

PROHIBITION OF HARASSMENT AND BULLYING [NEW YORK SUPPLEMENT]



This document supplements the Company's Prohibition of Harassment and Bullying policy in New York State and applies to employees, cast and crew, applicants, interns (paid or unpaid), contractors and persons conducting business with the Company, regardless of immigration status. Cast and crew in New York are expected to read and abide by the Company's Prohibition of Harassment and Bullying policy, as well as the additional information contained in this supplement, which is specific to cast and crew in New York State.

The Company is committed to maintaining a workplace free from sexual harassment. All cast and crew have a legal right to such a workplace and can enforce this right by raising a concern with the Company, or filing a complaint with a government agency or in court under federal, state or local anti-discrimination laws.

EXAMPLES OF SEXUAL HARASSMENT

Sexual harassment is a form of workplace discrimination. Sexual harassment is unlawful and subjects the employer to liability. Harassers may also be individually subject to liability. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender. Sexual harassment can occur between any individuals, regardless of their sex or gender. A perpetrator of sexual harassment can be a superior, a subordinate, a coworker or anyone in the workplace, including an independent contractor, contract worker, vendor, client, customer or visitor.

In addition to the actions mentioned in the Company's Prohibition of Harassment and Bullying policy, here are other actions that may also constitute unlawful sexual harassment and that are strictly prohibited:

- Physical assaults of a sexual nature, such as rape, sexual battery, molestation or attempts to commit these assaults; or kissing, hugging, pinching, patting, grabbing, brushing against another's body or poking another's body.
- Sexually-oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, creating a hostile work environment.
- Sex stereotyping, when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as displaying pictures, posters, calendars, graffiti, objects, reading materials or other materials that are sexually demeaning or pornographic.
- Hostile actions taken against an individual because of the individual's sex, sexual orientation, gender identity or gender expression.

BYSTANDER INTERVENTION

Cast and crew can help prevent sexual harassment in the workplace by intervening when they see potential troubling behaviors. Methods of bystander intervention that can be used when someone witnesses harassment or discrimination and wants to help include the following:

1. Interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
2. A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;

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3. Record or take notes on the harassment incident to benefit a future investigation;
4. 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
5. If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate.

REPORTING SEXUAL HARASSMENT

Preventing sexual harassment is everyone's responsibility. The Company cannot prevent or remedy sexual harassment unless it knows about it. Anyone who has been subjected to behavior that may constitute sexual harassment or who witnesses or becomes aware of potential instances of sexual harassment is encouraged to report the behavior to a supervisor, department head, Unit Production Manager, Human Resources and/or Employee Relations partner, or the Company Guideline. Reports may be made verbally or in writing. An optional form for submitting a written complaint is attached at the end of this supplement.

When the Company receives a report about alleged sexual harassment, it will investigate the allegations by:

- Speaking with the reporting individual
- Speaking with the alleged harasser(s)
- Interviewing relevant witnesses
- Collecting and reviewing any relevant documents

The Company will document the findings of the investigation, along with any corrective actions taken, and will notify the reporting individual and the alleged harasser(s) of the final determination.

Sexual harassment is a form of misconduct, and sanctions will be enforced against individuals who engage in harassment, or supervisory/managerial personnel who knowingly allow such behavior to continue.

LEGAL PROTECTIONS AND EXTERNAL REMEDIES

Sexual harassment is not only prohibited by the Company; it is also prohibited by state, federal and, where applicable, local law. Beyond the Company's internal Speak Up policy, cast and crew may also choose to pursue legal remedies with the following governmental agencies.

New York State Division of Human Rights (DHR)

The New York Human Rights Law (HRL) (N.Y. Executive Law, art. 15, § 290 *et seq.*), applies to employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees regardless of immigration status. A complaint alleging violation of the HRL may be filed either with DHR or in New York State Supreme Court.

Complaints with DHR may be filed any time within three years of the harassment. Individuals who do not file with DHR can sue directly in state court under the HRL within three years of the alleged incident of harassment. Individuals may not file with DHR if they have already filed a HRL complaint in state court. Reporting concerns internally to the Company does not extend the time to file with DHR or in court.

DHR has the power to award relief, which varies but may include requiring employers to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

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DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, 1-718-741-8400, www.dhr.ny.gov. For more information about filing a complaint, call DHR at 1-888-392-3644 or visit dhr.ny.gov/complaint. The website also contains contact information for DHR's regional offices across New York State. DHR also has a sexual harassment hotline, which can be reached at 1-800-427-2773.

United States Equal Employment Opportunity Commission (EEOC)

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (42 U.S.C. § 2000e et seq.). Complaints can be filed with the EEOC anytime within 300 days of the harassment. 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 individual to file a complaint in federal court. The EEOC does not hold hearings or award relief, but it may take other action, including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

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.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, individuals who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at 22 Reade Street, New York, NY 10007; call 311 or 1-212-306-7450; or visit www.nyc.gov/site/cchr/index.page.

If harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. In those circumstances, individuals may also choose to contact their local police department.

The Walt Disney Company and affiliated companies Complaint Form for Reporting Sexual Harassment

If you believe that you have been subjected to sexual harassment, you may complete this form and submit it to TWDC_Harassment_Complaints@Disney.com. If you are more comfortable reporting verbally or in another manner, you are welcome to do so. Complaints can be made to a supervisor, department head, Unit Production Manager, Human Resources and/or Employee Relations partner, or by contacting the Company Guideline at 1-800-699-4870 or www.disneyguideline.com. After receiving a complaint, the Company will follow the Prohibition of Harassment and Bullying policy and investigate any claims.

Complainant Information

Name: _____ Segment: _____
PERNR: _____ Job Title: _____
Work Address: _____ Work Phone: _____
Email Address: _____
Preferred Communication Method: Email Phone In person

Supervisory Information (Immediate Manager/Leader)

Name: _____ Title: _____
Email Address: _____ Work Phone: _____

Complaint Details

1. Your complaint of Sexual Harassment is made against:

Name: _____ Title: _____
Work Address: _____ Work Phone: _____
Relationship to you: Supervisor/Leader Subordinate Co-Worker
 Other (specify) _____

2. Date(s) sexual harassment occurred: _____

Is the sexual harassment continuing? Yes No

**The Walt Disney Company and affiliated companies
Complaint Form for Reporting Sexual Harassment**

3. Please describe what happened and how it is affecting you and your work. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

4. Please list the name and contact information of any witnesses or individuals that may have information related to your complaint:

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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?

If you have retained legal counsel and would like us to work with them, please provide their contact information.

Signature: _____ Date: _____