

# POLICY PROHIBITING DISCRIMINATION, HARASSMENT, AND RETALIATION

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## Purpose

At NVIDIA, we are committed to maintaining a work environment in which people are treated with dignity and respect. We do not tolerate unlawful discrimination, harassment, or retaliation in any form. All employees, Board members, and third parties doing business with NVIDIA – including consultants, contractors, and other service providers – must comply with this Policy.

## Policy Statement | Responsibilities

NVIDIA prohibits discrimination and harassment on the basis of any characteristic protected by applicable federal, state or local law or ordinance – or the combination of any such characteristics (intersectionality) – including but not limited to:

- Ancestry
- Age
- Citizenship
- Color
- Disability (physical or mental)
- Genetic information
- Gender, gender identity, gender expression, or transgender status
- Marital status
- Medical condition (as defined by applicable law)
- Military or veteran status
- National origin (including language use restrictions)
- Race (including, but not limited to, hair texture and protective hairstyles, such as braids, locks, and twists)
- Religion or creed (including religious dress and grooming practices)
- Sex (including pregnancy, potential pregnancy, childbirth, breastfeeding, and/or related medical conditions)
- Sexual orientation

## DISCRIMINATION

It is a violation of this Policy to discriminate in the provision of employment opportunities, benefits, or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment - meaning that the basis of such standards is a person's protected characteristic. We value equal opportunity and expect decisions to be made based solely on qualifications, performance, and business needs.

## HARASSMENT

Harassment is any conduct that has the purpose or effect of creating an intimidating, hostile or offensive work environment, unreasonably interferes with an individual's work performance, or otherwise adversely affects an individual's employment opportunities. Harassment may take many forms, including but not limited to:

- *Verbal conduct* – such as derogatory jokes or comments; microaggressions; unwelcome remarks about an individual's body, physical characteristics, or appearance; intentionally misusing an individual's pronouns or addressing/referring to a transgender or non-binary person by a name that they no longer use; or unwanted sexual advances, invitations, or comments;
- *Visual/written conduct* – such as derogatory and/or sexually oriented text messages, instant messages, emails, tweets, and internet postings; posters, photographs, cartoons, drawings, or gestures; or threatening, intimidating or hostile acts that relate to a protected characteristic; or
- *Physical conduct* – such as assault; leering at a person's body; unwelcome physical conduct; or impeding or blocking normal movement.

Everyone subject to this Policy is expected to act professionally and respectfully. We do not tolerate inappropriate behavior (including but not limited to conduct that violates our [Code](#)), whether or not it is unlawful, and we will take action as appropriate under the circumstances.

## SEXUAL HARASSMENT

Sexual harassment in the workplace is unlawful. NVIDIA will not tolerate any form of sexual harassment, which can occur between any individuals, regardless of sex or gender, and need not be motivated by sexual desire. By way of example, sexual harassment includes, but is not limited to:

- Unwelcome sexual advances or propositions, engaging in unwelcome conduct of a sexual nature, or making comments in the workplace regarding sex, sexual orientation, gender identity, or gender expression;
- Engaging in unwanted physical conduct, such as touching or assaulting another person, or impeding or intentionally blocking another person's movements;
- Explicitly or implicitly conditioning an employment benefit, such as a raise, promotion, or assistance with a person's career, on sexual favors;
- Threatening an adverse employment action, such as termination, demotion, or disciplinary action, for refusing a sexual favor request;
- Creating an offensive, intimidating or hostile working environment by touching another person in an inappropriate manner,

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leering, making sexual gestures, displaying sexually suggestive objects, pictures, cartoons or posters, making graphic verbal comments about a person's body, using sexually degrading words, or writing or distributing suggestive or obscene letters, notes, emails, text messages, instant messages, tweets or internet postings.

## INTERNAL COMPLAINT PROCEDURE

If you believe you have been subjected to discrimination, harassment, retaliation or any other conduct that violates this Policy, or if you have witnessed or otherwise become aware of such conduct, you must immediately bring the matter to the attention of your manager, your Human Resources Business Partner (HRBP). HRBP contact information is available on [NVINFO](#). You may also report the incident anonymously through NVIDIA's Speak-Up Line, EthicsPoint, at 1-866-295-3993 (U.S.) or [online](#).

Any manager who receives a complaint or otherwise becomes aware of any conduct that may violate this Policy must immediately report it to their HRBP, even if an employee requests that the matter not be reported or that it be kept confidential. (Note that in some countries outside of the United States, a complaining employee must consent to the escalation.)

Upon receipt of a complaint regarding conduct that may constitute a violation of this Policy, we will strive to conduct a prompt and impartial investigation. Investigations will be fair, thorough, and provide appropriate due process to all parties. All complaints will be documented and tracked. All employees and managers have a duty to cooperate in any investigation and answer questions truthfully. Failing to cooperate or deliberately providing false information during an investigation shall be grounds for disciplinary action, subject to applicable law. Information disclosed during the course of an investigation will remain confidential, except as appropriate to conduct the investigation, take remedial action, or as otherwise permitted or required by applicable law.

We will take appropriate and timely disciplinary action against any individual who violates this Policy. Disciplinary action may include training, verbal or written reprimand, or termination of employment, subject to applicable law. We will also take steps, as reasonable and necessary and consistent with applicable law, to prevent any further violations of this Policy.

## EXTERNAL REPORTING AVENUES

In addition to the Company's internal complaint procedure, U.S. employees may also file a complaint with the federal Equal Employment Opportunity Commission (EEOC) and/or the appropriate state or local agency in their jurisdiction. For example, California employees may also file a complaint with California's Civil Rights Department (CCRD). The EEOC's offices and contact information can be found at [www.eeoc.gov](http://www.eeoc.gov) and the CCRD offices and contact information can be found at <https://civildrights.ca.gov/>. Employees in jurisdictions outside California should consult the Addendum to this Policy applicable to their particular work location (if any) for important information, including regarding state and/or local agencies that receive and investigate workplace complaints of harassment, discrimination, or retaliation. Employees outside of the U.S. may file a complaint with the appropriate court, labor authority, or human rights tribunal if the employee believes that the incident is based upon any protected ground.

## RETALIATION

No individual will be subject to retaliation for good faith reporting of any potential incidents of discrimination, harassment, or retaliation, indicating an intention to report such conduct, for participating in an investigation under this Policy, or for engaging in any other activity protected under applicable law. Any such retaliation is unlawful. Persons involved in an investigation should not, either directly or indirectly, attempt to identify the complainant(s), the implicated party (or parties) or the witnesses (if any) interviewed in connection with an investigation. Any individual who believes that they have been subject to retaliation in violation of this Policy should report the conduct using the Complaint Procedure described above. Any report of retaliation will be promptly and thoroughly investigated in accordance with the Company's investigation procedures outlined above.

## TRAINING

All employees are required to participate in interactive harassment prevention training.

## COMPLIANCE | VIOLATIONS and CONSEQUENCES

A violation of this Policy may result in discipline, up to and including termination of employment or services. NVIDIA reserves the right to modify, suspend, or rescind this Policy, including the applicable Addendum, at any time, at its sole discretion, subject to applicable law.

## Questions

If you have any questions about any aspect of this Policy, please contact [erc@nvidia.com](mailto:erc@nvidia.com).