



# POLICY PROHIBITING DISCRIMINATION, HARASSMENT & RETALIATION

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## OVERVIEW

We strive to create and maintain a work environment in which people are treated with dignity, decency and respect. For that reason, we will not tolerate discrimination, harassment or retaliation of any kind by or against any employee, supervisor, coworker, independent contractor or other third party that comes into contact with employees.

Discrimination or harassment on the basis of any characteristic protected by law is strictly prohibited, including but not limited to conduct related to an individual's:

- Ancestry
- Age
- Citizenship
- Color
- Disability (physical and mental, including for example HIV and AIDS)
- Genetic information
- Gender, gender identity, or gender expression
- Marital status
- Medical condition (e.g. genetic characteristics, cancer, or a record or history of cancer)
- Military or veteran status
- National origin (including language use restrictions)
- Political activity or affiliation
- Race
- Religion or creed (including religious dress and grooming practices)
- Sex (including pregnancy, childbirth, breastfeeding and/or related medical conditions)
- Sexual orientation
- Taking or requesting statutorily protected leave
- Any other characteristic protected by federal, state or local law

## HARASSMENT

Harassment is any conduct that has the purpose or effect of creating an intimidating, hostile or offensive work environment, of unreasonably interfering with an individual's work performance, or otherwise adversely affects an individual's employment opportunities. NVIDIA's policy is broader than applicable law and prohibits conduct that may not necessarily meet the technical legal requirements of discrimination, harassment, or retaliation.

Harassment may take many forms, including but not limited to:

- Verbal conduct, such as epithets, derogatory jokes or comments, slurs, unwelcome remarks about an individual's body, color, physical characteristics, or appearance, or unwanted sexual advances, invitation, or comments;
- Visual or 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.

## SEXUAL HARASSMENT

We will not tolerate any form of sexual harassment (which includes the harassment of women by men, men by women and same-sex gender-based harassment), which, by way of example includes:

- Making unwanted sexual advances, including verbal advances, propositions or requests, and unwelcome

- 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;
- 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 a refusal of a request for a sexual favor; or
- Creating an offensive, intimidating or hostile working environment by touching another person in an inappropriate manner, 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.

## COMPLAINT PROCEDURE

If you believe you have been the victim of discrimination, harassment, including workplace harassment, retaliation or any other conduct that violates this policy, or if you have witnessed such conduct, you must immediately bring the matter to the attention of your Human Resources Business Partner (HRBP). Or, if you wish to remain anonymous, you can report the incident through our anonymous Speak-Up Line (see contact information here). Managers who become aware of discrimination, harassment, including workplace harassment, or retaliation from any source must immediately report such conduct to your HRBP, even if an employee requests that the matter not be reported or that it be kept confidential.

Upon receipt of a complaint, we will conduct a prompt, thorough and impartial investigation that is appropriate in the circumstances. All complaints will be documented and tracked. Employees and managers have a duty to cooperate in the investigation of any alleged discrimination, harassment or retaliation. In addition, failing to cooperate or deliberately providing false information during an investigation shall be grounds for disciplinary action. We will handle all complaints swiftly and confidentially to the extent possible in light of the need to conduct a thorough investigation. Information regarding an incident or complaint, including the identity of the individuals involved in the incident or complaint, will be kept confidential and will not be disclosed to the extent possible, except as necessary to conduct the investigation, impose or implement corrective action, or as otherwise required by law.

Appropriate disciplinary action will be taken in a timely manner against any individual who violates this policy. Based on the seriousness of the offense, disciplinary action may include training, verbal or written reprimand, or termination of employment. We will take steps as reasonable and necessary to prevent any further violations of this policy.

U.S. employees may also file a complaint with the federal Equal Employment Opportunity Commission (EEOC) and/or the appropriate State Agency. For example, California employees may also file a complaint with California's Department of Fair Employment and Housing (DFEH). The EEOC's offices and contact information can be found at [www.eeoc.gov](http://www.eeoc.gov) and the DFEH offices and contact information can be found at [www.dfeh.ca.gov](http://www.dfeh.ca.gov). Employees outside of the U.S. may file a complaint with the appropriate 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 making a good faith report of discrimination, harassment, or retaliation, indicating an intention to report such conduct, or for participating in an investigation under this policy. Any individual who believes he or she has been retaliated against in violation of this policy should use 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.