



Catalyst Policy Against Harassment and Discrimination

Prohibition on Harassment and Discrimination

Catalyst strictly forbids all forms of discrimination and harassment on the basis of sex, race, color, gender, gender identity, gender expression, sexual orientation, ancestry, ethnic background, national origin, age, religion, creed, disability, vaccination status, citizenship status, veteran status, marital, family or caregiver status, pardoned conviction, or any other category protected by law. It is Catalyst's policy to provide all employees with a work environment free from such discrimination and harassment in the workplace itself, remotely over organization computer systems, and in other work-related settings such as business trips and business-related social events. Harassment on the basis of a category protected by law is a form of discrimination.

Catalyst prohibits all inappropriate behavior described in this policy, regardless of whether 1) it is severe and/or pervasive enough to constitute illegal discrimination or harassment; 2) it is unwelcome; 3) anyone has complained about the behavior; 4) it was meant to be seen or overheard by others; and 5) the person engaging in the behavior intended it to be offensive.

Definition of Harassment

For purposes of this policy, harassment is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of their sex, race, color, gender, gender identity, gender expression, sexual orientation, ancestry, ethnic background, national origin, age, religion, creed, disability, vaccination status, citizenship status, veteran status, marital, family or caregiver status, pardoned conviction or any other protected category or that of their relatives, friends, or associates, and that: 1) has the purpose or effect of creating an intimidating, hostile, or offensive work environment, even if the reporting individual is not the intended target of the harassment; 2) has the purpose or effect of unreasonably interfering with an individual's work performance; or 3) otherwise adversely affects an individual's employment opportunities.

Sexual harassment is a form of sex discrimination. It includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender. Sexual harassment specifically includes unsolicited or unwelcome conduct of a sexual nature (verbal or physical) when 1) submission to or rejection of this conduct by an individual is made either explicitly or implicitly a term or condition of an individual's employment; 2) submission to or rejection of this conduct is used as the basis for employment decisions affecting that individual; or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment, even if the reporting individual is not the intended target of the sexual harassment. Sexual harassment can include harassment between individuals of the same or different sex.

Examples of Sexual Harassment

Examples of sexual harassment include, but are not limited to:

- Unwanted sexual advances
- Subtle or overt pressure for sexual favors in exchange for favorable treatment or continued employment
- Sexual jokes, flirtations, advances, or propositions; verbal or digital abuse of a sexual nature
- Graphic verbal or digital commentary about an individual's body, sexual prowess, or sexual deficiencies
- Leering, whistling, touching, pinching, coerced sexual acts or suggestive, insulting, or obscene comments or gestures
- Display in the workplace or over organization computer systems of sexually suggestive objects or pictures, including e-mail communications; name calling
- Story-telling, gossip, comments, or jokes that are derogatory toward a particular sex, sexual orientation, gender or gender identity
- Harassment consistently targeted at only one sex, even if the content of such harassment is not sexual
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender, gender identity or the status of being transgender
- Sex stereotyping based on a person's particular conduct or appearance

Examples of Protected Class Harassment

Although it is not possible to list all examples of conduct which constitutes protected class harassment, the following are some examples of conduct which, if unwelcome, may constitute harassment:

- Use of epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that relate to any characteristic protected by applicable law
- Displaying or circulating written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of a particular characteristic protected by applicable law
- Use of derogatory words, phrases, jokes, or negative stereotyping
- Sending e-mail or voicemail messages containing derogatory statements regarding a particular ethnic group, race, religion or other legally protected status
- Demonstrations of a racial or ethnic nature such as a use of gestures, pictures or drawings which would offend a particular protected individual or group
- Comments about an individual's skin color or other racial/ethnic characteristics
- Making disparaging remarks about an individual's gender that are not sexual in nature
- Negative comments about an employee's religious beliefs (or lack of religious beliefs)
- Expressing negative stereotypes regarding an employee's birthplace or ancestry
- Negative comments regarding an employee's age
- Derogatory or intimidating references to an employee's mental or physical impairment

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

Complaint Procedure

If you experience discrimination, harassment, or inappropriate behavior of any kind; witness or learn of such behavior targeted at others, have a related complaint; or believe that you have been treated in an unlawful manner; you must promptly report the matter to your immediate manager,

Human Resources, or the President. An employee who feels that they have been subjected to any discrimination, harassment, or other inappropriate behavior by his or her manager, other authority over him or her, or vendor must immediately report the matter to Human Resources or the President. A Complaint Form for submission of a written complaint of sexual harassment is available, and all employees are encouraged, but not required, to use this form.

Manager Responsibilities

Managers have additional responsibilities to ensure that the work environment is free from harassment, including communicating the contents of this policy to employees and enforcing the policy. Investigation and/or corrective action are required, whether or not a victim makes a formal complaint. Managers must immediately report any claim of or suspected sexual or other harassment to Human Resources or the President. In addition to being subject to discipline if they engage in conduct that violates this policy, managers will be subject to discipline for failing to report suspected harassment or discrimination or otherwise knowingly allowing harassment or discrimination to continue. Managers will also be subject to discipline for engaging in any retaliation.

Investigating and Resolving the Complaint

Any allegation of discrimination or harassment will be promptly and thoroughly investigated while maintaining confidentiality to the maximum extent possible. While the process will vary from case to case, investigations will generally include: (a) individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or who may have relevant knowledge and (b) collecting and reviewing relevant documents.

Sanctions

Individuals found to have violated this policy will be disciplined, up to and including discharge. The President and Human Resources will determine appropriate sanctions.

Protection against Retaliation

Catalyst expressly prohibits any form of retaliatory action against an employee who makes a complaint in good faith under this policy, even if the employee turns out to have been mistaken. Catalyst also expressly prohibits any form of retaliatory action against an employee who assists in a complaint investigation. Retaliation is a serious violation of this policy and must be reported immediately. However, an employee who knowingly files a false accusation or is a false witness may be subject to disciplinary action.

Legal Protections and External Remedies

Harassment, including sexual harassment, is not only prohibited by Catalyst but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Catalyst, employees may also choose to pursue legal remedies under the following governmental frameworks. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal antidiscrimination 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 discrimination or 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 or harassment 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 or harassment is found to have occurred. In general, private employers must have at least 15 employees to fall within the jurisdiction of the EEOC.

An employee alleging discrimination or harassment 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 (as discussed below), DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

New York State Human Rights Law (HRL)

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 other forms of discrimination and harassment, and protects employees, interns and non-employees, regardless of immigration status. A complaint alleging violation of the New York State Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court. Complaints with DHR may be filed any time within three years of sexual harassment or one year of any other forms of harassment or discrimination. 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 or harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to Catalyst 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 or discrimination.

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 or harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination or harassment 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 discrimination or harassment, or redress the damage caused, including paying of 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. You may call (718) 741- 8400 or visit: 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.

Other State and Local Protections

Many states and localities enforce laws protecting individuals from harassment (including 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 unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

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