



# POLICY: Anti-Harassment

UPDATED: 07/18/2022

## PROHIBITED DISCRIMINATION AND HARASSMENT

Ventas prohibits unlawful discrimination and harassment in any form and is committed to providing a work environment that is free of illicit harassment based on any protected characteristics.

**Harassment** is any unwelcome conduct that, intentionally or not, violates a person's dignity or creates a hostile or offensive work environment. Harassment can be verbal, nonverbal or physical and includes conduct that could reasonably be expected to cause someone to feel intimidated, threatened, bullied or denigrated.

**Unlawful harassment includes sexual harassment**, which is inappropriate conduct based on sex. Sexual harassment may include:

- Explicit sexual propositions, sexual innuendo, suggestive comments, sexually-oriented kidding or teasing, practical jokes, and jokes about obscene printed or visual material;
- Physical contact, such as patting, pinching or brushing against another person's body; and
- Preferential treatment of an employee or promising preferential treatment to an employee in exchange for dates or sexual activity and denying employment opportunities or benefits based on a refusal to consent to sexual advances.

**Ventas prohibits sexual and other types of harassment** against employees, applicants for employment, individuals providing services in the workplace under a contract, unpaid interns and volunteers. This policy applies to our directors, officers and employees, whether full time or part time, temporary and contract employees, agents and vendors.

We prohibit harassment on any legally protected basis, including:

- Actual or perceived race<sup>1</sup>, religion, creed, color, national origin, ancestry;
- Sex and gender (including pregnancy, childbirth, lactation and similar conditions or activities), sexual orientation, gender identity and gender expression (including transgender individuals who are transitioning, have transitioned or are perceived to be transitioning to another gender);
- Marital status (including registered domestic partnership status);
- Physical or mental disability, medical condition or genetic information;
- Age (40 or over);
- Military and veteran status; or
- Any other consideration protected by federal, state or local law.

## REPORTING

Any employee who believes that they have been harassed or who believes that harassment has occurred may notify their direct manager, Human Resources, the legal and compliance team or make an anonymous report by contacting our reporting hotline at 1-866-384-4277. Individuals may also complete the complaint form attached to this policy. Employees are not required to make a complaint directly to their immediate supervisor. Supervisors and managers who receive complaints of misconduct must immediately report such complaints to Human Resources, who will attempt to resolve issues internally.

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<sup>1</sup> These include traits historically associated with race, such as hair texture and protected hairstyles.

When a report is received, if appropriate, we will conduct a fair and prompt investigation and maintain appropriate confidentiality. Harassment is considered a form of employee misconduct. If an investigation confirms that a violation of this policy has occurred, we may take immediate and proportionate disciplinary action against the offending person, including termination.

## **NON-RETALIATION**

Ventas prohibits intimidation or retaliation against any person who makes a good faith report of possible discrimination, harassment (including sexual harassment) or retaliation. Individuals who believe they have been subjected to retaliation should report the misconduct using the reporting procedures described above.

## **NO EMPLOYMENT CONTRACT**

The provisions of this policy, and all other company policies, procedures and statements, whether written or oral, are not intended to create, and do not establish or create, contractual rights, obligations or relationships, such as an express or implied contract of employment, between Ventas and any of its employees. Terms and conditions of employment with Company may be modified at any time at Ventas's sole discretion, with or without notice. To the extent that there is any conflict between this policy and the Ventas Employee Handbook, this policy governs.

## **ADDITIONAL INFORMATION FOR NEW YORK EMPLOYEES**

- Sexual harassment is illegal under the New York State Human Rights Law, Title VII of the federal Civil Rights Act of 1964, and New York City Human Rights Law.
- Employees may file a complaint with the federal Equal Employment Opportunity Commission, the New York State Division of Human Rights. Agencies accept and investigate charges of sexual harassment. The Equal Employment Opportunity Commission has district, area and regional offices and may be contacted by visiting [www.eeoc.gov](http://www.eeoc.gov), emailing [info@eeoc.gov](mailto:info@eeoc.gov) or by telephone at 1-800-669-4000 (TTY 1;800-669-6820). The New York State Division of Human Rights may be contacted by visiting [www.dhr.ny.gov](http://www.dhr.ny.gov), by telephone at 718-741-8400, or by mail to One Fordham Plaza, Fourth Floor, Bronx, New York 10458. Employees subjected to unlawful harassment may be entitled to certain remedies, including monetary damages, civil penalties, and injunctive relief (such as an order that certain action be taken or certain behavior stop).

## **ADDITIONAL INFORMATION FOR CALIFORNIA EMPLOYEES**

- The federal Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) will accept and investigate charges of unlawful discrimination or harassment at no charge to the complaining party. Information may be located by visiting the agency website at [www.eeoc.gov](http://www.eeoc.gov) or [www.dfeh.ca.gov](http://www.dfeh.ca.gov). The DFEH Sexual Harassment Prevention training may be accessed here: <https://www.dfeh.ca.gov/shpt/>.

**INTERNAL COMPLAINT FORM**

New York State Labor Law requires all employers to adopt a [sexual] harassment prevention policy that includes a complaint form to report alleged incidents of [sexual] harassment. You may, but are not required to, use this form to make a complaint and submit it to your manager, or Human Resources, or the legal and compliance team. You are not limited to the space provided and may attach additional pages.

Complaint(s) – Please describe your complaint(s):

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Employee's Signature

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Date completed by Employee

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Recipient Signature

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Date received from Employee