Policy - Anti-Harassment and Sexual Harassment, promoting dignity & respect.

Sexual harassment is unlawful. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favours and other verbal or physical conduct of a sexual nature when:

(i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.

(ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

(iii) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

The perception of any of the preceding acts is also in violation of the Company policy.

Sexual harassment may include a range of subtle and not so subtle behaviours. Depending on the circumstances, these behaviours may include, but are not limited to unwanted sexual advances or requests for sexual favours; sexual jokes and innuendo; verbal abuse of a sexual nature; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail); and other physical, verbal, or visual conduct of a sexual nature.

Harassment based on any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, colour, religion, national origin, age, disability, or any other characteristic protected by law, and that:

(i) has the purpose or effect of creating an intimidating, hostile or offensive work environment.

(ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or

(iii) otherwise adversely affects an individual's employment opportunities.

Such harassing conduct includes, but is not limited to epithets, slurs, or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail).

This policy applies to all applicants, volunteers, visitors, consultants, vendors, and employees.

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business- related social events.

Retaliation is prohibited. Operation Smile prohibits retaliation against any individual who reports harassment, sexual or non-sexual, or participates in an investigation of such reports. Retaliation against an individual for reporting harassment, sexual or non-sexual, or for participating in an investigation is a violation of this policy and is subject to appropriate disciplinary action.

Reporting an incident of harassment, sexual or non-sexual, or retaliation is required by all employees. Early reporting and intervention have proven to be the most effective methods of

resolving actual or perceived incidents of harassment. Operation Smile intends to stop alleged harassment before it becomes severe or pervasive but can only do so with the cooperation of its employees.

- Individuals are encouraged, but are not required, to inform an individual if they perceive that individual is in violation of this policy
- All employees must report incidents that violate Operation Smile's policy or who have concerns about such matters.
- Complaints may be brought in writing or verbally to an immediate supervisor, a Human Resources representative, and/or an officer of Operation Smile immediately
    - A verbal complaint may require a written statement to document the nature and content of the complaint.
    - Operation Smile will not delay initial investigation of a complaint while awaiting receipt of the written complaint.
- An employee is **not** obligated to make a complaint with the employee's immediate supervisor first before bringing the matter to the attention of one of the other Operation Smile designated representatives identified.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly, thoroughly, and impartially. Operation Smile will maintain confidentiality whenever possible throughout the investigative process to the extent Operation Smile determines that doing so is consistent with adequate investigation and appropriate corrective action. All participants, complainant, subject of complaint or witnesses, are prohibited from discussing the complaint amongst themselves or with other employees of Operation Smile Ireland.

Because the investigation of complaints under this policy is the responsibility of Operation Smile, neither the employee who makes a complaint nor a person who is the subject of a complaint, is permitted to discuss the complaint with any co-workers other than those persons who are conducting Operation Smile's investigation. If the employee making a complaint or the person who is the subject of a complaint believes that a particular person possesses knowledge relevant to the complaint, the name of that person must be provided whoever is conducting the investigation.

In some cases, an employee may be suspended during the investigation to ensure a safe, harassment free workplace is maintained.

Responsive action will be taken based on the results of the investigation and the severity of the misconduct. Misconduct constituting harassment, sexual or non-sexual, or retaliation will be dealt with promptly and appropriately when the investigation is completed.

If either an employee making a complaint or the person who is the subject of a complaint does not agree with its resolution by Operation Smile, the aggrieved person may contact Operation Smile's Chief Executive Officer to request a review of the resolution and to convey the aggrieved person's concerns. Operation Smile may require that such contact be set forth in writing to document the aggrieved person's request and concerns.

Individuals who have questions or concerns about these policies should speak with a representative of Human Resources.

The law and the policies of Operation Smile prohibit disparate treatment based on sex or any other protected characteristic, about terms, conditions, privileges, and prerequisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further these policies, not to form the basis of an exception to them.