

2.9 Anti-Harassment

Covered Employees: All employees, Applicants, Customers, Third-Party Contractors and Vendors

It is the policy of the company that harassment of applicants or employees on the basis of race, color, religion, sex, national origin, age, disability, genetic information, veteran status, sexual orientation, gender identity/gender expression, or any unlawful characteristic, existing under applicable federal, state, or local law is unacceptable and will not be tolerated.

This policy applies to all employees. It covers harassment by employees of the company (including supervisors and management), customers, vendors, or other third parties with whom the company has business dealings. Every employee has the responsibility to maintain an acceptable standard of personal and professional behavior. Employees are expected to perform required work in a business-like manner, free of any actions that may be construed as harassment.

SEXUAL HARASSMENT

Sexual harassment has been defined generally as including unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature, whenever: (1) submission to the conduct is either an explicit or implicit term or condition of employment; (2) an employee's reaction to the conduct is used as a basis for employment decisions affecting that employee; or (3) the conduct has the purpose or effect of interfering with the employee's work performance or creating an intimidating, hostile or offensive working environment.

No employee or applicant should be subjected to unsolicited or unwelcome sexual overtures. Nor should any employee or applicant be led to believe that an employment opportunity or benefit will in any way depend upon "cooperation" of a sexual nature.

Sexual harassment is not limited to demands for sexual favors. It also may include such actions as: (1) sexually-oriented verbal "kidding," teasing," or jokes; (2) repeated offensive sexual flirtations, advances, or propositions; (3) continued or repeated verbal abuse of a sexual nature; (4) graphic or degrading comments about an individual or his or her appearance; (5) the display of sexually suggestive objects or pictures; (6) subtle pressure for sexual activity; (7) leering; and (8) physical contact or blocking movement.

Sexual harassment does not refer to occasional compliments of a socially acceptable nature or consensual personal and social relationships without a discriminatory employment effect. It refers to behavior which is not welcome and which is personally intimidating, hostile or offensive.

HARASSMENT RELATING TO OTHER PROTECTED CHARACTERISTICS

Other prohibited forms of harassment include jokes, verbal abuse and epithets, degrading comments, the display of objects and pictures and other offensive conduct relating to an individual's race, color, religion, sex, pregnancy, national origin, age, disability, veteran status, or any unlawful characteristic, existing under applicable federal, state, or local law.

REPORTING

Any employee who feels that he or she has been the subject of harassment (or who has reason to believe that someone else has been the subject of harassment) has the obligation to immediately report the harassment to his or her immediate supervisor, the manager of the department, or the Human Resources

Business Partner. An employee is never required to report harassment to the alleged harasser. Employees may also utilize the Bayer Compliance Hotline by calling 1-888-765-3846 or accessing the form online at expolink.co.uk/bayercompliance.

Any supervisor, manager or employee who receives a complaint of harassment based on sex or another protected characteristics or witnesses such behavior in the workplace must promptly report the incident to the site Human Resources Business Partner.

The reporting employee is expected to provide information that the company requests, including a detailed account of the incidents reported, witnesses (if any), dates, and other information considered relevant by the company. A prompt and confidential investigation of the matter will be made. All employees - whether reporting employee, witness or accused - are required to be truthful, accurate, and cooperative during the company investigations. False reports of harassment or failure to cooperate with the company's investigation may lead to discipline, up to and including termination.

Anyone who is found to have engaged in prohibited harassment will be subject to appropriate discipline, up to and including termination. No one should be presumed to be in violation of any company policies because an investigation is being conducted. The company will make its findings at the conclusion of the investigation and it is at the discretion of the company to whom the findings of the investigation will be provided.

RETALIATION

It is a violation of this Policy to subject any individual to retaliation for exercising his/her right to report an incident involving illegal discrimination or harassment or for cooperating in the investigation of such an incident.

LEGAL RIGHTS AND OUTSIDE COMPLAINT MECHANISMS

Federal, state, and in some cases local law prohibit harassment. A person who has been subject to harassment can also make a complaint outside of the company. They can do so through federal, state, and sometimes local equal employment opportunity agencies such as the U.S. Equal Employment Opportunity Commission and similar state and local offices responsible for discrimination (for example, the New York State Division of Human Rights).

Employees who are subject to unlawful sexual harassment may be entitled to certain remedies, including damages and equitable relief. Each of the agencies has a specific time period to file a complaint so contact them immediately.

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