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Harassment Policy

At Facebook, we believe it's essential to provide all employees with a respectful and safe working environment. As a result, we don't tolerate harassment or any mistreatment of employees in the workplace or work-related situations, including unlawful harassment, on the basis of the following protected categories:

- race, color, ethnic or national origin;
- age;
- religion or religious creed (or belief, where applicable);
- sex, including pregnancy, childbirth, breastfeeding, reproductive health decisions, or related medical conditions;
- sexual orientation;
- gender, gender identity, gender expression, transgender status, or sexual stereotypes;
- nationality, immigration status, citizenship, or ancestry;
- marital status;
- protected military or veteran status;
- physical or mental disability, medical condition, genetic information or characteristics (or those of a family member);
- political views or activity;
- status as a victim of domestic violence, sexual assault or stalking; or
- any other basis prohibited under federal, state, or local law.

Harassment under this Harassment Policy (Policy) may include conduct that creates a disrespectful, intimidating, hostile, degrading, humiliating, or offensive

environment for an employee. Engaging in such conduct is a violation of this Policy.

If Facebook determines that an employee's conduct has violated this Policy, we will take steps to ensure the conduct is effectively addressed, and any employee found to have engaged in harassing conduct may be subject to discipline, up to and including termination.

Because the intent of this Policy is to deter conduct that is unwanted, unreasonable, and demeaning, Facebook may consider an employee's conduct to be in violation of this Policy even if it falls short of unlawful harassment under applicable law. When determining whether conduct violates this Policy, we consider whether a reasonable person could conclude that the conduct created an intimidating, hostile, degrading, or demeaning environment.

This Policy applies to everyone who works for Facebook and any of its subsidiaries. Everyone—including individual contributors, managers, and contingent workers—is responsible for following and upholding this Policy. Additionally, we don't tolerate harassment of employees by non-employees (e.g., contingent workers, guests, vendors, clients, and agency partners), nor do we tolerate harassment of non-employees by employees.

All Facebook managers globally are required to attend our mandatory sexual harassment training, which includes a comprehensive review of our Policy and applicable law.

Examples of Harassment

Harassment can range from extreme forms such as violence, threats, or physical touching to less obvious actions like ridiculing, teasing, or repeatedly bothering colleagues or subordinates or refusing to talk to them.

For example, harassment may include the following types of conduct:

- derogatory or insensitive jokes, pranks, or comments;
- slurs or epithets;
- unwelcome sexual advances or invitations;

- non-verbal behavior such as staring, leering, or gestures;
- ridiculing or demeaning comments;
- innuendos or veiled threats;
- intentionally excluding someone from normal workplace conversations and making them feel unwelcome;
- displaying or sharing offensive images such as posters, videos, photos, cartoons, screensavers, emails, or drawings that are derogatory or sexual;
- offensive comments about appearance, or other personal or physical characteristics, such as sexually charged comments or comments on someone's physical disability;
- unnecessary or unwanted bodily contact such as groping or massaging, blocking normal movement, or physically interfering with the work of another individual; or
- threats or demands that a person submit to sexual requests as a condition of continued employment or to avoid some other loss, and offers of employment-related benefits in return for sexual favors.

This list of examples is not exhaustive, and there may be other behaviors that constitute unacceptable harassment under the Policy.

"I was joking" or "I didn't mean it that way" are not defenses to allegations of harassment. Nor is being under the influence of alcohol or other substances. This Policy applies to conduct at work and at work-related social events, office parties, off-sites, and client entertainment events. Employees are expected to be particularly careful about what they say and do in these circumstances.

Sexual Harassment

Sexual harassment, which is harassment specifically based on sex, can take two forms:

- **Hostile Work Environment:** Conduct that has the purpose or effect of unreasonably interfering with an employee's work performance or creating an

intimidating, hostile, or offensive working environment; and

- **Quid Pro Quo Harassment:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an employee's employment, or when submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting that employee.

Sexual harassment can happen regardless of the individuals' gender, gender identity, or gender expression and can, for example, occur between same-sex individuals as well as between opposite-sex individuals, and does not require that the harassing conduct be motivated by sexual desire.

For California-based employees: To learn more about sexual harassment, see the [California Department of Fair Employment and Housing's information sheet](#).

Note: All new hires sign a mutual arbitration agreement with Facebook, which requires claims to be adjudicated by an arbitrator instead of a court of law. Please note, however, that for any potential sexual harassment claims, employees have the option of either bringing an action in arbitration or a court of law—it is the employee's choice.

Bullying

Facebook does not tolerate abusive conduct, bullying or other intimidating or aggressive behavior among employees or others covered by this Policy, whether or not it is based on a protected category. If an employee is found to be mistreating his or her colleagues, we will take appropriate action to stop the behavior. If you would like to report behavior that you believe is bullying, you may use the same reporting procedures outlined below.

Reporting Procedures

Managers at Facebook are required to promptly (ideally, within 24 hours) report any violation or suspected violation of this Policy. Any employee who believes he or she has been harassed, or has witnessed or heard about a potential violation of this Policy, should report the conduct so that the Company can take steps to remedy any violations of the Policy.

If you suspect harassment, discrimination, or retaliation (see our Policy Prohibiting Retaliation below) has occurred, you are encouraged (and managers are required) to promptly provide a written or oral complaint to any of the following:

- Any Human Resources Business Partner ([HRBP](#)) or Employee Relations Partner (ERP);
- Employment Law (employmentlaw@fb.com); or
- Anonymous Whistleblower Hotline (see [Whistleblower and Complaint Policy](#)).

When possible, a complaint should include details of the incident or incidents, names of individuals involved, and names of any witnesses. You also have the option of using Facebook's [Discrimination, Harassment, Bullying, & Retaliation Complaint Form](#), which may be submitted to your HRBP, ERP or Employment Law.

The Federal Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) investigate and prosecute complaints of prohibited harassment, discrimination, and retaliation in employment. If you think you have been harassed or discriminated against, or that you have been retaliated against for resisting, complaining or participating in an investigation, you may file a complaint with the appropriate agency. The nearest office can be found by visiting the agency websites at www.dfeh.ca.gov and www.eeoc.gov.

New York employees may also file a complaint with the New York State Division of Human Rights and/or the New York City Commission on Human Rights. New York Human Rights Law (HRL) allows employees, interns and non-employees to file a complaint with the New York State Division of Human Rights (DHR) alleging violation of Human Rights Law. 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 an HRL complaint in state court.

Raising an internal complaint 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 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.

New York employees may also 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.

Supervisors and managers who receive a complaint of, or learn of, information that suggests this Policy may have been violated are required to promptly (ideally within 24 hours) forward that complaint to Human Resources, and will be subject to discipline for failing to timely report. As soon as reasonably possible, the Company will investigate any allegations and take appropriate remedial action.

We will keep all complaints confidential to the extent possible while still fulfilling our obligation to investigate and end any harassing conduct.

Investigation Process

Facebook has a legal obligation to promptly investigate and respond to all complaints regarding potential violations of this Policy. Upon learning of conduct requiring further review, qualified investigators will complete thorough investigations in a timely and impartial manner. You can learn more about our investigations process [here](#).

All persons to whom a complaint is made or who learn of a complaint as part of a Company investigation must do everything reasonably possible to keep the complaint confidential in order to preserve the integrity of the investigation while it is ongoing, to ensure fairness to all involved, and to protect the privacy of employees who have brought complaints or are accused of misconduct.

Employees must cooperate and provide truthful information in an investigation.

Nothing in this Policy is to be construed as a guarantee of absolute confidentiality or intended to curtail employee rights under the law to discuss work-related matters. Disclosure of information learned through the complaint process and the investigation will be limited to disclosures that are necessary for the Company to fulfill its legal obligations to investigate and take prompt action to end harassment.

Policy Prohibiting Retaliation

We recognize that employees may find it difficult to raise complaints about harassment, so we have a policy meant to encourage employees to come forward with their concerns without fear of retaliation. It is against Company policy (and may be unlawful) for any employee to retaliate against another for his or her participation in the complaint process.

Retaliation is when someone penalizes another person for any of the following:

- Reporting what he/she believes in good faith to be harassment and/or a violation of this Policy;
- Expressing an intent to report what he/she believes in good faith to be harassment and/or a violation of this Policy;

- Assisting another employee in an effort to report harassment and/or a violation of this Policy; or
- Participating in any investigation under this Policy.

Retaliating against a co-worker who made a complaint or otherwise participates in the investigation process is grounds for discipline, up to and including termination.

If you have questions about this Policy, please contact your [HRBP](#), ERP, or employmentlaw@fb.com.

Contact Employment Law Team

✉ employmentlaw@fb.com

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