

 Policies and Procedures GLOBAL	Revised Date:	
	Policy Owner:	Human Resources
	Approved By:	EVP, Chief Human Resources & Administrative Officer
Respect in the Workplace	Effective Date:	March 4, 2019

Introduction

Nutrien encourages respect for the rights, culture, diversity and dignity of all individuals. Nutrien strives to maintain a work environment that is safe, respectful, professional, and free from all forms of discrimination, harassment, bullying and workplace violence.

Workplace harassment, bullying, discrimination and violence are considered health and safety hazards. It is the intent of this policy to affirm Nutrien’s commitment to an environment in which all individuals are treated with respect and dignity, and to prohibit any conduct, whether intentional or unintentional, that results in discrimination, harassment, bullying or constitutes a threat to the health or safety of any individual or individuals in the workplace.

Application

This policy applies to all Nutrien employees, officers, Board of Directors (“directors”), job applicants, interns, volunteers, consultants, contractors, vendors, visitors, or agents of Nutrien or any other individual in their business interactions with Nutrien. Nutrien includes the Nutrien Group of Companies, meaning all of its affiliated entities (i.e., entities in which Nutrien controls or owns, directly or indirectly, more than 50% of the outstanding shares) (collectively referred to as “Nutrien”).

Provisions

Nutrien strictly prohibits discrimination on the basis of a legally protected status, harassment (including sexual harassment), and bullying against any employee, job applicant, visitors to our facilities, volunteer, intern or contractor.

Relevant to discrimination and, in some jurisdictions, harassment, legally protected status includes, but is not limited to religion, creed, color, gender, gender identity, gender expression, race, physical or mental disability, age, national origin or place of origin, citizenship, ancestry, marital status, family status, sexual orientation, pregnancy (which includes childbirth and related medical conditions), genetic information, family or caregivers’ responsibilities, veteran status, military status, political affiliation, or any other classification protected under applicable laws.

Nutrien also prohibits harassing or bullying anyone for their involvement in a protected activity (i.e., opposition to prohibited discrimination or participation in reporting or investigating a complaint of harassment, bullying, or discrimination). Jurisdictions in which we do business may include additional legally protected status categories. Application of this policy shall be in accordance with the laws of the jurisdictions in which we do business, which may include additional categories.

Nutrien will not engage in discriminatory conduct or behavior with respect to its employees, including, but not limited to employment-related decisions or actions such as hiring, promotions, salary increases, disciplinary action

and/or termination of employment relationships. Nutrien will not engage in discriminatory conduct or behavior with respect to any of its business partners including contractors, service providers, vendors and/or customers.

Discrimination occurs when an individual or group of individuals are treated differently or less favorably than another individual or group of individuals, and that different or less favorable treatment is based on, or concerns, a legally protected status (see above) or when an individual is subject to an adverse employment action based on a legally protected status.

The definition of discrimination varies by jurisdiction, and this policy and its definitions are subject to the applicable laws in the jurisdictions in which we do business.

To the extent provided by applicable law, harassment or bullying may in certain jurisdictions include unwelcome conduct or communication that occurs intentionally, or unintentionally that:

- a) is based on or concerns the individual's legally protected status as defined above;
- b) adversely affects the individual's psychological or physical well-being and that the harasser knows or ought reasonably to know would cause an individual to be humiliated, intimidated or offended;
- c) adversely affects the work environment creating an intimidating, hostile, or offensive, work environment;
- d) is done in such a way that the individual is made to understand that submission or agreement to such conduct is a condition for continued employment or a basis for employment decisions; or
- e) creates a risk to an individual's health and safety.

Prohibited harassment can be in any form, including verbal (for example, slurs, derogatory comments or malicious rumours), physical (for example, inappropriate touching), visual (for example, inappropriate posters or derogatory gestures), or online (for example, harassing social media posts).

Other types of unwelcome conduct prohibited by this policy include, but are not limited to, nicknames or labels, slurs, negative stereotyping, intimidating acts, and the circulation or posting of written or graphic materials that show hostility toward individuals because of their protected status. Nutrien prohibits such conduct in the workplace, even if the conduct is not sufficiently severe or pervasive to constitute unlawful harassment.

Prohibited harassment also includes sexual harassment which is discussed further below.

It is not necessary that the behavior be intentional to be considered harassment. It can be a single, serious incident, or a series of incidents over a period of time. Harassment and bullying do not include day-to-day leadership decisions involving work assignments, job assessments and evaluations, workplace inspections, implementation of appropriate dress codes, legitimate, constructive and fair criticism of an employee's performance or behavior at work or other decisions based on legitimate business necessity.

Workplace Violence

Nutrien also strictly prohibits workplace violence. Violent behavior in the workplace is unacceptable from anyone and will not be tolerated. Workplace violence, whether on site or work related, includes any threatened, attempted, or actual conduct of a person that causes or is likely to cause physical or psychological injury or harm. It can include physical attack or aggression, threatening behavior, verbal or written threats, domestic violence or sexual violence. Domestic violence becomes a workplace hazard when it occurs or spills over into the workplace. Sexual violence, in addition to sexual harassment which is discussed below, refers to any sexual act, attempt to obtain a sexual act, or other act directed against an individual's sexuality using coercion by any person regardless of their relationship to the individual, which occurs in the workplace or work-related setting.

Workplace violence also includes behavior which would be interpreted by a reasonable person as being a substantial threat of, or physical action intended to harm, endanger or destroy Nutrien property.

Sexual Harassment

Sexual harassment is strictly prohibited. "Sexual harassment" is a form of harassment based on someone's sex or gender, or gender identity, expression or sexual orientation. Harassing conduct based on gender often is

sexual in nature but sometimes is not. This policy prohibits harassment based on gender regardless of whether the offensive conduct is sexual in nature.

Sexual harassment includes a broad spectrum of conduct, including harassment based on gender, gender identity, gender expression or sexual orientation. Sexual harassment includes conduct, comment, gesture or contact of a sexual nature that is offensive, unsolicited or unwelcome.

Examples of sexual harassment prohibited by this policy include, but are not limited to:

- unwelcome pressure for sexual activity or sexual favors;
- offensive sex-oriented verbal language, kidding, teasing, jokes or innuendos;
- unwelcome sexual flirtations, advances or propositions;
- unwelcome, offensive, graphic or degrading comments or conduct concerning an individual's gender, gender identity, gender expression or sexual orientation;
- unwelcome, offensive, graphic or degrading comments or conduct concerning an individual's appearance or sexual activity;
- offensive visual conduct, including leering, making sexual gestures, the display of pornographic or offensive sexually suggestive objects or pictures, jokes, cartoons, or posters;
- offensively suggestive, pornographic or obscene letters, notes, or invitations including materials displayed using Nutrien's electronic communication resources (such as the internet, intranet, voice mail or email system);
- unwelcome or offensive physical contact such as touching, patting, grabbing, pinching or brushing against another's body; or
- sexual favoritism or unequal treatment based on a person's gender, including the giving of gifts of a sexual nature.

Sexual harassment also includes unwelcome sexual advances, requests for sexual favors, and other verbal, physical or visual conduct based on gender, gender identity, gender expression or sexual orientation when:

1. Submission to the harassing conduct is made a term of employment, either explicitly or implicitly;
2. Submission to or rejection of the harassing conduct is used as a basis for employment decisions; or
3. The harassing conduct interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

An individual may never threaten or insinuate that another individual's refusal to submit to sexual advances will affect the employee's employment, evaluation, wages, advancement, or any other term or condition of employment.

Reporting Violations of this Policy

You are required to report any violation of this policy. If you have a good faith belief that you are, or have been subjected to harassment, bullying, discrimination or workplace violence, or if you have witnessed such conduct, you should take the following steps to immediately report any suspected violation of this policy:

1. If you feel comfortable, inform the person engaging in the prohibited behavior that their behavior is offensive and unwelcome and to stop such behavior. However, you are not required to approach the person if you are not comfortable doing so.
2. Report any violation or suspected violation of this policy to your leader, any member of Leadership, a Human Resources ("HR") representative, including any member of Corporate Human Resources, any member of the Legal Department or Compliance Department. Complaints may be filed in either written form (by letter, email or by completing the Complaint Form, which is attached to this policy) or verbally.

This policy does not require reporting discrimination, harassment, violent behavior or retaliation directly to an employee's immediate leader or to any individual who is engaging in the harassment, discrimination, bullying, violent behavior or retaliation.



Leaders who receive a complaint or learn of policy violations or behavior that may violate this policy, must immediately notify their Human Resources representative or any member of Corporate HR.

In addition, the Nutrien Compliance Hotline is an alternative method, available to all employees and contractors, for reporting and resolving violations or suspected violations of law or Nutrien policy. All calls will be handled confidentially and employees can leave their name or remain anonymous to the extent permitted by local laws.

Nutrien's Response

All reports describing conduct that is inconsistent with this policy will be investigated fairly, promptly and thoroughly, as Nutrien deems in its discretion is appropriate.

Nutrien may put certain interim measures in place, such as a leave of absence or a transfer, while a complaint is being investigated. Nutrien will take further appropriate action once a complaint has been reviewed and/or investigated. That action may be a conclusion that a policy violation occurred, as explained immediately below. Nutrien might also conclude, depending on the circumstances, either that no violation of policy occurred or that Nutrien cannot conclude whether or not a violation occurred.

If an investigation reveals a violation of this policy or other inappropriate conduct has occurred, then Nutrien will take corrective action, including discipline up to and including termination of employment, where permitted by applicable law, reassignment, changes in reporting relationships, training, or other measures Nutrien deems appropriate under the circumstances, regardless of the job positions of the parties involved. Nutrien may take corrective action for any inappropriate conduct discovered in investigating reports made under this policy, regardless of whether the conduct amounts to a violation of law or even a violation of this policy. If the person who engaged in the prohibited conduct is not employed by Nutrien, then Nutrien will take, at its discretion, whatever corrective action it deems reasonable and appropriate under the circumstances.

Frivolous or bad faith complaints may be subject to discipline, up to and including termination of employment, where permitted by applicable law. Frivolous complaints are those which, upon investigation, are determined to have been brought forward only to embarrass or annoy the implicated person and/or without any basis in fact. Bad faith complaints are those which, upon investigation, are determined to have been brought forward in a spirit of dishonesty and/or malicious intent on the part of the complainant.

Confidentiality

In investigating complaints and imposing any corrective action, Nutrien will attempt to preserve confidentiality regarding matters alleged in the complaint (including the names of the parties involved) to the extent that such confidentiality is allowed by applicable law, and does not conflict with efforts to review, investigate and otherwise address the complaint, take corrective action or other action in response to the complaint, and/or prevent further harassment, discrimination or violence.

Leadership Responsibility

Leadership is responsible for providing a work environment free from discrimination, bullying, and harassment, including sexual harassment, and workplace violence. Leadership follows an open-door policy to allow employees to discuss workplace issues. When a member of leadership is notified of a complaint of discrimination, harassment, violent behavior, or retaliation or observes, overhears or is advised of inappropriate behavior or comments, leadership must immediately report the behavior to Human Resources so that the conduct can be promptly and thoroughly investigated. Leaders who knowingly allow prohibited conduct to continue may be disciplined, up to and including termination of employment, where permitted by applicable law.



No Retaliation

Nutrien strictly prohibits retaliation against any individual who has, in good faith, reported an alleged violation of this policy or who has participated in an investigation of such reports, whether internally or with any government agency. Individuals are prohibited from engaging in adverse treatment of other individuals because they have reported alleged discrimination, harassment or violent behavior or have provided information in connection with a report of such behavior. Individuals who believe they have experienced or observed retaliation should report it immediately (please refer to Complaint Procedure section above). Retaliation is a serious violation of this policy and retaliatory behavior by an individual under an employment relationship with Nutrien is subject to disciplinary action, up to and including termination of employment, where permitted by applicable law.

Other Legal Avenues

This policy does not discourage an individual from exercising rights that may be available under law and through local, regional, or federal human rights or equal employment opportunity agencies.

State Addenda (for U.S. only)

For additional information regarding additional state specific provisions that may apply based on your location of employment, please review the state addenda below.

Acceptance of this Policy

All individuals under the application of this policy are responsible for conducting themselves in a manner consistent with this policy and to report any observations of conduct inconsistent with this policy, where such reporting responsibility is permitted by applicable law. If you have any questions regarding discrimination, harassment or workplace violence, you are encouraged to discuss them with your leader, any member of leadership, a Human Resources representative, including any member of Corporate HR, or any member of the Legal Department or Compliance Department, as may be appropriate in your situation.

Important: This policy is not intended to create an express or implied contract of employment. Nutrien reserves the right to modify any part of this policy, at any time, with or without advance notice to affected employees.



I believe that I and/or another employee was retaliated against:

Documents: If there are documents you believe are relevant to your complaint, please attach them.

Additional Information: If there is any additional information that you would like to provide or that you believe would assist us in our investigation, tell us more in the space below (if you need more space, please continue on a separate piece of paper):

Complainant's Signature: _____

Date: _____

Received By: (Signature): _____

Date: _____





State Specific Addenda

California Addendum

The purpose of this policy is to establish prompt, thorough and effective procedures for reporting and responding to complaints and incidents so that problems can be identified and remedied internally. Parties involved in the situation (including the reporter, anyone identified as the target of the behavior, if different than the reporter) and anyone who is alleged to have violated this policy will be offered an opportunity to be interviewed or to otherwise respond to a report under this policy. However, there are also federal and state agencies where an employee can file a charge of discriminatory harassment or retaliation.

In California, employees may address their harassment, discrimination, or retaliation complaints to the EEOC or the California Department of Fair Employment and Housing (“DFEH”), which have the authority to conduct investigation of the facts. The deadline for filing complaints with the DFEH is one year from the date of the alleged unlawful conduct. If the DFEH believes that a complaint is valid and settlement efforts fail, the DFEH may pursue legal remedies on the Complainant’s behalf. The courts have the authority to award monetary and non-monetary relief in meritorious cases. Employees may be held personally liable for sexually harassing conduct that violates the California Fair Employment and Housing Act (FEHA). Employees can contact the nearest EEOC or DFEH office or on-line (www.dfeh.ca.gov or www.eeoc.gov). The law protects employees against retaliation for filing a complaint with either the DFEH or EEOC or otherwise participating in an investigation, proceeding, or hearing conducted by either agency.

Department of Fair Employment and Housing — Headquarters

2218 Kausen Drive, Suite 100
Elk Grove, CA 95758
Toll Free: (800) 884-1684
Phone: (916) 478-7251
TTY: (800) 700-2320
Fax: (916) 227-2859

EEOC - Fresno Local Office

2300 Tulare Street, Suite 215
Fresno, CA 93721
Phone: 800-669-4000
TTY: 800-669-6820

EEOC - Los Angeles District Office

255 East Temple Street, 4th Floor
Los Angeles, CA 90012
Phone: 800-669-4000
TTY: 800-669-6820

EEOC - Oakland Local Office

1301 Clay Street, Suite 1170-N
Oakland, CA
Phone: 800-669-4000
TTY: 800-669-6820

EEOC - San Diego Local Office

555 West Beech Street, Suite 504
San Diego, CA 92101
Phone: 800-669-4000
TTY: 800-669-6820

EEOC - San Francisco District Office

450 Golden Gate Avenue 5 West,
P.O. Box 36025
San Francisco, CA 94102
Phone: 800-669-4000
TTY: 510-735-8909

EEOC - San Jose Local Office

96 North 3rd Street, Suite 250
San Jose, CA 95112
Phone: 800-669-4000
TTY: 800-669-6820



State Specific Addenda

Delaware Addendum

The purpose of this policy is to establish prompt, thorough and effective procedures for reporting and responding to complaints and incidents so that problems can be identified and remedied internally. However, there are also federal and state agencies where an employee can file a charge of discriminatory harassment or retaliation.

In Delaware, employees may file formal charges with the Delaware Department of Labor (“DDOL”) and/or the United States Equal Employment Opportunity Commission (“EEOC”). A charge with the DDOL or the EEOC must be filed within 300 days of the incident.

New Castle County Department of Labor

Office of Anti-Discrimination
4425 N. Market Street, 3rd Fl.
Wilmington, DE 19802
(302) 761-8200

Kent/Sussex Counties Department of Labor

Office of Anti-Discrimination
Blue Hen Corporate Center
655 S. Bay Road, Suite 2H
Dover, DE 19901
(302) 422-1134

EEOC Philadelphia District Office (covers Delaware)

801 Market Street, Suite 1300
Philadelphia, PA 19107-3127
1-800-669-4000 or (215) 440-2601



State Specific Addenda

Illinois Addendum

The purpose of this policy is to establish prompt, thorough and effective procedures for reporting and responding to complaints and incidents so that problems can be identified and remedied internally. However, there are also federal and state agencies where an employee can file a charge of discriminatory harassment or retaliation.

In Illinois, employees may file formal charges with the Illinois Department of Human Rights (“IDHR”) and/or the United States Equal Employment Opportunity Commission (“EEOC”). A charge with the IDHR must be filed within 180 days of the incident of alleged harassment or discrimination. If the charge is dual-filed with the IDHR and EEOC, it must be filed within 300 days of the incident.

Illinois Department of Human Rights

Chicago: 312-814-6200 or 800-662-3942

Chicago TTY: 866-740-3953

Springfield: 217-785-5100

Springfield TTY: 866-740-3953

Marion: 618-993-7463

Marion TTY: 866-740-3953

Illinois Human Rights Commission

Chicago: 312-814-6269

Chicago TTY: 312-814-4760

Springfield: 217-785-4350

Springfield TTY: 217-557-1500

EEOC Chicago District Office

Chicago: 800-669-4000

Chicago TTY: 800-869-8001



State Specific Addenda

Maine Addendum

The purpose of this policy is to establish prompt, thorough and effective procedures for reporting and responding to complaints and incidents so that problems can be identified and remedied internally. However, there are also federal and state agencies where an employee can file a charge of discriminatory harassment or retaliation.

A discrimination claim can be filed either with the state administrative agency, the Maine Human Rights Commission (MHRC), or the federal administrative agency, the Equal Employment Opportunity Commission (EEOC). In order for these agencies to act on your behalf, you must file with the MHRC or EEOC within 300 days of the date you believe you were discriminated against.

Maine Human Rights Commission

#51 State House Station
19 Union Street
Augusta, ME 04330
Phone: (207) 624-6290
Fax: (207) 624-8729

EEOC Boston Area Office (covers Maine)

John F. Kennedy Federal Building
Government Center
4th Floor, Room 475
Boston, MA 02203
Phone: (617) 565-3200
TTY: (617) 565-3204



State Specific Addenda

Massachusetts Addendum

The purpose of this policy is to establish prompt, thorough and effective procedures for reporting and responding to complaints and incidents so that problems can be identified and remedied internally. Please see the Complaint Procedure above, and contact your local HR representative or any member of Corporate HR.

However, there are also federal and state agencies where an employee can file a charge of discriminatory harassment or retaliation.

In Massachusetts, if an employee believes they have been subjected to sexual harassment or discrimination, they may file a formal complaint with either or both of the government agencies set forth below. The courts have the authority to award monetary and non-monetary relief in meritorious cases. Using the Company's complaint process does not prohibit anyone from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC - 300 days; MCAD - 300 days).

Massachusetts Commission Against Discrimination:

One Ashburton Place
Sixth Floor, Room 601
Boston, MA 02108
Phone: 617-994-6000

436 Dwight Street
Second Floor, Room 220
Springfield, MA 01103
(413) 739-2145

Worcester City Hall
484 Main Street, Room 320
Worcester, MA 01608
(508) 453-9630

EEOC Boston Area Office

John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
(800) 669-4000



State Specific Addenda

New York Addendum

Introduction

The Company is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. The Company does not tolerate any form of sexual harassment, and all employees are required to work in a manner that prevents sexual harassment in the workplace. This Sexual Harassment Policy for New York Employees (“Policy”) is one component of the Company’s commitment to a discrimination-free work environment. For additional information regarding the Company’s commitment to treating all employees with respect, dignity, and fairness, please refer to our Respect in the Workplace Policy.

Policy Overview

1. This Policy applies to all employees, applicants for employment, interns, whether paid or unpaid, and non-employees.¹ All must follow and uphold this Policy
2. Sexual harassment will not be tolerated. It is offensive, is a violation of our policies, is unlawful, and subjects the Company to liability for harm to victims of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including leaders and managers who engage in sexual harassment or who knowingly allow such behavior to continue, will be subject to remedial and/or disciplinary action, up to and including termination.
3. All employees, interns, whether paid or unpaid, and non-employees are encouraged to report any harassment or behaviors that violate this Policy. A complaint form that individuals may use to report harassment and file complaints is attached to this Policy. The section below titled “Reporting Sexual Harassment and Retaliation Internally” provides the options for reporting complaints.
4. Managers and supervisors are required to report any complaint that they receive, or any harassment that they observe or of which they have knowledge.
5. The Company will conduct a prompt, thorough and confidential (to the extent possible) investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. Appropriate corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.
6. The Company prohibits retaliation against anyone who, in good faith, complains about or reports an incident of sexual harassment, provides information, testifies or otherwise assists in any investigation or proceeding under the law. Any employee who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination.
7. As detailed below, sexual harassment complaints may also be reported to federal, state, and, where applicable, local agencies.

¹ A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, “gig” workers and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer.



What Is “Sexual Harassment”?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment, even if the complaining individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual’s employment.

A sexually harassing hostile work environment consists of words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual’s sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, and/or which interfere with the recipient’s job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called “quid pro quo” harassment.

Any employee who feels that he/she has been subjected to harassment should report the conduct so that any violation of this Policy can be promptly investigated and so that the Company can take appropriate remedial and/or disciplinary action. Any harassing conduct, even a single incident, can be reported pursuant to this Policy.

Examples of Sexual Harassment

Examples of conduct that may constitute sexual harassment and that are prohibited by this Policy include, but are not limited to, the following:

- Physical assaults of a sexual nature, such as:
 - Touching, pinching, patting, grabbing, brushing against another employee’s body or poking another employees’ body;
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, 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 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 or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual’s sex, sexual orientation, gender identity and the status of being transgender, such as:



- Interfering with, destroying or damaging a person’s workstation, tools or equipment, or otherwise interfering with the individual’s ability to perform the job;
- Sabotaging an individual’s work;
- Bullying, yelling, name-calling.

Who Can Be Targets and Perpetrators of Sexual Harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. A perpetrator of sexual harassment can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

Where Can Sexual Harassment Occur?

Anywhere. Sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute inappropriate workplace harassment, even if they occur away from the workplace premises or not during work hours.

What is “Retaliation”?

Retaliation is any adverse action that would keep an individual from coming forward to report or support a sexual harassment complaint. Adverse action need not be job-related or occur in the workplace to constitute retaliation.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- filed a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- complained that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

Reporting Sexual Harassment and Retaliation Internally

The Company cannot prevent or remedy sexual harassment or retaliation unless it knows about it.

Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute sexual harassment and/or retaliation, or who has witnessed or becomes aware of conduct that may constitute sexual harassment and/or retaliation, is encouraged to report such behavior to your local HR Representative or any member of Corporate HR.

Complaints may be made verbally or in writing. A Complaint Form for submission of a written complaint is attached to this Policy, and all employees, including those who report on another’s behalf, are encouraged to use this Complaint Form to report potential violations of this Policy. Employees who prefer not to report in writing may be asked to verbally answer the questions on the Complaint Form.



Supervisory Responsibilities

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior, or for any reason suspect that sexual harassment is occurring, are required to report such suspected sexual harassment to your local HR Representative or any member of Corporate HR.

In addition to being subject to discipline if they engage(d) in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue. Supervisors and managers will also be subject to discipline for engaging in retaliation.

Complaint And Investigation Of Sexual Harassment

All complaints or reports of suspected sexual harassment, whether written or verbal, will be investigated in an impartial, timely, and thorough manner. Investigations will be confidential to the extent possible. All persons involved, including complainants, witnesses and alleged perpetrators, will be accorded due process to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Employees who participate in any investigation will not be retaliated against.

In conducting an investigation, the Company will:

- Promptly review the allegations, and take any interim actions, as appropriate;
- Where necessary and appropriate, request, collect, preserve, and review relevant documents, including hardcopy documents and electronic communications;
- Where necessary and appropriate, interview parties involved, including any relevant witnesses;
- Create a written report of the investigation in an appropriate form;
- Maintain the written report and associated documents in the Company's records;
- Take appropriate disciplinary and remedial actions, if a violation of this Policy occurred;
- Notify the complainant of the outcome of the investigation.

Legal Protections And External Remedies

Sexual harassment and retaliation are not only prohibited by the Company but also are unlawful and prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at the Company, employees may also choose to pursue legal remedies with the following governmental entities.

New York State Division of Human Rights (DHR)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees regardless of immigration status. A complaint alleging violations of the Human Rights Law may be filed either with DHR or in New York State Supreme Court.

Complaints with DHR may be filed any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged discrimination. An individual may not file with DHR if they have already filed a HRL complaint in state court.



Complaining internally to the Company does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400 [appropriate other contact info], www.dhr.ny.gov

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

United States Equal Employment Opportunity Commission (EEOC)

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred.

If an employee believes that he/she has been discriminated against at work, he/she can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at www.eeoc.gov or via email at info@eeoc.gov

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml

Contact the Local Police Department

If the harassment involves inappropriate physical touching of a sexual nature, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Contact the local police department.



State Specific Addenda

Rhode Island Addendum

The purpose of this policy is to establish prompt, thorough and effective procedures for reporting and responding to complaints and incidents so that problems can be identified and remedied internally. However, there are also federal and state agencies where an employee can file a charge of discriminatory harassment or retaliation.

In Rhode Island, a harassment or discrimination claim can be filed either with the state administrative agency, RICHR Rhode Island Commission for Human Rights (RICHR), or the federal administrative agency, the Equal Employment Opportunity Commission (EEOC).

To preserve your claim under state law, you must file with the RICHR (or cross-file with the EEOC) within 1 year of the date you believe you were discriminated against. To preserve your claim under federal law, you must file with the EEOC (or cross-file with the state agency) within 300 days of the date you believe you were discriminated against.

Rhode Island Commission for Human Rights

180 Westminster Street, 3rd Floor
Providence, RI 02903
Phone: 401-222-2661
TTY: 401-222-2664
Fax: 401-222-2616

EEOC Boston Area Office (covers Rhode Island)

John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
Phone: 1-800-669-4000



State Specific Addenda

Vermont Addendum

The purpose of this policy is to establish prompt, thorough and effective procedures for reporting and responding to complaints and incidents so that problems can be identified and remedied internally. However, there are also federal and state agencies where an employee can file a charge of discriminatory harassment or retaliation.

A discrimination claim can be filed either with the state administrative agency, the Vermont Human Rights Commission (VHRC), or the federal administrative agency, the Equal Employment Opportunity Commission (EEOC). In order for these agencies to act on your behalf, you must file with the VHRC or EEOC within 300 days of the date you believe you were discriminated against.

Vermont Human Rights Commission

14-16 Baldwin Street
Montpelier, VT 05633-6301
Fax: (802) 828-2481

EEOC Boston Area Office (covers Vermont)

John F. Kennedy Federal Building
Government Center
4th Floor, Room 475
Boston, MA 02203
Phone: (617) 565-3200
TTY: (617) 565-3204

