including an internal website link for quick and easy access'. [2020 Impact report, 2021: <a href="https://www.tesla.com">tesla.com</a>]</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not Met: Channel is available in all appropriate languages and workers aware</li> <li>• Met: Describe how workers in the supply chain have access to grievance mechanism: Supplier management systems should include 'an effective grievance mechanism, to assess workers' understanding of and obtain feedback on or violations against practices and conditions covered by this Code and to foster continuous improvement. Workers must be given a safe environment to provide grievance and feedback without fear of reprisal and retaliation'. [Supplier Code of Conduct, 07/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> <li>• Met: Expect Suppliers to convey expectation to their own suppliers: The supplier code also states that 'we expect our suppliers to not just conduct business consistent with this Code, but also to set similar expectations with their own supply chain'. [Supplier Code of Conduct, 07/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> </ul>
C.2	Grievance channel(s)/mechanism(s) to receive complaints or concerns from external individuals and communities	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not Met: Grievance mechanism for community: Although the Company has grievance mechanism for employees, no evidence found of mechanisms being extensive to external stakeholders, including communities. [Code of business conduct an ethics: <a href="https://www.tesla-cdn.thron.com">tesla-cdn.thron.com</a>]</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not Met: Describes accessibility and local languages and stakeholder awareness</li> <li>• Not Met: Communities access mechanism direct or through suppliers: Although the supplier code expects suppliers to have a grievance mechanism for suppliers' employees, no evidence found of this requirement being extensive to suppliers' external stakeholders. [Supplier Code of Conduct, 07/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> <li>• Not Met: Expect supplier to convey expectation to their own suppliers</li> </ul>
C.3	Users are involved in the design and performance of the channel(s)/mechanism(s)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not Met: Engages users to create or assess system</li> <li>• Not Met: Examples (at least two) of how they do this</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not Met: Engages with potential or actual users on the improvement of the mechanism</li> <li>• Not Met: Provides user engagement example (at least two) on improvement</li> </ul>
C.4	Procedures related to the mechanism(s)/channel(s) are equitable, publicly	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not Met: Response timescales and how complainants will be informed</li> <li>• Not Met: Describe support (technical, financial, etc) available for equal access by complainants</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not Met: Describe types of outcome to complainant through use of mechanism</li> <li>• Not Met: Escalation to senior/independent level</li> </ul>



Indicator Code	Indicator name	Score (out of 2)	Explanation
	available and explained		
C.5	Prohibition of retaliation for raising complaints or concerns	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Public statement prohibiting retaliation: The impact report indicates that 'The company keeps information reported by employees in confidence, whether through the hotline or another channel. Our policies prohibit retaliatory actions against employees for raising concerns or making complaints'. Similar commitment appears in the code of conduct. However, no evidence found if this commitment being extensive to external stakeholders. [2020 Impact report, 2021: <a href="https://tesla.com">tesla.com</a>] &amp; [Code of business conduct an ethics: <a href="https://tesla-cdn.thron.com">tesla-cdn.thron.com</a>]</li> <li>• Not Met: Practical measures to prevent retaliation: The grievance mechanism allows anonymous reporting 'where allowed by law'. No further evidence found on practical measures to prevent retaliation. [Code of business conduct an ethics: <a href="https://tesla-cdn.thron.com">tesla-cdn.thron.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Company indicate it will not retaliate against workers/stakeholders: The supplier code includes a requirement to protection from retaliation. However, it is not clear if the channel (and the commitment) is made extensive to suppliers' external stakeholders. [Supplier Code of Conduct, 07/2021: <a href="https://tesla.com">tesla.com</a>]</li> <li>• Not Met: Expects suppliers to prohibit retaliation against workers/stakeholders</li> </ul>
C.6	Company involvement with state-based judicial and non-judicial grievance mechanisms	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Complainants not asked to waive rights</li> <li>• Not Met: Company does not require confidentiality provisions</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Will work with state based non judicial mechanisms</li> <li>• Not Met: Example of issue resolved (if applicable)</li> </ul>
C.7	Remedying adverse impacts	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Describes how remedy has been provided</li> <li>• Not Met: Says how it would provide remedy for victims if no adverse impact identified</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Changes to systems, processes and practices to stop similar impact</li> <li>• Not Met: Describe approach to monitoring implementation of agreed remedy</li> <li>• Not Met: Approach to learning from incident to prevent future impacts</li> </ul>
C.8	Communication on the effectiveness of grievance mechanism(s) and incorporating lessons learned	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Number grievances filed, addressed or resolved and outcome achieved</li> <li>• Not Met: How lessons from mechanism improve management system</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Evaluation of the channel/mechanism and changes made as result</li> <li>• Not Met: Describes procedures to address delays of outcomes agreed with stakeholders</li> </ul>

## D. Performance: Company Human Rights Practices (25% of Total)

### D.5 Automotive Manufacturing

Indicator Code	Indicator name	Score (out of 2)	Explanation
D.5.1.a	Living wage (in own production or manufacturing operations)	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Pays living wage or sets target date: The Code states that 'we are committed to providing a fair and equitable wages, benefits, and other terms of employment'. No explicit commitment found, however, to pay a living wage. [Code of business conduct an ethics: <a href="https://tesla-cdn.thron.com">tesla-cdn.thron.com</a>]</li> <li>• Not Met: Describes how living wage determined</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Paying living wage</li> <li>• Not Met: Definition of living wage reviewed with unions</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
D.5.1.b	Living wage (in the supply chain)	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Discloses living wage requirements in supplier code or contracts: The Company states 'Compensation paid to workers shall comply with all applicable wage laws, including those relating to minimum wages, overtime hours and legally mandated benefits. However, no evidence explicit was found on living wages. [Supplier Code of Conduct, 07/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> <li>• Not Met: Improving living wage practices of suppliers</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Assessment of number affected by payment below living wage</li> <li>• Not Met: Provides analysis of trends demonstrating progress</li> </ul>
D.5.2	Aligning purchasing decisions with human rights	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Avoids business model pressure on HRs (purchasing practices)</li> <li>• Not Met: Practices adopted to pay suppliers in line with agreed timeframes</li> <li>• Not Met: Review own operations to mitigate negative impact</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Meets all requirements under score 1</li> <li>• Not Met: Examples of how it assessed, addressed and change purchasing practices</li> </ul>
D.5.3	Mapping and disclosing the supply chain	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Identifies direct and indirect suppliers back to manufacturing sites (factories or fields): The Company discloses smelter and refiner identification in the conflict minerals report. No details found on whether it identifies direct and indirect suppliers back to manufacturing sites beyond minerals context. [2020 Conflict minerals report, 2021: <a href="https://www.tesla.com">tesla.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Discloses names and locations of significant parts of SP and why</li> <li>• Not Met: Discloses which direct or indirect suppliers is involved in higher-risk activities</li> </ul>
D.5.4.a	Prohibition of child labour: Age verification and corrective actions (in own production or manufacturing operations)	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Does not use child labour: The Human Rights policy states that 'Tesla strictly follows local and national laws restricting the employment of underage workers. Regardless of local laws, no workers at a facility or location that provides materials used in Tesla products may be under the age of 15'. The Modern Slavery statement indicates that Child labour and the employment of children below the applicable minimum legal age is strictly forbidden at Tesla. [Human Rights Policy and Responsible Materials Policy, 07/2021: <a href="https://www.tesla.com">tesla.com</a>] &amp; [2020 Modern Slavery Act Transparency Statement, 06/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> <li>• Not Met: Age verification of workers recruited</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Remediation if children identified</li> </ul>
D.5.4.b	Prohibition of child labour: Age verification and corrective actions (in the supply chain)	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Child Labour rules in codes or contracts: The supplier code states that 'child labor is not to be used in any stage of manufacturing [...] suppliers shall implement an appropriate mechanism to verify the age of workers [...] If child labor is identified, assistance and remediation according to the stricter of international standards or local standards shall be provided. [Supplier Code of Conduct, 07/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> <li>• Not Met: How working with suppliers on child labour</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Assessment of number affected by child labour in supply chain</li> <li>• Not Met: Analysis of trends in progress made</li> </ul>
D.5.5.a	Prohibition of forced labour: Recruitment fees and costs (in own production or manufacturing operations)	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Job seekers and workers do not pay recruitment fee</li> <li>• Not Met: Commits to fully reimbursing if they have paid</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: How practices are implemented and monitored for agencies, labour brokers or recruiters</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
D.5.5.b	Prohibition of forced labour: Recruitment fees and costs (in the supply chain)	0.5	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>Met: Debt and fees rules in codes or contracts: The supplier code requires that 'workers shall not be required to pay employers' agents or sub-agents' recruitment fees or other related fees for their employment. If any such fees are found to have been paid by workers, such fees shall be repaid to the worker within 30 days'. [Supplier Code of Conduct, 07/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> <li>Not Met: How working with suppliers on debt &amp; fees</li> </ul> Score 2 <ul style="list-style-type: none"> <li>Not Met: Assessment of the number affected by payment of recruitment fees</li> <li>Not Met: Analysis of trends in progress made</li> </ul>
D.5.5.c	Prohibition of forced labour: Wage practices (in own production or manufacturing operations)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>Not Met: Pays workers in full and on time</li> <li>Not Met: Payslips show any legitimate deductions</li> </ul> Score 2 <ul style="list-style-type: none"> <li>Not Met: How these practices are monitored for agencies, labour brokers or recruiters</li> </ul>
D.5.5.d	Prohibition of forced labour: Wage practices (in the supply chain)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>Not Met: Requirement for suppliers to pay workers in full and on time in codes or contracts: The supplier code requires that 'for each pay period, workers shall be provided with a timely and understandable wage statement that includes sufficient information to verify accurate compensation for work performed'. No specific requirement found, however, indicating that workers should also be paid in full and on a timely manner. [Supplier Code of Conduct, 07/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> <li>Not Met: How working with supply chain to pay workers regularly and on time</li> </ul> Score 2 <ul style="list-style-type: none"> <li>Not Met: Assessment of the number affected by failure to pay directly</li> <li>Not Met: Provides analysis of trends demonstrating progress</li> </ul>
D.5.5.e	Prohibition of forced labour: Restrictions on workers (in own production or manufacturing operations)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>Not Met: Does not retain documents or restrict movement: The Human rights policy states that 'Tesla is committed to ensuring that its entire value chain -from raw materials to final production- is free of any form of slave or forced labor, debt bondage or human trafficking. Tesla does not, and will not, tolerate the use of any non-voluntary, including prison, labor of any age in the manufacture of its products'. No specific provisions found, however, in relation to document retention, restrict freedom of movement or require workers to use company provided accommodation. [Human Rights Policy and Responsible Materials Policy, 07/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> </ul> Score 2 <ul style="list-style-type: none"> <li>Not Met: How these practices are monitored for agencies, labour brokers or recruiters</li> </ul>
D.5.5.f	Prohibition of forced labour: Restrictions on workers (in the supply chain)	0.5	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>Met: Free movement rules in codes or contracts: The supplier code states that 'Employers, agents, and sub-agents' may not hold or otherwise destroy, conceal, or confiscate identity or immigration documents, such as government-issued identification, passports, or work permits. Employers can only hold documentation if such holdings are required by law. In this case, at no time should workers be denied access to their documents'. [Supplier Code of Conduct, 07/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> <li>Not Met: How working with suppliers on free movement</li> </ul> Score 2 <ul style="list-style-type: none"> <li>Not Met: Assessment of the number affected by retaining docs or restricting movement</li> <li>Not Met: Provides analysis of trends demonstrating progress</li> </ul>
D.5.6.a	Freedom of association and collective bargaining (in own production or manufacturing operations)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>Not Met: Commits not to interfere with union rights / Steps to avoid intimidation or retaliation</li> <li>Not Met: Discloses % total direct operations covered by collective CB agreements</li> </ul> Score 2 <ul style="list-style-type: none"> <li>Not Met: Meets both requirements under score 1</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
D.5.6.b	Freedom of association and collective bargaining (in the supply chain)	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: FoA &amp; CB rules in codes or contracts: The Company states 'in accordance with local law, suppliers shall respect the rights of all workers to form and join trade unions of their own choosing, to bargain collectively, and to engage in peaceful assembly as well as respect the right of workers to refrain from such activities. Workers and/or their representatives shall be able to openly communicate and share ideas and concerns with management regarding working conditions and management practices without fear of discrimination, reprisal, intimidation or harassment'. However, it is not clear whether the Company requires to respect those rights in all contexts, as it indicates 'in conformance with local law'. In these cases (companies referring to local laws in freedom of association and collective bargaining), companies are expected to require alternative mechanisms or equivalent workers bodies where the right to freedom of association and collective bargaining is restricted under law. [Supplier Code of Conduct, 07/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> <li>• Not Met: How working with suppliers on FoA and CB</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Assessment of the number affected by restrictions to FoA and CB in the SP</li> <li>• Not Met: Provides analysis of trends demonstrating progress</li> </ul>
D.5.7.a	Health and safety: Fatalities, lost days, injury, occupational disease rates (in own production of manufacturing operations)	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Describes process to identify H&amp;S risks and impacts: The Company describes health and safety organization, metrics, and certifications. However, no description found of a process to identify health and safety risks and impacts. [2020 Impact report, 2021: <a href="https://www.tesla.com">tesla.com</a>]</li> <li>• Met: Injury Rate or Lost days or Near Miss disclosures for last reporting period: The Company reports injury rates per 1.000 vehicles produced, incident rate and 'days away from work, restricted time' for the last three reporting years. [2020 Impact report, 2021: <a href="https://www.tesla.com">tesla.com</a>]</li> <li>• Not Met: Discloses Fatalities for last reporting period</li> <li>• Not Met: Occupational disease rate for last reporting period</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Set targets for H&amp;S performance</li> <li>• Not Met: Met targets or explain why not or what is doing to improve management systems: The Company indicates that 'our main objective is to identify events with a meaningful connection to our employees' daily work and recognize similar situations with comparable potential consequences for prevention purposes. These events can be used to evaluate, compare and continually improve management systems and programs related to worker safety and health'. The Company also describes health and safety committees to drive improvement. However, no further details found including specific measures to improve management systems. [2020 Impact report, 2021: <a href="https://www.tesla.com">tesla.com</a>]</li> </ul>
D.5.7.b	Health and safety: Fatalities, lost days, injury, occupational disease rates (in the supply chain)	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Sets out clear Health and Safety requirements: The supplier code requires that 'Suppliers recognize that in addition to minimizing the incidence of work-related injury and illness, a safe and healthy work environment enhances the quality of products and services, consistency of production and worker retention and morale. Suppliers also recognize that ongoing worker input and education are essential to identifying and solving health and safety issues in the workplace'. The code includes a series of standards including occupational safety, emergency preparedness, occupational injury and illness, industrial hygiene, physically demanding work, machine safeguarding, sanitation, food and housing, and health and safety communication. [Supplier Code of Conduct, 07/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> <li>• Not Met: Injury rate disclosures and lost days (or near miss disclosures) for the last reporting period</li> <li>• Not Met: Fatalities disclosures for last reporting period</li> <li>• Not Met: Occupational disease rates for the last reporting period</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: How working with suppliers on H&amp;S</li> <li>• Not Met: Assessment of the number affected by H&amp;S issues in the SP</li> <li>• Not Met: Provide analysis of trends in progress made</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
D.5.8.a	Women's rights (in own production or manufacturing operations)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not Met: Process to stop harassment and violence against women</li> <li>• Not Met: Working conditions take account of gender</li> <li>• Not Met: Measures and steps to address gender pay gap at all levels of employment</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not Met: Meet all requirements under score 1</li> <li>• Not Met: Provides analysis of trends demonstrating closing gender pay gap</li> </ul>
D.5.8.b	Women's rights (in the supply chain)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not Met: Women's rights in codes or contracts: The supplier code states that 'reasonable steps must also be taken to remove pregnant women and nursing mothers from working conditions with high hazards, remove or reduce any workplace health and safety risks to pregnant women and nursing mothers, including those associated with their work assignments, and provide reasonable accommodations for nursing mothers'. No further requirements found including equal pay for equal work and measures to ensure equal opportunities throughout all levels of employment. [Supplier Code of Conduct, 07/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> <li>• Not Met: How working with suppliers on women's rights</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not Met: Assessment on the number affected by discrimination or unsafe working conditions</li> <li>• Not Met: Provide analysis of trends in progress made</li> </ul>
D.5.9.a	Working hours (in own production or manufacturing operations)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not Met: Respects max hours, min breaks and rest periods in its own operations</li> <li>• Not Met: Assesses ability to comply with its commitments when allocating work/targets</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not Met: Meets both requirements under score 1</li> <li>• Not Met: How it implements and checks this in its operations</li> </ul>
D.5.9.b	Working hours (in the supply chain)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Not Met: Working hours in codes or contracts: The supplier code requires that 'working hours are not to exceed the maximum set by local law. Further, a workweek should not be more than 60 hours per week, including overtime, except in emergency or uncommon circumstances. All overtime must be voluntary. Workers shall be allowed at least one day of every seven days, defined as a rest period of at least 24 consecutive hours every seven days'. However, no requirement found about respecting the ILO conventions on working hours. Alternatively, the Company would achieve this by committing to a 48 hours regular working week. [Supplier Code of Conduct, 07/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> <li>• Not Met: How working with suppliers on working hours</li> </ul> Score 2 <ul style="list-style-type: none"> <li>• Not Met: Assessment of number affected by excessive working hours</li> <li>• Not Met: Provide analysis of trends in progress made</li> </ul>
D.5.10.a	Responsible Mineral Sourcing: Arrangements with suppliers and smelters/refiners in the mineral resource supply chains	0.5	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> <li>• Met: Due diligence in accordance with OECD Guidance in supplier contracts: The Company states 'Partners are accountable for developing and implementing their own due diligence program in alignment with the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas. Supplier Partners must identify, address and mitigate any risks in their supply chain related to the mining of minerals originating from regions at high risk'. It indicates in the conflict minerals report:'. Our contracts with suppliers also require them to adhere to Tesla's policies, including our Code, Policy, and environmental and safety requirements. [...] Our contractual terms with suppliers (i.e., General Terms and Conditions) also include our expectation that all Tesla suppliers are accountable for performing conflict minerals due diligence aligned with the OECD Guidance as required by Section 1502 of the Dodd-Frank Wall Street Reform and Consumer Protection Act'. [Supplier Code of Conduct, 07/2021: <a href="https://www.tesla.com">tesla.com</a>] &amp; [Conflict Minerals Report 2019, 2020: <a href="https://www.tesla.com">tesla.com</a>]</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> <li>• Not Met: Works with smelters/refiners and suppliers to build capacity: The Company reports: ' Tesla engaged a reputable third-party service provider with experience in conflict minerals data collection to assist with the engagement and training of suppliers, collection on CMRTs, validation of responses, SoR identification, initial risk assessment, and conflict minerals report review. It also indicates, as a measure of continuous improvement: 'Educate suppliers on the importance of understanding the 3TG content of their products and maintaining consistency between their CMRT responses and IMDS submissions'. However, no evidence found describing how the Company works with smelter and refiner to build their capacity in risk assessment and improving their due diligence performance. [Conflict Minerals Report 2019, 2020: <a href="https://www.tesla.com">tesla.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: Contractual requirement to disclosure smelter/refiner information: The Company states 'Tesla Supplier Partners are expected to strictly follow all U.S. and applicable foreign law, and are required to provide full disclosure on material sourcing in accordance with the United States Government Securities and Exchange Commission (SEC) and Section 1502 of the 2010 Dodd–Frank Wall Street Reform and Consumer Protection Act, including by providing complete and accurate IMDS submissions as requested by Tesla'. It indicates in the conflict minerals report: 'Our contracts with suppliers also require them to adhere to Tesla’s policies, including our Code, Policy, and environmental and safety requirements. Tesla also requires our suppliers to provide evidence to us of their operations that address these social, environmental, and sustainability issues as well as their sourcing in a responsible manner.' As indicated above, this is contractually required. [Supplier Code of Conduct, 07/2021: <a href="https://www.tesla.com">tesla.com</a>] &amp; [Conflict Minerals Report 2019, 2020: <a href="https://www.tesla.com">tesla.com</a>]</li> <li>• Met: Contractual requirement covers all minerals: The responsible materials policy states that 'for all materials used in Tesla products, Tesla requires its suppliers to establish policies, due diligence frameworks, and management systems consistent with the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas'. As indicated above, 'our contracts with suppliers also require them to adhere to Tesla's policies'. [Human Rights Policy and Responsible Materials Policy, 07/2021: <a href="https://www.tesla.com">tesla.com</a>] &amp; [2020 Conflict minerals report, 2021: <a href="https://www.tesla.com">tesla.com</a>]</li> </ul>
D.5.10.b	Responsible Mineral Sourcing: Risk identification in mineral supply chain	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Risk identification and disclosure in line with OECD Guidance: The Company states that 'Our conflict minerals process and policies are designed to conform in all material respects with the OECD Guidance.' Regarding risk identification and assessment, it says 'Tesla’s risk identification and assessment process begins with the RCOI process detailed above and by leveraging the CMRT. In-scope Tier 1 suppliers are engaged multiple times during this process, and internal stakeholders, such as global supply managers, are also engaged to emphasize to our suppliers the importance of their participation. Supplier data is collected over a ten-week period in order to allow for follow-up and further validation. Supplier responses are continually reviewed throughout the process to ensure consistency with expected responses, and suppliers are asked to provide evidence of their own due diligence processes. Utilizing a reputable third party, we also assess each CMRT received and follow up with suppliers who provided incomplete or invalid responses. Smelter information is assessed against information provided by the RMI for validity as a smelter. Valid smelters are then reviewed for their status as “conformant to” or “active in” a conflict-free audit program. Tesla also leverages the RMI’s Risk Readiness Assessment tool to better understand where smelter risk may emerge in our supply chain. Tesla carefully monitors responses from suppliers on their own internal policies and processes regarding conflict minerals. If a supplier’s policy does not meet our expectations, we not only emphasize the importance of these practices, but also work with that supplier to ensure that its policies are updated to properly address the appropriate process within their supply chain.' However, no evidence found on risks identified. No further evidence found in latest review in relation to risks faced. [Conflict Minerals Report 2019, 2020: <a href="https://www.tesla.com">tesla.com</a>] &amp; [2020 Conflict minerals report, 2021: <a href="https://www.tesla.com">tesla.com</a>]</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> <li>• Met: Identification of smelter/refiners and OECD Guidance: The Company indicates that 'we send out an inquiry letter to the Tier 1 suppliers that have products determined to likely contain 3TG minerals'. Supply chain survey uses CMRT, requesting Tier 1 suppliers to identify smelters and refiners and country of origin of the conflict minerals. Using the CMRT, we receive reports back on Tier 1 supplier progress and collect the determined list of smelters used in the supply chain'. Additionally 'we continuously compare the updated list of facilities that are certified by the RMI as conflict free smelters or refiners against our own CMRT results'. [Conflict Minerals Report 2019, 2020: <a href="https://tesla.com">tesla.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Met: Discloses smelters/refiners judged in line with OECD Guidance: The Company's Conflict Minerals Report showcases a list of smelters for 3TG, stating 'The following list of facilities are smelters or refiners believed to be in Tesla's supply chain who have completed the RMAP audit program and are listed as conformant for responsible sourcing practices. We publish this list to hold these smelters and refiners accountable and to give credit for their continued participation in the RMAP. In addition, we hope that this encourages the remaining smelters and refiners in our supply chain to accelerate their efforts to demonstrate responsible mineral procurement through the RMAP'. [Conflict Minerals Report 2019, 2020: <a href="https://tesla.com">tesla.com</a>]</li> <li>• Not Met: Risk identification and disclosure covers all minerals</li> </ul>
D.5.10.c	Responsible Mineral Sourcing: Risk management in the mineral supply chain	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Describes mineral risk management plan for supply chain: The Company reports in the section 'Design and Implement a Strategy to Respond to Identified Risks' from its Conflict Minerals Report: 'Any concerns with supplier responses throughout the data collection process are brought to the attention of the Steering Committee for further review and action. Suppliers who do not respond are also brought to the attention of a Steering Committee member for escalation. In alignment with the OECD Guidance, Tesla shares the names of smelters provided to us that have not been validated to the RMI for validation and audit. With recognition of the importance of cross-industry collaboration, Tesla continues to participate in the RMI and the Silicon Valley Conflict Minerals and Human Rights Forum.' In addition, in the section 'Continuous Improvement', it indicates: 'Tesla is always working to continually improve and our goal remains to source all of our 3TG through conflict-free and conformant smelters and refiners. In an effort to further strengthen our efforts, we also: Continue to participate in cross-industry groups such as the RMI and Silicon Valley Conflict Minerals and Human Rights Forum; Continue to work with in-scope suppliers to improve response rates to our audits, improve the quality of their responses and ensure their sourcing from conformant smelters and refiners; Continue to include participation in our RCOI process as a contractual requirement for our suppliers; Encourage suppliers to conduct responsible sourcing from the DRC and its adjoining countries by using conformant smelters, and discourage the creation of a de facto embargo on sourcing from the region; Through participation in RMI's Smelter Engagement Team, encourage smelters to participate in RMAP protocol and discourage a potential embargo of the DRC region; and Educate suppliers on the importance of understanding the 3TG content of their products and maintaining consistency between their CMRT responses and IMDS submissions'. [Conflict Minerals Report 2019, 2020: <a href="https://tesla.com">tesla.com</a>]</li> <li>• Not Met: Monitoring, tracking and whether better risk prevention/mitigation over time: The Company states 'In an effort to continuously improve, we will monitor our due diligence progress over the year as we receive supplier responses to our inquiries and have continued to target a 100% response rate. We expect to participate in more RMI smelter engagement outreach efforts and provide feedback to our own supply chain to improve the quality of responses from our suppliers. However, no further details found, including measures to reduce risk and how it monitors them. Current evidence seems to refer to identify the level of exposure through the survey response. No new evidence found in latest revision. [Human Rights Policy and Responsible Materials Policy, 07/2021: <a href="https://tesla.com">tesla.com</a>] &amp; [2020 Conflict minerals report, 2021: <a href="https://tesla.com">tesla.com</a>]</li> <li>• Not Met: Disclose better risk prevention/mitigation over time</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Suppliers and stakeholders engaged in risk management strategy</li> <li>• Not Met: Risk management and response processes cover all minerals</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
D.5.11	Responsible Materials Sourcing	1	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Due diligence for raw materials in supplier code/contracts: The Responsible materials policy states that 'For all materials used in Tesla products, Tesla requires its suppliers to establish policies, due diligence frameworks, and management systems consistent with the or the OECD Guidelines for Multinational Enterprises. Tesla's requirements for suppliers are designed to accomplish the goal of only sourcing materials from suppliers who behave in concordance with our company mission'. [Human Rights Policy and Responsible Materials Policy, 07/2021: <a href="https://www.tesla.com">tesla.com</a>]</li> <li>• Not Met: Works with suppliers to build capacity in risk assessment and due diligence</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Meets all requirements under score 1</li> <li>• Not Met: Identify the sources of high-risk raw materials in its supply chain</li> </ul>

### E. Performance: Responses to Serious Allegations (20% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
E(1).0	Serious allegation No 1		<ul style="list-style-type: none"> <li>• Area: FoA/CB</li> <li>• Headline: Court condemns Tesla over alleged labour violations in the United States</li> <li>• Story: On September 27, 2019, Bloomberg reported that a federal court ruled that Tesla committed a series of violations of the National Labor Relations Act in 2017 and 2018 at the Company's manufacturing facility in Fremont, California. The Company reportedly illegally threatened and retaliated against employees and repressed their attempts to unionize. According to the judge's ruling, Tesla created rules that prevented off-duty employees from distributing union leaflets, fired a pair of workers, and questioned employees about union activities.</li> </ul> <p>The violations included a Musk tweet in May 2018 implying that employees who join a union would have to give up company-paid stock options. The judge ruled that the tweet was "threatening to employees" and suggesting that they would lose their stock options if they voted to unionize.</p> <p>[Business Journal, 30/09/2019, "Firings, leaflets and a tweet: Judge finds multiple labor law violations at Tesla": <a href="https://www.bizjournals.com">bizjournals.com</a>] [CNN, 28/09/2019, "Tesla violated labor laws with Elon Musk tweet, judge rules": <a href="https://edition.cnn.com">edition.cnn.com</a>] [Business Human Rights Resource Center, 01/10/2019, "USA: Administrative court finds Tesla's actions against unionising violates federal labour law": <a href="https://business-humanrights.org">business-humanrights.org</a>] [Bloomberg, 27/09/2019, "Tesla committed unfair labor practices judge rules": <a href="https://www.bloomberg.com">bloomberg.com</a>]</p>
E(1).1	The company has responded publicly to the allegation	1	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Met: Public response: Tesla replied to CNN by defending the tweet by Elon Musk. A spokesperson said that "Elon's tweet was simply a recognition of the fact that unlike Tesla, we're not aware of a single UAW-represented automaker that provides stock options or restricted stock units to their production employees, and UAW organizers have consistently dismissed the value of Tesla (TSLA) equity as part of our compensation package." They added that "We fundamentally believe it's critical that all employees be owners of Tesla so that everyone is on the same team, with all sharing in the company's success. This has been highly successful and led to Tesla compensation being the highest in the auto industry." [CNN, 29/08/2018: <a href="https://money.cnn.com">money.cnn.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Detailed response: The response does not address the alleged violation.</li> </ul>
E(1).2	The company has investigated and taken appropriate action	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Engaged with stakeholders: The response does not address the alleged violation.</li> <li>• Not Met: Identified cause</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Identified and implemented improvements</li> <li>• Not Met: Stakeholder input to steps taken</li> </ul>



Indicator Code	Indicator name	Score (out of 2)	Explanation
E(1).3	The company has engaged with affected stakeholders to provide for or cooperate in remedy(ies)	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Provided remedy: According to the press, 'The judge has called for Tesla to reinstate Ortiz with back pay, writing that "an employer may not terminate an employee for lying in response to questions regarding" union organizing; and revoke the warning to Moran, noting that Tesla did not seem to have rules against browsing or screenshotting Workday profiles. The ruling also orders Tesla to hold a company meeting at the Fremont plant that Elon Musk must attend, where either he or an agent with the NLRB must read aloud to employees that the board found that Tesla had broken the law. [...] Tesla denies wrongdoing, and is expected to appeal the ruling to the National Labor Relations Board in Washington, D.C.' No evidence could be found that the Company followed through with the required actions. [Business Journal, 30/09/2019: <a href="http://bizjournals.com">bizjournals.com</a>]</li> <li>• Not Met: Evidence for lack of Impact or link</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Remedy satisfactory to stakeholders: According to the press, 'The judge has called for Tesla to reinstate Ortiz with back pay, writing that "an employer may not terminate an employee for lying in response to questions regarding" union organizing; and revoke the warning to Moran, noting that Tesla did not seem to have rules against browsing or screenshotting Workday profiles. The ruling also orders Tesla to hold a company meeting at the Fremont plant that Elon Musk must attend, where either he or an agent with the NLRB must read aloud to employees that the board found that Tesla had broken the law. [...] Tesla denies wrongdoing, and is expected to appeal the ruling to the National Labor Relations Board in Washington, D.C.' No evidence could be found that the Company followed through with the required actions. [Business Journal, 30/09/2019: <a href="http://bizjournals.com">bizjournals.com</a>]</li> <li>• Not Met: Remedy delivered: According to the press, 'The judge has called for Tesla to reinstate Ortiz with back pay, writing that "an employer may not terminate an employee for lying in response to questions regarding" union organizing; and revoke the warning to Moran, noting that Tesla did not seem to have rules against browsing or screenshotting Workday profiles. The ruling also orders Tesla to hold a company meeting at the Fremont plant that Elon Musk must attend, where either he or an agent with the NLRB must read aloud to employees that the board found that Tesla had broken the law. [...] Tesla denies wrongdoing, and is expected to appeal the ruling to the National Labor Relations Board in Washington, D.C.' No evidence could be found that the Company followed through with the required actions. [Business Journal, 30/09/2019: <a href="http://bizjournals.com">bizjournals.com</a>]</li> <li>• Not Met: Independent remedy process used</li> </ul>
E(2).0	Serious allegation No 2		<ul style="list-style-type: none"> <li>• Area: Child labour, working hours, health &amp; safety</li> <li>• Headline: Tesla accused of child labour in DRC</li> <li>• Story: On December 15, 2019, a legal complaint has been filed in US by human rights group Rights Advocates on behalf of 14 families from the Democratic Republic of Congo (DRC) against Tesla, Microsoft, Alphabet, Dell, and Apple. The lawsuit accused the companies of aiding and abetting in the death and serious injury of children who they claim were working in cobalt mines owned by Glencore. It alleged that the defendants have known for a "significant period of time" that Congo's mining sector "is dependent upon children." The claim further alleged that cobalt from the Glencore-owned mines was then sold to Umicore, which in turn then sells battery-grade cobalt to Apple, Google, Tesla, Microsoft, and Dell.</li> </ul> <p>The lawsuit alleged that the children, some as young as 6 years old, were forced by their families' extreme poverty to leave school and work in cobalt mines owned by Glencore. According to the complaint, 6 of the 14 children were killed in tunnel collapses, while others suffered life-altering injuries, including paralysis. Some children were allegedly paid USD 1.50 a day, working 6 days a week.</p> <p>According to the complaint, the main drivers of the cobalt supply chain are Glencore/Umicore and Zhejiang Huayou Cobalt Company. Knowing that the tech boom was going to cause a major surge in demand for cobalt, these companies allegedly stepped in to dominate the market and develop reliable sources for DRC cobalt.</p> <p>The complaint claimed that "Umicore and Glencore formally agreed to form a venture in which Glencore's DRC cobalt from, among other places, Glecne's mines operated by KCC, MUMI and Katanga Mining, where most of the plaintiffs</p>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>were severely injured or killed, and Umicore would sell the cobalt to the defendants. All of these companies were formally locked in a “venture” that was created to mine cobalt using young children to perform hazardous labor. The venture was also allegedly established to preserve the existing supply chains of cobalt in the DRC to create plausible deniability for all involved. In the refining process, Umicore reportedly intentionally mixes the cobalt mined by children working under hazardous conditions with other cobalt and takes other steps to impair the traceability of the DRC cobalt to give Defendants Apple, Alphabet, Dell, Microsoft and Tesla plausible deniability as to the source of the cobalt they purchase from Umicore.”</p> <p>The lawsuit further alleged that "based on the Congolese Mining Code, only Congolese nationals can work as artisanal miners, so Glencore arranged to set up a sham cooperative, CMKK (Coopérative Minière Maadini kwa Kilimo), with Congolese nationals as leaders. CMKK then put a Lebanese man known as “Ismail” in charge of buying the output of the artisanal miners at Tilwezembe to sell to Glencore.”</p> <p>The defendants replied with a motion to dismiss, arguing they did not violate the TVPRA as the child labour occurred only in their supply chain which is not the same as a venture. Furthermore, they argued that the children affected by the mine collapse were not forced into work by direct threats of force or harm by the employer. According to their argument the TVPRA does not include economic pressure in its definition of forced labour. In a third argument, the defendants deny a sufficient degree of knowledge of the issue. The court dismissed the case in November 2021. In the ruling the judge found that the harm claimed by the plaintiffs was not traceable to any of the defendants. Furthermore, the judge did not find a violation of the law cited and voiced doubts regarding the extraterritoriality of the TVPRA. The plaintiffs appealed this decision, therefore, the search for remedy continues.</p> <p>[CNN, 18/12/2019, "Apple, Google, Microsoft, Dell and Tesla are sued over alleged child labor in Congo": <a href="https://edition.cnn.com">edition.cnn.com</a>] [CBS News, 17/12/2019, "Apple, Google, Microsoft, Tesla and Dell sued over child-mined cobalt from Africa": <a href="https://www.cbsnews.com">cbsnews.com</a>] [Business and Human Rights Resource Centre, 09/10/2020, "Major tech companies respond to lawsuit over child labour in cobalt mines, argue that global supply chains do not fall under the scope of the Trafficking Victims Protection Reauthorization Act": <a href="https://www.business-humanrights.org">business-humanrights.org</a>] [Clifford Chance, 07/12/2021, "Testing the US Tra</p>
E(2).1	The Company has responded publicly to the allegation	0	<p>The individual elements of the assessment are met or not as follows: Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Public response: The company did file a motion to dismiss alongside the other defendants of the lawsuit, this does however, not qualify as a public response in the sense of this indicator as it is not addressed to the public and was not uttered voluntarily but as a legal measure to defend the company against the lawsuit. [ComputerWeekly, 09/10/2020, "Major tech companies respond to lawsuit over mining deaths": <a href="https://www.computerweekly.com">computerweekly.com</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Detailed response: The company did file a motion to dismiss alongside the other defendants of the lawsuit, this does however, not qualify as a public response in the sense of this indicator as it is not addressed to the public and was not uttered voluntarily but as a legal measure to defend the company against the lawsuit.</li> </ul>
E(2).2	The Company has appropriate policies in place	0	<p>The individual elements of the assessment are met or not as follows: Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Engaged with stakeholders</li> <li>• Not Met: Identified cause</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Identified and implemented improvements</li> <li>• Not Met: Stakeholder input to steps taken</li> </ul>
E(2).3	The Company has taken appropriate action	0	<p>The individual elements of the assessment are met or not as follows: Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Provided remedy</li> <li>• Not Met: Evidence for lack of Impact or link</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Remedy satisfactory to stakeholders</li> <li>• Not Met: Remedy delivered</li> <li>• Not Met: Independent remedy process used</li> </ul>

Indicator Code	Indicator name	Score (out of 2)	Explanation
E(3).0	Serious allegation No 3		<ul style="list-style-type: none"> <li>• Area: Forced labour; discrimination</li> <li>• Headline: Tesla's supplier accused of using forced labor in Xinjiang region</li> <li>• Story: On December 29, 2020, press sources reported that an investigation by The Washington Post and the Tech Transparency Project, revealed that Companies including Amazon, Tesla and Apple are sourcing parts from a Chinese supplier that allegedly uses forced Muslim labour.</li> </ul> <p>The Tech Transparency Project found documents detailing how Lens Technology, Tesla's supplier, uses "thousands of Uyghur workers from the predominantly Muslim region of Xinjiang" in its factories.</p> <p>In beginning 2020, Congress introduced a bill that would keep goods made with forced labour in the Uyghur region of China from entering the US and that Companies would be held responsible for such human rights violations. Apple appeared to have improved things in recent years, but issues persist, like more recent claims around reports of student workers in factories. Similarly, both Amazon and Tesla have also had their share of claims of labour violations and foreign worker abuse.</p> <p>[The Washington Post, 30/12/2020, "Apple supplier is using forced labor in China, human rights group alleges": <a href="https://www.washingtonpost.com">washingtonpost.com</a>] [Engadget, 29/12/2020, "Apple, Amazon and Tesla supplier accused of using forced labor": <a href="https://www.engadget.com">engadget.com</a>]</p>
E(3).1	The Company has responded publicly to the allegation	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Public response: Tesla did not respond to a request for comment after the revelations. [Business &amp; Human Rights Resource Center, 07/01/2021, "Apple supplier Lens Technology accused of using forced labour in China": <a href="https://www.business-humanrights.org">business-humanrights.org</a>]</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Detailed response: Tesla did not respond to a request for comment after the revelations.</li> </ul>
E(3).2	The Company has appropriate policies in place	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Engaged with stakeholders</li> <li>• Not Met: Identified cause</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Identified and implemented improvements</li> <li>• Not Met: Stakeholder input to steps taken</li> </ul>
E(3).3	The Company has taken appropriate action	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Provided remedy</li> <li>• Not Met: Evidence for lack of Impact or link</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Remedy satisfactory to stakeholders</li> <li>• Not Met: Remedy delivered</li> <li>• Not Met: Independent remedy process used</li> </ul>
E(4).0	Serious allegation No 4		<ul style="list-style-type: none"> <li>• Area: Forced labour; discrimination</li> <li>• Headline: Solar City, Tesla's subsidiary, among other companies accused of using suppliers linked to forced labour in China</li> <li>• Story: On May 14, 2021, it was reported that the Coalition to End Forced Labour in the Uyghur Region released a report that named Solar City, subsidiary of Tesla, among other companies implicated in the forced labour of Uyghurs and other Turkic and Muslim-majority peoples.</li> </ul> <p>The research allegedly provided clear evidence on the use of forced labour in the production of raw materials and other inputs for solar panels in the Uyghur Region, and how this was used in the global solar energy industry's supply chain. Of particular concern for the solar panel industry, Uyghur workers were involved in the first stages of production, including to crush quartz rocks and were working in the coal-fuelled furnaces for the production of polysilicon, as well as further along the supply chain.</p> <p>It is unclear how many of the workers are recruited through state-sponsored labour programmes. but it is clear from the above that at least some of its workers are.</p>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>Overall, 90 Chinese and international solar energy companies – including from the UK, Germany, the US, Australia, Japan and Kenya – were reported to have supply chains that were linked to this alleged forced labour.</p> <p>The study concluded that solar industry is particularly vulnerable to forced labour in the Uyghur Region because 95% of solar modules rely on one primary material – solar-grade polysilicon, and because polysilicon manufacturers in the Uyghur Region account for approximately 45% of the world’s solar-grade polysilicon supply.</p> <p>[Business &amp; Human Rights Resource Center, 02/08/2021, "China: Significant proportion of global solar value chain vulnerable to alleged forced labour in Uyghur Region, says major study"</p> <p>: <a href="https://business-humanrights.org">business-humanrights.org</a>] [Sheffield Hallam Univerisity, Helena Kennedy Centre for International Justice, 25/05/2021, "In broad daylight: Uyghur forced labour and global solar supply chains": <a href="https://acrobat.adobe.com">acrobat.adobe.com</a>] [BBC, 14/05/2021, "China uses Uyghur forced labour to make solar panels, says report": <a href="https://shu.ac.uk">shu.ac.uk</a>] [End Uyghur Forced Labour, 14/05/2021, Press Release: Shocking New Report Exposes Solar Industry’s Reliance on Uyghur Forced Labour: <a href="https://enduyghurforcedlabour.org">enduyghurforcedlabour.org</a></p>
E(4).1	The Company has responded publicly to the allegation	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Public response: Neither Tesla nor Solar City responded to the Business &amp; Human Rights Resource Centre's invitation for comment prior to publication of the report. No other response by the company or its subsidiary is publicly available.</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Detailed response: Neither Tesla nor Solar City responded to the Business &amp; Human Rights Resource Centre's invitation for comment prior to publication of the report. No other response by the company or its subsidiary is publicly available.</li> </ul>
E(4).2	The Company has appropriate policies in place	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Engaged with stakeholders</li> <li>• Not Met: Identified cause</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Identified and implemented improvements</li> <li>• Not Met: Stakeholder input to steps taken</li> </ul>
E(4).3	The Company has taken appropriate action	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Provided remedy</li> <li>• Not Met: Evidence for lack of Impact or link</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Remedy satisfactory to stakeholders</li> <li>• Not Met: Remedy delivered</li> <li>• Not Met: Independent remedy process used</li> </ul>
E(5).0	Serious allegation No 5		<ul style="list-style-type: none"> <li>• Area: Environmental rights; land rights</li> <li>• Headline: Tesla among others accused of abuses of Aluminium supply chains</li> <li>• Story: On July 22, 2021, Human Rights Watch and Inclusive Development International said in a report that Automobile companies need to do more to address abuses in their aluminium supply chains and the bauxite mines they source from. Car manufacturers used nearly a fifth of all aluminium consumed worldwide in 2019 and they are forecast to double their aluminium consumption by 2050 as they transition to electric vehicles.</li> </ul> <p>In its report the Human Rights Watch and Inclusive Development International describes the global supply chains that connect car manufacturers to mines, refineries, and smelters from countries including Guinea, Ghana, Brazil, China, Malaysia, and Australia. Based on meetings and correspondence with nine major car companies, Human Rights Watch and Inclusive Development International assessed how the auto industry addresses the human rights impacts of aluminium production, from the destruction of farmland and damage to water sources caused by mines and refineries to the significant carbon emissions from aluminium smelting. Although car companies’ knowledge of aluminium supply chains varies, none of the nine companies that responded to Human Rights Watch and Inclusive Development International had, prior to being contacted for this report, mapped</p>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>their aluminium supply chain to understand the human rights risks within it. However, three other companies – BYD, Hyundai, and Tesla – did not respond to requests for information.</p> <p>The report also alleged despite many of the world’s leading car companies have publicly committed to addressing human rights abuses in their supply chains, they have done little to evaluate and address the human rights impact of aluminium production. They have instead prioritized supply chain due diligence for other materials central to electric vehicles, such as the cobalt needed for electric batteries. Because they involve surface level mining, bauxite mines take up a large area, often destroying farmland that underpins the livelihoods of local communities. Bauxite mines can also have a devastating impact on rivers, streams, and groundwater sources that communities rely upon for household consumption and irrigation.</p> <p>[Human Rights Watch, 22/07/2021, "Aluminum: The Car Industry’s Blind Spot": <a href="https://www.hrw.org">hrw.org</a>]</p>
E(5).1	The Company has responded publicly to the allegation	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Public response: A response by the company is not publicly available.</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Detailed response: A response by the company is not publicly available.</li> </ul>
E(5).2	The Company has appropriate policies in place	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Engaged with stakeholders</li> <li>• Not Met: Identified cause</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Identified and implemented improvements</li> <li>• Not Met: Stakeholder input to steps taken</li> </ul>
E(5).3	The Company has taken appropriate action	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Provided remedy</li> <li>• Not Met: Evidence for lack of Impact or link</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Remedy satisfactory to stakeholders</li> <li>• Not Met: Remedy delivered</li> <li>• Not Met: Independent remedy process used</li> </ul>
E(6).0	Serious allegation No 6		<ul style="list-style-type: none"> <li>• Area: Environmental rights</li> <li>• Headline: Tesla's German gigafactory delayed over environmental concerns</li> <li>• Story: After initial environmental concerns regarding endangered animal species in July 2020, the Tesla gigafactory planned in Grünheide, Germany has come under more scrutiny due to concerns of water consumption. According to Germany's ZDF public broadcaster, the gigafactory's water consumption could reach up to 3.6 million cubic meters a year, or around 30 percent of the Brandenburg region's available supply – already affected by shortages after three summers of drought.</li> </ul> <p>"The water situation is bad, and will get worse," Heiko Baschin, a spokesman for the neighborhood association IG Freienbrink, told AFP – but Brandenburg's environment minister Axel Vogel said in March that "capacity has not been exceeded for now." This may change, however, in case the factory was to expand in the future.</p> <p>Water supply and disposal have long been a critical issue in the construction of the Tesla plant in Brandenburg. As early as the summer of 2020, the Strausberg-Erkner Water Association (WSE) is said to have temporarily halted plans for the water supply for the factory. At the time, this emerged from a report by local channel RBB with reference to an internal letter from the association. Even then, the WSE apparently reckoned that the annual supply of 15 million cubic metres of water per year would only be sufficient until 2022. Local residents fear for their supply of drinking water.</p> <p>[CGTN, 19/04/2021, "Tesla's German gigafactory delayed over environmental concerns": <a href="https://www.newseu.cgtn.com">newseu.cgtn.com</a>] [Electrive.com, 17/03/2021, "Tesla Giga berlin expansion threatened by water supply": <a href="https://www.electrive.com">electrive.com</a>] [Electrive.com, 20/07/2020, "Giga Berlin meets more bureaucracy in Germany": <a href="https://www.electrive.com">electrive.com</a>]</p>

Indicator Code	Indicator name	Score (out of 2)	Explanation
E(6).1	The Company has responded publicly to the allegation	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Public response: Tesla warned in a letter to Berlin's highest administrative court that Germany will "miss its climate targets" if it doesn't modernize itself soon. In its letter, the company asked for reduced bureaucracy for its project on the basis that it helps the environment.</li> </ul> <p>When a journalist questioned Tesla CEO Elon Musk on the allegation, Musk dismissed the suggestion with a joke, stating: "Basically, we are not in a very dry region. Trees wouldn't grow if there was no water." After local environmental groups filed a complaint to the Frankfurt Oder administrative court in February 2022 claiming that approval for higher water pumping rates could "endanger the public drinking water supply for 170,000 people in the association area" and challenging the licence granted to Tesla water supplier (WSE), Tesla declined to comment on the case.</p> <p>Overall, a serious and direct response to the allegation by the company is not publicly available. [Reuters, 23/02/2022, "Tesla faces day of reckoning on water supply for planned German plant": <a href="https://www.reuters.com">reuters.com</a>]</p> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Detailed response: A serious and direct response to the allegation by the company is not publicly available.</li> </ul>
E(6).2	The Company has appropriate policies in place	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Engaged with stakeholders</li> <li>• Not Met: Identified cause</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Identified and implemented improvements</li> <li>• Not Met: Stakeholder input to steps taken</li> </ul>
E(6).3	The Company has taken appropriate action	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> <li>• Not Met: Provided remedy</li> <li>• Not Met: Evidence for lack of Impact or link</li> </ul> <p>Score 2</p> <ul style="list-style-type: none"> <li>• Not Met: Remedy satisfactory to stakeholders</li> <li>• Not Met: Remedy delivered</li> <li>• Not Met: Independent remedy process used</li> </ul>

## Disclaimer

A score of zero for a particular indicator does not mean that bad practices are present. Rather it means that we have been unable to identify the required information in public documentation.

See the 2020 Key Findings report and the 2019 technical annex for more details of the research process.

The Benchmark is made available on the express understanding that it will be used solely for general information purposes. The material contained in the Benchmark should not be construed as relating to accounting, legal, regulatory, tax, research or investment advice and it is not intended to take into account any specific or general investment objectives. The material contained in the Benchmark does not constitute a recommendation to take any action or to buy or sell or otherwise deal with anything or anyone identified or contemplated in the Benchmark. Before acting on anything contained in this material, you should consider whether it is suitable to your particular circumstances and, if necessary, seek professional advice.

The CHRB is part of the World Benchmarking Alliance ('WBA'). The material in the Benchmark has been put together solely according to the CHRB methodology and not any other assessment models in operation within any of the project partners or EIRIS Foundation as provider of the analyst team.

No representation or warranty is given that the material in the Benchmark is accurate, complete or up-to-date. The material in the Benchmark is based on information that we consider correct and any statements, opinions, conclusions or recommendations contained therein are honestly and reasonably held or made at the time of publication. Any opinions expressed are our current opinions as of the date of the publication of the Benchmark only and may change without notice. Any views expressed in the Benchmark only represent the views of WBA, unless otherwise expressly noted.

While the material contained in the Benchmark has been prepared in good faith, neither WBA nor any of its agents, representatives, advisers, affiliates, directors, officers or employees accept any responsibility for or make any representation or warranty (either express or implied) as to the truth, accuracy, reliability or completeness of the information contained in this Benchmark or any other information made available in connection with the Benchmark. Neither WBA nor any of its agents, representatives, advisers, affiliates, directors, officers and employees undertake any obligation to provide the users of the Benchmark with additional information or to update the information contained therein or to correct any inaccuracies which may become apparent (save as to

the extent set out in CHRB appeals procedure). To the maximum extent permitted by law any responsibility or liability for the Benchmark or any related material is expressly disclaimed provided that nothing in this disclaimer shall exclude any liability for, or any remedy in respect of, fraud or fraudulent misrepresentation. Any disputes, claims or proceedings this in connection with or arising in relation to this Benchmark will be governed by and construed in accordance with Dutch law and shall be subject to the exclusive jurisdiction of the Courts of Amsterdam.

As WBA, we want to emphasise that the results will always be a proxy for good human rights management, and not an absolute measure of performance. This is because there are no fundamental units of measurement for human rights. Human rights assessments are therefore necessarily more subjective than objective. The Benchmark also captures only a snap shot in time. We therefore want to encourage companies, investors, civil society and governments to look at the broad performance bands that companies are ranked within rather than their precise score because, as with all measurements, there is a reasonably wide margin of error possible in interpretation. We also want to encourage a greater analytical focus on how scores improve over time rather than upon how a company compares to other companies in the same industry today. The spirit of the exercise is to promote continual improvement via an open assessment process and a common understanding of the importance of the UN Guiding Principles on Business and Human Rights.

#### COPYRIGHT

Our publications and benchmarks are the product of the World Benchmarking Alliance. Our work is licensed under the Creative Commons Attribution-Non Commercial-No Derivatives 4.0 International License. To view a copy of this license, visit [creativecommons.org](https://creativecommons.org)