

# GENERAL EMPLOYMENT POLICIES

## **Discrimination, Harassment and Retaliation Prevention Policy**

The Company is committed to providing a work environment that is free from all forms of discrimination and harassment on the basis of race, color, ancestry, religious creed (including religious dress and grooming practices), citizenship, sex (including pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding), gender, gender identity, gender expression, sexual orientation, denial of family or medical care leave, marital status, national origin (including language use restrictions), age, military and veteran status, mental or physical disability (including HIV and AIDS), medical condition (cancer and genetic characteristics), genetic information, or any other bases protected by federal, state or local law. In keeping with this commitment, and in accordance with applicable law, the Company prohibits all forms of discrimination or harassment against any applicant, employee (whether temporary, staff or management), independent contractor, vendor, supplier, any representative of an existing portfolio company, any entrepreneur or executive whose company is being considered for investment by DFJ, or anyone else who performs work for or on behalf of the Company by anyone who performs work for or on behalf of the Company (including co-workers, supervisors, managers, partners and third parties).

## **Sexual Harassment Defined**

All forms of discrimination based upon sex are prohibited by the Company, including sexual harassment. In particular, applicable state and federal law defines sexual harassment as unwanted sexual advances, requests for sexual favors, or visual, verbal or physical conduct of a sexual nature when: (1) submission to the conduct is made a term or condition of employment; (2) submission to or rejection of the conduct is used as a basis for employment decisions affecting the individual; or (3) the conduct has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile or offensive working environment.

This definition includes many forms of offensive behavior. The following is a partial list of examples of such behavior:

- Unwanted sexual advances;
- Offering employment or employment benefits in exchange for sexual favors;
- Making or threatening reprisals after a negative response to sexual advances;
- Visual conduct such as leering, making sexual gestures, or displaying sexually suggestive objects, pictures, cartoons, posters, websites or emails;
- Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually explicit jokes, or comments about any employee's body or dress;
- Physical conduct such as touching, assault, or impeding or blocking movements; and
- Retaliation for reporting or threatening to report discrimination or harassment.

The Company does not tolerate males sexually harassing females or other males, nor does it tolerate females sexually harassing males or other females.

## **Other Types of Discrimination or Harassment**

Behavior similar to the behavior described above with regard to sexual harassment can also be discrimination or harassment when it is on the basis of other protected categories (race, color, ancestry, religious creed (including religious dress and grooming practices), citizenship, pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding, gender, gender identity, gender expression, sexual orientation, denial of family or medical care leave, marital status, national origin (including language use restrictions), age, military and veteran status, mental or physical disability (including HIV and AIDS), medical condition (cancer and genetic characteristics), genetic information, or any other bases protected by federal, state or local law). Below are a few examples:

- Verbal conduct such as threats, epithets, derogatory comments or slurs;
- Visual conduct such as displaying derogatory posters, photographs, cartoons, drawings, websites, or emails;
- Physical conduct such as assault, unwanted touching, blocking normal movement, or derogatory gestures; and
- Retaliation for reporting or threatening to report discrimination or harassment.

## **Complaint Procedures for Discrimination or Harassment**

Anyone who believes he or she has been subject to discrimination, harassment or retaliation in violation of this policy should immediately report such behavior to the Office Partner or the Administration Director immediately. (No employee is required to report discrimination, harassment or retaliation to his/her supervisor or anyone else who is accused of misconduct. Instead, report the behavior to another individual designated above.) The report should be as detailed as possible, including the names of individuals involved, the names of any witnesses to the behavior, and any documentary evidence (notes, pictures, etc.).

Moreover, any employee, manager, supervisor or partner who is aware of discrimination, harassment or retaliation occurring against anyone else must immediately report the behavior to the Office Partner or the Administration Director.

When the Company learns of allegations of behavior in violation of this policy, qualified personnel designated by the Company will respond timely to the complaint and will conduct an impartial and timely investigation of the allegations. The Company will keep information surrounding the allegations and the investigation confidential, to the extent possible. The Company will document its progress and conclude the investigation in as timely a manner as possible.

As noted above, the Company is fully committed to promptly and thoroughly investigating any such complaints and taking necessary action. However, any employee may also contact the Department of

Fair Employment and Housing or the Equal Employment Opportunity Commission to raise his or her concerns. Information regarding these government agencies may be found online at [www.dfeh.ca.gov](http://www.dfeh.ca.gov) or [www.eeoc.gov](http://www.eeoc.gov). These government agencies have the authority to investigate complaints, attempt to mediate disputes, hold hearings, and if illegal harassment has been found to occur, to order various remedies.

## **No Retaliation**

This policy and applicable law prohibit retaliation against any employee by any other employee, by a partner or by the Company for raising concerns pursuant to this policy or otherwise participating in any way in an investigation conducted by the Company. In addition, this policy and applicable law prohibit retaliation against any employee by any other employee or by the Company for filing, testifying, assisting, or participating in any manner in any investigation, proceeding, or hearing conducted by a governmental enforcement agency.

## **Consequences for Discrimination, Harassment or Retaliation**

If the Company determines that any employee or partner has engaged in behavior in violation of this policy, the Company will take appropriate remedial action, including but not limited to disciplinary action, up to and including immediate discharge from employment and will review other possible resolutions of the matter, where appropriate

Moreover, any employee or partner of the Company who is found to have engaged in harassment may be held personally liable for monetary damages under the law.