

Policy Prohibiting Discrimination, Harassment, and Retaliation

(Applicable in the U.S. only. Please note that several states have additional information or considerations regarding this topic. For a copy of the policy with state specifics, please visit [Compass](#).)

Koch and its affiliated companies (“the Company”) are committed to providing a work environment free of unlawful discrimination, harassment, or retaliation. Consistent with our Values, we treat everyone with honesty, dignity, respect, and sensitivity.

This policy applies to all persons in all aspects of employment and those involved in the operation of the Company: our employees, applicants for employment, or other people the Company does business with, such as outside vendors, contractors, customers, or visitors. Additionally, this policy applies to all work-related settings and activities and includes customer sites, business trips, and business-related social events. We grant equal opportunity in all aspects of employment to all persons without unlawful discrimination.

Any individual who has engaged in inappropriate or unlawful conduct will be subject to remedial or disciplinary action, up to and including termination. Managers and supervisors who knowingly allow discrimination, harassment, or retaliation will be subject to disciplinary action, up to and including termination.

Protected Categories

The Company strictly prohibits discrimination or harassment based on the following or *any other basis prohibited by federal, state, or local law*.

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| ▪ Color | ▪ Sex | ▪ Union Membership |
| ▪ Race | ▪ Gender | ▪ Age |
| ▪ National Origin | ▪ Gender Identity | ▪ Physical or Mental Disability |
| ▪ Hair textures/styles commonly associated with a particular race/national origin | ▪ Gender Expression | ▪ Medical Condition |
| ▪ Citizenship | ▪ Sexual Orientation | ▪ Pregnancy (including medical needs which may arise from pregnancy, childbirth, or related medical conditions) |
| ▪ Ethnicity | ▪ Religion | ▪ Genetic Information |
| ▪ Ancestry | ▪ Religious Creed | |
| | ▪ Military or Veteran Status | |
| | ▪ Marital or Familial Status | |
| | ▪ Political Affiliation | |

Discriminatory Harassment

Discrimination includes treating someone less favorably because of that individual’s inclusion, perceived inclusion, or association with a member of a legally protected group.

Harassment includes any unwelcomed conduct (written, verbal, or other) that is offensive, bullying, intimidating, or disparaging to any individual or group and is based on that individual’s inclusion, perceived inclusion, or association with a member of a legally protected group.

Discrimination or harassment can occur whether it is directed toward an individual or a result of the working environment as a whole.

Certain conduct or behaviors that are motivated by or directed toward a protected category may constitute harassing behavior. This behavior is prohibited and includes, but is not limited to:

- Verbal conduct such as epithets, slurs, stereotyping, or jokes;
- Hostile or demeaning behavior;
- Visual displays that show hostility toward individuals based on a protected category; or
- Media usage including phones, e-mail, electronic messaging, or the Internet.

Sexual Harassment

A specific form of unlawful discriminatory harassment is sexual harassment. This includes, but is not limited to:

- Unwelcome conduct, either sexual in nature or directed at an individual because of that individual's sex;
- Conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment;
- Conduct that is made either explicitly or implicitly as a term or condition of employment; or
- When a submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

Prohibited conduct includes, but is not limited to, the following behaviors:

- Verbal conduct such as epithets; slurs; derogatory and/or sexually-oriented jokes or comments; discussion or inquiries about one's own or someone else's sexual activities; or unwelcome sexual advances, propositions, flirtations, invitations, or comments;
- Visual displays such as derogatory and/or sexually-oriented posters, photographs, pornographic displays, cartoons, drawings, or symbols;
- Dissemination of derogatory and/or sexually-oriented voicemail, electronic messaging, email, graphics, downloaded material or websites;
- Unwelcome touching of a sexual nature, gestures, intentional blocking of normal movement or interfering with work, or other conduct directed toward a person because of their gender, race, or any other protected basis; and
- Threats or demands to submit to sexual requests as a condition of continued employment or to avoid some other loss and offers of employment benefits in return for sexual favors.

Reporting and Investigation

If an individual believes they have been subjected to discrimination, harassment, or retaliation, or is aware of this conduct affecting another individual in the workplace, the individual must report it. Reporting avenues include: their immediate supervisor, any member of management, any human resources leader, any Compliance and Ethics resource, any lawyer in the Legal department, or the GuideLine at www.mykochguideline.com or 1-800-216-8007.

All managers and supervisors who are aware of discriminatory or harassing behavior, whether the conduct is reported or observed, must immediately report it. This is true, even if an employee does not wish to report the offensive conduct.

Reported concerns will be promptly assessed and a determination made regarding the appropriate level of investigation and response. All individuals are expected to cooperate fully with investigative efforts. This includes always giving truthful, accurate and complete answers, even if those answers are uncomfortable or create more questions. Investigations must be conducted by a resource suited to investigate the concern, appropriately considering the need for independence and impartiality. To the extent possible, the company will maintain confidentiality consistent with our legal and ethical responsibilities.

Retaliation

Retaliation, retribution, or harassment against any employee who, in good faith, asks a question, raises any concern regarding this policy, or participates in an investigation is prohibited. "Good faith" does not mean a reported concern must be correct, but it does require the reporting party to believe that they are reporting a legitimate concern and they are providing complete and truthful information.

Additional Information for California Employees

The Company will investigate concerns and retain appropriate , documentation . While employees are encouraged to report discrimination, harassment, or retaliation concerns internally, employees may also report concerns to the California Department of Fair Employment and Housing or the U.S. Equal Employment Opportunity Commission.

CA Civil Rights Department

Phone: (800) 884-1684

Website: <http://www.calcivilrights.ca.gov>

Email: contact.center@calcivilrights.ca.gov

U.S. Equal Employment Opportunity Commission ("EEOC")

Phone: 1-800-669-4000

Website: EEOC.gov

Email: info@eeoc.gov

Additional Information for Connecticut Employees

While employees are encouraged to report concerns internally, employees , may report concerns of discrimination, harassment, or retaliation to the Connecticut Commission on Human Rights and Opportunities (CHRO) at <https://portal.ct.gov/CHRO> or the U.S. Equal Employment Opportunity Commission (EEOC) at <http://EEOC.gov> .

Additional Information for Delaware Employees

While employees are encouraged to report concerns internally, employees may report concerns of discrimination, harassment, or retaliation to the Delaware Department of Labor ("DDOL.") Within the DDOL,

the Office of Anti-Discrimination in the Division of Industrial Affairs enforces laws against employment discrimination, including investigating charges of harassment in the workplace.

To contact the Office of Anti-Discrimination, call 302-761-8200 or 302-424-1134. Employees may also visit dia.delawareworks.com/discrimination.

Additional Information for Illinois Employees

While employees are encouraged to report concerns internally, employees may report concerns of discrimination, harassment, or retaliation to external entities like the Office of Executive Inspector General (“OEIG”), the IL Department of Human Rights (“IDHR”) or the U.S. Equal Employment Opportunity Commission.

U.S. Equal Employment Opportunity Commission (“EEOC”)

Phone: 1-800-669-4000

Website: EEOC.gov

Email: info@eeoc.gov

Note: Complaints must be filed with the EEOC within 300 days of the alleged conduct.

IL Office of Executive Inspector General

Phone: 1-866-814-1113

Website: inspectorgeneral.illinois.gov

IL Department of Human Rights (“IDHR”)

Phone: 1-800-662-3942

Website: Illinois.gov/dhr

Note: Complaints must be filed with the IDHR within 300 days of the alleged conduct

For Chicago-based employees:

Sexual harassment and retaliation for reporting sexual harassment is illegal in Chicago. In addition to the above definition, Chicago also states sexual harassment also includes “sexual misconduct, which means any behavior of a sexual nature which also involves coercion, abuse of authority, or misuse of an individual’s employment position.”

Additional Information for Maine Employees

While employees are encouraged to report concerns internally, employees may report concerns of discrimination, harassment, or retaliation to the Maine Human Rights Commission (“MHRC”) within 300 days of when the alleged conduct occurs. Complaints may be filed in person or by mail using a form provided on the MHRC website and, after filing a complaint and completing an intake questionnaire, concerns will be investigated.

You can contact the MHRC by visiting their website at maine.gov/mhrc or calling 207-624-6290.

Additional Information for Massachusetts Employees

For allegations regarding sexual harassment: While employees are encouraged to report claims to the internal contacts listed here, if an employee believes that they have been subjected to sexual harassment, the employee can choose to file a complaint with the government agencies listed below, under federal, state or local antidiscrimination laws.

Internal Contacts

Janet Zeh
Senior Director Employee Relations
1-800-216-8007
www.mykochguideline.com

U.S. Equal Employment Opportunity Commission (“EEOC”)

JFK Federal Building
475 Government Center
Boston, MA 02203
Phone: 1-800-669-4000
Fax: 617-565-3196
TTY: 1-800-669-6820

Massachusetts Commission Against Discrimination (“MCAD”)

Boston Office: 1 Ashburton Place, Room 601 Boston, MA 02108 Phone: 617-994-6000 TTY: 617-994-6196	Springfield Office: 436 Dwight Street, Room 220 Springfield, MA 01103 Phone: 413-739-2145
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Additional Information for New York Employees

The definition of sexual harassment under New York law is harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender. This form of harassment is an unlawful practice in violation of Title VII of the Civil Rights Act of 1964, Parts of the Civil Rights Law of 1991, the New York State Human Rights Law, and (where applicable) local anti-discrimination laws.

Bystander Intervention: Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is required to report it.

Unless a different approach is warranted, investigations will be conducted in accordance with the following steps:

1. Upon receipt of a complaint, an immediate review of the allegations will be conducted, and any appropriate interim actions will be taken.
2. Documents, emails, or phone records relevant to allegations will be obtained, reviewed, and steps will be taken to preserve these records, to the extent necessary.
3. All parties involved, including any relevant witnesses, may be interviewed.

4. Findings from the investigation will be evaluated with appropriate parties and relevant documents will be retained.
5. The Company will notify the complainant and/or appropriate parties of the conclusion of the investigation and implement any corrective actions identified.

It is unlawful to retaliate against an individual who testifies or assists in any investigation or proceeding involving allegations of sexual harassment.

For allegations regarding sexual harassment: While employees are encouraged to report concerns internally, if an employee believes that they have been subjected to sexual harassment, the employee can choose to pursue legal remedies with the government agencies listed below, under federal, state or local antidiscrimination laws. Additionally, employees may opt to use the standard complaint form attached to this policy.

U.S. Equal Employment Opportunity Commission (“EEOC”)

Phone: 1-800-669-4000

Website: EEOC.gov

Email: info@eeoc.gov

Note: Complaints must be filed with the EEOC within 300 days of the alleged conduct.

New York State Division of Human Rights (“NYSDHR”)

Phone: 1-888-392-3644

Website: dhr.ny.gov/Complaint

Note: Complaints must be filed with the NYSDHR within 3 years of alleged conduct. If you do not file with the NYSDHR, you may have other remedies available in state court within three years of the alleged conduct.

New York City Commission on Human Rights (“NYCCHR”)

Phone: 212-306-7450 or 311 (if local in NYC)

Website: NYC.gov/html/cchr

Local Police Department

Please reference local resources for contact information.

New York Sexual Harassment – Standard Complaint Form

Organizational Details

Business:	
Location where incident occurred: <i>Please include physical address and facility name.</i>	

Please indicate your relationship to the Company:

- ☐ Employee
- ☐ Former Employee
- ☐ Customer
- ☐ Contractor
- ☐ Vendor/Supplier
- ☐ Other (please explain): _____

Personal Details

Last Name, First Name	
Phone Number:	
Email Address:	

Report Details:

Please identify the person(s) engaged in this behavior:

	<i>First Name</i>	<i>Last Name</i>	<i>Title</i>
1.			
2.			
3.			

Have you previously reported this concern to local management, such as your supervisor or manager, leader of your department, location or business unit, or Human Resources representative?

- ☐ Yes
- ☐ No

If Yes, please use the space below to indicate their names and titles and indicate what action was taken, if any. Please also indicate where this incident or violation occurred.

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Please use the space below to provide all details regarding the alleged violation, including the locations of witnesses and any other information that could be valuable in the evaluation and ultimate resolution of this situation.

I, _____ (the reporter), do hereby certify that the allegations made via this complaint form are accurate and truthful to the best of my knowledge. I understand that the intentional reporting of false or misleading information can result in remedial or disciplinary action, up to and including termination.	

Signature

Date

**This form, while not required, can be submitted to any of the parties identified in the Policy Prohibiting Discrimination, Harassment, and Retaliation.*

Additional Information for Oregon Employees

Under Oregon's Workplace Fairness Act, the statute of limitations is five years for concerns of employment discrimination or harassment based on a protected factor.

Employers may not require or coerce an Oregon employee to enter into a non-disclosure or non-disparagement agreement that has the purpose or effect of preventing the employee from disclosing or discussing workplace discrimination or harassment. A non-disclosure agreement is an agreement by which parties to the agreement agree not to disclose certain confidential information. A non-disparagement agreement is an agreement which prohibits a party or multiple parties to the agreement from making negative comments about one another.

Employees with workplace discrimination or harassment concerns may voluntarily request to enter into a settlement, separation, or severance agreement. In those cases, employees will have at least seven days after signing the agreement to revoke their signature.

Employers and employees should document any incidents involving prohibited discrimination or harassment, including sexual assault.

Additional Information for Rhode Island Employees

While employees are encouraged to report concerns internally, employees may report concerns of discrimination, harassment, or retaliation to the Rhode Island Commission for Human Rights or the U.S. Equal Employment Opportunity Commission.

Rhode Island Commission for Human Rights

Phone: 401-222-2661

Website: <http://www.richr.ri.gov>

Email: RICHr.Info@richri.ri.gov

U.S. Equal Employment Opportunity Commission ("EEOC")

Phone: 1-800-669-4000

Website: EEOC.gov

Email: info@eeoc.gov

Additional Information for Vermont Employees

It is unlawful to retaliate against an individual who testifies or assists in any investigation or proceeding involving allegations of sexual harassment.

For allegations regarding sexual harassment: While employees are encouraged to report claims to the internal HR contact listed here, if an employee believes that they have been subjected to sexual harassment, the employee can choose to file a complaint with the government agencies listed below, under federal, state or local antidiscrimination laws.

Internal Contacts

Janet Zeh

Senior Director Employee Relations

1-800-216-8007

www.mykochguideline.com

Vermont Attorney General's Office

Phone: (888) 745-9195 (Toll Free VT)

Email: ago.civilrights@vermont.gov

Vermont Human Rights Commission

Phone: 1-800-416-2010 (Toll Free VT)

Email: human.rights@vermont.gov