

**EASTMAN KODAK COMPANY**  
**EQUAL OPPORTUNITY EMPLOYMENT POLICY (EOE)**

**GLOBAL POLICY STATEMENT ON FAIR TREATMENT OF EMPLOYEES**

This statement applies to all Kodak employees and all employees of wholly-owned subsidiaries, around the world, consistent with local laws and regulations. In addition, Kodak requires strict adherence to the relevant anti-discrimination laws for each country and labor agreements in force.

Each employee is entitled to be treated with dignity and respect by supervisors and by other employees. The company's policy prohibits harassment or intimidation because of race, color, religion, sex, sexual orientation, disability, age, retaliation or other legally protected characteristic. Retaliation of any kind is considered a violation of this policy. In all instances, local laws and regulations take precedent.

For non-US countries, further information on relevant local policies is available through Human Resources.

**EQUAL OPPORTUNITY EMPLOYMENT POLICY**

**1.1. Equal Opportunity**

Eastman Kodak Company (Kodak) is committed to providing a work environment that is free from unlawful discrimination and harassment in any form. It is Kodak's policy to comply with all applicable laws that provide equal opportunity in employment for all persons and to prohibit unlawful discrimination in employment. Kodak's policy is not to discriminate by reason of race, color, religion (including religious dress and grooming practices), sexual orientation, gender, gender identity, gender expression, marital status, pregnancy (including childbirth, breastfeeding and related medical conditions), genetic characteristics or information, citizenship status, national origin, ancestry, age, physical or mental disability, medical condition, military or veteran status, or other characteristics protected by federal, state and/or local law. In addition, in each country in which it operates, Kodak will comply with all applicable laws prohibiting employment discrimination based on any other factor.

Kodak will make reasonable accommodations for qualified individuals with disabilities unless doing so would result in an undue hardship. Persons with disabilities who are in need of accommodation are encouraged to discuss their needs with their Manager, Human Resources, or Kodak Medical Services.

This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training.

**1.2. Policy Against Unlawful Discrimination/Harassment and Other Inappropriate or Unprofessional Conduct**

This policy applies to all employees, officers, directors, applicants for employment, contractors and persons conducting business with Kodak, regardless of immigration status. In the remainder of this policy, the term "employees" refers to this collective group.

**1.2.1 Work Environment**

Kodak insists that all individuals be treated with respect and dignity. Each individual should be able to work in a professional atmosphere that promotes teamwork and attainment of Kodak's goals. Improper interference with the ability of Kodak's employees to perform their expected job duties is unacceptable and unprofessional. Kodak expressly prohibits any form of unlawful discrimination,

unlawful harassment, and any other inappropriate or unprofessional conduct and will not tolerate, condone, or allow such conduct by fellow employees, supervisors, managers, customers, vendors, contractors, visitors, or others who conduct Kodak business. Kodak's "work environment" extends

to all Kodak facilities and any setting outside the workplace where individuals who work with or for Kodak are gathered, such as business trips, customer-site visits, conferences, and social events.

### **1.2.2 Sexual Harassment**

The purpose of this policy statement on sexual harassment is to establish clearly and unequivocally that Kodak prohibits sexual harassment by and of its employees. No employee should be subjected to unsolicited or unwelcome sexual advances or conduct either verbal or physical.

"Sexual harassment" has been defined by certain government agencies and courts as harassment based on sex or of a sexual nature; gender harassment, and harassment based on pregnancy, childbirth, or related medical conditions, sexual orientation, gender identity, self-identified or perceived sex or gender expression, and includes all unwelcome sexual advances, requests for sexual favors, and all other verbal or physical conduct of a sexual nature when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of employment
- b. Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individual (e.g., hiring, promotion, continued employment.); or
- c. Such conduct is sufficiently severe or pervasive to alter the conditions of employment and to create a hostile or abusive working environment.

Sexual harassment may take many forms, including, but not limited to: offering employment benefits in exchange for sexual favors; threats or demands that an employee submit to sexual requests in order to keep his or her job or avoid some other loss; making or threatening reprisals after a negative response to sexual advances; verbal teasing or abuse of a sexual nature; inquiries about sexual activities, sexual orientation and gender identity; subtle pressure or abuse of a sexual nature; inappropriate, unwelcome and unnecessary touching of an individual, for example, grabbing, patting, pinching, hugging, repeatedly brushing against another employee's body or impeding the movement of another person; offensive sexual flirtation, advances, or propositioning, including suggestive looks, leering or making sexual gestures; sexually graphic or derogatory verbal commentaries, slurs or jokes made in any medium; sexually graphic or degrading words used to describe an individual; suggestive or obscene letters, notes or invitations; sex stereotyping such as when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look; or the offensive display in the workplace of sexual or pornographic objects, pictures or writings. Sexual desire is not necessary.

### **1.2.3. Racial/Ethnic Discrimination and Harassment**

The purpose of this policy statement on racial/ethnic discrimination and harassment is to establish clearly and unequivocally that Kodak prohibits racial and ethnic discrimination, including racial/ethnic harassment, by and of its employees. No employee, regardless of race or ethnicity, should be subjected to racially or ethnically offensive, hostile, or intimidating conduct either verbal or physical.

Conduct with racial or ethnic content or overtones, which is severe, pervasive or persistent, may be considered racial/ethnic harassment. Racial/ethnic harassment may take many forms,

including, but not limited to: menacing behavior, words, or symbols directed at persons of a particular race or ethnicity; displaying, distributing or otherwise communicating anything offensive in any medium which focuses on race or ethnicity; making critical or mocking comments about racial or ethnic characteristics, such as voice, accent, physical features, hair texture, or manner of dress; perpetuating or promoting racial/ethnic stereotypes, such as assumptions about likes and dislikes based on race or ethnicity; assigning persons to an isolated or separate work area based on their race or ethnicity; basing overtime assignments on race or ethnicity.

#### **1.2.4. Other Illegal Harassment**

In addition to sexual, racial, and ethnic harassment, Kodak recognizes that other forms of unlawful harassment exist. Such unlawful harassment may target persons because of their color, religion (including religious dress and grooming practices), sexual orientation, gender, gender identity, gender expression, marital status, pregnancy (including childbirth, breastfeeding and related medical conditions), genetic characteristics or information, citizenship status, national origin, age, physical or mental disability, medical condition, military or veteran status, or other characteristics protected by federal, state and/or local law. Kodak will not tolerate such conduct.

#### **1.2.5. Other Inappropriate or Unprofessional Conduct**

Kodak also prohibits conduct by or toward any employees, coworkers, supervisors, managers, customers, vendors, contractors, visitors, or others who conduct business with Kodak that is inappropriate in a work environment or is considered unprofessional. Such conduct includes behaviors that improperly interfere with the ability of Kodak's employees to perform their expected job duties.

#### **1.2.6. Complaint Procedure Relating to Any Unlawful Discrimination or Harassment and to Inappropriate or Unprofessional Behavior**

Each employee of Kodak is responsible for maintaining a work atmosphere free of discrimination and harassment, sexual or otherwise. Further, employees of Kodak are responsible for respecting the rights of their coworkers. It is Kodak's policy to thoroughly investigate and remedy any known incidence of unlawful discrimination or harassment. Kodak is equally committed to respond to complaints of inappropriate or unprofessional behavior. In order to accomplish this policy, unlawful discrimination or harassment, as well as any other inappropriate or unprofessional behavior by or toward any Kodak employee, supervisor, manager, customer, vendor, contractor, visitor, or other person, must be brought to the attention of Kodak Management and/or Human Resources. Accordingly, if you experience any harassment based on your gender, race, ethnicity, religion, or other protected classification, or believe you have been treated in an unlawful, discriminatory manner, or are subjected to inappropriate or unprofessional behavior, do not ignore it. Although Kodak encourages you to express your concerns directly to the offending person, if, in your judgment, informal, direct communications between individuals is ineffective or impossible, you should immediately communicate your problem to Management or Human Resources. To do so, promptly report the incident to your Manager or another management employee (ideally within 48 hours of the occurrence), who will ensure that an investigation is conducted and take appropriate action, or you may contact the Global Talent Management office at (22)4-1221, (585)724-1221, 1-866-500-6917 or local Human Resources, Management/Supervision or Workers Council members.

Kodak will endeavor to protect the privacy of both the complainant and the accused and to keep the investigation confidential to the extent practical and appropriate under the circumstances.

### **1.2.7. No Retaliation**

Kodak prohibits any form of retaliation against any employee for making a bona fide complaint under this policy, opposing or reporting harassment, or for assisting in a complaint investigation. Retaliation of any kind will be considered a violation of this policy. Retaliation is unlawful under federal, state, and (where applicable) local law. Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

### **1.2.8. Remedial Measures**

If unlawful discrimination, harassment, inappropriate or unprofessional conduct is found to have occurred, appropriate remedial action will be taken. If a Kodak employee is found to have violated this policy, such employee will be subject to disciplinary action up to and including immediate termination.

### **1.2.9 Additional information for California Employees**

**Please note:** CA Employees should also be aware that the federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing investigate and prosecute complaints of prohibited harassment in employment. Any employee who thinks he or she has been harassed or retaliated against for resisting or complaining may file a complaint with the appropriate agency. The nearest office is listed in the telephone book and the agency web site. If the agency finds that the harassment occurred, it can order remedies, such as hiring or reinstatement, back pay, damages, fines, promotion and changes in the policies or practices of the employer.

## **1.3 Responsibilities**

Discrimination and harassment are a violation of Kodak Corporate Policy, and if encountered or witnessed should be reported to one of Kodak's authorized personnel. If you have a violation to report, or if you feel that you have been discriminated against or have been subjected to harassing conduct, you should contact your supervisor, or Human Resources.

### **1.3.1 Manager Responsibilities**

Managers and supervisors have special responsibilities with respect to the policy against discrimination and harassment. They must understand the Company Policy prohibiting discrimination and harassment.

Generally, Kodak's anti-discrimination policy requires that employment decisions and actions are made without regard to a person's race, color, religion (including religious dress and grooming practices), sex/gender, gender identity, sexual orientation, marital status, pregnancy (including childbirth, breastfeeding and related medical conditions), genetic information, citizenship status, national origin, age, disability, military or veteran status or any other characteristic protected by federal, state and/or local law. Examples of employment decisions include, but are not limited to, evaluating employees' performance; making recommendations on hires, transfers, development opportunities and promotions; recommending discipline, corrective action and termination.

Not only must managers and supervisors conduct themselves in a manner consistent with this policy, they are also responsible for establishing and maintaining a work environment free of unlawful harassment and unlawful discrimination. Managers and supervisors must educate employees on the policy. They must maintain open lines of communication, allowing employees to express their concerns without fear of retaliation. They must stop any form of harassment they observe. They must identify incidents of discrimination immediately and report them to Human Resources and their organization management. Managers and supervisors must ensure, with assistance from Human Resources and Security, that an investigation of allegations of

discrimination or harassment is initiated immediately after they are reported. Based on the investigation, managers and supervisors must take appropriate and immediate action.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue. Supervisors and managers will also be subject to discipline for engaging in any retaliation.

### **1.3.2 Employee Responsibility**

Employees have important responsibilities with respect to the policy against unlawful discrimination and harassment.

Kodak employees are responsible for knowing and understanding this policy and promoting a workplace free of unlawful discrimination and harassment by conducting themselves in a manner consistent with this policy. Employees also have a responsibility to report any unlawful discrimination or harassing conduct they are subjected to or they observe taking place toward another employee immediately to their supervisor, another management employee, or Human Resources.

### **1.3.3 Human Resources Responsibility**

Human Resources has the same responsibilities as all other employees relative to compliance with company policy. In addition, they are responsible for ensuring that a prompt, fair and thorough investigation of the complaint is conducted by a qualified individual who is impartial. It is critical that HR involves Corporate Security immediately in those situations where either violator is unknown or it is otherwise appropriate to involve Corporate Security. The HR Manager should also notify his/her senior HR Director within twenty-four hours of all complaints of discrimination and harassment. Human Resources will assist in determining the proper mode of investigation and the appropriateness of involving other corporate resources such as Corporate Security. Maintaining appropriate confidentiality throughout investigations is critical.

It is also the responsibility of the HR Manager to provide appropriate coaching and support for all parties involved in harassment and discrimination situations. In cases where the client is not responsive to coaching relative to company procedure and policy, the HR Manager is obligated to elevate the situation in a timely way (48 hours) to an appropriate level in the HR and line organizations.

A more detailed set of expectations for HR and line management relative to harassment investigations is included in the Protocol/Process for Reporting EOE Incidents document.

### **1.3.4 Contractors and Vendors Responsibility**

Contractors, vendors and others who have a business relationship with Kodak are responsible for the rules of conduct expressed in the Policy while doing business at or on behalf of Kodak. This will require that all employees of Kodak suppliers are familiar with company policy. Failure to comply with Kodak policy could result in termination of future business.

Kodak employees are obligated to report to their supervisor any violation of policy by contractors and vendors. Kodak managers and supervisors are expected to engage their Purchasing representative in dealing with these situations.

## Reference Sources

See the comprehensive “Business Conduct Guide” information on the intranet found in Kodak myHR, Corporate Compliance:

[https://workforce.kodak.com/irj/portal/WF.COMPLIANCE.GEN\\_WELCOME](https://workforce.kodak.com/irj/portal/WF.COMPLIANCE.GEN_WELCOME)

**US:** If you have any questions about this information or wish to report behaviors that potentially violate this policy, please notify your Organization Management, Human Resources, or the Global Talent Management office at (22)4-1221, (585)724-1221, or 1-866-500-6917.

Aside from the internal process at Kodak, employees may also choose to pursue legal remedies with the following governmental entities:

- United States Equal Employment Opportunity Commission (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). The EEOC enforces federal antidiscrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court. Federal courts may award remedies if discrimination is found to have occurred.
- NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400, website [www.dhr.ny.gov](http://www.dhr.ny.gov). A complaint alleging violation of the New York Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court. DHR has the power to award relief, which varies but may include requiring an employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney’s fees and civil fines.
- Local Police Department

**APR:** For APR Employees, see Human Resources or Management for any questions or concerns.

**Canada:** For Canada employees, see Human Resources or Management for any questions or concerns.

**Europe:** Employees have the choice of raising a concern towards either Management/ Supervision, HR or local Workers Council members.

**LAR:** For LAR Employees, see Human Resources or Management for any questions or concerns.

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