



Title: Global Equal Opportunity Non-Discrimination and Retaliation Prevention Policy

Policy Family: Compliance

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1. OBJECTIVE

To reaffirm Avaya’s global commitment to prohibit discrimination in all its forms and societal disparities; to affirm Avaya’s global commitment to zero tolerance for retaliation against employees who engage in protected activity; to provide equal opportunity to all employees and applicants for employment and to comply with all relevant applicable laws, directives, and regulations of federal, state, and local governing bodies and agencies.

2. APPLICABILITY

This [Policy](#) is applicable to all employees of Avaya Inc., its subsidiaries, or affiliates (“Avaya” or the “Company”) worldwide, as well as all-corresponding work sites.

3. POLICY

Avaya is committed to drive positive change within our organization as well as in our communities. Our priority is to ensure that our global organization is a thriving and successful environment in which different ideas, ethnicities and skills are blended together and celebrated. We are an equal opportunity employer which believe in cultivating the richness of cultures, perspectives, experiences and skills that make up our culture of unity and global community. Diversity, and the equal opportunity it affords, is a fundamental



part of our Avaya values. It also makes Avaya more competitive in today's global marketplaces.

NON-DISCRIMINATION

Avaya has zero tolerance for unlawful workplace discrimination. It is Avaya's global corporate Policy to treat each individual with dignity and respect by:

- Complying with both the letter and the spirit of all applicable laws and regulations governing employment;
- Taking all necessary steps to prohibit unlawful discrimination and provide equal opportunity to all qualified employees and applicants in all aspects of employment;
- Prohibiting unlawful workplace harassment, discrimination or retaliation in any employment decision or in the administration of any Avaya policy on the basis of known or perceived race, ethnicity, color, creed, religion, national origin, citizenship, sex, gender, marital status, family responsibilities, age, genetic information, physical or mental disability or handicap, one's status as a "disabled veteran"^[1], "recently separated veteran", "armed forces service medal veteran" or "active duty wartime or campaign badge veteran"; pregnancy, childbirth, and related medical conditions or because of a person's sexual orientation, gender identity, characteristics, or expression, or any other protected characteristics as defined under applicable law;
- Making reasonable accommodations or work adjustments based on the verified physical and/or mental conditions of qualified employees or applicants with disabilities or handicap and/or to reasonably accommodate the sincerely held religious beliefs and affiliations of qualified employees or applicants;
- Preventing and prohibiting unlawful discrimination, bullying, mobbing, victimization or harassment because of one's association with an



individual or a representative of a group having any of the protected characteristics described above;

- Ensuring that maximum opportunity is afforded to all minority- and woman-owned businesses to participate as suppliers, contractors, and subcontractors of goods and services to Avaya, in a manner consistent with applicable law; and complying with regulatory agency requirements and with federal, state, and local procurement regulations and programs; and
- Advising employees of their right to report violations of this policy to management, Human Resources, or to the Avaya [Equal Opportunity Compliance](#) team without intimidation or retaliation of any kind as a result of exercising such rights in good faith.

RETALIATION PREVENTION

Avaya has zero tolerance for unlawful workplace retaliation. Retaliation is defined as adverse employment action(s) taken because an individual, acting in good faith, reported an actual or perceived violation of this Policy, opposed practices prohibited by this Policy, or participated in the reporting and investigation process described below.

“Adverse” conduct includes but is not limited to: shunning and excluding an individual from essential work functions or opportunities, discrimination or retaliation; express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination or retaliation; or denying employment benefits because an applicant or employee reported harassment, discrimination or retaliation or participated in the reporting and investigative process described herein.

No manager or supervisor shall threaten or insinuate, either explicitly or implicitly, that an employee’s or applicant’s confidential good faith report of a potential policy violation will in any way influence any personnel decision regarding employment, wages, advancement, job assignment, career



development, or any other term or condition of employment. No hardship, loss, benefit or penalty may be imposed on an employee in response to:

- Filing or responding to a good faith complaint of discrimination or harassment.
- Filing or responding to a request for reasonable accommodation.
- Assisting or participating in an investigation, compliance review, hearing, or any other enforcement proceeding,
- Pursuing a discrimination or harassment claim, or opposing any act made illegal by federal, state, or local equal opportunity law.
- Appearing as a witness in the investigation of a complaint.
- Serving as an investigator of a complaint.

Lodging a bona fide complaint will in no way be used against the employee or have an adverse impact on the individual's employment status. However, filing groundless, false or malicious reports is an abuse of this policy and will be treated as a violation.

All complaints and investigations are treated confidentially to the extent possible, and information is disclosed strictly on a need-to-know basis. Supervisors, managers and authorized investigators will take adequate steps to ensure that the complainant and witnesses are protected from retaliation during and after the investigation. All information pertaining to a complaint or investigation under this Policy will be maintained in secure files.

Any person who is found to have violated this aspect of the Policy will be subject to discipline up to and including termination of employment.

Additionally, any manager or supervisor who becomes aware of potential retaliatory conduct must report the conduct to so that an investigation can be conducted, and corrective action taken, if appropriate.



U.S. PAY TRANSPARENCY PROVISION:

Avaya is a U.S. government contractor and will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their assigned Avaya job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have authorization to access compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by Avaya's authorized personnel and (c) approved by Avaya's [Worldwide Law organization](#).

No individual will be subjected to unlawful bullying, harassment, mobbing, victimization, intimidation, threats, retaliation, coercion or discrimination for requesting a reasonable accommodation, reporting an allegation in good faith, assisting or participating in an investigation, compliance review, hearing, or any other enforcement proceeding, or opposing any act made illegal by federal, state, or local equal opportunity law in the performance of Avaya work. Avaya cooperates with government officials in conducting investigations and other activities related to the administration of applicable federal, state and local legislation.

Each year, we voluntarily reaffirm Avaya's commitment to equal opportunity and to the real strength that diversity and this policy bring to our Company. All employees are responsible for reviewing and fully complying with this and all related [Avaya Policies](#) including, but not limited to Avaya's:

[Global Harassment Prevention Policy](#)¹

[Global Reasonable Accommodation Policy](#)¹

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[Global Code of Conduct](#)

[Canada Anti-Harassment Policy](#)¹

[U.S. Affirmative Action Policy](#)²

All management level employees are required to become familiar with the provisions of this Policy and to be able to discuss this material with employees.

We require all Avaya employees to comply fully with all aspects of this policy, to conduct themselves in accordance with the principles of equal opportunity, and report any suspected violations to the [Avaya Compliance Hotline](#) at 1-877-993-8442 (US) or 1-908-953-7276 (outside the US), eocontact@avaya.com, Human Resources or a member of the management team.

Demonstrated commitment to equal opportunity is an investment in our people and our future growth as an organization. Avaya's ongoing efforts in this direction have provided and will continue to provide us with a critical competitive advantage in the marketplace.

James Chirico
President & Chief Executive Officer
December 2020

Faye Tylee
Global Head of Human Resources

¹ Edit your Country/Language setting to choose your Region and Country selection = Canada

² Edit your Country/Language setting to choose your Region and Country selection = United States



4. REFERENCES

Avaya is an Equal Opportunity Employer and a U.S. federal government contractor. Our commitment to equality is a core value of Avaya. All qualified applicants and employees are entitled to receive equal treatment without consideration for race, religion, sex, national origin, disability status or any other protected characteristic. For more information and support, contact Avaya's Equal Opportunity hotline by phone at 908-953-7276 (US) or at <https://app.convercent.com/en-us/Anonymous/IssueIntake/IdentifyOrganization>.

[1] Avaya is a U.S. VEVRAA Federal Contractor subject to Executive Order 11246, Section 4212 of the Vietnam Era Veteran's Readjustment Assistance Act of 1974 (Section 4212), as amended and Section 503 of the Rehabilitation Act of 1973, as amended (Section 503). Accordingly, Avaya is committed to taking positive steps to implement the employment-related aspects of the global Equal Opportunity policy in the United States

AVAYA INC. ("AVAYA") HAS THE RIGHT TO AMEND, CHANGE, OR CANCEL ANY POLICY SOLELY AT ITS DISCRETION AND WITHOUT PRIOR NOTICE, UNLESS OTHERWISE PROVIDED FOR IN YOUR EMPLOYMENT AGREEMENT OR GOVERNING LAW. NOTHING PUBLISHED IN THIS HR POLICY PORTAL OR DISTRIBUTED BY AVAYA IS AN EXPRESS OR IMPLIED CONTRACT FOR CONTINUED EMPLOYMENT OR EMPLOYMENT OF A SPECIFIC LENGTH OF TIME. AVAYA EMPLOYEES ARE EMPLOYEES-AT-WILL; MEANING AVAYA EMPLOYEES MAY TERMINATE THEIR EMPLOYMENT AT ANY TIME AND FOR ANY REASON. THAT ALSO MEANS THAT AVAYA CAN TERMINATE ITS EMPLOYEES' EMPLOYMENT AT ANY TIME AND FOR ANY REASON. EMPLOYEES OF AVAYA'S SUBSIDIARIES IN NON-US JURISDICTIONS SHOULD REFER TO ANY APPLICABLE LAWS AND LABOR AGREEMENTS.