

This policy applies to all employees, of BNB Bank (the “Company”). We are committed to maintaining a work environment that is free from discrimination, harassment, and retaliation by any (1) employee, including any co-workers, manager or supervisor, and interns, and regardless of an employee’s immigration status; and (2) non-employee, including any contractor, vendor, customer, client, investor, agent or visitor of the Company. Towards that end, we will discipline any employee we find has violated this Policy, up to and including termination of employment, and we will take all other necessary and appropriate action to address any violation of this Policy by a non-employee.

## **1. WHAT IS DISCRIMINATION AND HARASSMENT, INCLUDING SEXUAL HARASSMENT?**

Discrimination is treating someone less favorably because of their membership in a protected class, including race, color, religion, age, sex, national origin, ancestry, alienage or citizenship status, gender identity or expression, sexual orientation, mental or physical disability or perceived disability, pregnancy, childbirth, and related medical conditions, military or veteran status, genetic information or any other characteristic protected under federal, state or local law.

Harassment is a form of discrimination and is defined as verbal or physical conduct that denigrates or shows hostility toward a person based upon that person’s membership in a protected class, and that (1) has the purpose or effect of creating a hostile work environment; (2) has the purpose or effect of interfering with the individual’s work performance; or (3) otherwise adversely affects an individual’s employment opportunities.

Discrimination and harassment can occur in one-on-one interactions or in group settings. In addition to the office or any other primary location to which you report, discrimination and harassment can also occur anywhere the job takes you, such as an off-site business meeting or at a Company-sponsored event. Discrimination and harassment can be committed by a superior, a subordinate, a coworker, or anyone in the workplace including a contractor, vendor, client, customer or visitor.

Sexual harassment is a form of prohibited employee misconduct. Sexual harassment is defined as any unwanted sexual advance, request for sexual favors, and other verbal or physical conduct of a sexual or gender-based nature when:

- Submission to such conduct or communication is either explicitly or implicitly made a term or condition of an individual's employment;
- Submission to or rejection of such conduct or communication by an individual is used as a basis for employment decisions affecting such individual (e.g., transfers, advancement, benefits); or

- Such conduct or communication has the purpose or effect of interfering with an individual's work performance or creates and/or perpetuates an intimidating, hostile, or offensive work environment.

Sexual harassment may involve hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or the status of being transgender, or sex stereotyping, which occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about individuals of a particular sex should act or look. Sexual harassment may involve individuals of the same or different gender and is prohibited whether directed toward men or women and regardless of whether the targeted individual accepts or rejects the advances or other offensive behavior. A pattern of incidents can constitute sexual harassment even if one of the incidents considered on its own would not be harassing.

While it is not possible to list all of the circumstances which would constitute harassment, including sexual harassment, the following are some examples of behavior that could constitute harassment, including sexual harassment:

- Verbal: Epithets; derogatory comments, slurs, or name-calling; sexually explicit, suggestive, or degrading words to describe an individual; sexually explicit jokes, comments, noises, or remarks; racial or ethnic slurs; asking for sexual favors; repeated requests for dates; threats, propositions, unwelcome and unwanted correspondence, phone calls and gifts, or other unwelcome attention.
- Physical: Assault, impeding or blocking movement, any physical interference with normal work or movement when directed at an individual; unwanted and unwarranted physical contact, such as kissing, hugging, touching, pinching, patting, grabbing, brushing against, or poking another employee's body.
- Visual: Derogatory or offensive posters, cartoons, or drawings; displaying sexual pictures, writings or objects; obscene letters or invitations; staring at or directing attention to an employee's anatomy; leering; sexually oriented or suggestive gestures.
- Cyber: Using electronic communication, such as e-mail, instant messaging (IM), chat, or messages posted to a website, blog, social media platform (i.e. Facebook, Instagram, etc.) or discussion group or any other form of electronic communication that may be used to engage in visual or verbal harassment of another employee.

The examples listed above are not meant to be a complete list of objectionable behavior. Make a point of paying attention to others' reactions and stated requests and preferences, respecting their wishes and treating them in a professional manner, regardless of gender, race, nationality, or any other protected characteristic.

**2. WHAT SHOULD I DO IF I BELIEVE I HAVE EXPERIENCED OR WITNESSED DISCRIMINATION OR HARASSMENT, INCLUDING SEXUAL HARASSMENT, IN THE WORKPLACE?**

Speak up! We are determined to resolve possible instances of discrimination and harassment as quickly and as effectively as possible while ensuring due process for all involved parties. The Company cannot resolve possible instances unless it is aware. If you believe a co-worker, supervisor, vendor, contractor, customer, visitor or other agent of the Company is discriminating against or harassing you, or if you witness such discrimination or harassment or otherwise become aware of the same, we strongly encourage you to speak up.

First, if, and only if you are comfortable doing so, tell the person you believe is discriminating against or harassing you or someone else that his or her behavior or actions are inappropriate or unwelcome and to stop. The individual may not realize that his or her behavior is offensive and a simple communication may effectively end the behavior. This step is optional; it is **not** required.

If you choose to skip this step, or if your communication does not resolve the issue, the Bank strongly encourages you to immediately report the conduct to your supervisor, senior officer, or to the Human Resources Management team. Complaints may be made verbally and/or in writing, including by using the Complaint Form appended to this Policy. Confidential, anonymous submissions of employee and non-employee concerns regarding potential discrimination or any form of harassment, sexual or otherwise, can also be filed by calling our Ethics Hotline at 844-490-0002 or visiting [www.lighthouse-services.com/bnbbank](http://www.lighthouse-services.com/bnbbank)

Any manager or supervisor who witnesses or otherwise becomes aware of an incident of discrimination or harassment **must** immediately report it to the Human Resources Management team. Managers and other supervisory personnel who fail to report such conduct will be subject to discipline, up to and including termination.

Harassment and discrimination (and, as explained further below, retaliation) are not only prohibited by the Company, they are also prohibited by state, federal, and local law, as applicable, and may subject the offending individual to personal liability under certain circumstances. While we encourage you to utilize our internal complaint procedure, you may choose to contact a federal, state, or where applicable, a local enforcement agency. We have included at the end of this Policy the contact information of applicable enforcement agencies. Legal remedies for victims of harassment, discrimination and retaliation may include reinstatement, compensatory and punitive damages, costs and attorneys' fees. You may also be able to pursue relief through judicial forums such as the courts in your state.

### **3. WILL THE COMPANY INVESTIGATE MY COMPLAINT?**

Yes. We will investigate all complaints of discrimination and harassment in a timely, fair, and thorough manner, and we expect all employees to cooperate fully in any investigation. We will investigate complaints of discrimination and harassment as quickly, discreetly and confidentially as possible while ensuring due process for all parties involved. This may include taking any necessary interim actions (e.g. instructing the person about whom the report was made to cease communicating with the reporting employee), reviewing relevant documents and interviewing the complainant, the person subject to the complaint, and any other witness that we determine may assist the investigation. At the conclusion of the investigation, we will follow up with the individual who made the complaint and the individual about whom the complaint was made.

We do not tolerate discrimination and harassment, including sexual harassment, in the workplace, which means that if we find that any employee has engaged in discrimination or harassment, and in the case of an employee with managerial or supervisory responsibilities, if he or she knowingly allowed such conduct to occur and/or failed to report such conduct, we will take disciplinary action against such employee, up to and including termination of employment.

### **4. DOES THE COMPANY PROTECT ME AGAINST RETALIATION?**

Yes. We will not tolerate retaliation against an employee who (1) complains of discrimination or harassment (including sexual harassment), (2) encourages another individual to do the same, or (3) testifies or assists in any proceeding under the law. Retaliation can be any work or non-work-related adverse action that would discourage an employee from coming forward to make or support a claim of discrimination or harassment or from encouraging another individual to do the same.

If you believe you have experienced or witnessed retaliation, you should immediately report the conduct to your supervisor, senior officer, or to the Human Resources Management team. Supervisors who have witnessed or otherwise become aware of such conduct **must** immediately report the conduct to the Human Resources Management team. The Company will investigate complaints of retaliation consistent with the investigation procedures above.

The Company will not tolerate retaliation in the workplace, which means that if we find that any employee has engaged in retaliation, and in the case of an employee with managerial or supervisory responsibilities, if her or she knowingly allowed such conduct to occur and/or failed to report such conduct, we will take disciplinary action against such individual, up to and including termination of employment.

Further, we recognize that false accusations may have serious effects on innocent persons. Please note therefore, that while the protection against retaliation will apply where an employee makes a good faith complaint of discrimination and harassment (even if the conduct complained of does not ultimately rise to the level which violates the law), the protection against retaliation does *not* apply where, after the investigation, it is clear that a person intentionally made a false accusation. Where we determine that an employee made an intentionally false accusation, we will subject the employee to appropriate discipline, up to and including termination of employment.

\* \* \* \* \*

## **Enforcement Agencies**

### **U.S. Equal Employment Opportunity Commission**

The U.S. Equal Employment Opportunity Commission has district, area, and field offices where complaints can be filed. You can contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

### **New York State**

New York State Division of Human Rights  
One Fordham Plaza, 4th Floor  
New York, NY 10458  
Phone: 718-741-8400  
Fax: 718-741-3214  
TTY: 718-741-8304  
Website: <http://www.dhr.state.ny.us>

### **New York City**

New York City Commission on Human Rights  
22 Reade Street  
New York, NY 10017  
Phone: 212-306-7500  
Fax: 212-306-7414  
Website: <http://www.nyc.gov/html/cchr/>

