

# EQUAL EMPLOYMENT OPPORTUNITY AND NON-DISCRIMINATION POLICY

Revised August 2022

## 1. Policy Statement

Ropes & Gray is committed to a policy of equal employment opportunity in all its employment practices and thus reaffirms that there shall be no discrimination against any individual working at the firm, employee or applicant for employment, on grounds of race, color, religion, sex, pregnancy or pregnancy-related condition, sexual orientation, gender identity or expression, genetic information, national origin, ancestry, age, disability, marital status, veteran status, natural or protective hairstyles (which includes braids, locks, twists and Bantu knots, among others) or any other factor prohibited by applicable law. This policy extends to recruiting, hiring, training, compensation, benefits, overtime, job classification, assignment, working conditions, promotions, transfers, termination, reemployment, firm-sponsored training, education, social and recreation programs, employee treatment, and all other terms, conditions and privileges of employment. All employment decisions are to be made on a non-discriminatory basis so as to further the principle of equal employment opportunity.

The firm as a matter of policy also is committed to providing a workplace that is professional and therefore free from unwelcome sexual conduct, sexually-charged conduct, and/or hostile or inappropriate conduct based on an individual's race, color, religion, sex, pregnancy or pregnancy-related condition, sexual orientation, gender identity or expression, genetic information, marital status, national origin, ancestry, age, disability, natural or protective hairstyles (which includes braids, locks, twists and Bantu knots, among others) or veteran status, even when such conduct may not be unlawful. These expectations are reflected in the firm's [Standards of Conduct Policy](#).

## 2. Applicability

This policy applies to all personnel. Determinations of what constitutes "discrimination" and/or "harassment" in the firm's non-U.S. offices and outside of the U.S. may be based on local law. Personnel working outside of the U.S. also are expected to comply with relevant local office policies.

## 3. Management Responsibility

Managers, supervisors, and others in authority at the firm shall familiarize themselves with this policy, and the [Policy Against Sexual Harassment & Other Forms of Unlawful Harassment](#); be aware of actions that constitute unlawful discrimination and/or harassment; and demonstrate unwillingness to tolerate such actions. It is imperative that managers and others in authority take all complaints or concerns of alleged or possible unlawful discrimination or harassment seriously, no matter who is involved, and take the prescribed steps so that these concerns are addressed promptly,

appropriately, and effectively to ensure that any offending actions cease, with guidance from individuals designated to handle such matters. All managers, supervisors, and others in authority are required to report unlawful harassment in all instances to the Chief Human Resources Officer and/or the Assistant GC/Employment in the Office of General Counsel. Such reports must be made even if the manager, supervisor, or others in authority learned of the matter from someone who requested confidentiality.

Managers, supervisors, and others in authority who have any questions or concerns about their responsibilities under this Policy should contact the Chief Human Resources Officer and/or the Assistant GC/Employment in the Office of General Counsel.

#### **4. Sexual Orientation and Gender Identity Definitions**

**For purposes of this policy:**

##### **Gender identity**

The term “gender identity,” distinct from the term “sexual orientation,” refers to the actual or perceived appearance, expression, identity or behavior of a person as being male, female, or nonbinary, whether or not that appearance, expression, identity or behavior is different from that traditionally associated with the person’s designated sex at birth.” (e.g., what sex was originally listed on a person’s birth certificate).

##### **Gender expression**

Gender expression is a person’s gender-related appearance or behavior, or perception of the same, whether or not stereotypically associated with the person’s sex assigned at birth. This refers to all of the external characteristics and behaviors that are socially defined as either masculine or feminine, such as dress, grooming, mannerisms, speech patterns and social interactions. Social or cultural norms can vary widely and some characteristics that may be accepted as masculine, feminine or neutral in one culture may not be assessed similarly in another.

##### **Sexual Orientation**

“Sexual orientation” refers to an individual’s sexual, romantic and/or emotional attraction to any gender.

#### **5. Equal Employment Opportunity and Requests for Accommodations**

In order to carry out this policy, the firm encourages and welcomes qualified candidates for employment from groups that have historically been subjected to discriminatory employment practices in our society and in the legal profession, and has endeavored to assure that its employment policies and practices are administered in a manner that is entirely free from discrimination.

For more information on reasonable accommodations related to disability or pregnancy and pregnancy-related conditions, please review the [Disability Accommodation](#) policy. For the official guidance of the Massachusetts Commission Against Discrimination concerning the Pregnant

Workers Fairness Act, click [here](#). For requests for reasonable accommodations related to religion, please contact your Human Resources business partner or the Chief Human Resources Officer.

## 6. Genetic Information

Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA) protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, employee benefits, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes:

- Information about genetic tests of applicants, employees, or their family members.
- The manifestation of diseases or disorders in family members (family medical history).
- Requests for or receipt of genetic services by applicants, employees, or their family members.

## 7. Unlawful Discrimination

Unlawful discrimination is unacceptable not only in our offices but also in other work-related settings such as business trips, court appearances and business-related social events (including at client offices or functions or offsite). Such behavior is unacceptable whether engaged in by firm personnel, clients, other attorneys, court personnel or others who conduct business with the firm, including vendors. The firm encourages reporting of all incidents of unlawful discrimination regardless of who the offender may be or where the incident occurred.

### Protection from Retaliation

It is also a violation of firm policy and unlawful to retaliate against an individual for making or filing in good faith a complaint of unlawful discrimination or for cooperating in an investigation of a discrimination complaint. Any unlawful retaliatory action, including intimidation, threats or coercion, taken against a person because the person complains in good faith of unlawful discrimination or assists in an investigation of unlawful discrimination will also result in disciplinary action up to and including termination.

### Reporting Discrimination

If an employee believes that they have been subjected to unlawful discrimination, the employee is urged to report/discuss the matter promptly with his, her, or their supervisor or supervising attorney, the Chief Human Resources Officer, his, her, or their HR business partner, or a member of the Ombuds Committee. Concerns also may be reported to the firm via the [ConcernLine](#) (which allows anonymous reporting). **Please note:** Depending on the situation and the facts provided, when complaints are made anonymously, insufficient detail may impede the investigation.

Anyone who knows or has reason to believe that another person is or has been subjected to unlawful discrimination or harassment is urged to report the matter promptly as explained in the above paragraph.

## **Discrimination Reporting Requirements for Supervisory Personnel**

All managers, supervisors, and others in authority are required to report all instances of unlawful discrimination to the Chief Human Resources Officer or the Assistant GC/Employment in the Office of General Counsel.

### **Internal Investigation**

All reported matters concerning alleged unlawful discrimination will be reviewed and/or investigated as appropriate in a timely and thorough manner by personnel designated by the firm and steps will be taken as appropriate to remedy the situation. All individuals contacted by the investigator are required to participate fully and honestly in the investigation. Failure to do so may result in disciplinary action, up to and including termination of their relationship with the firm. When the investigation is complete, the Human Resources Department will, to the extent appropriate, inform the person filing the complaint, the person alleged to be the subject of the conduct, if different, and the person alleged to have committed the conduct, of the results of the investigation.

Anyone who unlawfully discriminates against another person or engages in any other form of unlawful discrimination will be subject to disciplinary action up to and including termination of his, her, or their relationship with the firm.

### **Confidentiality**

All inquiries, complaints and investigations are treated confidentially to the extent possible. Information is revealed strictly on a need-to-know basis. In order to investigate a complaint, the identity of the complainant and/or the nature of the complaint may be revealed to the individual being complained about and witnesses. The Chief Human Resources Officer will take adequate steps to ensure that the complainant and witnesses are protected from retaliation. All information pertaining to an unlawful discrimination concern or investigation is maintained by the Chief Human Resources Officer in secure files.

### **Policy Administration**

The Chief Human Resources Officer has general responsibility for implementation of this policy and equal employment opportunity practices, in consultation with the firm's Diversity Committee, as necessary. Anyone who would like further information concerning this policy should contact the Chief Human Resources Officer. This policy will be included in the firm's annual policy acknowledgement requiring review and e-signature confirming review and compliance by all personnel.

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### ***Contact Information for Massachusetts Only***

Anyone working for the firm in Massachusetts who believes that they have been subjected to sexual harassment or another form of unlawful harassment may also contact the United States Equal Employment Opportunity Commission, Boston Area Office, John F. Kennedy Federal Building, Government Center, Room 475, Boston, MA 02203, or the Massachusetts Commission Against Discrimination, One Ashburton Place, Sixth Floor, Boston, MA 02108.

***Contact Information for California Only***

A complaint must be filed with the Department of Fair Employment and Housing within one year from the last act of discrimination. The law provides for administrative fines and for remedies for individuals which may include hiring, back pay, promotion, reinstatement, a cease and desist order, punitive damages and damages for emotional distress. Anyone working for the firm in California who believes that they have been subjected to sexual harassment or another form of unlawful harassment sexual harassment may also contact the United States Equal Employment Opportunity Commission, 450 Golden Gate Avenue San Francisco, CA 94102 or the California Department of Fair Employment and Housing, 2218 Kausen Drive, Suite 100, Elk Grove, CA 95758.

***Contact Information for Illinois Only***

Anyone working for the firm in Illinois who believes that they have been subjected to sexual harassment or another form of unlawful harassment may also contact the United States Equal Employment Opportunity Commission at 500 West Madison Street, Suite 2000 Chicago, Illinois 60661, or the Illinois Human Rights Commission, 100 W. Randolph Street, Suite 5-100, Chicago, IL 60601.

***Contact Information for New York Only***

Anyone working for the firm in New York who believes that they have been subjected to sexual harassment or another form of unlawful harassment may also contact the United States Equal Employment Opportunity Commission, New York District Office, 33 Whitehall Street, 5th Floor, New York, NY 10004 or the New York State Division of Human Rights, One Fordham Plaza, 4th Floor, Bronx, New York 10458.

***Contact Information for Washington, DC Only***

Anyone working for the firm in Washington, DC who believes that they have been subjected to sexual harassment or another form of unlawful harassment may also contact the United States Equal Employment Opportunity Commission, 131 M Street, N.E., Fourth Floor, Suite 4NWO2F, Washington, DC 20507-0100, or the Office of Human Rights, 441 4th Street N.W., Suite 570 North, Washington, DC 20001.

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Violation of this policy may result in corrective action or other consequences, up to and including termination of an individual's employment or relationship with the firm. The firm reserves the right to modify, revoke, suspend, terminate, or change any and all policies and procedures at any time, with or without notice.

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<b>Policy Section:</b>	Ropes & Gray Policy Manual
<b>Approved By:</b>	Erica Murphy
<b>FileSite Name &amp; Number:</b>	66168719_10
<b>FileSite Policy Owner:</b>	Support Team HR; Erica Murphy
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