

US Foods'

Prohibition Against Discrimination, Harassment, and Retaliation Policy

Effective Date: June 30, 2022

I. Purpose and General Principles

US Foods prohibits discrimination, harassment, and retaliation of any kind and is committed to providing a work environment that is free of such activity. US Foods will not tolerate any discrimination or harassment that is based on any legally protected status or any discrimination or harassment that violates this policy. US Foods also prohibits threats and bullying, unprofessional or discourteous actions designed or intended to harm others, or any inappropriate remarks, slurs, or jokes. US Foods prohibits any retaliation against associates, former associates, or applicants who report any discrimination and/or harassment, participate or assist in a report or investigation of discrimination and/or harassment, or file an administrative claim with a federal or local agency.

This policy prohibits discrimination and harassment based on any protected status including: race, color, religion, sex, gender, gender identity or expression, sexual orientation, pregnancy, childbirth, and medical conditions related to pregnancy, childbirth, or breastfeeding, sex stereotyping (including assumptions about a person's appearance or behavior, gender roles, gender expression, or gender identity), status as a parent, age, marital status, national origin, ancestry, citizenship status, physical or mental disability, medical condition, genetic information, political beliefs, military or veteran status, or any other characteristic protected by applicable law. US Foods interprets these protected statuses broadly to include both the actual status and also any perceptions and assumptions made regarding these statuses.

II. Applicability

This policy applies to everyone working at or with US Foods and extends to all aspects of employment at US Foods, including recruiting, hiring, training, promotions, discipline, and all other personnel actions. This policy forbids any associate, manager, supervisor, officer, director, client, vendor, or any third party engaged in connection with US Foods business, from harassing, discriminating, or retaliating behavior, including via electronic or other communication media, on the basis of any of the statuses outlined above.

Conduct in violation of this policy will not be tolerated at US Foods locations or in any other settings, including business trips or social events. Discrimination, harassment, retaliation, or other inappropriate behavior may also violate applicable federal or local law. US Foods prohibits such conduct regardless of whether it rises to the level of a legal violation.

III. Sexual Harassment

US Foods prohibits sexual harassment and harassment based on gender. Harassment based on gender often is sexual in nature but sometimes is not. This policy forbids harassment regardless of whether the offensive conduct is sexual in nature. Any sexual harassment or unwelcome conduct based on gender is also forbidden by this policy regardless of whether the individual engaged in harassment and the individual being harassed are of the same or different genders.

According to the U.S. Equal Employment Opportunity Commission (“EEOC”), unwelcome sexual advances, requests for sexual favors, and other verbal, physical or visual conduct based on sex constitute unlawful sexual harassment when any of the following apply:

- There is an implicit or explicit understanding that submission to the conduct is a condition of the individual’s employment;
- Submission to or rejection of the conduct is the basis for an employment decision; or
- The harassment interferes with the individual’s work performance or creates an environment that is intimidating, hostile or offensive.

This policy forbids sexual harassment regardless of whether it rises to the level of a legal violation.

Examples of harassment forbidden by this policy include:

- Offensive sex-oriented verbal kidding, teasing, or jokes;
- Repeated unwanted sexual flirtations, advances, or propositions;
- Verbal abuse of a sexual nature;
- Graphic or degrading comments about an individual’s appearance or sexual activity;
- Offensive visual conduct, including leering, making sexual gestures, the display of offensive sexually suggestive objects, pictures, cartoons, or posters;
- Unwelcome pressure for sexual activity;
- Offensively suggestive or obscene letters, notes, or invitations;
- Offensive physical contact such as patting, grabbing, pinching, or brushing up against another’s body; and
- Sexual favoritism.

Some examples of other inappropriate conduct prohibited under this policy include:

- Sexual innuendos, and racial or sexual epithets, slurs, off-color jokes, propositions, and suggestive or insulting sounds;
- Sexually suggestive messages, posters, or drawings, whether electronic or in-person;
- Sexually suggestive objects or pictures, graphic commentaries, inappropriate staring or leering, or obscene gestures;

- Unwanted physical contact of any kind, including unwanted touching or hugging, interference with any individual's normal work movement, or assault; and
- Threatening or carrying out retaliation as a result of a negative response to harassment.

US Foods prohibits this conduct in the workplace, even if the conduct is not sufficiently severe or pervasive to constitute unlawful discrimination or harassment.

IV. Reporting and Investigations

Report the Behavior

If you know about conduct that is inconsistent with this policy, you should report it immediately. US Foods has an open door policy, and there are different ways to report the issue, including:

- Talk to your supervisor, manager, site leader or other senior leader;
- Contact your local Human Resources Representative;
- Contact the toll-free Check-In Line at 1-888-310-7716 or www.usfoodscheckinline.com; or
- Notify the Chief Human Resources Officer in the Corporate Office at: US Foods, 9399 W. Higgins Road, Suite 500, Rosemont, Illinois 60018

If for any reason you don't feel comfortable talking to a leader or your Human Resources Representative, contact the toll-free Check-In Line at 1-888-310-7716 or www.usfoodscheckinline.com. Your report will be confidential, and you have the option to remain anonymous, which means that neither the third party that receives your call nor US Foods will seek to identify you. If you choose to remain anonymous, you may provide a contact option that does not identify you to ensure that US Foods can contact you if it has further questions. Everyone, no matter their role, is required to report harassment or other behavior that is inconsistent with this policy.

Any US Foods manager or supervisor who is aware of conduct inconsistent with the policy or who receives a report of conduct inconsistent with the policy must report it immediately to his or her local Human Resources Representative unless it is more appropriate to report the concern in one of the other ways described above.

This policy includes inappropriate conduct by a third party, including customers, suppliers, contractors, and vendors.

Investigation of Complaints

US Foods investigates all reports of potential misconduct, including those related to discrimination, harassment, and retaliation. To that end, both the reporting party and the party who allegedly violated the policy will be offered an opportunity to be interviewed or

to otherwise respond. While US Foods strives to keep the complaint confidential, US Foods reserves the right to inform people involved in the investigation on a need-to-know basis, and under certain limited circumstances, US Foods may disclose information to third parties.

If an investigation reveals that a violation of this policy or other inappropriate conduct has occurred, then US Foods will take corrective action, including discipline up to and including termination, reassignment, changes in reporting relationships, training, or other measures that it deems appropriate under the circumstances, regardless of the job positions of those involved. US Foods may take corrective action for any conduct that violates any other policy that is discovered in investigating reports made under this policy, regardless of whether the conduct amounts to a violation of law or even a violation of this policy. If the person who engaged in prohibited conduct is not employed as a US Foods associate, then US Foods will take whatever corrective action is reasonable and appropriate under the circumstances.

Non-Retaliation

US Foods forbids that any associate adversely treat any other associate, former associate, or applicant for reporting discrimination and/or harassment, for assisting another associate or applicant in making a report, for cooperating in a discrimination and/or harassment investigation, or for filing an administrative claim with the EEOC or a state governmental agency. Nothing in this policy, however, prevents US Foods from taking action against an associate who raises a concern in bad faith.

If you engage in retaliation, you will face discipline, which may include termination. All associates who experience or witness any conduct they believe to be retaliatory should immediately follow the reporting procedures stated above.

Filing an External Complaint

If you feel you have been subjected to discrimination, harassment, or retaliation, while you are encouraged to raise an internal complaint, you always may file a complaint with your state's respective civil rights agency and/or the EEOC. State and federal laws require that complaints / charges be filed within a certain amount of days from alleged incidents of discrimination, harassment, or retaliation. Places where you may find information that explains these requirements and other related information, such as detailed filing instructions, include state-managed websites. Some states require that state agency contact information be listed in this policy, and that information (as well as information for the EEOC in those states) is set forth below and in the US Foods Associate Handbook.

Illinois	Office Locations			Complaint Deadline
Illinois Department of Human Rights	Chicago: 100 West Randolph Street, 10th Floor, Intake Unit, Chicago, IL 60601 312-814-6200 or 800-662-3942 TTY: 866-740-3953	Springfield: 222 South College, Room 101-A, Intake Unit, Springfield, IL 62704 217-785-5100/TTY: 866-740-3953	Marion: 2309 West Main Street, Marion, IL 62959 618-993-7463/TTY: 866-740-3953	180 days from alleged incident
Illinois Human Rights Commission	Chicago: 100 W. Randolph Street, Suite 5-100, Chicago, Illinois 60601 312-814-6269 / TTY: 312-814-4760	Springfield: William G. Stratton Office Building, Suite 802, Springfield, Illinois 62706 217-785-4350 / TTY: 217-557-1500		180 days from alleged incident
Equal Employment	500 West Madison Street, Suite 2000, Chicago, Illinois 60661 800-669-4000 / TTY: 800-869-8001			300 days from the alleged incident
Maine	Office Locations			Complaint Deadline
Maine Human Rights Commission	51 State House Station, Augusta, Maine 04333-0051 207-624-6050 / TTY: 207-624-6064			300 days from the alleged incident
Equal Employment Opportunity Commission	John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 1-800-669-4000 / TTY: 1-800-669-6820			300 days from the alleged incident
Massachusetts	Office Locations			Complaint Deadline
Massachusetts Commission Against Discrimination	Boston: One Ashburton Place, Rm. 601, Boston, MA 02108 617-994-6000 (voice/TDD)	Springfield: 424 Dwight Street, Rm. 220, Springfield, MA 01103 413-739-2145 (voice/TDD)		300 days from the alleged incident
Equal Employment Opportunity Commission	John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 1-800-669-4000 / TTY: 1-800-669-6820			300 days from the alleged incident
Vermont	Office Locations			Complaint Deadline
Vermont Attorney General's Office, Civil Rights Unit	109 State Street, Montpelier, VT 05609 802-828- 3171 (voice/TDD)			300 days from the alleged incident
Equal Employment Opportunity Commission	John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 1-800-669-4000 / TTY: 1-800-669-6820			300 days from the alleged incident
Rhode Island	Office Locations			Complaint Deadline
Rhode Island Commission for Human Rights	180 Westminster Street, 3rd Floor, Providence, RI 02903 401-222-2661 / TTY: 401-222-2664			365 days from the alleged incident
Equal Employment Opportunity Commission	John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 1-800-669-4000 / TTY: 1-800-669-6820			300 days from the alleged incident

Additional Information For Associates Performing Work in the City of Chicago

In addition to the definition and examples provided in US Foods' Prohibition Against Discrimination, Harassment and Retaliation Policy, "sexual harassment" means any (i) unwelcome sexual advances or unwelcome conduct of a sexual nature; (ii) requests for sexual favors or conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or (2) submission to or rejection of such conduct by an individual is used as the basis for any employment decision affecting the individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment; or (iii) sexual misconduct, which means any behavior of a sexual nature which also involves coercion, abuse of authority, or misuse of an individual's employment position.

In addition to the resources provided in US Foods' Prohibition Against Discrimination, Harassment, and Retaliation Policy regarding filing an external complaint, associates who perform work within the City of Chicago may also file a complaint with the Chicago Commission on Human Relations (740 N. Sedgwick, 4th floor, Chicago, Illinois 60654; 312-744-4111; cchr@cityofchicago.org).

Sexual harassment and retaliation for reporting sexual harassment are illegal in Chicago. Associates who perform work within the City of Chicago shall participate annually in a one-hour training regarding sexual harassment prevention and one-hour of bystander training. Anyone who supervises or manages associates who perform work within the City of Chicago shall participate annually in a two-hour training regarding sexual harassment prevention, as well as one hour of bystander training.

Additional Information For Associates Performing Work in California

For our California associates, US Foods' Prohibition Against Discrimination, Harassment, and Retaliation Policy and the law also apply to, cover, and protect consultants and independent contractors who are engaged by US Foods pursuant to a contract in California. Accordingly, the references to "associate" within policy will also refer to these California consultants and independent contractors.

Additional materials, including training, on this subject can be found on the California Department of Fair Employment and Housing website: <https://www.dfeh.ca.gov/shpt/>