

Contingent Worker Engagement Policy

Please familiarize yourself with the [Introduction to Contingent Worker Policies](#) prior to referencing the Contingent Worker Engagement policy.

The following content represents Intel's Contingent Worker Global Engagement Policy and, as a minimum requirement, should be followed at all times. There may be additional, more stringent, requirements and restrictions based on particular business group policies, as well as local country laws. However, at no time should business group or local country policy variations be any less stringent than the CW Engagement Policy. Failure to follow the entire or any part of the CW Engagement Policy may result in disciplinary action, up to, and including termination.

Important Note: Contingent Worker guidelines may vary depending upon the country, so it is important you read and understand the general guidelines below as well as the country specific guidelines listed in the Geo section of this policy.

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I. Engagement Policy - Overall Requirements

Policy definitions/terminology can be found [here](#).

Overview:

The Sponsors are assigned to help ensure contingent workers (CWs) are following Intel policies. Intel engages with third party companies, called Suppliers that employ individuals who are assigned to Intel as CWs to perform specialized services, temporarily augment Intel's workforce or assist Intel with maintaining a flexible workforce where resource requirements fluctuate with demand. Typically there is a contract between Intel and the Supplier that describes the scope of work and services to be performed by the CWs. As the employer, the Supplier is responsible for paying the CWs their compensation, providing benefits, and withholding and paying taxes. The Supplier is also responsible for hiring, firing and managing CW performance and disciplinary issues, including those arising from Intel assignments. Intel may require the Supplier to remove a CW from an Intel assignment as long as this is specified in the contract between Intel and the Supplier.

What is the risk associated with CWs engagement?

According to legal principles, when certain factors are present in the working relationship between a contracting company such as Intel and a CW, the company can be at risk of being determined a legal employer. These factors can include integration in the Intel environment and level of control over the CW. When a company is found as the legal employer under these circumstances this is sometimes referred to as "co-employment" or "de facto" employment. The law imposes many obligations on companies found to be an employer of a CW. It is the obligation of all Intel employees to minimize the potential risk of Intel being determined a "co-employer" or "de-facto" employer of CWs. Sponsors, along with all Intel employees, must ensure the following guidelines are being followed.

II. Specific Rules by Contingent Workforce Classifications

A. Outsourcing/ Outsource Services Contingent Worker (OS CW)

- [Introduction To Policy](#)

What can be outsourced:

For Russia, Israel, China, South Korea, Indonesia and LAR (not including Costa Rica) there are specific requirements on what may be outsourced. Please see geo specific sections for "GAR Specific Guidelines", "GER Specific Guidelines" and "LAR Specific Guidelines". For all other countries all work may be outsourced if the below guidelines are followed.

Requirements of Intel Employees/Sponsor when Outsourcing:

Do:

1. Do ensure supplier has a manager in place to manage the CWs and their work..
2. After providing suppliers with new or revised scopes of work, instructions and associated skill sets, do expect the supplier to assign the scopes of work to the CWs they have chosen.
3. If scope requires a CW to engage an Intel employee, it is okay as long as it does not involve any direction and control by the Intel employee.
4. If absolutely necessary to determine whether the supplier understands the scope of work requirements, do participate in the technical screening process. However, even after technical screening, it must be left up to the supplier, as the employer, to find the appropriate OS CWs for assignments at Intel.

Important note: The supplier, as the OS CW employer, remains the decision-maker as to whether the individual is placed for temporary assignment at Intel.

Do not:

1. Do not determine or influence the supplier's decisions regarding hiring, compensation, evaluation, discipline, rewards or termination of OS CWs.
2. Do not be involved in selecting specific OS CWs and this includes not directing individuals to suppliers for particular assignments.
3. Do not review resumes, in order to determine OS CW selection.
4. Do not provide CWs with new or revised scopes of work and instructions; this information must be given directly to the supplier to manage.
5. Do not manage or control CW resources regarding completion of the scope of work; this is owned by the supplier.
6. Do not provide day-to-day instructions, assignments or direction to OS CWs; this information must be given directly to the supplier's manager.

Requirements of Intel Suppliers when Outsourcing

Do:

1. Do be responsible for all aspects of the OS CWs' employment. This includes all hiring, withholding and paying taxes, compensation, rewards, managing OS CWs' performance and disciplinary issues, including those arising from Intel assignments, and termination.
2. Do be responsible for all OS CW recruiting, technical screenings, interviewing and/or any other selection and hiring activities.
3. Do choose the appropriate OS CWs for the assignments at Intel.
4. Do assign all new or revised scopes of work to CWs and manage the CWs and their work.
5. Do manage the CWs' daily work, and appoint a supplier manager (preferred onsite) to provide day-to-day instructions, assignments or direction to the OS CWs.

Duration Limits for OS CWs

- There is no limit on the length of placement of an approved Outsourced Services contingent worker.
- The length of assignment necessary to fulfill the scope of work is determined by the applicable contract.

OS CW Time Away Rule

- [See Time Away & Duration Matrix](#)
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B. Staff Augmentation Contingent Workers (SA CW)

- [Introduction To Policy](#)

Where can Staff Augmentation be used?

Staff Augmentation **cannot** be used in Philippines, PRC (except for Hong Kong), in all European Union (EU) countries (except Germany where SA is allowed and available for use), Russia, Ukraine, Kazakhstan, Saudi Arabia, Lebanon. Other countries may use Staff Augmentation CWs. For more information please see GEO specific sections for "GAR Specific Guidelines", "GER Specific Guidelines" and "LAR Specific Guidelines"

Why are there Duration Limits on Staff Augmentation CW's?

Duration limits are placed on the length of service for Staff Augmentation CWs (SA CWs) for two reasons: (1) To ensure that Intel does not foster two "classes" of workers -- one that enjoys the compensation, benefits and managerial attention given to Intel employees and one that does not; and (2) To minimize the risk of co-employment or defacto employment claims and associated legal and benefits issues that may arise if Intel is considered the co-employer or de facto employer of an SA CW.

Requirements of Intel Employees / Sponsors when using Staff Augmentation CWs

Do:

1. Ensure the SA CW assignment does not exceed the applicable duration limits (see next section).
2. Review the candidate resumes.
3. Participate in the supplier scheduled technical screens and ensure the individual understands the temporary assignment requirements.

Important note: The Supplier, as the SA CW employer, remains the decision-maker as to whether the individual is placed for temporary assignment at Intel.

4. Notify the Supplier, not the SA CW, if a decision is made that SA CW should be removed from site or contingent worker assignment.

Do not:

- If the CW candidate is presented on a CWOS job posting, do not solicit the candidate independently.
- Make the final decision regarding hiring (see above regarding resume review and interviewing), nor in any way influence the supplier on compensation, evaluation, discipline, rewards or termination of SA CW's.
- Become involved in any discussion with CWs or Suppliers regarding a CW's movement either to a specific supplier or from one supplier to another supplier.

Requirements of Suppliers when Staff Augmentation is being used

Do:

1. Be responsible for all aspects of the SA CWs' employment, including hiring, withholding and paying taxes, compensation, rewards, managing the SA CWs' performance and disciplinary issues, including those arising from Intel assignments, and termination.
2. Be responsible for any SA CW recruiting, technical screenings, interviewing and/or any other selection and hiring activities.

Duration Limits for SA CWs

- [See Time Away & Duration Matrix](#)

Staff Augmentation Conversion Time Away Rules

- [See Time Away & Duration Matrix](#)

C. Independent Contractor (IC)

Independent Contractor CW (IC CW) - Is a person or persons doing business as an independent business entity that performs specialized services under a contract for multiple clients. Engagements with ICs are generally project-based, short term and for a fixed term in duration.

Should the below rules not be met at any stage, the independent contractor (IC) classification will default to those of staff augmentation contingent workers (SA CWs) and the SA CW requirements will apply. In the event of reclassifications, the whole of the contingent worker assignment will be taken into account when assessing any time limits (time limits do not start to run from the date of reclassification).

Requirements of Intel Employees/Sponsors when using Independent Contractors

Do:

1. Determine whether the individual qualifies for independent contractors (IC) status by consulting with your procurement representative or CW Program at Global.Contingent.Workforce@intel.com. To follow the Independent Contractor process, please choose **Independent Contractor Request Form** in CWOS.
2. Support any required activity to annually review IC agreements.

Do not:

1. Engage an individual directly as an IC until that individual has qualified as an IC through the review process noted above.
2. Provide direction or exert control regarding the manner and means in which the IC provides its services to Intel.

Independent Contractor Time Away Rules

- [See Time Away & Duration Matrix](#)

III Other Overall Requirements

A. Timecard Compliance

It is the responsibility of each supplier to ensure accurate and timely timecard compliance. This includes, in part, ensuring:

1. The supplier's employees' timecards are filled out properly and timely;

2. The supplier's employees are paid for all hours worked, including, but not limited to, overtime;
3. The supplier's employees are not working any unpaid hours including, but not limited to, overtime;
4. The supplier has a lawful meal and rest period policy in place and has communicated the policy to all of its employees;
5. The supplier's employees have been lawfully provided all meal and rest periods to which they are entitled under the law;
6. The supplier has taken immediate and corrective steps to address all of its employees' timecard and/or pay issues.
7. The supplier ensures that the supplier's employees do not work beyond the stricter of 60 hours/week and 6 consecutive days or local legal work hour and day limits.

Intel employees should not sign timecards for outsourced CWs. Staff Augmentation CWs sponsors using the CW and Outsourcing tool are required to confirm timecard is ready for review and approval by the contingent worker's employer.

B. Training

Suppliers are responsible for providing CWs who are trained and qualified to perform the specified scope of work. Contact your Purchasing representative for assistance in incorporating required skills into your scope of work. There are a few instances when it acceptable to provide training to Contingent Workers. For more details see [here](#).

C. Recognition

1. Don't treat the recognition in exactly the same way is you would for BB employees. Remember Intel is not the employer and, as such, recognition should be discussed with the CW provider/the employer as well as being clear that they are a CW.
2. Don't single out Outsourcing (OS) or Independent Contractors (IC) CWs for Intel recognition, including goody drawers and spontaneous recognition. Intel should not ask that an award be given to an OS or IC CW, nor should Intel reimburse the Supplier for the award/gift.
3. For countries other than in Latin America Sponsors may give non-cash recognition for exceptional and significant services performed by a Staff Augmentation CW as long as it is made clear the recognition is for work performed as a CW.
4. For GAR specific policy on Recognition & Gift, please refer to GAR Specific guidelines.

D. Attending Intel Sponsored Events

1. Do not invite OS or IC CWs to Intel-sponsored events (onsite or offsite) whether Intel work-related or not (e.g., fun activities, team building, milestone achievements, etc.).
2. For countries other than in Latin America, SAs may attend Intel sponsored, non-work-related social activities.

3. For GAR specific policy on CW attending Intel Sponsored Events, please refer to GAR Specific guidelines.
4. CW's are not allowed to attend Business Update Meetings, regular staff meetings, etc. The only exception is SA CW has a need to know relative to their assignment.

E. Compensation

Don't instruct nor recommend to a Supplier how much to pay its workforce or what level of benefits to provide. It is the role of Suppliers, as the employers, to determine compensation and benefits for their workers.

F. Performance Management

It is the Supplier's responsibility to manage the performance of the CW and to determine whether the CW remains employed with the Supplier. Don't participate in a Supplier's formal employee performance review process. Don't directly discipline a Supplier's employee or instruct the Supplier's supervisor to do so, It is important to give feedback to the Supplier on performance issues and let the Supplier determine how best to address the feedback with their employee (the CW).

For any performance concerns, misconduct, or violations of Intel guidelines (safety, Code of Conduct, etc.) promptly communicate in writing to the CW's employer, the Supplier. All communications should state conduct examples, applicable guidelines and impact of problem. If the CW's performance is not adequate, or if there is a serious problem or misconduct, ask the supplier to replace the individual.

Report to the Supplier (and call Security) if the CW poses an immediate threat to Intel.

G. Organization Charts

Only Intel employees should appear on Intel organization charts. The organization chart can only include the supplier/scope description and list the total number of CWs. If needed, it is acceptable to have a separate chart reflecting the specific supplier/service listing those CW names, roles and their employers to point people to the correct contacts. CW names and job description/roles should not appear on Intel's organization charts.

H. Vacations

The Intel Sponsor may provide a list of Intel holidays to the Supplier and may also provide a schedule of key deliverables/significant points in Intel's business cycle; it is up to the Supplier's management to plan for adequate coverage. An Intel sponsor should not be in the position of approving or arranging vacation schedules for any Supplier's employees. These issues need to be worked out directly between the Supplier and its employees.

I. Former Employees (BB, ICE or intern) Returning as Contingent Workers

Restrictions on when former employees may return back as contingent workers are in place because the risk of co-employment/de facto employment is highest where employees, who

have recently left Intel, return to the same or similar work environment, and perform services under close direction of Intel managers. Restrictions on former employees returning to Intel are intended to lessen the likelihood that they will immediately return to the same situation in a different status. It also demonstrates that the separation of employment was genuine.

Standard CW Waiting Period Policy:

For geo-specific policy-See [Time Away & Duration Matrix](#)

Retiree - CW Waiting Period Policy:

In US, formally defined retirees may become SA CW's after 6 months, if following criteria is met:

- Retiree does not come back to same manager.
- Scope of duties are not same as duties they had in last Intel position.

For SA assignments started after retiree has been gone from Intel for 12 months the above criteria will no longer apply.

General Eligibility:

Former Intel employees may verify general eligibility for an Intel CW assignment by contacting Get HR Help.

[Global Get HR Help Contact List](#)

NOTE: Other than those outlined above, BB to CW exceptions are no longer managed via the CW Program team. To examine other options, including ICE (Intel Contract Employee), please contact HR Talent Advisor assigned to your business unit.

J. Intel Employees Providing Services as Contingent Workers

Intel employees may not work as contingent workers to Intel while being employed at Intel.

K. Contingent workers hired by Intel as employees

Intel engagement policy has no general prohibition against the hiring and/or solicitation of existing contingent workers by Intel managers. However, various waiting periods are required in Latin America. Additionally, some supplier contracts may contain some limited restrictions.

L. Engagement of Family Members as Contingent Workers

In addition to other policy restrictions on employees influencing suppliers' hiring of (or otherwise engagement of) contingent worker to provide services at Intel, to ensure fairness and objectivity and to guard against actual and perceived conflicts of interest, Intel prohibits employees from directly or indirectly participating in or influencing any supplier to hire (or otherwise engage) a family member to provide services at Intel as a contingent worker. Intel also prohibits a contingent worker to be engaged in a group, where there is an Intel employee family member who is in the Intel management chain. Additionally, because Intel's most senior positions wield substantial influence, Intel prohibits the engagement of a contingent worker who is a family member of any current member of its Board of Directors or Management Committee Members (MCM) without HR VP approval. For the purposes of this guideline, "family members" include spouse, children, siblings, parents, domestic partners and

any immediate family members related by marriage or domestic partnership (parents & siblings). This guideline applies to all contingent workers.

M. Contingent Workers Representing Themselves as Intel Employees: E-mail Signature, Business Cards and Other Communications

Contingent workers are not permitted to represent themselves as Intel employees. To support this clarity, CW's:

1. Should clearly define in the e-mail signature and other forms of communication that they are "A Contingent Worker at Intel."
2. Should not use the Intel logo on business cards or refer to themselves as Intel employees.

N. Global Immigration Rules

1. The U.S. Citizenship and Immigration Service impose restrictions that limit the circumstances where foreign national visa employees can lawfully work as contingent workers. For this reason, in the U.S., Intel allows only "U.S. workers" to fill Staff Augmentation positions. "U.S. workers" include U.S. citizens, U.S. nationals (persons from Samoa or the Northern Mariana Islands), Legal Permanent Residents (e.g., "green card holders"), or persons granted asylum or refugee status by the U.S. government. Foreign national visa employees with work authorization are eligible for Outsourced Contingent Worker roles, so long as the supplier complies with immigration requirements. For more information, see the [Intel Contingent Worker U.S. Immigration Guidelines](#) or e-mail IntelCW@fragomen.com.
2. There is no specific Intel CW policy or process for countries other than US. The supplier is the sole owner and is responsible for any CWs immigration issues.

IV. Geo Requirements

- A. Latin America Region
- B. Greater Asia Region
- C. Greater European Region

V. Matrices

- See Time Away & Duration Matrix

Revision Date: September 2019

COUNTRY-SPECIFIC INFORMATION for GREATER ASIA REGION

Sponsors working in Greater Asia Region need to be aware of the below additional requirements to be in compliance. To review the specific requirements for GAR, please select the link below for more information.

General

Recognitions and Gifts:

For GAR countries Sponsors may undertake the following events/recognition with OS or IC CWs:

1. Joint celebration events with both BB and OS/IC CWs. There should be a written agreement with the CW Supplier that Intel may invite CWs for joint celebration.
2. Non-monetary recognition for exceptional/significant services to Intel-such as email recognition; low value goods; etc. the Sponsor should ensure that the recognition is clear that it is for their services as a CW and not hold them out as an employee; any recognition should be discussed and notified to the CW Supplier. There should be a written agreement with the CW Supplier that Intel may provide gifts or rewards to the CWs.
3. Gifts for festivals; However, there should be a written agreement with the CW Supplier that Intel may provide gifts or rewards to the OS/IC CWs. There should be a written agreement with the CW Supplier that Intel may provide gifts for festivals to the CWs.

Events:

For countries in GAR, CWs OS/SA/IC may attend Intel sponsored, non-work-related social activities, provided that agreement/permission is reached with the CW provider (the employer) and that it is made clear that they are attending as a CW. Consider holding it as a joint Intel and CW Provider event.

Countries with unique CW requirements:

- Japan
- Philippines
- People's Republic of China
- South Korea
- Vietnam
- Indonesia

Japan

Local Law sets a limit of 36 months for Staff Augmentation to mitigate co-employment risk. Calculation of the term starts over if a new CW SA replaces a prior CW SA.

NOTE: Double Dispatch Arrangements are illegal and as such not permitted within Intel. In short, double dispatching is sending dispatch workers (SA CW) to one company, who in turn sends them on to another company. As such, dispatch workers sent to Intel Japan can then not be sent and/or work on matters for any of the other subsidiaries of Intel in Japan.

New Staff Augmentation engagement is not allowed in Japan for **McAfee legal entity only**.

Philippines

- Philippines prohibit use of Staff Augmentation due to local law requirements.

People's Republic of China

- Staff Augmentation Not allow in China at this time.
- China also prohibits use of Independent Contractor unless the individual is under a licensed company (due to tax purposes).
- Outsourcing (OS) in China: No BB EE in in China is performing the same activity.

South Korea

- OS CWs cannot perform the same/similar work as BB employees:
 1. Core components of the work may not be same/similar;
 2. Skill set of worker can be similar if core components of work are different.
- SA CWs cannot perform same/similar work as BB employees:
 1. Core components of the work may not be same/similar.
 2. Skill set of worker can be similar if core components of work are different.
- SA CWs can be used to perform the below 32 jobs permitted.
 1. Computer related professionals
 2. Administration, business and finance professionals
 3. Patent attorney
 4. Archivists, librarians and related information professionals
 5. Translators and interpreters
 6. Creative and performing artists
 7. Motion picture, theatre and broadcasting related professionals
 8. Computer related associate professionals
 9. Other electrical engineering technicians
 10. Communications engineering technicians
 11. Draught persons including CAD
 12. Optical and electronic equipment operators
 13. Education associate professionals, besides formal school education
 14. Other education associate professionals
 15. Artistic, entertainment and sports associate professionals
 16. Administrative associate professionals
 17. Office assistant clerks
 18. Library and mail related clerks
 19. Debt collectors and related clerks
 20. Telephonists and telephone number service clerks
 21. Customer related clerks

22. Personal care and related workers
23. Cooks
24. Tour guides
25. Petrol pump attendants
26. Other retail trade salesmen
27. Salesmen via telephone order
28. Motor vehicle drivers
29. Building cleaners
30. Doorkeepers and watch persons
31. Parking place concierges
32. Deliverers, porters, meter readers and related workers

Vietnam

- Staff Augmentation duration allowed is 12 months.
- Only can use Staff Augmentation CW to perform the below 17 jobs permitted:
 1. Interpreter/translator/stenographer
 2. Secretary/administrative assistant
 3. Receptionist
 4. Tour guide
 5. Sales assistant
 6. Project assistant
 7. Programmer for manufacturing machinery systems
 8. Technician for manufacture or installation of television and telecommunication equipment
 9. Technician for operating, testing or repairing construction machinery and equipment, or for manufacturing electrical systems
 10. Sanitation worker for buildings and factories
 11. Document editor
 12. Security guard/bodyguard
 13. Telemarketer/customer service worker via telephone
 14. Financial and tax issue processor
 15. Repairing/testing technician for automobiles
 16. Scanning and industrial technical drawing artist/interior designer
 17. Driver

Indonesia

Local laws only allow outsourcing for non-core business activities (business activities outsourcing) as such approval from HR legal is required.

The business activities outsourcing must meet the following criteria:

- be conducted separately from Intel's core business in terms of management and activities;
- be conducted under a direct or indirect order from Intel;
- be categorized as business support activities; and

- not have a direct impact on the production process if the business process were to stop.

Staff augmentation for cleaning services, catering services, security, oil and gas support services, and transportation services for employees.

Revision Date: June 2019

COUNTRY-SPECIFIC INFORMATION for GREATER EUROPE REGION

Sponsors working in Greater European Region need to be aware of the below additional requirements to be in compliance.

Countries with unique CW requirements:

- Israel
- EMEA
- Russia, Ukraine & CIS
- Italy
- France
- Kenya
- Saudi Arabia
- Lebanon
- Belgium
- IC+ [Independent Contractor Plus] Policy for iCDG GER
- TUPE Requirements

Israel Requirements

Staff Augmentation

Limited to **9 months**

- Limited to Licensed suppliers: Manpower, Experis, Wintex, Generize, Taldor Consultants Ltd, Active Access, Ethosia and Adeco Israel.
- Assignment for SA for any other supplier, must be reviewed by CW Governance team.
- Local law implemented in Jan 2008 stating 9 months as the limitation. Israel government has recently published a list of 6 exceptional cases where CWs **could be extended up to 15 months**. Therefore extension requests in Israel should be submitted **90 days** prior to CWs expected termination, to the CW Policy and Compliance team.

- Extensions will be rarely approved; however, if approved will be limited to global policy of 12 months (unless in highly rare circumstances).
- **Waiting Periods**

The **9-month** rule is cumulative to the CW regardless of change.
After the SA CW ended the 9 months engagement:

- A 9-month waiting period is required, before he/she can come back to work at Intel as Staff Augmentation CW.
- No waiting period is required, before he/she can come back to work at Intel as Outsource or Independent Contractor CW.

When former OS or IC transitioning to SA position, there is no waiting period, before he/she can come back to work Intel.

Outsourcing (OS)

- No BB EE in the specific country is performing the same activity.
- Work done by the OS CWs must be distinguished from the work done by BBs.
- Outsourcing engagements should be provided by suppliers that have specific expertise in the relevant commodity. Staff augmentation licensed suppliers per the above list (Manpower, Experis, Wintex, Generize, Taldor Consultants Ltd, Active Access, Ethosia and Adeco Israel) should not be providing outsourcing services unless approved by the CW Governance Team (global.contingent.workforce@intel.com).
- Independent Contractors:
 - Don't need special license as in US, only should be able to invoice Intel as all other suppliers.
 - Special IC contract based on legal precedents must be in place (owned by purchasing).
 - Sponsors should align with risk management to review insurance needs.

EMEA

Staff Augmentation engagement is not allowed in all European Union (EU) countries except Germany where SA is allowed and available for use. See information [here](#).

European Union (EU) countries: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Greece, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom.

Russia, Ukraine & CIS Requirements

Staff Augmentation engagement is not allowed
Independent Contractors

- Must be Individual Entrepreneur (A registered sole trader)

- Allowed only for sourcing Field Channel Representative services (RCR's/RCO's), unless an exception was granted by the CW Policy and Compliance Team
- Field Channel Representatives (RCR's/RCO's) providing service that is not considered to be core-business, can also be classified as Outsourcing Core-Related, assuming Outsourcing Core-Related criteria are met.

Outsourcing for Russia:

Note: *legal terminology of outsourcing differs from Intel terminology; OS only allowed in a service/contractor agreement structure.*

- No BB EE in the specific country is performing the same activity.
- Work done by the OS CWs must be distinguished from the work done by BBs

Kazakhstan

Guidelines act like in Russia.

Ukraine

Staff Augmentation - engagement is not allowed for any period

Independent Contractor - can be permitted assuming these 3 terms are filled:

- A notarized copy of the State Registration Certificate of the Individual Entrepreneur - to be presented.
- The original State Registration Certificate of the Individual Entrepreneur - to be presented.
- A copy of the Certificate on the Registration as a Tax Payer - to be presented.
- IC needs to have open bank account in Ukraine.
- Allowed only for sourcing Field Channel Representatives services (RCR's/RCO's), unless an exception is granted by the CW Policy and Compliance Team.
- Field Channel Representatives (RCR's/RCO's) providing service that is not considered to be core business, can also be classified as Outsourcing Core-Related, assuming the Outsourcing Core-Related criteria are met.

Outsourcing

No BB EE in the specific country is performing the same activity.

Work done by the OS CWs must be distinguished from the work done by BBs.

Italy Requirements

Outsourced Engagement - All and any new CW assignment should be reviewed and be approved in advance by CW compliance manager and Intel HR Legal. Please send your request to global.contingent.workforce@intel.com, prior to engaging with the supplier.

France Requirements

Regardless to CW classifications:

- When there is a change of assignment, for example when CW was appointed to role A and then he/she is appointed for different role B (regardless if it's the same/different supplier), **a 2 weeks waiting period is required, in between contracts.**

Kenya Requirements

- Staff Augmentation engagement is limited to 6 months.
12 months waiting period is needed before former Staff Augmentation CW can come back to an assignment at Intel (as OS/IC/SA) When there is a change of assignment, for example when CW was appointed to role A and then he/she is appointed for different role B (regardless if it's the same/different supplier).

Saudi Arabia Requirements

Staff Augmentation is not allowed

Lebanon Requirements

Staff Augmentation is not allowed

Belgium Requirements

- Independent Contractors engagement will need to register with an insurance fund at the latest on the first day on which they begin their self employed activities, effective April 1, 2010.

IC+ (Independent Contractor Plus) Policy for iCDG GER

This is a model used when Independent contractors are engaged via a direct supplier of Intel. iCDG group may use CW independent contractors (CW IC+) provided by a direct supplier of Intel in Germany, Austria, Denmark and Sweden as long as the following criteria are met:

- CW IC+ can be engaged only via one of these approved agencies:
 - Harvey Nash GmbH
 - Hays GmbH
- Work performed by the CW IC + is critical to Intel meeting priority business goals.
- CW IC + are independent contractors of the supplier – they cannot have an employee/employer relationship with Intel's supplier.
- The CW IC + are responsible for determining the means and methods for performing the assigned services and they are free with regard to choice of the place of work, performance, work time and scheduling.
Based on the specific project or business requirement, general place of work (e.g. Intel site or Supplier premises) and general work times (e.g. Service hours) may need to be specified in the contract.

- Intel shall not exercise day-to-day supervision or management over the CW IC+, nor shall it treat the CW IC+ in such a way as to integrate them within Intel's regular workforce.
- The CWs are not subject to instructions from Intel BBs except for project related technical instructions.
- CW IC+ interaction with BBs limited to "what " they do, not "how" to do it.
- There is no time duration restriction required for these CW IC+ assignments.
- CW IC+ can perform similar/same work as Intel BBs.

IC+ process is managed in CW and Outsourcing (CWOS) tool according to the normal process used for **billable suppliers' process**, and should be reviewed by iCDG review board in cases when the regular preferred OS suppliers are unable to deliver these specific skills. For questions or more information, please contact iCDG procurement team.

TUPE Requirements

Applies to Countries in European Union

- ARD/TUPE=Transfer of Undertakings
 - Applies in cases where there is a transfer/sale of a financial independent business, only if certain criteria are satisfied. (in UK there is no requirement for "financial independent" " only a change of service).
 - Implication: The employees automatically transfers from one company to another by operation of law, with the continuity of his rights.
 - TUPE issues/concerns should be reviewed with CW policy and compliance team. Why?
 - CW aspect: It is possible in Outsourcing models that the transfer of a service from one service provider to another may constitute a TUPE transfer.
 - Changes of suppliers: in a change of service provider the employees who are assigned to that particular service transfer automatically from the old service provider to the new service provider.
 - In a new outsourcing model that was BB in the past-In the situation the BBs could transfer to the new service provider.
 - If we bring a service back in-house, the service providers employees could become Intel employees due to the implications of TUPE.

Revision Date: March 2019

COUNTRY-SPECIFIC INFORMATION for LATIN AMERICAN REGION

Sponsors working in Latin America need to be familiar with additional requirements for your region noted in this document.

Latin American countries require a break in service from Contingent Workers (CWs) to Intel Blue Badge (BB) employees as outlined below.

These guidelines protect Intel by keeping a clear separation between time spent as a CW and time as a BB.

Required breaks are as follows:

- Costa Rica: 1 month
- Mexico: 1 week
- Colombia: 15 days

All other LAR countries: 6 months if the BB duties would be similar to the CW duties; No break if the BB duties are dissimilar to the CW duties.

All conversions will be monitored by LAR Staffing, and cases will be reviewed between Staffing and the CW Program to ensure break in service rules are met. For questions, contact the CW Program or your Staffing Consultant.

LAR (Note: all the below requirements must be followed in all Latin American countries unless otherwise noted)

- Engagement with commodity manager is necessary regarding agreements/terms and conditions with suppliers.

Staff Augmentation

SA assignments are permitted ONLY under the following "extraordinary circumstances" (excluding Mexico):

- Temporary spike in workload
- MLOA coverage (maternity and medical leave)
- Extended leave (vacation)

SA CWs may work up to 6 months max after which time a 6-month break in service is required (excluding Brazil, Cost Rica and Mexico)

- Exception - if assignment is to provide coverage for MLOA and MLOA is extended, the SA assignment may continue for duration of MLOA (not to exceed 12 months)

The SA CW cannot work more than 12 total months in three years.

Outsourced

All direction MUST come from CW Supplier Manager and NEVER BB employee.

No BB EE in the specific country is performing the same activity or activity that is very similar and might be confused with the activity being performed by the CW.

Work done by the OS CWs must be distinguished from the work done by BBs.

Interaction/collaboration between Intel BB employees and OS CWs is not required.

This information must be verified with each work assignment.

Independent Contractor

The Independent Contractor classification is not an option in LAR.

CW to CW Conversions (to different classification)

6-month waiting period is required (excluding Costa Rica).

Argentina Requirements in addition to overall LAR Requirements

SA suppliers must be registered with the Argentina Labor Ministry.

Intel-Sponsored Ground Shuttle services in Argentina

Are to be used by Intel employees only; CWs are not permitted to use these employee transportation services. For further information, please contact the local Corporate Services group.

Brazil Requirements in addition to overall LAR Requirements

Staff Augmentation

SA duration for Brazil is 3 months.

There is a one-time 3-month extension available, which must first be approved by the Brazilian government.

Mexico Requirements in addition to overall LAR Requirements

Staff Augmentation:

SA CWs may work up to 24 months max after which time a 6-month break in service is required; exceptions are not permitted.

Costa Rica Requirements in addition to overall LAR Requirements

Staff Augmentation

SA CWs may work up to 24 months max after which time a 6-month break in service is required; exceptions are not permitted.

Outsourced

All work may be outsourced.

CW to CW Conversions (to different classification)

2-month waiting period is required.

Intel-Sponsored Ground Shuttle services in Costa Rica

Are to be used by Intel employees only; CWs are not permitted to use these employee transportation services. For further information, please contact the local Corporate Services group.

Revision Date: November 2017

**Training requirement for sponsors can be found [here](#).

Training of Contingent Workers

For CW EHS Training-Refer to the CW EHS Standard located at <http://ehs.intel.com/compliance/programs.htm>

Suppliers are responsible for providing contingent workers who are trained and qualified to perform the specified scope of work. Contact your purchasing representative for assistance in incorporating required skills into your scope of work.

Intel Training of outsourced services contingent workers should generally be avoided. Intel-specific training for staff augmentation contingent workers may be more appropriate only if it is relevant to the work done by the contingent worker. In either situation, the guidelines below should be applied.

Intel may only provide training to contingent workers that is Intel-specific, relevant to the specific scope of work, necessary to perform the work in question and unavailable from all other sources. In the exceptional circumstances when training of CWs can be justified, the sponsor should ensure, the CW's must receive the training as a separate group and the training must be specific for CWs. Also, for Outsourced Services training must be provided to the Supplier Manager or other nominated representatives of the Supplier who then will provide the relevant training to the CWs.

If Intel-specific training is a required in accordance with the above principles, it is important that this requirement is specified in the scope of work so that any CWs who do not undertake the training can be removed from the scope of work.

It is the sponsor's responsibility to check the training needs of the CWs and ensure compliance in accordance with the above principles, and the below checklist.

When sponsors allow CWs to attend courses per the principles shown here, they must notify the course owner to ensure the relevant content adjustments are made.

Training Checklist:

For in-class training, BB and CW training must be separate, and must be approved by the course owner, and the following conditions must be met.

For on-line training, BB and CW may use the same training materials if approved by the course owner and the following conditions are met.

Conditions to be followed by sponsors:

- Ensure that training is relevant and necessary for the work to be provided by the CW.
- Understand which My Learning courses are and are not required for contingent workers. The majority of My Learning classes are for blue badge employees only.
- Ensure that the training is specific to Intel and not training that the Supplier could provide themselves.
- Ensure that training is provided to the supplier manager or other supplier representative who provide the training to the CWs.
- Note: If the CWs are classified as Outsourced, all communication and compliance tracking from Intel must go via Supplier managers to communicate to CWs. Ensure that all target audiences receive communication via right channel (e.g. that the supplier to communicate the training requirements with Outsourced CWs only (not Intel).
- Ensure training is appropriate for CWs and is not employee specific (e.g no reference to word "employee" or "employment" in training).
- Ensure supporting communication are appropriate for CWs and not employee specific (e.g. cannot reference "employee").
- Ensure there is absolutely no Intel sensitive information in the training.
- Ensure communications about training courses required for both BB and CW are separate (e.g., do not include BB and CWs in one distribution list; must be separate distribution list).
- If Intel is allowed to provide training per the CW training policy found on this page, that training may be tracked by Intel.
- Ensure contingent workers adhere to My Learning contractor training guidelines and enroll only in approved courses for contingent workers. When it is necessary to provide Intel-specific training (i.e., safety) to contingent workers, Sponsors need to coordinate to help set-up any intact approved training courses that are needed. If it is determined that it is appropriate for a CW to receive training from Intel, every attempt should be made to schedule the training separately for CWs and blue badge employees.
- Intel may not administer any type of test to determine the OS CWs knowledge or skills. Intel may work closely with the supplier and let the supplier know the scope expectations, requirements, etc. It is entirely the responsibility of the supplier to administer any type of testing if they so choose.

Revision Date: August 2019