

Anti-Harassment and EEO Policy

as of June 2023

It is the policy of HADESTOWN BROADWAY LLC to ensure Equal Employment Opportunity. Equal Employment Opportunity has been, and will continue to be, a fundamental principle at HADESTOWN BROADWAY LLC where employment is based upon personal capabilities and qualifications without discrimination because of actual or perceived race, (including traits historically associated with race, including but not limited to, hair texture and protective hairstyles such as twists, braids, cornrows, Afros, Bantu knots, fades, and/or locs), color, religion, (including wearing any attire or clothing, or having facial hair in accordance with the requirements of a religion), sex, age, national origin, disability, pregnancy, genetic information, military or veteran status sexual orientation, gender, gender identity or expression, marital and civil partnership/union status, alienage or citizenship status, creed, genetic predisposition or carrier status, sexual and reproductive health decisions and information, unemployment status, familial status, domestic violence, sexual violence or stalking victim status, caregiver status, arrest or conviction record to the extent required by applicable law, credit history or any other protected characteristic as established by applicable law.

This policy applies to all employees, applicants for employment, and interns, whether paid or unpaid. The policy also applies to additional covered individuals. It applies to anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. These individuals include persons commonly referred to as independent contractors, gig workers, and temporary workers. Also included are persons providing equipment repair, cleaning services, or any other services through a contract with HADESTOWN BROADWAY LLC. For the remainder of this policy, the term “covered individual” will refer to individuals who are not direct employees of the company.

Sexual harassment or discrimination are unacceptable. Any employee or covered individual who engages in sexual harassment, discrimination, or retaliation will be subject to action, including appropriate discipline for employees. In New York, harassment does not need to be severe or pervasive to be illegal. Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired. Just as harassment can happen in different degrees, potential discipline for engaging in harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.

Retaliation is prohibited. Any employee or covered individual that reports an incident of sexual (or any other form of) harassment or discrimination, provides information, or otherwise assists in any investigation of a harassment or discrimination complaint is protected from retaliation. No one should fear reporting sexual or other harassment if they believe it has occurred. So long as a person reasonably believes they have witnessed or experienced such behavior, they are protected from retaliation. Any employee of HADESTOWN BROADWAY LLC who retaliates against anyone involved in a harassment or discrimination investigation will face disciplinary action, up to and including termination. All employees and covered individuals working in the workplace who believe they have been subject to such retaliation should inform the Company Manager, General Manager, or Production Counsel). All

employees and covered individuals who believe they have been a target of such retaliation may also seek relief from government agencies, as explained below in the section on Legal Protections.

Discrimination of any kind, including sexual or other forms of harassment, is a violation of our policies, is unlawful, and may subject HADESTOWN BROADWAY LLC to liability for the harm experienced by targets of discrimination. Harassers may also be individually subject to liability, and employers or supervisors who fail to report or act on harassment may be liable for aiding and abetting such behavior. Employees at every level who engage in harassment or discrimination, including managers and supervisors who engage in harassment or discrimination or who allow such behavior to continue, will be penalized for such misconduct.

HADESTOWN BROADWAY LLC will conduct a prompt and thorough investigation that is fair to all parties. An investigation will happen whenever management receives a complaint about discrimination or sexual or other forms of harassment, or when it otherwise knows of possible discrimination or harassment. The League will keep the investigation confidential to the extent possible. If an investigation ends with the finding that discrimination or harassment occurred, HADESTOWN BROADWAY LLC will act as required. In addition to any required discipline, HADESTOWN BROADWAY LLC will also take steps to ensure a safe work environment for the employee(s) who experienced discrimination or harassment. All employees, including managers and supervisors, are required to cooperate with any internal investigation of discrimination or harassment.

All employees and covered individuals are encouraged to report any harassment or behaviors that violate this policy. All employees will have access to a complaint form to report harassment and file complaints. Use of this form is not required. For anyone who would rather make a complaint verbally or by email, these complaints will be treated with equal priority. An employee or covered individual who prefers not to report harassment to their manager or employer may instead report harassment to the New York State Division of Human Rights, the United States Equal Employment Opportunity Commission, or a local human rights commission. Complaints may be made to both the employer and a government agency.

Managers and supervisors **are required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the Company Manager, General Manager, or Production Counsel.

This policy applies to all employees and covered individuals, such as contractors, subcontractors, vendors, consultants, or anyone providing services in the workplace, and all must follow and uphold this policy. This policy must be provided to all employees in person or via email upon hiring and will be posted prominently in all work locations. For those offices operating remotely, in addition to sending the policy through email, it will also be available on the organization's shared network.

What Is Sexual Harassment?

Sexual harassment is a form of gender-based discrimination that is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of actual or perceived sex, sexual orientation, gender expression, gender identity, and the

status of being transgender. Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination, including gender role stereotyping and treating employees differently because of their gender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression, and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively in the gender categories man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Every instance of harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, the New York State Human Rights Law specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which an employee or covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of HADESTOWN BROADWAY LLC policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts. Sexual harassment includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

- The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment. The impacted person does not need to be the intended target of the sexual harassment;
- Employment depends implicitly or explicitly on accepting such unwelcomed behavior; or
- Decisions regarding an individual's employment are based on an individual's acceptance to or rejection of such behavior. Such decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:

- Behaviors that contribute to a hostile work environment include, but are not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual

nature, or which are directed at an individual because of that individual's sex, sexual orientation, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.

- Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment, or any other terms, conditions, or privileges of employment. This is also called **quid pro quo** harassment.

Any employee or covered individual who feels harassed is encouraged to report the behavior so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be discrimination and is covered by this policy.

Examples of Sexual Harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited. **This list is just a sample of behaviors and should not be considered exhaustive.** Any employee who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it:

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body, or poking another employee's body; or
 - Rape, sexual battery, molestation, or attempts to commit these assaults, which also may be considered criminal conduct outside the scope of this policy (please contact local law enforcement if you wish to pursue criminal charges).
- Unwanted sexual comments, advances, or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits;
- Unwanted behavior can include sexual advances/pressure placed on a service industry employee by customers or clients, especially those positions where hospitality is essential to the customer/employee relationship;
 - Subtle or obvious pressure for unwelcome sexual activities; or
 - Repeated requests for dates or romantic gestures, including gift-giving.
- Sexually oriented gestures, noises, remarks or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history, which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and messaging apps when employees work remotely can create a similarly hostile work environment.

- Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:
 - Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
 - Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace;
 - This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or gender expression, such as:
 - Interfering with, destroying, or damaging a person's workstation, tools, or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, or name-calling;
 - Intentional misuse of an individual's preferred pronouns; or
 - Creating different expectations for individuals based on their perceived identities:
 - Dress codes that place more emphasis on women's attire;
 - Leaving parents/caregivers out of meetings.

Who Can be a Target of Sexual Harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of different sexes or gender. New York Law protects employees and all covered individuals described earlier in the policy. **Harassers can be anyone in the workplace.** A supervisor, a supervisee, or a coworker can all be harassers. Anyone else in the workplace can also be a harasser, including an independent contractor, contract worker, vendor, client, customer, patient, constituent, or visitor.

Sexual harassment does not happen in a vacuum, and discrimination experienced by an employee can be impacted by biases and identities beyond an individual's gender. For example:

- Placing different demands or expectations on Black women employees than White women employees can be both racial and gender discrimination;
- An individual's immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting sexual harassment; or

- Past experiences as a survivor of domestic or sexual violence may lead an individual to feel re-traumatized by someone's behaviors in the workplace.

Individuals bring personal history with them to the workplace that might impact how they interact with certain behavior. It is especially important for all employees to be aware of how words or actions might impact someone with a different experience than their own in the interest of creating a safe and equitable workplace.

Where Can Sexual Harassment Occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer or industry sponsored events or parties. Calls, texts, emails, and social media usage by employees or covered individuals can constitute unlawful workplace harassment, even if it occurs away from the workplace premises, on personal devices, or during non-work hours.

Sexual harassment can occur when employees are working remotely from home as well. Any behaviors outlined above that leave an employee feeling uncomfortable, humiliated, or unable to meet their job requirements constitute harassment, even if the employee or covered individual is at home when the harassment occurs. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

Other Forms of Prohibited Harassment

Harassment on the basis of any other protected characteristic is strictly prohibited. Non-sexual offensive conduct is also unacceptable in the workplace and prohibited.

Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility and aversion toward an individual because of their actual or perceived race, color, religion, age, national origin, disability, pregnancy, genetic information, military or veteran status, marital and civil partnership/union status, alienage or citizenship status, creed, genetic predisposition or carrier status, sexual and reproductive health decisions, unemployment status, familial status, domestic violence, sexual violence or stalking victim status, caregiver status, arrest or conviction record to the extent required by applicable law, credit history or any other characteristic protected by law and has the purpose or effect of creating an intimidating, hostile, offensive work environment, unreasonably interferes with an individual's work performance, or otherwise adversely affects an individual's employment opportunities. Harassment may include acts, omissions, or both, that a reasonable person would find offensive, denigrating, hostile, or abusive, based on the severity, nature, and frequency of the conduct.

Harassing conduct includes, but is not limited to: repeated infliction of verbal abuse such as the use of epithets, slurs, derogatory remarks, insults, or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through posting on walls, voicemail, e-mail, text message, social media, or other electronic communication), verbal, non-verbal, or physical conduct that a reasonable

person would find threatening, intimidating, or humiliating in nature, the gratuitous sabotage or undermining of an employee's work performance or acting with intent to cause pain or distress to an employee, subjecting an employee to abusive conduct that causes physical harm, psychological harm, or both, or other conduct that may reasonably interfere with an individual's work performance.

Discrimination can also come in the form of grooming and dress code policies related to characteristics that may not necessarily be associated with a protected class but are discriminatorily applied. For instance, an employer may violate the New York State and/or City Human Rights Law when it enforces a grooming policy banning the use of color/dye, extensions, and/or patterned or shaved hairstyles against Black employees only.

The law in New York also prohibits covered employers from harassing, imposing unfair conditions, or otherwise discriminating against employees for wearing attire or facial hair in accordance with tenets of their religion or based on aspects of their appearance associated with their race. Examples of discrimination include:

- Telling a Black employee with locs that they cannot be in a customer-facing role unless they change their hairstyle.
- Forcing someone to change their attire or shave or trim facial hair when it is part of the tenets of their religion.

Finally, HADESTOWN BROADWAY LLC will not ban, limit, or otherwise restrict natural hair or hairstyles associated with Black communities to promote a certain corporate image because of customer preference or under the guise of speculative health or safety concerns. An employee's hair texture or hairstyle generally has no bearing on their ability to perform the essential functions of a job.

Where HADESTOWN BROADWAY LLC does have a legitimate health or safety concern, we will consider alternative ways to meet that concern prior to imposing a ban or restriction on employees' hairstyles. There exist several options that may address such concerns related to hair, including the use of hair ties, hair nets, head coverings, as well as alternative safety equipment that can accommodate various hair textures and hairstyles. Alternative options will not be offered or imposed to address concerns unrelated to actual and legitimate health or safety concerns.

Additionally, related violations that implicate religious groups and other protected classes include a grooming policy prohibiting employees from maintaining uncut hair or wearing untrimmed beards, which may impact Rastafarians, Native Americans, Sikhs, Muslims, Jews, and other religious or cultural minorities; or a grooming policy requiring male employees to cut their hair, but allowing female employees to maintain long hair.

Retaliation

Retaliation is unlawful and is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage a worker or covered individual from making a formal complaint or supporting a sexual harassment or discrimination claim, or that punishes those who have come forward. These actions need not be job-related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of work hours or disparaging someone on social media would be covered as retaliation under this policy.

Examples of retaliation may include, but are not limited to:

- Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;
- Publicly releasing personnel files;
- Refusing to provide a reference or providing an unwarranted negative reference;
- Labeling an employee as “difficult” and excluding them from projects to avoid “drama;”
- Undermining an individual's immigration status; or
- Reducing work responsibilities, passing over for a promotion, or moving an individual's desk to a less desirable office location.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.”

Protected activity occurs when a person has:

- Made a complaint of sexual harassment or discrimination, either internally or with any government agency;
- Testified or assisted in a proceeding involving sexual harassment or discrimination under the Human Rights Law or any other anti-discrimination law;
- Opposed sexual harassment or discrimination by making a verbal or informal complaint to management or by simply informing a supervisor or manager of suspected harassment;
- Reported that another employee has been sexually harassed or discriminated against; or
- Encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices

were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Reporting Discrimination and Harassment

Everyone must work toward preventing discrimination and sexual and other forms of harassment, but leadership matters. Supervisors and managers have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. Any employee or covered individual is encouraged to report harassing or discriminatory behavior to the Company Manager, General Manager, or Production Counsel. Anyone who witnesses or becomes aware of potential instances of harassment should report such behavior to the Company Manager, General Manager, or Production Counsel.

Reports of discrimination and harassment may be made verbally or in writing. A written complaint form is attached to this policy if an employee would like to use it to report incidents of harassment or discrimination, but the complaint form is not required. Employees who are reporting harassment on behalf of other employees may use the complaint form and should note that it is on another employee's behalf. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another employee is also acceptable.

Employees and covered individuals who believe they have been a target of discrimination or harassment may at any time seek assistance in additional available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

Supervisors and managers have a responsibility to prevent harassment and discrimination. All supervisors and managers who receive a complaint or information about suspected harassment, observe what may be harassing or discriminatory behavior, or for any reason suspect that harassment or discrimination is occurring are required to report such suspected discrimination or harassment to the Company Manager, General Manager, or Production Counsel. Managers and supervisors should not be passive and wait for an employee to make a claim of harassment. If they observe such behavior, they must act.

Supervisors and managers can be disciplined if they engage in harassing or discriminatory behavior themselves. Supervisors and managers can also be disciplined for failing to report suspected discrimination or harassment or allowing such conduct to continue after they know about it.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

While supervisors and managers have a responsibility to report harassment and discrimination, supervisors and managers must be mindful of the impact that harassment and a subsequent investigation has on victims. Being identified as a possible victim of harassment and questioned about harassment and discrimination can be intimidating, uncomfortable, and traumatizing for individuals. Supervisors and managers should work with HADESTOWN BROADWAY LLC to ensure the workplace is safe, supportive, and free from retaliation for individuals during and after any investigation.

Bystander Intervention

Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is **required** to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help.

- A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
- A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;
- A bystander can document the harassment incident to benefit a future investigation;
- A bystander might check in with the person who has been harassed after the incident, see how they are feeling, and let them know the behavior was not ok; and
- If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive and dependent on the circumstances, the guidelines above can serve as a brief guide on how to react when witnessing harassment in the workplace. Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is required to report it.

Complaints and Investigations of Discrimination and Harassment

All complaints or information about discrimination and harassment will be investigated, whether that information was reported in verbal or written form. An investigation of any complaint, information, or knowledge of suspected discrimination or harassment will be prompt, thorough, and started and completed as soon as possible given the facts of each particular circumstance. The investigation will be kept confidential to the extent possible. All individuals involved, including those making a harassment claim, witnesses, and alleged harassers deserve a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected discrimination or harassment. HADESTOWN BROADWAY LLC will take disciplinary action against anyone engaging in retaliation against employees who file complaints, support another's complaint, or participate in such investigations.

While the process may vary from case to case, investigations will be done in accordance with the following steps. Upon receipt of a complaint, HADESTOWN BROADWAY LLC (or, as appropriate throughout, other authorized designee of HADESTOWN BROADWAY LLC:

- Will conduct a prompt review of the allegations, assess the appropriate scope of the investigation, and take any interim actions (for example, instructing the individual(s) about whom the complaint was made to refrain from communications with the individual(s) who reported the harassment), as appropriate. If the complaint is verbal, request that the individual completes the complaint form in writing. If the person reporting prefers not to fill out the form, the Manager or other authorized designee of HADESTOWN BROADWAY LLC will prepare a complaint form or equivalent documentation based on the verbal reporting;
- Will take steps to obtain, review, and preserve documents sufficient to assess the allegations, including documents, emails, or phone records that may be relevant to the investigation.
- The Manager or other authorized designee of HADESTOWN BROADWAY LLC will consider and implement appropriate document request, review, and preservation measures, including for electronic communications;
- Will seek to interview all parties involved, including any relevant witnesses;
- Will create a written documentation of the investigation (such as a letter, memo, or email), which contains the following, as relevant:
 - A list of all documents reviewed, along with a detailed summary of relevant documents;
 - A list of names of those interviewed, along with a detailed summary of their statements;
 - A timeline of events;
 - A summary of any prior relevant incidents disclosed in the investigation, reported or unreported; and
 - The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Will keep the written documentation and associated documents in a secure and confidential location;
- Will promptly notify the individual(s) who reported the harassment and the individual(s) about whom the complaint was made that the investigation has been completed and implement any corrective actions identified in the written document; and
- Will inform the individual(s) who reported of the right to file a complaint or charge externally, as outlined in the next section.

Legal Protections and External Remedies

Discrimination and harassment is not only prohibited by the Broadway League, but it is also prohibited by state, federal, and, where applicable, local law.

The internal process outlined in the policy above is one way for employees to report discrimination and harassment. Employees and covered individuals may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may also seek the legal advice of an attorney.

New York State Division of Human Rights:

The New York State Human Rights Law (HRL), N.Y. Executive Law, art. 15, § 290 *et seq.*, applies to all employers in New York State and protects employees and covered individuals, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the New York State Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints of sexual harassment filed with DHR may be submitted at any time **within three years** of the harassment. If an individual does not file a complaint with DHR, they can bring a lawsuit directly in state court under the Human Rights Law **within three years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed an HRL complaint in state court.

Complaining internally to the Broadway League does not extend your time to file with DHR or in court. The three years are counted from the 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 sexual harassment has occurred. Probable cause cases receive a public hearing before an administrative law judge. If sexual harassment is found at the hearing, DHR has the power to award relief. Relief varies, but it may include requiring your employer to take action to stop the harassment, or repair the damage caused by the harassment, including paying of monetary damages, punitive 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. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Go to dhr.ny.gov/complaint for more information about filing a complaint with DHR. The website has a digital complaint process that can be completed on your computer or mobile device from start to finish. The website has a complaint form that can be downloaded, filled out, and mailed to DHR as well as a form that can be submitted online. The website also contains contact information for DHR's regional offices across New York State.

Call the DHR sexual harassment hotline at **1(800) HARASS3** for more information about filing a sexual harassment complaint. This hotline can also provide you with a referral to a volunteer attorney experienced in sexual harassment matters who can provide you with limited free assistance and counsel over the phone.

The United States Equal Employment Opportunity Commission:

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act, 42 U.S.C. § 2000e *et seq.* An individual can file a complaint with the EEOC anytime within 300 days from the most recent incident of harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Notice of Right to Sue permitting workers to file a lawsuit in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination laws may have been violated, or believes that unlawful discrimination occurred by does not file a lawsuit.

Individuals may obtain relief in mediation, settlement, or conciliation. In addition, federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a “Charge of Discrimination.” The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov, or via email at info@eeoc.gov.

Suppose an individual filed an administrative complaint with the New York State Division of Human Rights. In that case, DHR will automatically file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city, or town where they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment or discrimination with the New York City Commission on Human Rights. Contact their main office at the Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade Street, 1st Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Those wishing to pursue criminal charges are encouraged to contact their local police department.

Conclusion

The policy outlined above is aimed at providing employees and covered individuals of HADESTOWN BROADWAY LLC an understanding of their right to a discrimination and harassment free workplace. All employees should feel safe at work. Though a significant focus of this policy is on sexual harassment and gender discrimination, the New York State Human Rights law, as well as federal and, as applicable, local laws, protects against discrimination and harassment in other protected classes, including age, race, creed, color, national origin, military status, disability, predisposing genetic characteristics, familial status, marital status, criminal history, or domestic violence survivor status. The prevention policies outlined above should be considered applicable to all protected classes.

Complaint Form

If you believe you have been subjected to harassment or discrimination, you are encouraged to complete this form and submit it to the Company Manager, General Manager, or Production Counsel. You will not be retaliated against for filing a complaint.

If you are more comfortable reporting verbally or in another manner, your employer should complete this form, provide you with a copy and follow its harassment and discrimination prevention policy by investigating the claims as outlined at the end of this form.

For additional resources, visit: ny.gov/programs/combating-sexual-harassment-workplace

COMPLAINANT INFORMATION

Name:

Work Address:

Work Phone:

Job Title:

E-mail:

Select Preferred Communication Method:

☐ E-mail ☐ Phone ☐ In person

SUPERVISORY INFORMATION

Immediate Supervisor's Name: Title:

Work Phone:

Work Address:

COMPLAINT INFORMATION

1. Your complaint of harassment or discrimination is made about:

Name:

Title:

Work Address:

Work Phone:

Relationship to you: ☐ Supervisor ☐ Supervisee ☐ Co-Worker ☐ Other

2. Please describe what happened and include as much detail as possible. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

3. Date(s) harassment or discrimination occurred:

Is the behavior continuing? ☐ Yes ☐ No

4. If possible, please list the name and contact information of any witnesses or individuals who may have information related to your complaint:

The last question is optional, but may help the investigation.

5. Have you previously complained or provided information (verbal or written) about related incidents? If yes, when and to whom did you complain or provide information?

While not required, if you have retained legal counsel and would like us to work with them, please provide their contact information.

Signature: _____

Date: _____

Acknowledgment

I understand that federal, state, and local law prohibits discrimination and harassment, including the creation of a hostile or offensive working environment on the basis of any applicable protected characteristic.

I acknowledge that I have received a copy of the company's Harassment and Discrimination Prevention Policy and Complaint Procedure. I agree to read it thoroughly and abide by the policy requirements. I agree that if there is any provision of the policy that I do not understand, I will seek clarification from the Company Manager, General Manager, or Production Counsel.

The company is committed to providing a work environment free of inappropriate and disrespectful behavior, intimidation, communications, and other conduct directed at someone because of that person's protected characteristics.

Print Name

Employee Signature

Date