



## **Anti-Harassment Policy and Complaint Procedure**

### **Objective**

J2 Global (J2 or “the company”) strives to create and maintain a work environment in which people are treated with dignity, decency and respect. The culture of the company should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. J2 will not tolerate unlawful discrimination or harassment of any kind. Through enforcement of this policy and by education of employees, J2 will seek to prevent, correct and discipline behavior that violates this policy. The Company is committed to the principle of fair and equitable treatment for all employees. J2 expressly prohibits any form of prohibited discrimination or harassment. It is the responsibility of each member of management to create an atmosphere free of prohibited discrimination or harassment. In addition, it is the responsibility of each employee to respect the rights of their co-workers. Prohibited discrimination or harassment by employees, supervisors, managers, and third-parties such as clients or service providers will not be tolerated and appropriate action, up to and including termination of employment, will be taken against employees who violate this policy.

It is the policy of the Company to recruit, hire, transfer, promote and compensate employees on the basis of qualifications, ability and merit and without regard to race, color, religious creed, sex (including pregnancy, childbirth, or medical conditions relating to pregnancy, child birth, or breastfeeding), sexual orientation, gender, gender identity, gender expression, national origin, ancestry, age, physical disability, mental disability, medical condition, marital status, citizenship, genetic information, or any other characteristic protected by law. In support of its equal employment policy, the Company will:

- Recruit, hire, train and promote in all job classifications without regard to such characteristics.
- Make promotion decisions and all other employment related actions, such as compensation, benefits, transfers, reductions in staff, rehires, Company-sponsored training and social activities, in accordance with the principles of equal employment opportunity.
- Guard against offensive or inappropriate materials, remarks or humor being introduced to the workplace or any other Company-sponsored event.

### **Prohibited Conduct Under This Policy**

J2, in compliance with all applicable federal, state and local anti-discrimination and harassment laws and regulations, enforces this policy in accordance with the following definitions and guidelines:

#### **Discrimination**

It is a violation of J2’s policy to discriminate in the provision of employment opportunities, benefits or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in

part, the person's race, color, religious creed, sex (including pregnancy, childbirth, or medical conditions relating to pregnancy, child birth, or breastfeeding), sexual orientation, gender, gender identity, gender expression, national origin, ancestry, age, disability, mental disability, medical condition, marital status, citizenship, genetic information, or any other characteristic protected by law.

Discrimination of this kind may also be strictly prohibited by a variety of federal, state and local laws, including Title VII of the Civil Rights Act of 1964, the Age Discrimination Act of 1967 and the Americans with Disabilities Act of 1990. This policy is intended to comply with the prohibitions stated in these anti-discrimination laws, as well as laws of jurisdictions outside of the U.S. If you are outside of the U.S., your jurisdiction may have different reporting requirements.

Discrimination in violation of this policy will be subject to disciplinary measures up to and including termination.

## **Harassment**

J2 prohibits harassment of any kind, including sexual harassment, and will take appropriate and immediate action in response to complaints or knowledge of violations of this policy. For purposes of this policy, harassment is any verbal or physical conduct designed to threaten, intimidate or coerce an employee, co-worker, or any person working for or on behalf of J2.

The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal harassment includes comments that are offensive or unwelcome regarding a person's race, color, religious creed, sex (including pregnancy, childbirth, or medical conditions relating to pregnancy, child birth, or breastfeeding), sexual orientation, gender, gender identity, gender expression, national origin, ancestry, age, physical disability, mental disability, medical condition, marital status, citizenship, genetic information, or any other characteristic protected by law, including epithets, slurs and negative stereotyping.
- Nonverbal harassment includes distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group because of race, color, religious creed, sex (including pregnancy, childbirth, or medical conditions relating to pregnancy, child birth, or breastfeeding), sexual orientation, gender, gender identity, gender expression, national origin, ancestry, age, physical disability, mental disability, medical condition, marital status, citizenship, genetic information, or any other characteristic protected by law.
- Physical conduct such as assault, unwanted touching, blocking normal movement, restraint, touching or other physical interference with work directed at an individual; and

- Threats and demands to submit to non-work related conduct or perform certain non-work-related actions as a condition of employment, or to avoid some other loss, or as a condition of job benefits, security or promotion.

## **Sexual harassment**

Sexual harassment is a form of unlawful employment discrimination under Title VII of the Civil Rights Act of 1964 and is prohibited under J2's anti-harassment policy. According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct is used as the basis for employment decisions or such conduct has the purpose or effect of creating an intimidating, hostile or offensive working environment."

Sexual harassment can happen in a variety of circumstances, including but not limited to the following:

- The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.
- The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the victim.
- The harasser's conduct must be unwelcome.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- Are made explicitly or implicitly a term or condition of employment.
- Are used as a basis for an employment decision.
- Unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Sexual harassment may take different forms. The following examples of sexual harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal sexual harassment includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.
- Nonverbal sexual harassment includes the distribution, display or discussion of any written or graphic material, including calendars, posters and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or

insulting sounds; leering; staring; whistling; obscene gestures; content in letters, notes, facsimiles, e-mails, photos, text messages, tweets and Internet postings; or other forms of communication that are sexual in nature and offensive.

- Physical sexual harassment includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and forced sexual intercourse or assault.

Courteous, mutually respectful, pleasant, noncoercive interactions between employees that are appropriate in the workplace and acceptable to and welcomed by both parties are not considered to be harassment, including sexual harassment.

### **Consensual Romantic or Sexual Relationships**

J2 strongly discourages romantic or sexual relationships between a manager or other supervisory employee and his or her staff (an employee who reports directly or indirectly to that person) because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in employment decisions affecting the staff employee. Moreover, given the uneven balance of power within such relationships, consent by the staff member is suspect and may be viewed by others, or at a later date by the staff member, as having been given as the result of coercion or intimidation. The atmosphere created by such appearances of bias, favoritism, intimidation, coercion or exploitation undermines the spirit of trust and mutual respect that is essential to a healthy work environment. If there is such a relationship, the parties need to be aware that one or both may be moved to a different department or other actions may be taken.

Once the relationship is made known to J2, the company will review the situation with HR in light of all the facts (reporting relationship between the parties, effect on co-workers, job titles of the parties, etc.) and will determine whether one or both parties need to be moved to another job or department. If it is determined that one party must be moved, and there are jobs in other departments available for both, the parties may decide who will be the one to apply for a new position. If the parties cannot amicably come to a decision, or the party is not chosen for the position to which he or she applied, the HR Lead and senior management will decide which party will be moved. That decision will be based on which move will be least disruptive to the organization as a whole. If no other jobs are available for either party, the parties will be given the option of terminating their relationship or resigning.

### **Retaliation**

No hardship, loss, benefit or penalty may be imposed on an employee in response to:

- Filing or responding to a bona fide complaint of discrimination or harassment.
- Appearing as a witness in the investigation of a complaint.
- Serving as an investigator of a complaint.

Lodging a bona fide complaint will in no way be used against the employee or have an adverse impact on the individual's employment status. However, filing groundless or malicious complaints is an abuse of this policy and may be treated as a violation.

Any person who is found to have violated this aspect of the policy will be subject to discipline, up to and including termination of employment.

### **Confidentiality**

All complaints and investigations are treated confidentially to the extent possible, and information is disclosed strictly on a need-to-know basis. The identity of the complainant is usually revealed to the parties involved during the investigation, and the Divisional HR Lead (or designated HR Manager) will take adequate steps to ensure that the complainant is protected from retaliation during and after the investigation. All information pertaining to a complaint or investigation under this policy will be maintained in secure files within the HR department.

### **Complaint procedure**

J2 has established the following procedure for lodging a complaint of harassment, discrimination or retaliation. When J2 receives allegations of misconduct, it will conduct a fair, timely, and impartial investigation that provides all parties appropriate due process and reaches reasonable conclusions based on the evidence collected. The company will treat all aspects of the procedure confidentially to the extent reasonably possible. (If you are outside of the U.S., your jurisdiction may have different reporting requirements. Please refer to your local Supplement or Addendum (if any) for such information).

1. Complaints should be submitted as soon as possible after an incident has occurred, preferably in writing to your supervisor, their manager or any manager in the organization or to the Divisional HR Lead. Those agents of the organization will then work with the Divisional HR Lead (or designee) to assist the complainant in completing a written statement or, in the event an employee refuses to provide information in writing, the Divisional HR Lead will dictate the verbal complaint.
2. Upon receiving a complaint or being advised by a supervisor or manager that violation of this policy may be occurring, the Divisional HR Lead (or designee) will review the complaint with the company's legal counsel.
3. The Divisional HR Lead (or designee) will initiate an investigation in a fair and timely and thorough manner as all complaints will be taken seriously.
4. If necessary, the complainant and the respondent will be separated during the course of the investigation, in a manner that is appropriate to ensure a proper investigation
5. During the investigation, the Divisional HR Lead (or designee), together with legal counsel, will interview the complainant, the respondent and any witnesses to determine whether the alleged conduct occurred.
6. Upon conclusion of an investigation, the Divisional HR Lead (or designee) or other person conducting the investigation will submit a written report of their findings to the company. If it is determined that a violation of this policy has occurred, the Divisional HR

Lead (or designee) will recommend appropriate disciplinary action. The appropriate action will depend on the following factors:

- a) the severity, frequency and pervasiveness of the conduct;
  - b) prior complaints made by the complainant;
  - c) prior complaints made against the respondent;
7. If the investigation is inconclusive or if it is determined that there has been no violation of policy but potentially problematic conduct may have occurred, the Divisional HR Lead (or designee) may recommend appropriate preventive action.
  8. Division Senior HR management will review the investigative report and any statements submitted by the complainant or respondent, discuss results of the investigation with the HR Director/Lead and other management staff as appropriate, and decide what action, if any, will be taken.
  9. Once a final decision is made by Division Senior HR management, the Divisional HR Lead (or designee) will meet with the complainant and the respondent separately and notify them of the findings of the investigation. If disciplinary action is to be taken, the respondent will be informed of the nature of the discipline and how it will be executed.

All employees, regardless of their position within the organization are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate disciplinary action will be taken if an employee violates this policy. Based on the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension, or termination of employment.

Managers and supervisors who knowingly allow or tolerate discrimination, harassment or retaliation, including the failure to immediately report such misconduct to Human Resources (HR), are in violation of this policy and subject to discipline.

### **Alternative legal remedies**

Nothing in this policy may prevent the complainant or the respondent from pursuing formal legal remedies or resolution through local, state or federal agencies or the courts.

### **Summary**

If you believe that you have been unlawfully harassed or discriminated against on any of the bases enumerated above, or that you have observed such harassment or discrimination, you should provide a written complaint to your own or any other J2 supervisor, the Division President or the Divisional Human Resources Lead of the Company as soon as possible after the incident.

Your complaint should include details of the incident or incidents, names of the individuals involved and names of any witnesses. Supervisors will refer all harassment and discrimination complaints to the Divisional Human Resources Lead, investigative officer or the EVP, HR and /or CEO of the Company.

You may also call this number 1-(855) 883-2425 (Ethics and Compliance Hotline) to report an incident for investigation. This number will allow your complaint to be placed directly and confidentially to the Executive Vice President HR and the Executive Vice President, General Counsel of the Company.

If you have any questions regarding the procedure for filing complaints, please contact: Michelle Dvorkin, Executive Vice President of Human Resources ( [REDACTED] ) and/or Jeremy D. Rossen, Executive Vice President, General Counsel J2 Global, Inc. ( [REDACTED] )

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