

Policy Against Discrimination, Harassment, and Retaliation

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Division: Human Resources

Audience: All

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Purpose

This policy and procedure provides information to ensure that employees are aware that discrimination, harassment, or retaliation are not allowed — regardless of title or position at MGM Resorts International.

Scope

This policy applies to all MGM Resorts International employees, and is adopted by and applicable to all employees of MGM Resorts International subsidiaries and/or affiliated entities (referred to collectively in this policy as the “Company”), except subsidiaries and/or affiliated entities in New York (who are governed under a specific New York policy).

Policy

MGM Resorts is committed to providing all employees a diverse, inclusive, safe, lawful, and harmonious work environment that fosters respect for the humanity and dignity of all persons. MGM Resorts therefore prohibits workplace discrimination, harassment, or retaliation based on any classification or condition that is protected by law, including prohibition of such workplace discrimination, harassment or retaliation against employees by guests, customers, vendors, or other third-parties at MGM Resorts International, its subsidiaries and/or affiliated entities. This Policy Against Discrimination, Harassment, and Retaliation (“Policy”) shall apply to each of the Company’s domestic and foreign subsidiaries and affiliated companies, and all Company personnel (including hourly, salaried, supervisory, managerial, and executive, regardless of title or position) shall adhere to the principles of this Policy in compliance with all applicable federal, state and local laws, rules and regulations.

Employees shall not subject other employees, Company guests, customers, or vendors, or their employees or representatives, to any form of discrimination or harassment based on sex (including pregnancy and related conditions), race, color, national origin, ancestry, age, religion, veteran status, disability, perceived disability, sexual orientation, union affiliation, genetic information, gender identity or expression, transgender status, or any other status or classification protected by law. The Company also prohibits its guests, customers or vendors from engaging in any form of discrimination or harassment based on sex (including pregnancy and related conditions), race, color, national origin, ancestry, age, religion, veteran status, disability, perceived disability, sexual orientation, union affiliation, genetic information, gender identity or expression, transgender status, or any other status or classification protected by law. All employees are required to always show respect, professionalism, and reasonable judgment in their communications with, and conduct toward, all other persons in our workplace.

Employees likewise shall not retaliate against another employee or individual based on his/her good faith exercise of the legal right to complain through established methods about discrimination or harassment, or an employee's cooperation or participation in the investigation of a complaint of discrimination or harassment.

Harassment. Harassment based on a person's sex (including pregnancy and related conditions), race, color, national origin, ancestry, age, religion, veteran status, disability, perceived disability, sexual orientation, union affiliation, genetic information, gender identity or expression, transgender status, or any other status, classification or condition protected by law is an unlawful form of discrimination that will not be tolerated. Harassment is any unwelcome or unsolicited verbal or written statement or physical act that ridicules, disparages, or shows hostility toward an individual because he/she is a member of a group protected by law, or he/she has a characteristic protected by law. When repeated, harassment can create an intimidating, hostile, offensive or abusive working environment; can unreasonably interfere with an employee's job performance; or can unreasonably interfere with an employee's job opportunities.

Discriminatory harassment which denigrates or shows hostility toward an individual or group because of a protected status or condition may consist of, but is not limited to:

- **verbal conduct** (such as derogatory remarks, insults or slurs, degrading nicknames, statements, stories or jokes, negative stereotyping, or hostile threats of physical harm), and/or
- **non-verbal or physical conduct** (such as the display, circulation or use of derogatory notes, letters or other written documents, pictures, cartoons, posters, objects, email messages, text messages, voicemail messages, web pages or other social media, obscene or discriminatory gestures, physical threats, or physical assault).

Sexual Harassment. Sexual harassment is another unlawful form of discrimination. Any form of sexual harassment of employees or other persons in our workplace, whether between members of the same gender and/or different genders, is unacceptable conduct that will not be tolerated.

Sexual harassment is unwelcome sexual conduct, whether verbal, non-verbal, or physical conduct – such as unwelcome sexual advances, unwelcome sexual comments, unwelcome physical contact (particularly of a sexual nature), unwelcome requests for sexual favors, or other unwelcome conduct of a sexual nature – where:

- submission to such conduct is made an expressed or implied term or condition of employment;
- submission to or rejection of such conduct is used as the basis for employment decisions; or
- such repeated conduct has the purpose or effect of substantially interfering with an individual's employment, or creating an intimidating, hostile or offensive working environment.

No employee shall engage in sexual harassment in our workplace. No employee shall threaten or insinuate, either explicitly or implicitly, that an applicant's or other employee's refusal to submit to sexual advances will adversely affect the latter's employment, work status, assigned duties, shift, performance evaluation, pay, advancement or any other condition of employment or career development. Likewise, no employee shall insinuate, either explicitly or implicitly, that an applicant's or other employee's submission to sexual advances will have a positive impact on the latter's employment, work status, assigned duties, shift, performance evaluation, pay, advancement, or any other condition of employment or career development. No employee shall, by unwelcome sexual conduct, create a hostile work environment for any employee.

Sexual harassment may include, but is not limited to:

- **quid pro quo harassment:** offering employment benefits (such as favorable assignments, performance evaluations, promotions, pay raises, bonuses, etc.) in exchange for sexual favors; or denying or threatening to deny employment benefits for rejecting sexual advances or propositions;
- **unwelcome verbal conduct:** requests for dates; sexual flirtations; sexual jokes; offensive or lewd sexual remarks, suggestions, insults, or threats; comments about an individual's appearance, body, or sexual habits; discussing sexual activity or experiences; or sexually suggestive remarks or innuendo;
- **unwelcome non-verbal conduct:** offensive or obscene gestures; whistling/catcalling; staring; leering; suggestive noises; graffiti; or display or distribution of objects or sexually oriented material through notes, letters, email

messages, text messages, voicemail messages, gifts, invitations, photographs, posters, cartoons, pictures, web pages or other social media, or electronic transmissions; and/or

- **unwelcome physical conduct:** touching; patting; pinching; hugging; kissing; massaging or brushing against a person's body; blocking a person's movement; physical assault or coercive sexual activity.

Retaliation. It is unlawful for any employee to retaliate against another employee because he/she has submitted through established procedures a good faith internal or external complaint against discrimination, harassment, or sexual harassment, or has cooperated with or participated in good faith in an investigation of such a complaint. Employees are prohibited from engaging in any behavior that constitutes retaliation of another employee for the above-stated reasons or as a deterrent to an employee from complaining about discrimination or any form of harassment.

Prohibited retaliation may take many forms, including but not limited to: unwarranted discipline or job termination; adverse shift or schedule changes; change in job duties; job transfers; demotions; ridicule of the employee; threats; pay reductions; or interference with employee benefits.

COMPLAINT PROCEDURE

Any employee or other individual, regardless of position, who believes that he/she has been subjected to discrimination, harassment, sexual harassment, or retaliation, who has witnessed another employee or person in the workplace being subjected to such prohibited conduct, or otherwise becomes aware of such conduct, is required to promptly report the matter to any one or more of the following:

- A supervisor or manager of any level, including executives
- A member of the Human Resources Department, including the Chief Human Resources Officer
- Corporate Employee Relations/Labor Relations Center of Excellence (COE)
- Corporate Security
- Any legal counsel in the Office of the General Counsel

Employees may also report their concerns via the Company's EthicsPoint Hotline, which is maintained by a third party and allows for anonymous reporting of concerns. In addition, employees may report concerns by email to employeeconcerns@mgmresorts.com.

An employee who believes that he/she is being discriminated against or harassed **may also, but is not obligated to**, notify the offender that his/her behavior is unwelcome and should stop, although such a confrontation is not always appropriate or advisable.

All supervisors and managers of any level, including executives, **must immediately** report any complaint (formal or informal) he/she receives of discrimination, harassment, or retaliation, or any such incidents the supervisor/manager observes or otherwise becomes aware of, to their Human Resources Department, Corporate Employee Relations/Labor Relations Center of Excellence (COE), any legal counsel in the Office of the General Counsel, or Corporate Security.

The Human Resources Department, or another individual or entity designated by it, Internal Audit, or the Office of the General Counsel shall promptly investigate in an impartial manner all reported claims of discrimination, harassment, and/or retaliation. The investigation may, but will not necessarily, include meeting with the individuals involved, including any witnesses or other persons who may have relevant information, reviewing documents, and gathering appropriate information pertaining to the event or events reported. The Human Resources Department or the Office of the General Counsel and designated investigators will attempt to maintain the confidentiality of the complaint and investigation, including the identity of the complainant (the employee who submitted the complaint), witnesses, and others involved to the extent reasonably possible and appropriate in conducting an impartial investigation, but cannot guarantee absolute

confidentiality. Employees who submit discrimination, harassment, or retaliation complaints should themselves consider maintaining the confidentiality of such matters for their own privacy and benefit.

The Company will be the sole and final decision maker as to whether the conduct complained of violates this policy. If an investigation confirms that an employee has committed discrimination, harassment, or retaliation, the Company will take corrective action, including the imposition of appropriate discipline, up to and including immediate termination of the offending employee(s).

After the conclusion of the investigation, the Company will make reasonable efforts to timely advise the complainant (employee who submitted the complaint) and other individuals which the Company has determined should be informed of the conclusion and results of the investigation, to the extent appropriate any remedial or corrective action, and any other information that the Company deems relevant. To the extent necessary, the Company will also inform other employees who participated in the investigation.

The Company prohibits any form of retaliation against an employee who brings a complaint of discrimination, harassment, or retaliation, or who cooperates in the Company's investigation of such a complaint. If after the conclusion of a complaint matter, the complainant or anyone involved in the matter believes that he/she has been retaliated against as a result of the complaint or investigation, the employee or individual should immediately report the concern to the Human Resources Department.

Employees are prohibited from making knowingly false and malicious complaints of discrimination, harassment, or retaliation. Employees who have questions or concerns about the Policy Against Discrimination, Harassment, and Retaliation should address them to their supervisors or managers, or the Human Resources Department.

Procedure

N/A

Supporting documents

N/A
