

Equal Opportunity Policy & Policy Against Discrimination and Discriminatory Harassment (“EEO Policy”)

The Foundation is an Equal Opportunity Employer and is committed to complying with all federal, state and local equal employment opportunity (“EEO”) laws. The Foundation prohibits discrimination, including discriminatory and sexual harassment, against employees (including part-time and temporary) and interns and other persons providing services pursuant to a contract at the Foundation’s workplace (such as freelancers, gig workers, independent contractors, subcontractors, and vendors, as well as persons providing equipment repair, cleaning services, or any other services through a contract with the Foundation), and applicants for employment (or for an internship or third-party contractor position described above) (collectively, “Covered Persons,”) because of the individual’s race or color, religion or creed, alienage or citizenship status, sex (including pregnancy), national origin, age, sexual orientation, gender identity or expression, sexual and reproductive health decisions or decision-making (of covered persons or their dependents), disability, height, weight, marital status, familial status, domestic partnership status, caregiver status, genetic information or predisposing genetic characteristics, military status, domestic violence, sexual violence or stalking victim status, pre-employment arrest record, or any other characteristic protected by law (collectively, “Protected Characteristics”). The Foundation also considers for employment qualified applicants and third-party contractors with criminal histories consistent with federal, state, and local law. This EEO Policy applies to all Foundation activities, including, but not limited to, recruitment, hiring, compensation, assignment, training, promotion, performance evaluation, discipline, and discharge. As detailed below, this EEO Policy also bans discriminatory harassment.

The Foundation allows all individuals to use the single-sex bathroom facilities consistent with their gender identity or expression. The Foundation will not require an employee to sign a waiver which purports to deny an employee the right to make their own sexual and reproductive health decisions or decision making, including the use of a particular drug, device, or medical service or take any other adverse personnel action based on the sexual and reproductive health decisions or decision making of the employee or their dependent(s). In addition, the Foundation will not access an employee’s personal information regarding the employee’s or any dependent’s sexual and reproductive health decisions and decision making, including, but not limited to, the decision to use or access a particular drug, device, or medical service, without the employee’s prior written consent.

DISCRIMINATORY HARASSMENT

IN GENERAL

As part of this EEO Policy, the Foundation prohibits conduct that constitutes or could lead or contribute to harassment because of an individual's Protected Characteristic(s). Examples of such conduct include, but are not limited to:

- ethnic slurs;
- use of Foundation computers (including via the Internet) or the Foundation's e-mail system to view or distribute racially offensive communications;
- bullying, yelling, or name-calling;
- creating different expectations for individuals based on their perceived identities; and/or
- threatening, intimidating, or hostile acts directed at a particular sex or religious group or directed at an individual because of their sexual orientation, color or ethnicity.

Harassment does not require intent to offend. Thus, inappropriate conduct or language meant as a joke, a prank, or even a compliment can lead or contribute to harassment.

SEXUAL HARASSMENT

Sexual harassment is a specific type of discriminatory harassment and is unlawful under federal, state, and where applicable, local law. Sexual harassment is also employee misconduct and will not be tolerated. Covered persons are urged to report sexual harassment using the Complaint Procedure provided below. Sexual harassment includes harassment on the bases of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the state of being transgender. Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination including gender role stereotyping and treating covered persons differently because of their gender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

All of the Foundation's policies concerning sexual harassment apply to all Covered Persons. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor. Any Covered Person who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action, up to and including termination. Any manager or supervisor who engages in sexual harassment or retaliation or who knowingly allows sexual harassment or retaliatory conduct to continue will also be subject to remedial and/or disciplinary action, up to and including termination.

Sexual harassment can occur between any individual, regardless of sex or gender and does not have to be between members of the opposite sex or gender. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender. Any harassing conduct, even a single incident, can be addressed under this policy. Harassment does not need to be severe or pervasive in order to be violative of this policy or New York law. Covered persons should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague terminated over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.

There are two main types of sexual harassment:

- Behaviors that contribute to a **hostile work environment** include, but are not limited to, 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, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which a covered person finds offensive or objectionable, causes a covered person discomfort or humiliation, or interferes with the covered person's job performance. The impacted person need not be the intended target of the harassment.
- 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.

Behavior that may constitute sexual harassment includes, but is not limited to:

- Threatening to take or taking employment actions, such as discharge, demotion or reassignment if sexual favors are not granted;
- Demands for sexual favors in exchange for job benefits or favorable or preferential treatment, whether with respect to hiring, promotion, continued employment, or any other terms, conditions, or privileges of employment;
- Unwelcome and repeated flirtations, propositions or advances; repeated requests for a date; or romantic gestures, including gift-giving;

- Unwelcome physical contact, such as kissing, hugging, touching, pinching, patting, or grabbing;
- Rape, sexual battery, molestation, or attempts to commit these assaults, which may also be considered criminal conduct;
- Sexually oriented or sexual gestures, noises, remarks, or jokes;
- Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look;
- Intentional misuse of an individual's preferred pronouns;
- Offensive, insulting, derogatory, lewd, or degrading remarks;
- Unwelcome comments about appearance;
- Inappropriate personal questions and comments, such as inquiries/comments about a person's sexuality, sexual experience, or romantic history;
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or transgender status, such as interfering with or destroying that person's workspace, sabotaging that person's work, bullying, yelling, or name calling;
- Any other 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 orientation, gender identity, or transgender status; or
- Any other 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, or which interfere with the recipient's job performance.

The list above is not intended to be all inclusive. Covered Persons should also keep in mind that prohibited harassment is not limited to the workplace. Care should be taken in informal business situations, including work and industry-related parties, functions, and business trips to ensure that this Policy is strictly followed. Calls, text messages, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises or outside of normal business hours.

Sexual harassment can occur when covered persons are working remotely from home as well. Any prohibited behaviors outlined above that leave an employee feeling uncomfortable, humiliated, or unable to meet their job requirements constitute harassment even if the covered person is at home when the harassment occurs. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

Preventing sexual harassment is everyone's responsibility. The Foundation cannot prevent or remedy sexual harassment unless it knows about it. Any Covered Person who has been subjected to behavior

that may constitute sexual harassment is encouraged to report such behavior to the Director, Human Resources and Administration. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior using the Complaint Procedures below. All complaints or information about sexual harassment will be investigated, whether that information is reported orally or in writing. Investigations will be conducted in a timely, fair and impartial manner, and will be confidential to the extent possible, using the Complaint Procedures below.

SUPERVISORS

Additional rules apply to individuals with supervisory authority at the Foundation. No one with a supervisory role may at any time: (1) threaten or imply that an individual's submission to or rejection of a sexual advance, or harassment or discrimination based on any other protected category, will in any way influence any decision regarding that individual's employment or engagement, performance evaluation, advancement, compensation, assignments, discipline, discharge, or any other term or condition of employment or engagement; or (2) make any employment or engagement decision concerning an individual on any discriminatory basis. All managers and supervisors who receive a complaint or information about suspected sexual harassment or any other violation of this Policy, observe what may be sexually harassing or other discriminatory harassing behavior or for any reasons suspect that sexual harassment or any other discriminatory harassment is occurring, are required to report any complaint that they receive, or any harassment or other violation of this Policy that they observe to the Director, Human Resources and Administration or the Senior Vice President, Finance & Operations.

In addition to being subject to discipline for engaging in sexually harassing or other discriminatory harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report sexual harassment or other discriminatory harassment, or otherwise knowingly allowing sexual harassment or other discriminatory harassment, to continue. Supervisors and managers will also be subject to discipline for engaging in any retaliation.

BYSTANDER INTERVENTION

Any covered person 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. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help.

- A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
- A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;
- A bystander can record or take notes on the harassment incident to benefit a future investigation;

- A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not okay; and
- If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically touching an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace. Any covered person 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.

COMPLAINT PROCEDURES

If you believe that you or another individual has been subjected to any conduct of the type prohibited by this Policy, you are urged and expected to report the relevant facts promptly.

Covered Persons should ordinarily direct such reports to the Director, Human Resources and Administration or, alternatively, employees may direct reports to the Senior Vice President, Finance & Operations. Covered Persons should choose whichever individual they feel more comfortable contacting under the circumstances. Reports about the President should instead be made to the Board Chair or Audit Committee Chair. Covered Persons may choose to report orally or in writing. A form for submitting a written complaint is available on the intranet and can be obtained from the Human Resources Department, and you are encouraged, but not required, to use this complaint form. If you are reporting sexual harassment on behalf of another Covered Person, you may use the complaint form and note that it is on another individual's behalf.

Covered Persons should report the conduct regardless of the offender's position at the Foundation and should also report the conduct even if the offender is not employed at the Foundation (for example, a vendor or consultant). Prompt reporting is very important so that the Foundation can take action to stop the conduct before it is repeated. All reports will be followed up promptly, with further investigation conducted where needed to confirm facts or resolve disputed facts. In conducting its investigations, the Foundation will strive to keep the identity of individuals making reports as confidential as possible.

While the investigation process may vary from case to case, investigations will typically include the following steps: After receiving a complaint, the Director, Human Resources and Administration (or her designee) will conduct an immediate review of the allegations and may take interim actions as appropriate (e.g., instructing the individual(s) alleged to have violated this Policy to refrain from communicating with the individual(s) alleged to have been subjected to conduct in violation of the Policy). The investigator will typically proceed by interviewing the individual(s) who submitted the complaint, the individual(s) alleged to have been subjected to conduct in violation of the Policy, the individual(s) alleged to have violated this Policy, and others identified by those individuals as witnesses or people with knowledge of the conduct at issue. The investigator may also obtain, review, and

preserve documents, emails, or phone records relating to the allegations. Any Covered Person may be required to cooperate as needed in an investigation of any violation of this Policy.

As appropriate, the individual(s) who submitted the complaint, the individual(s) alleged to have been subjected to conduct in violation of the Policy, and the individual(s) alleged to have violated this Policy, will be notified of the outcome of the investigation.

If you believe that anonymity is essential in making a report under this Policy – recognizing that doing so may make your complaint more difficult to investigate – you may do so using the Foundation’s Ethics Hotline. An anonymous complaint under this Policy can be reported by any of the following means:

- Telephone: (800) 401-8004
- Website: www.lighthouse-services.com/sloanfoundation
- Email: reports@lighthouse-services.com (include “Sloan Foundation” in report)

Individuals who violate this Policy will be subject to discipline and may also be subject to personal legal and financial liability under applicable law. Appropriate disciplinary action will also be taken against any Covered Person who knowingly and willfully makes a false allegation concerning an alleged violation of this Policy.

NO RETALIATION

Retaliation is unlawful and is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage covered person from making a formal complaint or supporting a sexual harassment or discrimination claim, or that punishes those who have come forward. These actions need not be job-related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of work hours or disparaging someone on social media would be covered as retaliation under this Policy.

Examples of conduct that may constitute retaliation if motivated by a retaliatory purpose may include, but are not limited to:

- Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;
- Publicly releasing personnel files;
- Refusing to provide a reference or providing an unwarranted negative reference;
- Labeling an employee as “difficult” and excluding them from projects to avoid “drama”;
- Undermining an individual’s immigration status; or
- Reducing work responsibilities, passing over for a promotion, or moving an individual’s desk to a less desirable office location.

Threats or acts of retaliation against individuals who report inappropriate conduct pursuant to this Policy or provide information in connection with a report by another individual will not be tolerated. In the event you believe that you have been retaliated against for such action, you should use the above procedures to report the pertinent facts promptly. The Foundation will investigate and take appropriate action in the manner described above.

In accordance with applicable law, this policy against retaliation includes a prohibition on retaliating against anyone who, in good faith complains (or encourages another to complain), testifies about, opposes, or provides information about suspected sexual harassment or discrimination based on any Protected Characteristic (a “Protected Activity”), including sexual and reproductive health decisions and decision making. No Covered Person shall be subject to adverse employment action—including the actions listed above—because they engaged in good faith in a protected activity. Any Covered Person who retaliates against anyone for engaging in a protected activity will be subjected to disciplinary action, up to and including termination. These protections extend to those who engage in a protected activity in good faith, even if their complaints are not substantiated or do not rise to the level of a policy violation. However, as stated above, Covered Persons may be subject to disciplinary action for making intentionally false statements in connection with allegations of discrimination. All Covered Persons who believe they have been subject to retaliation in violation of this Policy should report their concern using the Complaint Procedures described above.

QUESTIONS

Any questions regarding the interpretation of this Policy, or clarification of your rights, should be directed to the Director, Human Resources and Administration.

LEGAL PROTECTIONS AND EXTERNAL REMEDIES CONCERNING SEXUAL HARASSMENT

In accordance with the requirements of New York State law, the Foundation is providing the additional information below regarding laws and legal remedies relating to sexual harassment and sexual and reproductive health decisions and decision making, as applicable:

Sexual harassment and discrimination or retaliatory acts against an employee on the basis of sexual and reproductive health decisions or decision making are not only prohibited by the Foundation but are also prohibited by applicable law. Aside from the internal process at the Foundation, (i) for discrimination or retaliatory acts based on sexual and reproductive health decisions or decision making, employees may also choose whether or not to pursue legal remedies in court under the Labor Law and (ii) for sexual harassment, employees may choose whether or not to pursue legal remedies with the following governmental entities at any time.

STATE HUMAN RIGHTS LAW (HRL)

The New York State Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State, and protects Covered Persons, regardless of immigration

status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints of sexual harassment filed with DHR may be submitted any time within three years of the harassment. If an individual does not file a complaint with DHR, they can bring a lawsuit directly in state court under the HRL, within three years of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the Foundation does not extend your time to file with DHR or in court. The three years are counted from the 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 sexual harassment has occurred. Probable cause cases receive a public hearing before an administrative law judge. If sexual harassment is found at the hearing, DHR has the power to award relief. Relief varies but may include requiring your employer to take action to stop the harassment, repair the damage caused, by the harassment including paying of monetary damages, punitive 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. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Go to dhr.ny.gov/complaint for more information about filing a complaint with DHR. The website has a digital complaint process that can be completed on your computer or mobile device from start to finish. The website has a complaint form that can be downloaded, filled out, and mailed to DHR, as well as a form that be completed online. The website also contains contact information for DHR's regional offices across New York State. You may call the DHR sexual harassment hotline at 1(800) HARASS3 for more information about filing a sexual harassment complaint.

CIVIL RIGHTS ACT OF 1964

The United States Equal Employment Opportunity Commission (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 (or, in certain other jurisdictions, 180 days) from the most recent incident of 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. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Notice of Right to Sue permitting workers to file a lawsuit in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination laws may have been violated, or believes that unlawful discrimination occurred but does not file a lawsuit.

Individuals may obtain relief in mediation, settlement, or conciliation. In addition, federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work 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 (TTY: 1-800-669-6820), 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 automatically 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 or discrimination with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade Street, 1st 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 unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime, and you should consider whether you wish to contact the local police department.

REASONABLE ACCOMMODATION

The Foundation will provide reasonable accommodation consistent with the law to otherwise qualified employees and applicants (and other Covered Persons, where required by law) with a disability and to employees and applicants with needs related to their religious observance or practices, pregnancy, childbirth, or related conditions, or status as a victim of domestic violence, sex offenses, or stalking. What constitutes a reasonable accommodation depends on the circumstances and thus will be addressed by the Foundation on a case-by-case basis.

You should notify the Director, Human Resources and Administration if you require an accommodation for one of the reasons described above. When making your request for an accommodation, you should include relevant information, including without limitation a description of the proposed accommodation, the reason you need it along with any supporting documentation, and how the accommodation will allow you to perform your essential job functions subject to applicable law. The Foundation will not access any personal information relating to sexual and reproductive health decisions or decision making without first obtaining your prior written consent.

After receiving an accommodation request, the Foundation will engage in a cooperative dialogue, either in writing or orally, with you within a reasonable timeframe to determine your precise limitations and explore potential reasonable accommodations that could overcome those limitations. The Foundation encourages you to suggest specific accommodations that you believe would allow you to perform your job. However, the Foundation is not required to provide the specific accommodation you request and may provide an alternative accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on the Foundation. After engaging in this dialogue, the Foundation will provide you with a final written determination regarding your request for an accommodation. The Foundation will not discriminate or retaliate against any employee for requesting an accommodation.