

WORKPLACE DISCRIMINATION AND HARASSMENT POLICY

All Company employees, other workers and representatives (including vendors/customers/clients/ and visitors) are prohibited from harassing employees, non-employees (contractors, subcontractors, vendors, consultants or other persons providing services pursuant to a contract in the workplace or who is an employee of such contractor, subcontractor, vendor, consultant or other person providing services pursuant to a contract in the workplace), and other covered persons based on that individual's actual or perceived age, race, ethnicity, creed, color, religion, national origin, alienage or citizenship status, physical or mental disability, marital status, familial status, caregiver status, military status, including past, current, or prospective service in the uniformed services, genetic information, victim of domestic violence, sex (including that individual's pregnancy, childbirth, breastfeeding, or medical conditions relating to pregnancy, childbirth or breastfeeding), actual or perceived sexual orientation, gender (including that individual's gender identity and gender expression) and regardless of the harasser's sex or gender, or any other protected classification as established by law.

Sexual harassment is illegal and also against company policy. Sexual harassment means any harassment based on someone's actual or perceived sex, sexual orientation, or gender, as described in this policy. It includes harassment that is not sexual in nature (for example, offensive remarks about an individual's sex or gender), as well as any unwelcome sexual advances or requests for sexual favors or any other conduct of a sexual nature, when any of the following is true:

- Submission to the advance, request or conduct is made either explicitly or implicitly a term or condition of employment.
- Submission to or rejection of the advance, request or conduct is used as a basis for employment decisions (including hiring and/or promotion).
- Such advances, requests or conduct have the purpose or effect of substantially or unreasonably interfering with an employee's work performance by creating an intimidating, hostile or offensive work environment.

The following is a non-exhaustive list of some of the types of acts may be unlawful sexual harassment:

- Physical assaults of a sexual nature, such as:
 - Rape, sexual battery, molestation, or attempts to commit these assaults.
 - Intentional or unintentional physical conduct which is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another employee's body, or poking another employees' body.
- Unwanted sexual advances, propositions or other sexual comments, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the victim's job performance evaluation, a promotion, or other job benefits or detriments;
 - Subtle or obvious pressure for unwelcome sexual activities;
 - Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience which are sufficiently severe or pervasive to create a hostile work environment.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:

- Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning, pornographic.

The Company will not tolerate any form of sexual harassment, regardless of whether it is:

- Verbal (for example, epithets, derogatory statements, slurs, sexually-related comments or jokes, suggestive or obscene letters, unwelcome sexual advances or requests for sexual favors).
- Physical (for example, assault, inappropriate physical contact or impeding or blocking movements).
- Visual (for example, displaying sexually suggestive posters cartoons or drawings, sending inappropriate adult-themed gifts, leering or making sexual gestures).
- Considered Bullying in the Workplace – The Company will not tolerate bullying in the workplace, at employer sponsored events, and/or on social media (i.e. Facebook, Twitter, LinkedIn, Instagram, etc.) that is essentially considered a form of harassment in violation of Company's anti-discrimination and harassment policy. Note that this policy is not intended to preclude or dissuade employees from engaging in activities protected by state or federal law, including the National Labor Relations Act.

Bullying activities, which include and are not limited to the following, are prohibited in the workplace:

- Using or threatening physical violence
- Using abusive, insulting, or offensive language;
- Making belittling or humiliating comments;
- Spreading malicious rumors;
- Regularly threatening to fire an employee;
- Requiring an employee to do humiliating or inappropriate things.
- Retaliatory (for example, threatening retaliation or taking retaliatory action).

This list is illustrative only, and not exhaustive.

No form of harassment will be tolerated. Harassment in violation of the Company's anti-discrimination and harassment policy is prohibited at the workplace, at employer-sponsored events and on social media.

Sexual harassment is a form of employee misconduct and is strictly prohibited. Sanctions, including discipline up to and including termination, will be enforced against any employee found to have engaged in sexual harassment.

There are many federal and state laws which prohibit sexual harassment, including Title VII of the Civil Rights Act of 1964, New York Human Rights Law § 296.1 and additional applicable local laws.

Employees are entitled to seek redress for any claims of sexual harassment in federal and state courts, or through administrative agencies, including the Equal Employment Opportunity Commission and/or the New York State Division of Human Rights. There may be additional applicable laws concerning sexual harassment, which may be available to employees seeking redress of their sexual harassment claims.