

SEXUAL HARASSMENT AND GENDER DISCRIMINATION PREVENTION POLICY

INTRODUCTION

Central Hudson is committed to maintaining a work environment free from harassment and discrimination. Sexual harassment is a form of workplace discrimination that subjects an employee to inferior conditions of employment due to the employee's gender, gender identity, gender expression (perceived or actual), and/or sexual orientation. This Policy is one component of the Company's commitment to a discrimination-free work environment.

POLICY

1. This Policy applies to all employees and applicants for employment. 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 cancellation 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, including when virtual environments are used for remote work.
4. No person covered by this Policy shall be subject to adverse action because the individual makes a good faith report of an incident of sexual harassment or discrimination, or provides information, or otherwise assists in any investigation of a sexual harassment or discrimination 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 who raises a complaint of sexual harassment or discrimination or is involved in the investigation of such a complaint, is in violation of this Policy and subject to disciplinary action, including termination of employment or cancellation of contract or arrangements for services or materials.
5. Central Hudson will conduct a prompt and thorough investigation that is fair to all parties, 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 appropriate corrective action whenever sexual harassment or other inappropriate conduct is found to have occurred. All employees are required to cooperate with any internal investigation of sexual harassment or discrimination. 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 directors are required to report any complaint, whether formal or informal, received about sexual harassment or discrimination or any such conduct observed or made aware of to Human Resources.

8. The Company will maintain confidentiality as to sexual harassment or discrimination complaints and related investigation to the extent feasible.

WHAT IS "SEXUAL HARASSMENT"?

Sexual harassment is a form of gender-based 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 all forms of gender discrimination including gender role stereotyping and treating employees differently because of gender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's gender identity or expression (perceived or actual), 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. Such decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

A sexually harassing, hostile work environment can consist of unwanted verbal or physical advances, threats, sexually explicit derogatory or discriminatory statements, 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, gender identity or gender expression where the conduct subjects an individual to inferior terms, conditions, or privileges of employment and which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.

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 AND GENDER DISCRIMINATION

The following list describes some of the types of acts that may constitute unlawful sexual harassment which are prohibited. This is just a sample of behaviors and is not all-inclusive:

- 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; or
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual comments, advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the targeted employee's job performance evaluation, a promotion, or other job benefits;
 - Subtle or obvious pressure for unwelcome sexual activities; or
 - Repeated requests for date or romantic gestures, including gift-giving.
- Sexually-oriented gestures, noises, remarks, jokes, or questions/comments about a person's sexuality, sexual experience or romantic history. This includes remarks made over virtual platforms and in messaging apps while employees are working remote.
- Written conduct such as authoring threatening, derogatory or offensive letters, emails, 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. This also extends to the virtual or remote workspace and can include having materials visible in the background during a virtual meeting.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because those traits may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look. This includes asking an employee to wear a garment typically associated with a different gender identity; or asking an employee to take on traditional gender roles such as a woman to serve refreshments at a meeting when it's not part of the job duties.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, or 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; or
 - Bullying, yelling, or name-calling;
 - Intentional misuse of an individual's preferred pronouns; or
 - Creating different expectations for individuals based on perceived identities, such as:
 - Dress codes that place more emphasis on women's attire; or
 - Leaving parents/caregivers out of meetings.

WHO CAN BE A TARGET OF SEXUAL HARASSMENT?

Sexual harassment can occur between any individuals, regardless of sex or gender and does not have to be between members of a different 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 workplace. 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.

Discrimination experienced by an employee can be impacted by biases and identities beyond an individual's gender. For example:

- Placing different expectations on female employees of different races can be both racial and gender discrimination;
- An individual's immigration status may lead to perceptions of vulnerability and concerns around illegal retaliation for reporting sexual harassment; or
- Past experiences as a survivor of domestic or sexual violence may lead to an individual to feel retraumatized by an individual's behaviors in the workplace.

WHERE CAN SEXUAL HARASSMENT OCCUR?

Unlawful sexual harassment is not limited to the Company's physical workplace. It can occur while employees are traveling for business, at employer-sponsored events, or other occasions outside work. Calls, texts, emails, and/or social media usage by employees containing inappropriate messages, language or graphics may also constitute or contribute to unlawful workplace harassment, even when occurring away from the Company's premises, on personal devices or during non-work hours. Sexual harassment can occur when employees are working remotely as well. Any behaviors outlined above that leave an employee feeling uncomfortable, humiliated or unable to meet job requirements

constitute harassment. Harassment can happen on virtual meeting platforms, in messaging apps and after working hours between personal cell phones.

WHAT IS "RETALIATION"?

Retaliation is unlawful and includes any conduct, whether or not in the workplace or employment-related, which might punish or 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, 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.

Examples of retaliation may include, but are not limited to:

- Sudden changes in work schedule or work locations;
- Demotion, termination, denying accommodations, reduced hours, or assignment of less desirable shifts;
- Publicly releasing personnel files;
- Refusing to provide a reference or providing an unwarranted negative reference;
- Labeling an employee as "difficult" and excluding that employee from projects to avoid "drama";
- Undermining an individual's immigration status; or
- Reducing work responsibilities, passing over for a promotion, or moving an individual's desk to a less desirable office location.

Retaliation is unlawful under federal, state, and, where applicable, local law. The individual is protected from retaliation if the individual had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect an individual who makes claims of harassment that are intentionally false or are made with reckless disregard for the truth.

A negative employment action is not retaliatory merely because it occurs at the same time as or after the employee engages in protective activity. Employees are still subject to job requirements and being compliant with Company policies.

RESPONSIBILITY FOR THE SEXUAL HARASSMENT POLICY

Central Hudson's Chief Human Resources Officer shall have overall responsibility for the administration of this Policy and as such shall be the chief compliance person for this Policy.

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 harassing or discriminatory behavior, or otherwise violates this Policy, is encouraged to report such behavior to the Chief Human Resources Officer. Anyone who witnesses or becomes aware of potential instances of sexual harassment, discrimination or Policy violation should report such behavior to the Chief Human Resources Officer.

Further details about the Company's complaint process can be found in the Company's Policy on Reporting Allegations of Suspected Improper Conduct and Wrongdoing (Speak Up Policy).

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. An employee who is 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 the 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.

BYSTANDER INTERVENTION

Anyone who witnesses potential or actual instances of sexual harassment, discrimination, or a Policy violation should consider taking one or more of the following actions to stop the behavior:

- Interrupt the harassment by engaging with the individual being harassed or the individual engaging in behavior that could be considered harassment or discrimination;
- Ask a third-party to intervene in the harassing situation;
- Take notes of the incident to aid in any subsequent investigation;
- Check on the person who had been harassed after the incident to see how that person is feeling; or
- Report the incident as soon as possible to a supervisor, director, Human Resources and/or General Counsel.

SUPERVISORY RESPONSIBILITIES

Any supervisor or director who receives a complaint or information about suspected sexual harassment, or observes conduct that may be sexually harassing or discriminatory behavior, or for any reason suspects such misconduct is occurring, is **required** to take appropriate steps to address the conduct and to report such suspected sexual harassment or discrimination to the Chief Human Resources Officer or General Counsel, one of whom will be responsible for supervising the investigation and the resulting corrective actions, if any. When a supervisor or director receives a complaint of harassing or discriminatory behavior, the supervisor or director should not bring the parties together to address the problem; the victim is not responsible to fix it.

Supervisors and directors are expected to model appropriate behavior, reinforce the Company's expectations regarding this Policy and foster a culture and environment free from any form of harassment, discrimination, disrespect or inappropriate behavior. In addition to being subject to discipline if supervisors or directors engage in sexually harassing or discriminatory behaviors or if engaging in retaliation, supervisors or directors will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue, even if no one is objecting to the behavior.

INVESTIGATION OF SEXUAL HARASSMENT

All reports, complaints or other information about suspected sexual harassment, discrimination or retaliation 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 will provide appropriate notice of the allegations to anyone who is the subject of a harassment complaint and give that individual an opportunity to provide a response to the allegations. Complainants and witnesses will be provided with an opportunity to present relevant information and documents to the investigation. Upon receipt of a complaint, the investigation may include any or all of the following:

1. Conduct a prompt review of the allegations, assess the scope of the investigation and take any interim actions, as appropriate, such as instructing the individuals involved to refrain from communicating.
2. Interview all parties involved, including any relevant witnesses.
3. Take steps to obtain, review and preserve evidence sufficient to assess the allegations, including documents, emails, phone records, and electronic messages that may be relevant to the investigation. The evidence should be kept in a secure and confidential location.
4. Create a written report of the investigation, which will include:
 - a. a list of all evidence reviewed, along with a detailed summary of relevant documents and electronic communications (including email, text, voicemail, instant messages);
 - b. a list of names of those interviewed, along with a detailed summary of the individuals' statements;
 - c. a timeline of events;
 - d. a summary of any prior relevant incidents disclosed in the investigation, reported or unreported;
 - e. the conclusions and recommendations of the investigator and the basis for those conclusions and recommendations; and
 - f. the final resolution of the complaint, together with any corrective action(s).

The Company may 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 or discrimination.

Employees and other individuals who participate in any investigation are protected from retaliation as a result of participation.

To the extent consistent with federal and state law, all persons involved in the reporting and investigation of harassment or discrimination will keep all information confidential to the maximum extent possible. The need for confidentiality is to protect the privacy of those involved in the investigation and to allow the Company to conduct an objective and thorough investigation.

If the Company determines that this Policy has been violated, the Company will take effective remedial action commensurate with the circumstances. Any employee who has been found by the Company to have violated this Policy will be subject to corrective action, up to and including termination of employment where appropriate. If it is concluded that a non-employee has subjected an employee or other person protected by this Policy to conduct in violation of this Policy, prompt corrective 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 promptly notify the individual who reported the conduct and the person who was accused of improper conduct that the investigation has been completed and implement any corrective

action(s) necessary. The Company will also notify the individual who reported the claim of the right to file a complaint or charge externally as outlined in the next section.

LEGAL PROTECTIONS AND EXTERNAL REMEDIES

Sexual harassment and discrimination are not only prohibited by Central Hudson but are 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 New York State 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, regardless of immigration status. A complaint alleging a violation of the Human Rights Law may be filed either with DHR, within three years of the harassment, or directly with the New York State Supreme Court.

The DHR can be contacted at (718) 741-8400 or at www.dhr.ny.gov.

The DHR also has a designated sexual harassment hotline at 1 (800) HARASS-3 / 1 (800) 427-2773. This hotline provides more information about filing a sexual harassment complaint and can provide the caller with a referral to a volunteer attorney experienced in sexual harassment matters who can provide limited free assistance and counsel over the phone.

The United States 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 individual must file a complaint with the EEOC within 300 days from the most recent incident of harassment. 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 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. A complaint must be filed with the EEOC before an individual can file in federal court.

While a private attorney is not required to file a complaint with a governmental agency, individuals may also seek the legal advice of an attorney.

LOCAL PROTECTIONS

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which the individual lives 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 for those wishing to pursue criminal charges.

OTHER TYPES OF HARASSMENT

The Company also prohibits discrimination or harassment on the basis of race, color, creed, ethnicity, disability, religion, national origin, veteran or military status, age, gender identity or expression, arrest or conviction record, sexual orientation, sex, marital status, familial status, domestic violence victim status, citizenship, predisposing genetic characteristics, genetic information, or any other category protected by law.