



Prohibition of Sexual Harassment

The purpose of this policy is to define harassment, provide procedures for the investigation of claims, and ensure that violations are remedied fully.

This policy applies to all employees of Pole To Win America, Inc. and its subsidiaries, at all US locations.

We firmly prohibit harassment, including sexual harassment, of one employee by another employee, supervisor or third party for any reason including, but not limited to: race, color, ethnicity, national origin, religion, age, physical or mental disability, gender, sexual orientation, gender identification, gender expression, marital status, veteran status, and/or any other status protected by local, state or federal laws and/or executive orders. Harassment of third parties by our employees is also prohibited.

Complaint Procedure

Any person electing to utilize the Company's complaint resolution procedures will be treated courteously and the problem handled as confidentially as is feasible in light of the need to take appropriate corrective action. Employees are strongly encouraged to utilize such procedures. All complaints will receive top priority.

Responsibilities

All employees share the responsibility of understanding and complying with the Company's policies that are intended to prevent harassment in the workplace. No satisfactory investigation or resolution of complaints can occur without the initiative and cooperation of the injured person. Any individual who believes that he or she has been harassed should inform HR of the act of harassment or retaliation, recounting specific actions or occurrences in reasonable detail, whenever possible.

Employees

If an employee believes that he or she been subjected to harassment or any unwanted sexual attention, such individual should:

- Make his or her unease and/or disapproval directly and immediately known to the harasser;
- Make a written record of the date, time, and nature of the incident(s) and the names of any witnesses;
- Report the incident to HR as soon as possible. All incidents of sexual harassment or inappropriate sexual conduct must be reported regardless of their seriousness; and
- Refrain from publicizing information about alleged harassment outside of the official investigation.



Supervisors

Supervisors must deal expeditiously and fairly with allegations of harassment within their departments, whether or not there has been a written or formal complaint. Supervisors must:

- Act promptly to report harassment or inappropriate conduct to HR;
- Take corrective action as prescribed to prevent prohibited conduct from reoccurring; and
- Supervisors who knowingly allow or tolerate harassment are in violation of this policy and subject to discipline.

Human Resources

- Hear and record complaints as top priority;
- Ensure swift and fair investigation;
- Notify the police if criminal activities are alleged; and
- Make fair determinations on cases based on facts and ensure implementation of corrective action (as applicable).

Informal Resolution

Employees can often stop or prevent potentially harassing behavior by immediately and directly expressing their disapproval of an individual's attention or conduct. In any case, employees should report all incidents of actual or perceived harassment or inappropriate sexually-oriented conduct to HR.

Process

- 1) An employee who feels harassed or retaliated against may initiate the complaint process by contacting HR and recounting the details of the incident. If a supervisor or manager becomes aware that harassment or discrimination has occurred or is occurring, either from personal observation or as a result of an employee coming forward, the supervisor or manager should immediately report such matters to HR.
- 2) HR will initiate an investigation during which they will interview the complainant, the respondent, and any witnesses. Other members of management may also participate in the investigation stage.
- 3) If it is determined that harassment or discrimination in violation of the Company's policy has occurred, appropriate disciplinary action, up to and including termination, will be taken by the Company. The appropriate action will depend on the following factors:
 - (i) The severity, frequency and pervasiveness of the conduct;
 - (ii) Prior complaints made by the complainant;
 - (iii) Prior complaints made against the respondent;



(iv) The quality of the evidence (e.g., first-hand knowledge, credible corroboration, etc.).

4) If the investigation is inconclusive or it is determined that there has been no harassment or discrimination in violation of this Company policy, but some potentially problematic conduct is learned, preventative action may be taken.

5) HR will meet with the complainant and the respondent separately at the conclusion of the investigation, in order to notify them of the Company's findings and to inform them of the action being taken by the Company.

Retaliation

1) No hardship, no loss of benefits, and no penalty may be imposed on an employee as punishment for:

- a) Filing or responding to a bona fide complaint of discrimination or harassment;
- b) Acting as a witness in the investigation of a complaint; or
- c) Serving as an investigator.

2) Retaliation or attempted retaliation is a violation of this Company policy and anyone who does so will be subject to disciplinary action, up to and including termination.

Confidentiality

Discussions for the purpose of obtaining general information or advice from responsible administrators or managers (such as Human Resources) may remain confidential. No action will be taken when individuals wish only to make an inquiry, as long as they do not disclose any identifying information about themselves or an accused person (e.g., names, department, position, etc.). If names, events or details are specific, processes will be followed to remedy the situation and ensure a workplace that is free from harassment.

During the complaint process:

- a) Once an individual discloses identifying information, and such information is sufficiently complete and sets forth a specific claim of discrimination, harassment or retaliation, he or she will be considered to have filed a complaint.
- b) While the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the complaining person regarding action by the Company cannot be guaranteed in every instance, they will be protected to the extent reasonably possible.
- c) To assist in maintaining confidentiality during an investigation, the complainant, charged employee and witnesses should refrain from discussing the situation with other employees (other than members of the Company's HR Department).



Definitions

The term “harassment”, as used in this Employee Manual, refers to verbal or physical conduct that is perceived as threatening, intimidating or coercive by any employee(s) at any of the Company’s work locations, and specifically includes, but is not limited to, verbal taunting (e.g., racial or ethnic slurs, or other denigrating or disparaging comments, etc.) which, in the opinion of the adversely affected employee, impairs his or her ability to perform his or her job.

Examples of harassment include:

- (1) Verbal: Comments which are not flattering regarding a person's race, color, ethnicity, national origin, religion, age, appearance, physical or mental disability, gender, sexual orientation, gender identification, gender expression, marital status, veteran status, or any other status protected by local, state or federal laws and/or executive orders(e.g., epithets, slurs, negative stereotyping, etc.).
- (2) Non-verbal: Distribution, display or discussion of any written or graphic material that ridicules, denigrates, disparages, insults, belittles, or shows hostility or aversion toward, any individual or group of individuals because of national origin, race, color, ethnicity, national origin, religion, age, gender, sexual orientation, gender identification, gender expression, marital status, pregnancy, appearance, physical or mental disability, veteran status, or any other protected status.

As used herein, the term “sexual harassment” refers to unwanted attention of a persistent or offensive nature made by a person who knows, or reasonably should know, that such attention is unwanted and is perceived to include (or that implies or symbolizes) conduct that is sexual in nature. Sexual harassment includes sexually oriented conduct that is sufficiently pervasive or severe so as to impair or unreasonably interfere with an employee's ability to perform his or her job responsibilities and/or that creates an intimidating, hostile, or offensive working environment. While sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include (but are not limited to):

- Promising, directly or indirectly, an employee a reward, if the employee complies with a sexually oriented request;
- Threatening, directly or indirectly, to retaliate against an employee, if the employee refuses to comply with a sexually oriented request;
- Denying, directly or indirectly, an employee an employment-related opportunity, if the employee refuses to comply with a sexually oriented request;
- Engaging in sexually suggestive physical contact or touching another employee in a way that is unwelcome;



- Displaying, storing, or transmitting pornographic or sexually oriented materials using any of the Company's equipment or facilities;
- Engaging in indecent exposure of one's body (or any portion thereof); or
- Making sexual or romantic advances toward an employee and persisting despite the adversely affected employee's rejection of the advances.

Sexual harassment can be physical and/or psychological in nature. A series of incidents can constitute sexual harassment even if one of the incidents considered on its own may not be regarded as harassing.

For the avoidance of doubt, as used herein, the term "sexual harassment" does not refer to behavior that is of a socially acceptable nature (e.g., complimenting a co-worker regarding his or her job performance, etc.). It does refer, however, to behavior that is unwelcome, that is personally offensive to the affected individual, that lowers morale, and/or that interferes with a co-worker's performance of his or her duties or that otherwise adversely affects the workplace.

5. Sexual Orientation, Gender Identity, Gender Expression

- A.** The Company will not discriminate against any employee on the basis of sexual orientation, gender identification or gender expression. This policy sets forth the Company's guidelines to address the needs of transgender and gender non-conforming employees. The goal of this policy is to create a safe and productive working environment for all of the Company's employees, including, but not limited to, transgender and gender non-conforming employees.
- B.** The definitions provided in this Section are not intended to label any employee or employees, but instead are intended to assist in understanding the Company's policy.

Gender identity: An individual's internal, deeply-felt sense of being male, female, or something other or in-between, regardless of the particular sex that a person was assigned at birth.

Gender expression: An individual's characteristics and behaviors (e.g., appearance, dress, mannerisms, speech patterns, social interactions, etc.) that may be perceived as being masculine or feminine.

Transgender: An umbrella term that can be used to describe individuals whose gender identify and/or gender expression is different from the sex assigned to such individuals at birth.

Gender non-conforming: This term describes individuals who have, or are perceived to have, gender characteristics and/or behaviors that do not conform to traditional or societal expectations (which can vary across cultures and change over time).

Transition: The process of changing one's gender from the sex assigned at birth to one's gender identity. Transition may include, for example, "coming out" (i.e., telling family, friends and



coworkers); changing the name and/or sex on legal documents; and, for many transgender people, accessing medical treatments, such as hormones and/or surgery.

Sexual Orientation: An individual's physical or emotional attraction to people of the same gender and/or of the other gender. It is important to note that sexual orientation is separate and distinct from gender identity or gender expression.

- C.** Each transgender employee has the right to discuss his or her gender identity and/or gender expression openly, or, alternatively, may keep such information private. The Company's management, HR personnel, and co-workers should not disclose information that may reveal an employee's transgender status or gender non-conforming status to other employees or contractors of the Company without the transgender employee's consent.
- D.** A transgender employee has the right to be addressed by the name and pronoun corresponding to the employee's gender identity. The intentional or persistent refusal to respect an employee's gender identity (e.g., intentionally referring to the transgender employee by a name or pronoun that does not correspond to such employee's gender identity) can constitute harassment and is a violation of this policy. The Company's records will be changed as soon as is reasonably practicable to reflect the employee's new name and gender upon the employee's request. Certain types of records (e.g., payroll, retirement accounts, etc.) may require a legal name change before the transgender employee's name can be changed on such records.
- E.** Employees who transition while working at the Company can expect the support of the Company's management and HR personnel. The Company's HR Department will work with each transitioning employee to endeavor to ensure a successful workplace transition.
- F.** For sex-segregated jobs, transgender employees will be classified and assigned in a manner consistent with their gender identity (and not their sex assigned at birth).
- G.** All of the Company's employees have a right to access and use appropriate restroom facilities, including the right to use a restroom that corresponds to the employee's gender identity, regardless of the sex assigned to such employee at birth.
- H.** Transgender and gender non-conforming employees have the right to comply with the Company's dress codes in a manner consistent with their gender identity or gender expression.
- I.** The Company is committed to creating a safe work environment for all of its employees, including any and all transgender and gender non-conforming employees. Any incident of discrimination, harassment, coercion, or violence based on gender identity or gender expression will be given effective attention, including, but not limited to, investigating such incident, taking suitable corrective action (which may include disciplinary action, up to and including termination), and providing employees and personnel with appropriate resources.
- J.** It is unlawful and violates this Company policy to discriminate in any way (e.g., failure to hire, failure to promote, unlawful termination, etc.) against an employee because of such individual's



actual or perceived gender identity or gender expression. Additionally, it is unlawful and violates this Company policy to retaliate against any individual who objects to, or who supports enforcement of legal protections against, gender identity or gender expression discrimination

- K. This is intended as a summary of the Company's policy regarding sexual orientation, gender identity and gender expression. You may obtain additional information by contacting the Company's HR Department.