



Discrimination and Harassment Free Workplace Policy

Executive Summary

PURPOSE

It is Digimarc's policy and goal to maintain a healthy and positive work environment free from harassment and discrimination for all of its employees. Harassment and discrimination of any sort, for any reason, including verbal, physical, and visual conduct that may interfere with an employee's work performance or that is intimidating, hostile, or offensive, will not be tolerated. This conduct is not permitted by employees or volunteers.

It is the responsibility of all Digimarc employees to maintain a work environment free of harassment and discrimination and to report such incidents to Human Resources, or if you are not comfortable discussing the incident with Human Resources, then to your manager or an officer of Digimarc identified in Paragraph 3 of this policy. Further, Digimarc asks employees to document incidents of harassment or discrimination that either the employee witnesses or experiences directly to share with Human Resources or the manager who receives the report. The work environment includes any Digimarc sponsored events at other locations. Supervisors and officers of Digimarc shall take immediate and appropriate measures to investigate and respond to all known, reported instances of harassment by any employee and to deter such future conduct. Digimarc's Harassment and Discrimination Free Workplace Policy is intended to protect employees from harassment by employees, members, volunteers, vendors, and others doing business with Digimarc at both Digimarc locations and Digimarc sponsored events.

Prohibited Conduct

Harassment of an employee for any reason is prohibited. Harassment and discrimination of an employee because of his or her race, color, national origin, familial status, religion, sex, sexual orientation, gender identity, age, marital status, former or current service member status, or disability is unlawful and absolutely prohibited at Digimarc. Harassment can take on many forms, and includes, but is not limited to, offensive words, slurs, epithets, derogatory or abusive language, jokes, pranks, negative stereotyping, abusive written or graphic material, including emails and messages, threatening, intimidating, or hostile acts, or physical contact that denigrates or shows hostility toward an employee. The following are some examples of conduct that have been found to be unlawful harassment or discrimination:

- **Verbal Harassment:** Verbal abuse, including derogatory or offensive language, slurs or jokes directed at, or made in the presence of, another employee based on race, sex, color, age, religion, sexual orientation, gender identity, national origin, or other traits.
- **Sexual Harassment:** This includes conduct in the workplace that is unwelcome, including unwelcome sexual advances, requests for sexual favors, or any other verbal or physical contact of a sexual nature (a) that prevents an individual from effectively performing the duties of his/her



position; (b) that creates an intimidating, hostile, or offensive working environment; or (c) when such conduct is made a condition of employment or compensation, either implicitly or explicitly. Conduct is unwelcome if it is not solicited or initiated by the subjected employee or if such employee regards the conduct as undesirable or offensive.

- Nonsexual, Gender-Based, Sexual Orientation or Gender Identity Harassment: Conduct that is nonsexual in nature, consisting of nonsexual written, verbal, or physical conduct that denigrates or shows hostility toward an employee because of an employee's gender, is prohibited. Conduct that denigrates or that is hostile or offensive toward an employee because of an employee's sexual orientation or gender identity is prohibited.
- Racial Harassment/Other: Any conduct that is hostile, offensive, and unwelcome or denigrates another employee because of race or other protected trait by law is prohibited.

Reporting Procedure

Any employee who is subject to, witnesses, or becomes aware of any act of harassment or discrimination should immediately report it to Digimarc's Human Resources. If you are uncomfortable reporting to Digimarc's Human Resources, you may go to your immediate manager or an officer of Digimarc directly to report such prohibited conduct.

All employees should note that failure to use Digimarc's complaint procedure may result in the defeat of any harassment claim if litigated.

No Retaliation for Participation

Digimarc shall endeavor to handle all reported complaints of harassment and discrimination directly and with due regard for the privacy of everyone involved. No adverse retaliatory employment action shall be taken against any employee making a good faith report of alleged harassment or against any individual who assisted or participated in the investigation or subsequent proceedings. If an employee feels that she/he has been a victim of retaliation under this policy, the employee must notify Digimarc's Human Resources as soon as possible. Digimarc shall take immediate effective action to stop reported and known instances of harassment or discrimination. Under Oregon law, employees have up to five (5) years from the date of incident or conduct that is unlawful under ORS 659A.030, 659A.082 or 659A.112 to file a lawsuit. However, other states and other applicable Oregon laws for different types of prohibited conduct have a shorter time frame for filing a lawsuit. Under Title VII, an employee must file a claim with the Equal Employment Opportunity Commission (EEOC) within 180 days (there are some exceptions) or State of Oregon Bureau of Labor and Industry (BOLI) within 365 days of the incident.

Remedial Action

After thorough investigation of a complaint, Digimarc shall, in its discretion, take appropriate measures that are calculated to end the harassment or discrimination if found to have occurred, including discipline of the person(s) engaged in harassing or discriminatory conduct, communication to and/or training of all its employees about Digimarc's harassment free and anti-discrimination policies, and/or re-issuance of its Harassment and Discrimination Free Workplace Policy to all its employees.



Reaffirmation of Policy

Although Digimarc cannot eliminate all forms of unconscious bias or prejudices of its employees, it will take reasonable measures to control or eliminate the overt expression of those prejudices in the work environment of which it is aware. Digimarc intends to provide a work environment that is pleasant, healthful, and free from intimidation, hostility, or offenses for all its employees.

Restrictions on Agreements

Digimarc cannot require a nondisclosure, nondisparagement, or a no rehire agreement from any complainant related to a complaint made under Oregon's Workplace Fairness Act. A nondisclosure agreement is any agreement by which one or more parties agree not to discuss or disclose information regarding the any complaint of work-related harassment, discrimination, or sexual assault. However, an employee may voluntarily agree to enter into a nondisclosure, nondisparagement, or no rehire agreement related to a complaint under this policy or Oregon's Workplace Fairness Act but such agreement must provide a seven day revocation period. A nondisclosure agreement is an agreement by which one or more parties agrees not to disclose information regarding any complaint of work-related harassment, discrimination, or sexual assault. A nondisparagement agreement is any agreement by which one or more parties agree to not discredit or make negative or disparaging written or oral statements about the other party. A no rehire agreement is an agreement that prohibits an employee from seeking reemployment with the employer and allows the employer to not rehire that individual in the future.

Harassment and discrimination of any sort shall not be tolerated at Digimarc.