

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

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)

What can be outsourced:

For Russia, Israel, China, South Korea and LAR (not including Costa Rica) there are specific requirements on what may be outsourced. Please see geo specific sections for "[LAR Specific Guidelines](#)", "[GAR Specific Guidelines](#)" and "[GER 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. Ensure a Supplier Manager is in place.
2. Provide Suppliers with a defined scope of work, skill set and expect the Supplier to provide qualified individuals to perform the scope of work.
3. If absolutely necessary to determine whether the Supplier understands the scope of work requirements, participate in the technical screening process but, even after technical screening, leave it up to the Supplier, as the employer, to find the appropriate OS CW for assignment at Intel.

Do not:

1. Determine or influence the Supplier's decisions regarding hiring, compensation, evaluation, discipline, rewards or termination of OS CWs.
2. Be involved in selecting specific OS CWs and this includes not directing individuals to Suppliers for particular assignments.
3. Review resumes, in order to determine OS CW selection.
4. Provide day-to-day instructions, assignments or direction to OS CWs; this information must be given directly to the Supplier manager.

Requirements of Intel Suppliers when Outsourcing

Do:

1. Be responsible for all aspects of the OS CWs' employment, including hiring, withholding and paying taxes, compensation, rewards, managing OS CWs performance and disciplinary issues, including those arising from Intel assignments, and termination.
2. Be responsible for any OS CW recruiting, technical screenings, interviewing and/or any other selection and hiring activities.
3. Choose the appropriate OS CW for the assignment at Intel.
4. Manage the CWs daily work, and appoint a supplier's supervisor (preferred on site) 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.
- An annual renewal process is required in MyCW tool to ensure data is kept current.

OS CW Time Away Rule

- [Time Away & Duration Matrix](#)

B. Staff Augmentation Contingent Workers (SA CW)

Where can Staff Augmentation be used?

Staff Augmentation **cannot** be used in Philippines, PRC (except for Hong Kong), in all European Union (EU) countries, Russia, Ukraine, Kazakhstan, Saudi Arabia, Lebanon. Other countries may use Staff Augmentation CWs.

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. If necessary to determine whether the individual understands the temporary assignment requirements, review resumes, and speak with a potential Staff Augmentation CW (SA CW) and his/her employer (the Supplier).
3. If necessary, identify the SA CW candidate that best satisfies the requirements of the temporary assignment and advise the Supplier of that assessment.

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. As long as it is specified in the contract between Intel and the Supplier 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:

- 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 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

- [Time Away & Duration Matrix](#)

Staff Augmentation Conversion Time Away Rules

- [Time Away & Duration Matrix](#)

C. Independent Contractor (IC)

- Independent contractor definition can be found [here](#). (this link goes into to policies at the beginning of this document)

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 completing and submitting an Independent Contractor Evaluation form to global.contingent.workforce@intel.com for pre-approval.
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

- [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.

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 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.
2. 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.

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.

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. Organizational Charts

Only Intel employees should appear on Intel organizational 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 organizational 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 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.

Contingent Worker Waiting Periods for Corporate People Movement Actions

In countries, where it has been deemed legally feasible, Intel's contingent worker (CW) waiting period is changed for employees who are part of an involuntary Corporate People Movement action.

The below policy applies only to employees who have formally entered an Involuntary Intel Corporate People Movement program:

- U.S. employees:
An employee may begin work with an Intel supplier if his/her start date is at least two business days after their separation date from Intel.
- Latin America Region (LAR) employees:
No change to existing waiting periods.
- Greater Asia Region (GAR) employees:
An employee may begin work with an Intel supplier if his/her start date is at least two business days after their separation date from Intel and the job is not the same job the employee was performing for Intel, unless the employee's entire group was outsourced.
- Greater European Region (GER) employees:
An employee may begin work with an Intel supplier if his/her start date is at least two business days after their separation date from Intel and the job is not the same job the employee was performing for Intel. Where a group of employees from the same Intel business group want to transfer to the same Intel Supplier at the same time there will be a waiting period of 3 months.
- Israel employees:
No change to existing waiting period.
- Overall:
All other existing policy requirements will apply.

To verify eligibility of a former Intel employee for a CW assignment:

Contact: [Global Contingent Workforce](#), Type in subject line of email: BB to CW conversions and specific region: i.e., Europe, Asia or US.

NOTE: BB to CW exceptions are no longer managed via the CW Program team. To examine other options please contact your HR Business representative.

1. Resources to examine other options:

- Your Talent Consultant and HR representative are your contacts for evaluating all of your workforce options and assisting you as you decide how to fill your temporary workforce need.
- For all blue badge options including full-time employee, part-time employee and Intel Contract Employee, see [here](#).
- Intern Extension - retaining a current intern in the same position and continuing the same work, see [here](#).
- Intern conversion - retaining a current intern in a different role, go to Hiring at Intel to open a Blue Badge or ICE requisition, see [here](#).

2. Time Away rules when former Intel employees move to a CW position.

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- Time Away & Duration Matrix

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. Please refer to Purchasing if you need to determine whether any such restrictions exist.

Note: Also, certain business unit such as TME and TMG may have more specific Supplier hiring policies that are not owned by this policy. Contact purchasing representative the contract owner listed in the ARIBA tool for contract details.

IV. Geo Requirements

Latin America Region

COUNTRY-SPECIFIC INFORMATION FOR LATIN AMERICAN REGION

NOVEMBER 2013

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: 1.) Costa Rica: 1 month; 2.) Mexico: 1 week

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.

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.

Independent Contractor

IC classification is not an option.

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 duration for Mexico is 12 months.

COSTA RICA REQUIREMENTS IN ADDITION TO OVERALL LAR REQUIREMENTS

Staff Augmentation

SA CWs may work up to 12 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.

Greater Asia Region

COUNTRY-SPECIFIC INFORMATION FOR GREATER ASIA REGION

REVISION NOVEMBER 2013

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.

COUNTRIES WITH UNIQUE CW REQUIREMENTS:

- Japan
- Philippines and China
- South Korea

- Vietnam

JAPAN

- Local law allowed use of CW as long as the job scope fall under the list of "dispatched workers"
- Intel legal set a limit of 36 months for Staff Augmentation to mitigate co-employment risk as there is no such rule in Japan.

LIST OF DESIGNATED WORK ALLOWABLE FOR DISPATCHED WORKERS

- 4-1 - Work for development of information processing systems or design or production of computer programmers
- 4-2 - Design or drawing for machinery, apparatus and equipment
- 4-3 - Operation of office machines, such as computers, typewriters and telex
- 4-4 - Interpretation, translation, shorthand;
- 4-5 - Secretary for managerial executive
- 4-6 - Filing or classification of papers, etc.
- 4-7 - Market research or analyzing its results
- 4-8 - Accountancy
- 4-9 - Drawing up papers on overseas trade and on domestic transactions
- 4-10 - Introduction of machines or operation of machines, requiring high-level specialization
- 4-11 - Tour conductor, welcoming and sending service for tourists inside the building at bus station, port and airport
- 4-12 - Reception or guide for visitors at building or fair
- 4-13 - Research and development
- 4-14 - Research or design of management systems in the company
- 4-15 - Editing of publications
- 4-16 - Design of advertisements
- 4-17 - Instruction on office automation equipment
- 4-18 - Business accepting client's order for machines or equipment, or its sales promotion
- 5-1 - Operation of audio-visual equipment used in broadcasting
- 5-2 - Production of broadcast programmers, etc.
- 5-3 - Cleaning, service for building
- 5-4 - Operation, checking or maintenance of facilities of building
- 5-5 - Management of car park
- 5-6 - Coordinating of interior design
- 5-7 - Announcing
- 5-8 - Sales promotion with telephone
- 5-9 - Setting or making of scenery for broadcast programmed
- 5-10 - Water, waste disposal equipment operation

PHILIPPINES AND CHINA

- Philippines and China (except for Hong Kong) prohibit use of Staff Augmentation due to local law requirements.
- China also prohibit use of Independent Contractor unless the individual is under a licensed company (due to tax purposes).

China had eliminated SA usage in late 2007 due to the local contract labor law which favors labor dispatched workers to have equal pay/ benefits/ bonuses.

CHINA OUTSOURCING (OS):

- No BB EE in in China is performing the same activity.

SOUTH KOREA

- Due to local law requirement, below are the policy for Korea:
 - Only 1 supplier can provide Staff Augmentation CW – Manpower (if other than Manpower, must check with [Global Contingent Workforce](#) or the GAR CW Governance rep - [Yen Li Chong](#)).
 - 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, theater 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

- Due to local law requirement, below are the policy for Vietnam:
 - Only Manpower can provide Staff Augmentation CW (if other than Manpower, must check with [Global Contingent Workforce](#) or the GAR CW Governance rep - [Yen Li Chong](#))
 - 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

Greater European Region

COUNTRY-SPECIFIC INFORMATION FOR GREATER EUROPE REGION

REVISION MARCH 2014

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 and Ireland
- Russia, Ukraine & CIS
- Italy

- France
- Kenya
- Saudi Arabia
- Lebanon
- Belgium
- IC+ [Independent Contractor Plus] Policy for IMC 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 AND IRELAND

Staff Augmentation engagement is not allowed in all European Union (EU) countries.

European Union (EU) countries: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, 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:

- 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 IMC GER

This is a model used when Independent contractors are engaged via a direct supplier of Intel. Intel Mobile Compunctions 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
 - John Whelan Associates JWA
 - Eurostaff Group
- Work performed by the CW IC + is critical to Intel meeting priority business goals in mobile communications space.
- 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.

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.

V. Matrices

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

DEFINITIONS:

- **Contingent Worker (CW)** - Is a term used to describe a contract worker who is not an Intel employee or ICE (Intel contract employee- add link) employee (A.K.A. contractor, temporary worker, "green badge").
- **Sponsor** - An Intel blue badge employee that assumes responsibility for a contingent worker while they are on assignment at Intel.
- **Delegate** - Individuals assigned to assist sponsors of contingent workers with data entry and maintenance of CW assignments as directed by the sponsors.
- **MyCW Tool** - An interactive tool that allows you to create and monitor contingent worker assignments.
- **Outsourcing** is a service provided to Intel by a third party company, known as a Supplier. The Supplier employs individuals, Outsourced Contingent Workers (OS CWs), who perform the services. Under the Outsourcing model, the Supplier provides day to day management of and direction to the OS CWs. (See, Supplier, for more information.)
- **Staff Augmentation Workers (SA CWs)** are individuals employed by a third party company, known as the Supplier. SA CWs are used to temporarily fill in for or temporarily augment the performance of functions that are performed by Intel employees. (See, Supplier, for more information.)
- **The Supplier** is the employer of OS CWs and SA CWs and as the employer is responsible for all aspects of these workers employment, including compensation, benefits, withholding and paying taxes, supervision, managing performance, rewards, training, handling discipline, hiring and termination.
- **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.
- **Privileged visitor (PV)** - an individual who requires long-term, unescorted site access or Intel network access, but is not considered a contingent worker. This is a visitor who is "not paid" by Intel but needs access to support Intel's mission.