

New York EEO Statement and Non-harassment Policy

Equal Employment Opportunity Policy

HTM Sensors, Inc. is committed to complying with all federal, state, and local equal employment laws. To that end, the Company is dedicated to maintaining a work environment that is free from harassment and discrimination on the basis of age, race, creed, color, national origin (including ancestry), religion, gender or sex, sexual orientation, pregnancy (including childbirth and related medical conditions), alienage or citizenship status (unless required by law), disability, marital status, partnership status, caregiver status, domestic violence victim status, familial status, military status, unemployment status, genetic information (including genetic characteristics), or any other protected status under federal, state, or local laws. The Company is dedicated to the fulfillment of this policy with respect to all aspects of employment, including, but not limited to, recruiting, hiring, placement, transfer, training, promotion, compensation, termination, and all other terms, conditions, and privileges of employment.

The Company will conduct a prompt and thorough investigation of all allegations of discrimination, harassment, or retaliation, or any violation of the Equal Employment Opportunity Policy in a confidential manner. The Company will take appropriate corrective action, if and where warranted. The Company prohibits retaliation against employees who provide information about, complain about, or assist in the investigation of any complaint of discrimination or violation of the Equal Employment Opportunity Policy.

We are all responsible for upholding this policy. You may discuss questions regarding equal employment opportunity with any member of management.

Policy Against Workplace Harassment

HTM Sensors, Inc. has a strict policy against all types of workplace harassment, including sexual harassment and other forms of workplace harassment based upon an individual's age, race, creed, color, national origin (including ancestry), religion, gender or sex, sexual orientation, pregnancy (including childbirth and related medical conditions), alienage or citizenship status (unless required by law), disability, marital status, partnership status, caregiver status, domestic violence victim status, familial status, military status, unemployment status, genetic information (including genetic characteristics), or any other protected status under federal, state, or local laws. All forms of harassment of, or by, employees, vendors, visitors, customers, and clients are strictly prohibited and will not be tolerated.

Sexual Harassment

The Company is committed to maintaining a workplace free from sexual harassment, which is unlawful and subjects the company to liability. The Company prohibits any form of sexual harassment and all employees are required to work in a manner that prevents sexual harassment. This policy is one component of the Company's commitment to a harassment-free and discrimination-free work environment.

For additional information on sexual harassment including how to file a claim, see our Sexual Harassment Policy.

Other Harassment

Workplace harassment is verbal or physical conduct that insults or shows hostility or aversion toward an individual because of the individual's age, race, creed, color, national origin (including ancestry), religion, gender or sex, sexual orientation, pregnancy (including childbirth and related medical conditions), alienage or citizenship status (unless required by law), disability, marital status, partnership status, caregiver status, domestic violence victim status, familial status, military status, unemployment status, genetic information (including genetic characteristics), or any other protected status under federal, state, or local laws..

Again, while it is not possible to list all the circumstances that may constitute other forms of workplace harassment, the following are some examples of conduct that may constitute workplace harassment:

- The use of disparaging or abusive words or phrases, slurs, negative stereotyping, or threatening, intimidating, or hostile acts that relate to the above protected categories;
- Written or graphic material that insults, stereotypes, or shows aversion or hostility toward an individual or group because of one of the above protected categories and that is placed on walls, bulletin boards, email, voicemail, or elsewhere on our premises, or circulated in the workplace; and
- A display of symbols, slogans, or items that are associated with hate or intolerance toward any select group.

Reporting Discrimination and Harassment

If you feel that you have witnessed or have been subjected to any form of discrimination or harassment, immediately notify Samantha Garris, Office Manager; 1889 Maryland Avenue Niagara Falls, NY 14305; SamanthaG@HTMSensors.com; 800-644-1756 ext. 423; or Bob F. Hooper, President in person or by email at Bobh@HTMSensors.com

The Company prohibits retaliation against employee who provide information about, complain, or assist in the investigation of any complaint of harassment or discrimination.

Company will promptly and thoroughly investigate any claim and take appropriate action where we find a claim has merit. To the extent possible, we will retain the confidentiality of those who report suspected or alleged violations of the harassment policy.

Discipline for violation of this policy may include, but is not limited to, reprimand, suspension, demotion, transfer, and discharge. If the Company determines that harassment or discrimination occurred, corrective action will be taken to effectively end the harassment. As necessary, the Company may monitor any incident of harassment or discrimination to assure the inappropriate behavior has stopped.

HTM Sensors, Inc.

New York Sexual Harassment Policy

I. Introduction

The Company is committed to maintaining a workplace free from sexual harassment, which is unlawful and subjects the Company to liability. The Company prohibits any form of sexual harassment and all employees are required to work in a manner that prevents sexual harassment. This policy is one component of the company's commitment to a harassment-free and discrimination-free work environment.

You have a right to a workplace free from sexual harassment and can enforce this right by filing a complaint internally with the Company, with an administrative agency, or in state or federal court.

This sexual harassment policy has several components:

- **Application.** This policy applies to all employees, interns (paid or unpaid), and "non-employees," a category which includes contractors, subcontractors, vendors, consultants, and any other person who provides services under a contract.
- **Sexual Harassment Prohibited.** Sexual harassment is prohibited. Sexual harassment is a form of employee misconduct and will not be tolerated. Any employee or other individual subject to this policy who engages in sexual harassment will be subject to disciplinary action up to and including termination of their employment.
- **Retaliation Prohibited.** The company will not take an adverse employment action against any person covered by this policy who in good faith reports an incident of sexual harassment, provides information about an incident of sexual harassment, or otherwise assists in an investigation of a sexual harassment complaint.
- **Individual Liability for Sexual Harassment.** Sexual harassment is offensive, is a violation of company policy, is unlawful, and subjects the company to liability to victims of sexual harassment. Sexual harassers may also be individually subject to liability.
- **Investigation.** The company will conduct a timely investigation when management receives a complaint about possible sexual harassment or otherwise knows of possible sexual harassment occurring. The company will take corrective action when sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any investigation of sexual harassment.
- **Reporting for Bystanders.** employees, as well as any other individuals, covered by this policy are encouraged to report any behavior or conduct that violates the company's sexual harassment policy.
- **Reporting for Managers and Supervisors.** Managers and supervisors are required to report any sexual harassment complaint that they receive and any sexual harassment that they observe to their supervisor.

II. Definition of Sexual Harassment

Sexual harassment means unwelcome conduct which is either of a sexual nature or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment, even if the complaining individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment consists of words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements, or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, or which interfere with the recipient's job performance.

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

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 called in legal terms "quid pro quo" harassment.

Sexual harassment can occur between males and females, or between persons of the same sex. Sexual harassment includes harassment on the basis of sex, sexual orientation, gender identity, and transgender status.

Although it is not possible to identify every act that constitutes sexual harassment, the following are some examples of sexual harassment:

- Physical assaults or touching of a sexual nature, such as:
 - touching, pinching, patting, grabbing, brushing against another employee's body or poking another employee's body; or
 - rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances, requests, or propositions, such as:
 - requests for dates after being informed that interest is unwelcome;
 - offers of employment benefits such as promotions, favorable evaluations, favorable duties or shifts in exchange for sexual favors;
 - requests for sexual favors accompanied by implied or overt threats concerning the victim's job performance evaluation, a promotion, or other job benefits or detriments; or
 - subtle or obvious pressure for unwelcome sexual activities.
- Sexual innuendo and other vocal activity of a sexual nature.
- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality, sexual experience, sexual behavior, or physical appearance, which create a hostile work environment.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying emails, pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic (this

includes sexual displays on workplace computers or cell phones and sharing these displays while in the workplace).

- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, 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, name-calling.

III. Definition of Retaliation

The Company prohibits retaliation against employees who engages in "protected activity," which occurs when employees have:

- filed a formal complaint of sexual harassment either internally with the Company or externally with an administrative agency or a court of law;
- testified or assisted in an administrative or court proceeding involving sexual harassment;
- opposed sexual harassment by making a verbal or informal complaint to management or by informing a supervisor or manager of harassment;
- complained that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

The company's anti-retaliation provision is not intended to protect persons making intentionally false charges of sexual harassment.

IV. Complaint Form

Reports of sexual harassment may be made verbally or in writing. employees who believe they have been subjected to sexual harassment is encouraged to complete a complaint form and submit it to their supervisor. The complaint form is available below.

V. Reporting by Bystanders Encouraged

Preventing sexual harassment is everyone's responsibility. The Company cannot prevent or remedy sexual harassment unless it knows about it. Any employee who witnesses or becomes aware of potential instances of sexual harassment are encouraged to report the behavior to a supervisor, manager, or human resources. employees who are reporting sexual harassment on behalf of other employees can use the complaint form and note that it is on another employee's behalf.

VI. Reporting by Managers and Supervisors Mandatory

Supervisors and managers who receive a sexual harassment complaint or who observe sexual harassment are required to report that complaint or that observation to human resources.

Supervisors and managers who knowingly allow sexual harassment to occur and fail to report the sexual harassment to human resources will be subject to disciplinary action up to and including termination of their employment.

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

VII. Investigation of Sexual Harassment

All sexual harassment complaints will be investigated. Investigations will be conducted in a timely manner and will be kept confidential to the extent possible.

Investigations will generally be done using the following steps:

- Conduct an immediate review of the allegation(s) and take any interim actions as appropriate.
- Obtain and preserve documents relevant to the allegation(s).
- Draft a list and summary of documents relevant to the allegation(s).
- Review documents relevant to the allegation(s).
- Interview relevant witnesses.
- Document the investigation.
- Retain the documentation in the employer's records.
- Notify the affected parties of any corrective action as appropriate.
- Implement any corrective action as appropriate.
- Inform the complainant of their right to pursue the legal protections and external remedies discussed in the next section of this policy.

VIII. Legal Protections and External Remedies

Sexual harassment is not only prohibited by the Company but also by federal, state, and local law. In addition to the company's internal process, employees may choose to pursue legal remedies with the following administrative agencies.

A. Equal Employment Opportunity Commission (EEOC)

The EEOC enforces federal anti-discrimination laws. employees can file a complaint with the EEOC within 300 days of the 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, at which point the EEOC will issue a "right to sue" letter permitting the employee to file a complaint in federal court. Federal courts may award remedies to the employee if discrimination is found to have occurred, including back pay, front pay, and compensatory and punitive damages. The EEOC does not award relief but may take other action including pursuing cases in federal court on behalf of complaining parties.

If employees believe that they have been discriminated against, they can file a "charge of discrimination" with the EEOC. The EEOC has an office at 33 Whitehall Street, 5th Floor, New York, NY 10004. You can also contact the EEOC by phone (1-800-669-4000) or email (info@eeoc.gov). The EEOC's website is www.eeoc.gov.

B. New York State Division of Human Rights (NYSDHR)

The New York State Human Rights Law (NYSHRL) prohibits sexual harassment against employees, interns (paid or unpaid), and "non-employees," a category which includes contractors, subcontractors, vendors,

consultants, and any other person who provides services under a contract. employees can file a sexual harassment complaint under the NYSHRL with the NYSDHR or in New York state court.

Complaints with the NYSDHR may be filed within one year of the sexual harassment. If employees did not file at the NYSDHR, they can sue directly in state court under the NYSHRL within three years of the alleged harassment.

An individual may not file with the NYSDHR if they have already filed a NYSHRL complaint in state court. If an individual filed an administrative complaint with the NYSDHR, the NYSDHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Complaining internally to the Company does not extend your time to file with the NYSDHR or in state court. The one year or three years is counted from the date of the most recent sexual harassment incident.

You do not need an attorney to file a complaint with the NYSDHR and there is no cost to file with the NYSDHR.

The NYSDHR will investigate your complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are sent to a public hearing before an administrative law judge. If discrimination is found after a hearing, the NYSDHR has the power to award relief.

Under the NYSHRL, courts may award back pay, front pay, compensatory damages, a civil monetary penalty, and attorney's fees.

The NYSDHR's main office is at One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You can also contact the NYSDHR by phone (1-888-392-3644) or email (info@dhr.ny.gov). The NYSDHR's website is dhr.ny.gov/complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to the NYSDHR. The website also contains contact information for the NYSDHR's regional offices.

C. New York City Commission on Human Rights (NYCCHR)

The New York City Human Rights Law (NYCHRL) prohibits sexual harassment against employees in New York City. employees can file a complaint of sexual harassment under the NYCHRL with the New York City Commission on Human Rights (NYCCHR) or in New York state court. employees must file their complaint with the NYCCHR or in state court within three years of the alleged harassment.

Under the NYCHRL, courts may award back pay, front pay, compensatory and punitive damages, and attorney's fees, expert fees, and costs.

The NYCCHR's main office is at 40 Rector Street, 10th Floor, New York, New York. You can also contact them by phone (718-722-3131). Their website is www.nyc.gov/html/cchr/html/home/home.shtml.

[Other] localities may have their own laws protecting individuals from sexual harassment. employees should contact their county, city, or town in which they live to find out if such a law exists.