

Anti-Discrimination Policy of Software People Inc.

Software People Inc. (hereinafter 'Software People') is committed to maintaining a workplace free from any and all discrimination and retaliation. All employees are required to work in a manner that prevents discrimination in the workplace, be it discrimination based upon race, disability, gender age, sexual orientation or religion. This Policy is one component of Software People's commitment to a discrimination-free work environment. Such discrimination is against the law,¹ and all employees have a legal right to a workplace free from discrimination, and employees are urged to report discrimination or retaliation by filing a complaint internally with Software People. Employees can also file a complaint with a government agency or in court under federal, state or local anti-discrimination laws.

Policy:

1. Software People's policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, with Software People. In the remainder of this document, the term 'employees' refers to this collective group.
2. Discrimination will not be tolerated. Any employee or individual covered by this policy who engages in discrimination or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the employee reports an incident of discrimination, provides information, or otherwise assists in any investigation of a discrimination complaint. Software People will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected discrimination. Any employee of Software People who retaliates against anyone involved in a discrimination investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees² working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, or Mr. Sandeep Jain, Senior Vice President of Software People. All employees, paid or unpaid interns or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.
4. Discrimination is offensive, is a violation of our policies, is unlawful, and may subject Software People to liability for harm to targets of discrimination. Those individuals that discriminate may also be individually subject to liability. Employees of every level who engage in discrimination, including managers and supervisors who engage in discrimination or retaliation or who allow such behavior to continue, will be penalized for such misconduct.

¹ Discrimination against persons of all protected classes is prohibited. In New York State, such classes include age, race, creed, color, national origin, sexual orientation, military status, sex, disability, marital status, domestic violence victim status, gender identity or expression, familial status, predisposing genetic characteristics, and criminal history.

² A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees 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 provided pursuant to a contract with the employer.

5. Software People will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about discrimination or retaliation, or otherwise knows of possible discrimination or retaliation occurring. Software People will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever discrimination or retaliation is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of discrimination or retaliation.
6. All employees are encouraged to report any discriminatory or retaliatory actions or behaviors that violate this policy. Software People will provide all employees with a complaint form for employees to report harassment and file complaints.
7. Managers and supervisors are required to report any complaint that they receive, or any discrimination or retaliation that they observe or become aware of, to Sandeep Jain.
8. This policy applies to all employees, paid or unpaid interns, and non-employees, 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 and should be posted prominently in all work locations to the extent practicable (for example, in a main office, not an offsite work location) and be provided to employees upon hiring.

Regarding Retaliation

Unlawful retaliation can be any action that could discourage a worker from coming forward to make a claim of discrimination. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

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 discrimination, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving discrimination under the Human Rights Law or other anti-discrimination law;
- opposed discrimination by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of discrimination;
- reported that another employee has been subject to discrimination; or
- encouraged a fellow employee to report discrimination.

Even if the alleged discrimination 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 discrimination.

Reporting Discrimination

Preventing discrimination and retaliation is everyone's responsibility. Software People cannot prevent or remedy discrimination unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute discrimination is encouraged to report such behavior to a supervisor, manager or Sandeep Jain. Anyone who witnesses or becomes aware of potential instances of discrimination should report such behavior to a supervisor, manager or Sandeep Jain.

Reports of discrimination may be made verbally or in writing. A form for submission of a written complaint will be provided, and all employees will be encouraged to use the complaint form. Employees who are reporting discrimination on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a target of discrimination may also seek assistance in other available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

All supervisors and managers who receive a complaint or information about suspected discrimination, observe what may be discriminatory behavior or for any reason suspect that discrimination is occurring, are required to report such suspected discrimination to Sandeep Jain.

In addition to being subject to discipline if they engaged in discriminatory conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected discrimination or otherwise knowingly allowing discrimination to continue.

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

Complaint and Investigation of Discrimination

All complaints or information about discrimination will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected discriminatory behavior will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected discrimination. Software People will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of complaint, Sandeep Jain will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If the complaint is verbal, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the verbal reporting.
- If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - 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 prior relevant incidents, reported or unreported; and
 - The basis for the decision and final resolution of the complaint, together with any corrective action(s).

- Keep the written documentation and associated documents in a secure and confidential location.
- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who reported discrimination of the right to file a complaint or charge externally as outlined in the next section.

Legal Protections And External Remedies

Discrimination and retaliation is not only prohibited by Software People but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Software People, employees 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 seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

State Human Rights Law (HRL)

New York State Human Rights Law (HRL), applies to all employers in New York State with regard to discrimination, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time within one year (three years beginning Aug. 12, 2020) of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to Software People does not extend your time to file with DHR or in court. The one year or three years is 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 discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or

redress the damage caused, including the payment of monetary 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.

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the discrimination. 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 individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but 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. 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.

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.

Local Protections

Many localities enforce laws protecting individuals from discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of discrimination with the New York City Commission on Human Rights. Contact their main office at 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.