

Harassment and Non-Discrimination EP.008.rev12 (01.20)

Introduction

Every Home Depot associate has the right to work in an environment that is free of discrimination and harassment. In order for such an environment to exist, each of us must play a role. Management must take a proactive role in setting and enforcing appropriate standards of behavior, and all associates must behave in accordance with those standards.

Policy

Home Depot is committed to ensuring that associates work in an environment of mutual respect that is free of harassment and discrimination. Home Depot prohibits discrimination or harassment on the basis of race, religion, creed, color, national origin, ancestry, citizenship status, disability (including actual or perceived physical or mental disability), medical condition, pregnancy or perceived pregnancy, genetic information, marital status, sex, gender, gender identity, gender expression, transgender status, age, sexual orientation, reproductive health decision-making, military and veteran status, or any other basis prohibited under applicable law in employment decisions regarding hiring, training, pay, promotion, job assignments, discipline, or any other terms and conditions of employment. Home Depot prohibits such harassment and discrimination by managers, supervisors, co-workers and third parties.

Any manager, supervisor, and/or associate will be disciplined appropriately, up to and including termination (in accordance with the No Retaliation SOP and the Home Depot Standards of Performance and discipline policies), if he/she:

- violates the non-discrimination or harassment policy; or
- retaliates in any form against an associate who makes a complaint, participates in an investigation, or otherwise opposes discrimination or harassment, including through the use of the Company's Open Door policy.

This policy applies to all associates, applicants for employment, vendors, contractors, and persons conducting business with Home Depot.

Equal Employment Opportunity and Non-Discrimination

The Home Depot is an equal employment opportunity employer that encourages advancement of all associates. The Company does not discriminate on the basis of any protected characteristic in regard to:

- advertisement
- recruitment
- hiring
- job assignment

- transfers
- promotions
- pay
- training
- discipline
- termination
- Company-sponsored events; or
- other terms and conditions of employment.

Such decisions are made on the basis of business needs and job-related qualifications.

Pay Transparency Nondiscrimination Provision

Home Depot will not discharge or in any other manner discriminate against associates or applicants because they have inquired about, discussed, or disclosed their own pay rate or the pay rate of another associate or applicant. However, associates who have access to the compensation information of other associates or applicants as a part of their essential job functions cannot disclose the pay rate of other associates or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is: (a) in response to a formal complaint or charge; (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the Company; or (c) consistent with the Company's legal duty to furnish information.

Reasonable Accommodation of Disabilities

Home Depot does not discriminate against individuals with disabilities – **see Reasonable Accommodation SOP**. Any associate with a disability can begin or continue employment as long as the associate:

- can perform the essential job functions of the job, either with or without reasonable accommodation; and
- poses no serious health risk to others or themselves.

Reproductive Health Decision-Making

Home Depot will not access personal information about an associate's (or their dependents') reproductive health decisions (i.e., the decision to use or access a particular drug, device or medical service), unless it receives prior, informed written consent. Home Depot will not require an associate to sign a waiver to deny the associate the right to make their own reproductive health decisions.

Sexual and Other Forms of Harassment

Sexual harassment, and harassment based on any other protected characteristic, is both violation of Company policy and unlawful under federal, state, and (where applicable) local law. Harassment and abusive conduct can be verbal, non-verbal, or physical.

Examples of conduct that could be perceived as harassment include, but are not limited to:

- Verbal harassment (e.g., epithets, derogatory comments or slurs)
- Physical harassment (e.g., assault, impeding or blocking movement, or any physical interference with normal work or movement, when directed at an individual)
- Visual forms of harassment (e.g., derogatory posters, cartoons, or drawings, or inappropriate messages or photographs sent via text message, email, or any other means)
- Sexual favors (e.g., unwanted sexual advances, or the conditioning of an employment benefit upon an exchange of sexual favors)
- Threats or intimidation
- Scheduling in a punitive manner.

Home Depot does not tolerate harassment of any kind on the basis of race, color, religion, creed, national origin, ancestry, citizenship status, disability (including actual or perceived physical or mental disability), medical condition, pregnancy or perceived pregnancy, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, military and veteran status, or any other basis prohibited under applicable law.

Home Depot defines sexual harassment as any unwelcome or unsolicited behavior of a sexual nature that denies an associate the right to a non-offensive work atmosphere.

Sexual harassment includes a range of subtle and not-so-subtle behaviors, such as:

- telling sexually explicit jokes or stories or using vulgar or derogatory language, whether face-to-face or via phone, text message, email, or other form of communication;
- requests or demands for sexual favors;
- other unwelcome verbal, physical, or non-verbal conduct of a sexual nature or with sexual overtones, such as hugging, kissing, touching, or standing too close, intentionally brushing up against another's body, whistling, staring, or displaying or sending sexually explicit material, such as cartoons, photographs, videos or pictures;
- promising (directly or by implication) a promotion, wage increase, special treatment, etc., in exchange for sexual favors; and
- threatening (directly or by implication) an associate with termination or adverse treatment if he/she does not submit to a sexual act or acts.

Any associate, including managers and supervisors, who engages in harassment of a co-employee may be personally liable for the harassment.

Procedure for Reporting Discrimination or Harassment: What to Do/Who to Contact

The Company cannot address a problem if it does not know that a problem exists. It is important that associates promptly come forward to report any discriminatory, harassing, and/or disrespectful behavior.

If an associate...	Then the associate should...
Believes he or she is the victim of discrimination or is being harassed or exposed to conduct that is offensive.	Tell the person to stop the conduct immediately and contact a member of management.
Does not feel comfortable confronting the other party involved or discussing the problem with a particular manager.	Contact the Store Manager, District Manager, District Human Resource Manager, Territory Associate Relations Manager, Senior Director of Human Resources for the division or the non-store equivalent.
Wants to report harassment or discrimination but wants to remain anonymous.	Call the Aware Line at 1-800-286-4909 to report harassment or discrimination.

Investigation of Discrimination/Harassment Complaints

All complaints of alleged harassment or discrimination will be promptly and thoroughly investigated by Home Depot. All such complaints are to be:

- responded to in a timely manner;
- carefully investigated in an impartial and timely manner by qualified Human Resources personnel;
- kept confidential by Home Depot, to the extent possible, and discussed only with those who have a need to know;
- documented and tracked, showing reasonable progress of the investigation;
- addressed with appropriate options for remedial action and resolutions; and,
- closed in a timely manner.

When The Home Depot receives an allegation of harassment, discrimination and/or disrespectful behavior, it will conduct a fair, timely, and thorough investigation that provides all parties an opportunity to respond to the allegations in the complaint and reaches reasonable conclusions based on the evidence collected. All persons involved,

including the complainant, witnesses, and the subject of the complaint, will be accorded due process, as outlined below, to ensure a fair and impartial investigation.

The Company's investigation of discrimination or harassment complaints will include the following steps:

- Immediate review of complaint allegations, and the taking of any necessary interim actions (e.g., temporary leave of absence), as appropriate;
- Preservation and review of all relevant documents, emails, phone records, and other pertinent information;
- Interviews of all parties involved, including any relevant witnesses;
- Written documentation of the investigation;
- Prompt notification to the individual who complained and the subject of the complaint when the investigation is completed; and
- The implementation of any necessary corrective actions.

Retaliation against individuals who complain of harassment or discrimination, or who participate in an investigation of such complaints, is prohibited under federal, state, and (where applicable) local law, and violates Home Depot's No Retaliation Policy. Home Depot will not retaliate against any associate who opposes unlawful employment practices or who, in good faith, makes a complaint with the Company or any anti-discrimination agency, or participates in an investigation of such a complaint.

At the end of any investigation, if misconduct is found, appropriate remedial measures shall be taken. The individual who complained of discrimination or harassment will be notified when the investigation is completed.

State Exceptions

Some states have additional requirements. To obtain a detailed list of the state exceptions, click [here](#) for the Harassment and Non-Discrimination – State Specific Addendum.

State
Maine
Massachusetts
New York
Oregon
Rhode Island
Vermont
Washington

When Managers/Supervisors Fail to Comply with These Requirements

If a manager receives a complaint or otherwise becomes aware of or even suspects a violation of the Company's harassment and non-discrimination policy, that manager must consult promptly with a member of Human Resources management for a proposed course of action. Anyone who condones harassment and/or discrimination, and/or fails to take appropriate action, is violating the Home Depot's harassment and non-discrimination policy.

These requirements must be followed. Managers/supervisors who deviate from the requirements are subject to discipline, up to and including termination.

Exceptions to this SOP must be approved by the SDHR for US retail stores, the HRVP of non-store locations and stores outside the US, or the business unit equivalent.

Resources and References

No Retaliation HR SOP
Harassment and Non-Discrimination – State Specific Addendum
Reasonable Accommodation HR SOP
Standards of Performance

If you would like a copy of this policy in another language, please contact your Store or Facility Manager.

This SOP does not create a contract between the Home Depot and any of its associates. The Home Depot is free to change the terms of this SOP unilaterally at any time with or without notice.

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