

## THE TOR PROJECT, INC.

### POLICY PROHIBITING DISCRIMINATION, HARASSMENT, AND RETALIATION

*Notice: This document was written by and for the Tor Project, Inc. (“TPI”), and is intended to inform and advise TPI employees and contractors about Company policies that should inform their decisions and behavior. However, the Tor Community extends far beyond employees and contractors, and the Community has its own set of policies intended to both complement TPI’s policies in areas where it does not have its own, and to provide guidance for individuals who wish to participate in and/or contribute to the Tor Community beyond/outside of employment. For more information about the Tor Community’s policies, please contact the Community Team Lead at <https://trac.torproject.org/projects/tor/wiki/org/teams/CommunityTeam>.*

The Tor Project, Inc. (the Company), is committed to providing a work environment free of discrimination, harassment, and retaliation. It is against U.S. law and strictly against our policy for any employee or non-employee to discriminate against or harass any Company employee, contractor or volunteer on the basis of race, color, religion, national origin, ancestry, disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, sexual orientation, age, military or veteran status, or any other protected status (each a “Protected Characteristic”), or to retaliate against the person for the reasons discussed below.

#### **Discrimination**

Both the Company and U.S. law prohibit unlawful employment discrimination. Unlawful discrimination occurs in employment when an employer makes employment decisions, including hiring, promotion, raises, termination, and other terms and conditions of employment, based on the Protected Characteristic of an applicant or employee.

#### **Harassment**

Both the Company and U.S. law also prohibit unlawful workplace harassment. Unlawful harassment is unwelcome conduct, based on a Protected Characteristic, that is sufficiently severe and pervasive to alter the terms and conditions of employment or create an intimidating, offensive, or abusive working environment. Prohibited harassment can take many forms, including, but not limited to the following, when based on a Protected Characteristic:

- Making or using derogatory comments, emails, letters, epithets, slurs, or explicit jokes.
- Derogatory gestures, posters, photographs, cartoons, drawings, websites, emails, text messages, or other physical or electronic media.
- Touching, assaulting, impeding, or blocking normal movements.

Sexual harassment is a specific type of harassment involving either unwelcome sexual advances, or visual, verbal, or physical conduct based on sex, gender, pregnancy, or related

stereotypes. Sexually harassing conduct can be between persons of the same or different genders. Examples of prohibited conduct include:

- Sexual innuendo, comments reflecting sex- or gender-based stereotypes, sexually suggestive comments, jokes of a sexual nature, sexual advances or propositions, offers of employment benefits in exchange for sexual favors, threatened or actual reprisals after a negative response to sexual advances, or graphic commentaries about a person's body.
- Leering, obscene gestures, sexually suggestive objects or pictures, cartoons or posters, suggestive or insulting sounds, or suggestive or obscene notes or letters.
- Physical contact of a sexual nature, including sexually suggestive or offensive touching, impeding, or blocking movements, or brushing up against the body.

Harassing conduct can occur beyond the Company's facilities or working hours; thus, this policy applies to offsite conduct occurring at the facilities of a customer or other business partner, during business or after-hours conduct at Company events, and any other time or place where the conduct impacts the workplace. It is important to remember that behavior that may be appropriate in a social setting may nonetheless be inappropriate in the workplace or in work-related social settings. Whether unlawful harassment has occurred does not depend on the actor's intent or belief as to the welcomeness of the comment or conduct. Rather, this policy is violated when conduct or words, due to their focus on or connection to a Protected Characteristic, have the effect of creating a hostile working environment for Company personnel or is reasonably perceived as such by the person feeling harassed.

## **Complaint Process**

If you believe you have experienced or witnessed discrimination, harassment or retaliation prohibited by this policy, immediately report the matter to your Project Lead or the Human Resources Manager. Project Leads who receive such a complaint or otherwise become aware of conduct in violation of this policy must immediately report it to the Human Resources Manager. The Company will promptly investigate the complaint in an impartial, thorough, and discreet manner, led by Human Resources or another qualified Company designee, with information disclosed only on a need-to-know basis. Investigation of a complaint will normally include conferring with the parties involved and any named or apparent witnesses, and review of pertinent documents or data. The investigation will be documented, tracked for reasonable progress, and concluded in a timely manner. Reasonable conclusions will be reached based on the evidence gathered. If misconduct or inappropriate behavior is determined to have occurred, appropriate remedial and/or disciplinary steps, such as coaching, counseling, a written or verbal warning, suspension, or termination, will be taken to deter any further offending behavior. The results of the investigation, as well as any actions taken against the alleged harasser, will be communicated to you.

We take concerns about discrimination, harassment, and retaliation complaints very seriously and want the opportunity to resolve any problems. While we encourage you to use the internal process described in this policy, please know that in the United States, and generally in

other countries, there exist governmental agencies which will investigate and attempt to resolve claims of harassment or discrimination. If these agencies find evidence of discrimination, harassment, or retaliation, they may pursue the matter through a public hearing process or a lawsuit filed on the complainant's behalf. Possible remedies include reinstatement, back pay, promotion, changes in Company policies and procedures, emotional distress damages, and fines.

## **Retaliation**

We will not tolerate, nor does U.S. law allow, retaliation against an individual for (i) opposing discrimination, harassment, or retaliation prohibited under this policy; (ii) complaining internally or to a government agency about such conduct; or (iii) participating in the Company's or the Agency's investigation of any such complaints or otherwise participating in a proceeding or hearing conducted by the Agency.

If you have any questions or concerns about discrimination, harassment, or retaliation, or about this policy, please contact Human Resources.