



Sexual Harassment Prevention Policy

October 9, 2018

Introduction

Central Hudson Gas & Electric Corporation (“Central Hudson” or the “Company”) is committed to maintaining a work environment free from sexual harassment, which is one form of employment discrimination. This Policy is one component of the Company’s commitment to a discrimination-free work environment.

Policy:

1. This Policy applies to all employees. It also applies to individuals who are not employees of the Company but are employees of contractors, subcontractors, vendors, consultants, and other persons who provide services in the Company’s workplace, providers of services or materials who come into contact with employees of Central Hudson and others such as interns and temporary agency employees.
2. Sexual harassment is not tolerated by Central Hudson and is prohibited by this Policy. This Policy prohibits not only behavior that constitutes unlawful harassment, but also other inappropriate or unprofessional behavior that may reasonably be considered offensive or otherwise inappropriate. Employees and other individuals covered under this Policy will be subject to disciplinary or other corrective action for any violations of this Policy, including termination of employment or cancelation of contract or arrangements for services or materials.
3. As used in this Policy the Company’s “workplace” shall include any location where the Company has assigned the employee to work in or outside the Company’s facilities.
4. No person covered by this Policy shall be subject to adverse action because he/she makes a good faith report of an incident of sexual harassment, or provides information, or otherwise assists in any investigation of a sexual harassment complaint. Central Hudson will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected harassment. Any person covered by this Policy, who retaliates against anyone involved in a sexual harassment investigation, is in violation of this Policy and subject to remedial or disciplinary action including termination of employment or cancelation of contract or arrangements for services or materials.
5. Central Hudson will conduct a prompt, thorough, fair, and confidential investigation, consistent with this Policy, in response to any complaint about sexual harassment. The Company may investigate other circumstances of inappropriate conduct occurring in its workplace or

affecting the terms and conditions of employment for its employees or other individuals working in its workplace. The Company will take effective corrective action whenever sexual harassment or other inappropriate conduct is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment. Full cooperation in any investigation is also expected from contractors, subcontractors, vendors, consultants, and other persons providing services in the Company's workplace, providers of services or materials who come into contact with employees of Central Hudson and others such as interns and temporary agency employees.

6. All employees are encouraged to report any sexual harassment or behavior that violates this Policy.

7. Supervisors and managers are required to report any complaint, whether formal or informal, that they receive about sexual harassment or any such conduct that they observe or become aware of to Human Resources.

What Is "Sexual Harassment"?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. 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 includes 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 a hostile 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 can consist of threats, derogatory comments, signs, jokes, pranks, intimidation, physical contact, violence, or other conduct which is of a sexual nature, or which is directed at an individual because of that individual's sex, where the conduct is so severe and pervasive as to alter the terms of employment for the individual subject to the harassment.

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 also called "quid pro quo" harassment.

Examples of sexual harassment

The following is a list of some of the types of acts that may constitute sexual harassment:

- Physical assaults of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employees' body;
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions.
- Sexually-oriented gestures, noises, remarks, jokes, or comments about a person's sexuality or sexual experience.
- Written conduct such as authoring threatening, derogatory or offensive letters, e-mails, text messages, or social media posts.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying 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 in the workplace.
- Sex stereotyping occurs 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.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, self-identified or perceived sex, gender expression, 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.

Who can be a target of sexual harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. Sexual Harassment in violation of this Policy includes harassment by any employee against any non-employee of the Company in the Company's work place. Harassers can be a superior, a subordinate, a coworker or anyone else in the workplace, including an independent contractor, temporary agency worker, vendor, client, customer, or visitor.

Where can sexual harassment occur?

Unlawful sexual harassment is not limited to the Company's facilities. It can occur while employees are traveling for business, at employer-sponsored events, or other occasions outside

work. Calls, texts, e-mails, and social media usage by employees containing inappropriate messages, language or graphics may also constitute or contribute to unlawful workplace harassment, even if they occur away from the Company's facilities or not during work hours.

What is "Retaliation"?

Retaliation includes any conduct, whether or not in the workplace or employment-related, which might deter a reasonable person from making or supporting a charge of discrimination or harassment and is directed at someone who engages in protected activity. Protected activity includes opposing a discriminatory practice, making a good faith report of a suspected violation of this Policy, making or filing a harassment complaint under this Policy or under Federal or State law (such as the New York State Human Rights Law), testifying or assisting in an investigation or proceeding under Federal or State law (such as the New York State Human Rights Law), informing supervision or management or Human Resources of conduct in violation of this policy, participating in a Company investigation of such a report or complaint, or encouraging a fellow employee to make a report.

Responsibility for the Sexual Harassment Policy

The Central Hudson's Vice President Human Resources and Safety shall have overall responsibility to the administration of this Policy and as such shall be the chief compliance person for this Policy. He or she shall have the ultimate responsibility to make sure that this Policy is fulfilled.

Reporting Sexual Harassment

Preventing sexual harassment is everyone's responsibility. Central Hudson cannot prevent or remedy sexual harassment unless it knows about it. Any employee or other person covered by this Policy, who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, General Counsel, the Vice President Human Resources and Safety or another person in Human Resources. If Central Hudson does not know about it, it cannot act. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, General Counsel, the Vice President Human Resources and Safety or another person in Human Resources. If an employee makes a report to his/her supervisor and believes the supervisor or the Vice President Human Resources and Safety is not taking appropriate action, the employee should report this inaction to an executive of Central Hudson, including General Counsel. If an employee believes that his/her supervisor violated this Policy, then the employee should report the matter to a higher-level manager, General Counsel, or Vice President Human Resources and Safety or another person in Human Resources.

Please note that as Vice President Human Resources and Safety has overall responsibility for this Policy any report of conduct under this Policy must also be forwarded to the Vice President Human Resources and Safety because of the need for consistency and centralized decision-making in the implementation and enforcement of this Policy, unless the Vice President Human Resources and Safety is involved in the conduct that is the subject of the complaint, in which event the General Counsel or a different management person will have overall responsibility for the investigation of the complaint and the taking of any appropriate action..

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form, but using the form is not required. Employees who are reporting sexual harassment on behalf of another person should clearly state that the complaint is made on another person's behalf.

The availability of this reporting procedure does not preclude individuals who believe they are being harassed from promptly advising the offender that his or her behavior is unwelcome and requesting that it be discontinued.

Please do not allow conduct that may violate this Policy to continue unreported. It is extremely important that this be reported so that the Company can act to stop such conduct at the earliest possible time.

Supervisory Responsibilities

Any supervisor or manager who receives a complaint or information about suspected sexual harassment, or observes conduct that may be sexually harassing behavior **is required** to take appropriate steps to address the conduct and to report such suspected sexual harassment to the Vice President Human Resources and Safety or General Counsel, who will be responsible for supervising the investigation and the resulting report.

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

Investigation of Sexual Harassment

All reports, complaints or other information about suspected sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely and thorough manner commensurate with the nature of the complaint, and will be confidential to the extent possible.

In conducting a fair and impartial investigation, the Company's procedures will include these due process protections: the Company will provide appropriate notice of the allegations to anyone who is the subject of a harassment complaint and an opportunity to provide a response to the allegations. Complainants and witnesses will be provided with an appropriate opportunity to present relevant information including documents relevant to the investigation. The investigation may include any or all of the following:

1. Interviewing all parties (individuals) involved, including any relevant witnesses.
2. If documents, e-mails or phone records are relevant to the allegations, take steps to obtain and preserve them.
3. Request and review all relevant documents, including all electronic communications.
4. A written report of the investigation, which will include:

- a. A list of all documents reviewed, along with a detailed summary of relevant documents;
- b. A list of names of those interviewed, along with a detailed summary of their statements;
- c. A timeline of events.
- d. A summary of prior relevant incidents, reported or unreported;
- e. The conclusions and recommendations of the person who was responsible for the investigation and the basis for those conclusions and recommendations ;
and
- f. The final resolution of the complaint, together with any corrective actions
action(s).

The Company may adapt and modify the investigatory procedure in its discretion based on the nature of the complaint and the conduct at issue.

All employees and other individuals covered under this Policy are required to fully cooperate, as needed, in an investigation of suspected sexual harassment.

Employees and other individuals who participate in any investigation are protected from retaliation.

To the extent consistent with Federal and State Law, all persons involved in the reporting and investigation of harassment will keep all information confidential to the maximum extent possible. Also to the extent consistent with Federal and State Law, this means all persons involved will share such information only with persons who have a need to know. The need for confidentiality is to protect the privacy of those involved in the investigation and to allow the Company to conduct an objective, thorough and fair investigation.

If the Company determines that this Policy has been violated, it will take effective remedial action commensurate with the circumstances. Any employee who has been found by the Company to have harassed another employee will be subject to corrective action, up to and including discharge where appropriate. If it is concluded that a nonemployee has subjected an employee or other person protected by this Policy to conduct in violation of this Policy, prompt and effective action will be taken to stop the harassment and deter any future harassment, such as prohibiting the person from performing any services or business with Central Hudson where appropriate.

The Company will notify the individual who reported the conduct and the person who was accused of improper conduct of the conclusions of its investigation, and will follow up with the person who reported the conduct as appropriate under the circumstances.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by Central Hudson but is also prohibited by state, federal, and, where applicable, local law. In addition to the procedures described in this Policy, individuals may choose to pursue legal remedies with the following governmental entities:

The New York State Division of Human Rights (DHR) enforces the Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., which prohibits sexual harassment in employment in New York State, and protects employees, and other individuals working in an employer's workplace. A complaint alleging a violation of the Human Rights Law may be filed either with DHR, subject to a one-year statute of limitations, or in New York State Supreme Court, subject to a three-year statute of limitations.

The DHR will investigate the complaint to determine if unlawful harassment occurred. If unlawful discrimination is found after a hearing, the DHR or the court may award relief, which may include requiring the employer to take action to stop the harassment, to redress the damage caused, including reversing an unlawful employment action, and paying monetary damages, attorneys' fees, and civil fines.

The DHR can be contacted at (888) 392-3644 or at www.dhr.ny.gov.

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An employee must file a complaint with the EEOC within 300 days from the conduct giving rise to the complaint. The EEOC also investigates complaints, and may pursue a claim in federal court on behalf of the complaining party(s), or issue a Right to Sue Letter that allows an individual to pursue his/her claims in federal court. Federal courts may award remedies if discrimination is found to have occurred. The EEOC can be contacted by calling 1-800-669-4000 (1-800-669-6820 (TTY)), or at their website: www.eeoc.gov or via email at info@eeoc.gov.

If an individual files an administrative complaint with the DHR, the DHR will file the complaint with the EEOC to preserve the individual's right to proceed in federal court.

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. If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime, and it may be appropriate to report such conduct to the local police department.

Other Types of Harassment

The Company also prohibits discrimination or harassment on the basis of race, color, creed, ethnicity, disability, religion, national origin, military status, age, gender, arrest record, veteran status, sexual orientation, marital status, familial status, domestic violence victim status, status as an ex-offender, citizenship, predisposing genetic characteristics, genetic information or any other

category protected by law. For more information, please see Central Hudson's PCR 2 Anti-Harassment Policy.