

Sexual and Other Discriminatory Harassment

Statement The Company, as well as its subsidiaries, affiliates and related companies recognizes that employees should be able to work in an environment free from any form of unlawful discrimination, including sexual harassment and other types of discriminatory harassment.

Policy BNY recognizes that individuals should be able to work in an environment that fosters respect and that is free from any form of illegal discrimination, including sexual harassment and other types of discriminatory harassment and bullying. A reporting procedure has been implemented to promote a workplace free not only from sexual harassment and bullying, but also harassment on other basis. These include race (including discrimination based on hairstyle or texture), religious creed (including religious dress and grooming practices), color, sex (including pregnancy, childbirth, breastfeeding/lactation, or a related medical condition), national or regional origin, age, familial or marital/partnership status, ancestry, citizenship, genetic information, gender (including gender identity, gender expression and gender stereotyping) sexual orientation, veteran, or military status. This includes an individual with a disability which may include a physical disability, mental disability, or certain medical conditions (including genetic characteristics) or other protected status. The law prohibits harassment, discrimination and/or retaliation by coworkers and in many jurisdictions, third parties, as well as supervisors and managers. In the US, BNY complies with all Federal, State, and local sexual and discriminatory harassment laws, regulations, and ordinances.

It is the policy of BNY that sexual or other discriminatory harassment or bullying in any form is employee misconduct and will not be tolerated. The prohibition against harassment applies in all work-related settings and activities, whether on or off BNY premises. If harassment is found to have occurred, prompt and appropriate corrective action, including the issuance of a disciplinary sanction (up to and including termination of employment), will be taken to eliminate the harassment. It is also unlawful and expressly against BNY policy to retaliate against or in any way victimize an employee or applicant for complaining of sexual or other discriminatory harassment or bullying or for cooperating in a review of a complaint of harassment.

Sexual Harassment Definition Sexual harassment is defined as any intentional or unintentional unwelcome sexual advances, with or without touching; coerced sexual acts; requests or demands for sexual favors or other verbal or physical conduct of a sexual nature made by an employee, customer, client, or vendor when:

- submission or rejection to such conduct is made, either explicitly or implicitly, a term or condition of employment,
- submission to or rejection of such advances, requests or conduct by an individual is used as the basis for employment decisions affecting the individual, or
- such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, humiliating, or offensive work environment.

Discriminatory Harassment Definition Discriminatory harassment is defined as verbal or physical conduct that or shows hostility on the basis of race (including discrimination based denigrates on hairstyle or texture), religious creed (including religious dress and grooming practices), color, sex (including pregnancy, childbirth, breastfeeding/lactation, reproductive decision-making, or a related medical condition), gender (including gender identity, gender expression and gender stereotyping), national origin, age, familial or marital/partnership status, ancestry, citizenship, genetic information, sexual orientation, veteran or military status, disability (including physical and mental disability), medical condition (including cancer), genetic characteristics or other factors prohibited by applicable federal, state and/or local laws when such conduct has the purpose to effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, humiliating or offensive environment.

Complaints There are various ways in which an employee can raise concerns depending on their country location. Please refer to your appropriate local grievance procedure. Employees can consult with a member of their local People Team with any questions. If you'd like to remain anonymous, please contact the Ethics Hot Line.

Protection from Retaliation Employees or applicants who in good faith allege or report policy violations or who cooperate in an investigation shall not be subjected to reprisal, recrimination, retaliation, or the threat of such action.

Questions This is a summary of the policy. For detailed information, refer to the full policy posted on the BNY Intranet site. Alternatively, employees may contact The People Team through the People Solutions Center at <https://mysource2.bny.net/hris/myhr-help>.

