

NWSL Policy to Prevent and Eliminate Workplace Discrimination, Harassment, and Bullying

The National Women’s Soccer League (“NWSL”) is committed to creating and maintaining a safe, inclusive, and respectful work environment and culture that is free from all forms of discrimination, harassment (including sexual harassment), bullying, retaliation, and other misconduct. This Policy sets forth NWSL’s fundamental expectations and requirements regarding how we treat and interact with one another and those we come into contact with in connection with working for or with NWSL.

The Policy applies to all “NWSL Personnel,” which includes NWSL players, coaches, owners, managers, trainers, assistants, and any employees or other associated personnel of NWSL and its member clubs or teams (“Teams”). “NWSL Personnel” also includes certain individuals and entities not employed by NWSL, specifically, members of the NWSL Board of Governors, Team owners, Team personnel, Team medical staff, and players not employed by NWSL who are subject to NWSL authority and control. All NWSL Personnel have an obligation to help prevent misconduct by familiarizing themselves with, and abiding by, this Policy. Please join us in our commitment to making NWSL a safe, respectful, inclusive, and enjoyable place to work and play.

While some provisions in this Policy outline legal standards and requirements, NWSL requires a higher standard of conduct than merely refraining from committing legal infractions. Players, employees, and Supervisors, as defined herein, are also subject to a Team¹ policy regarding similar subjects. Teams are required to adopt policies consistent with and in furtherance of this Policy, and to provide a copy of such policies to NWSL. In the event of any conflict between this Policy and a Team policy, the provisions of this Policy will control.

NWSL will provide annual training on the requirements of this Policy to NWSL Personnel (including Teams), and commits to revising this Policy as needed to comply with best practices. Any violation of this Policy by NWSL Personnel will lead to disciplinary action. Appropriate action will also be taken against any third parties who violate this Policy.

I. Policy Statement

NWSL strictly prohibits any and all forms of harassment, discrimination, bullying, and retaliation against any NWSL Personnel by another NWSL Personnel and by third parties, including NWSL partners or sponsors, NWSL or Team vendors, Team operators, subcontractors, suppliers, fans, visitors, anyone else in attendance at matches, representatives of any applicable governing bodies (e.g., U.S. Soccer, FIFA), anyone providing any service to NWSL, trialists for any Team, or other third parties interacting with NWSL (collectively “Third Parties”).

This Policy applies whenever NWSL Personnel interact with one another or with Third Parties, for work purposes or otherwise, and applies regardless of whether or not the interactions occur at an NWSL workplace or on NWSL premises. NWSL premises or workplace includes actual worksites (including stadiums), any setting in which NWSL-related business is being conducted (whether during or after normal work hours), NWSL-sponsored events or trips, online and electronic interactions with NWSL

¹ For purposes of this policy, a “Team” includes any team participating in a NWSL season and anyone affiliated with such team, including its team operator, staff, vendors, volunteers, team partners or sponsors, and contractors.

players and employees, and NWSL owned/controlled property.

NWSL is committed to a policy of equal employment opportunity without discrimination or harassment on the basis of any legally protected status, including but not limited to, race (including natural, protective, and cultural hair textures and hairstyles), color, age, religion, religious creed, marital status (including registered domestic partnership and civil union status), sex, ancestry, national origin, citizenship status, pregnancy (including lactation, childbirth, or related medical conditions), physical or mental disability, HIV/AIDS status, sexual orientation, gender, gender identity or expression (including transgender individuals who are transitioning, have transitioned, or are perceived to be transitioning to the gender with which they identify), legally protected medical condition, genetic information (including testing and characteristics), military and veteran status, uniformed service member status, status as a victim of domestic violence, stalking, and sex offenses, caregiver status, family responsibilities, credit history, reproductive health decisions, or any other characteristic protected by federal, state, or local law. This Policy also prohibits harassment on the basis of the protected status of an individual's relatives, friends, or associates or based on the perception that an individual has a particular protected status.

NWSL is also committed to maintaining a work environment that is free from all forms of sexual misconduct, emotional misconduct, physical misconduct, intimidation, bullying, hazing, and retaliation. NWSL will not tolerate discrimination, harassment, bullying, retaliation, or any other misconduct under this Policy and will take appropriate disciplinary action against any NWSL Personnel who violate this Policy. Such disciplinary action may include suspension and termination of employment. Appropriate action will also be taken against Third Parties found to be in violation of this Policy, which may include being banned from NWSL premises.

II. Definitions and Examples of Prohibited Conduct

1. Discrimination

Discrimination by and against any NWSL Personnel is strictly prohibited. Discrimination may occur where an individual NWSL Personnel is treated less favorably than other NWSL Personnel in the course of employment because of the individual's race, color, national origin, sex, gender, gender identity or expression, sexual orientation, religion, age, or any other protected status under federal, state, or local laws. This Policy prohibits discriminatory conduct in any form regardless of whether it rises to the level of a legal violation.

2. Harassment

Harassment, which is a form of discrimination, consists of unwelcome conduct, whether verbal, physical or visual, that is based upon a person's race, color, national origin, sex, gender, gender identity or expression, sexual orientation, religion, age, or any other protected status under federal, state, or local laws.

Among the types of harassing conduct prohibited by this Policy are verbal conduct, such as epithets, derogatory comments or slurs, negative stereotyping, and intimidating acts based on an individual's protected status. Prohibited verbal conduct can also include jokes, kidding, or teasing about another

person's protected status. This Policy also prohibits visual and/or written conduct, such as the circulation or posting of written or graphic materials that show hostility toward an individual because of that person's protected status, including derogatory posters, photographs, calendars, cartoons, drawings, websites, emails, text messages, gifs, memes, or voicemail messages. This Policy also prohibits physical conduct including assault, unwanted touching, or blocking normal movement.

While harassing conduct is generally unlawful only if it affects tangible job benefits and/or is sufficiently severe or pervasive so as to interfere unreasonably with work performance and creates an abusive or hostile work environment, this Policy prohibits harassing conduct in any form regardless of whether it rises to the level of a legal violation.

3. Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, and other verbal, written, or physical conduct of a sexual nature constitute sexual harassment when:

- submission to such conduct is made either explicitly or implicitly a term or condition of the individual's employment;
- submission to or rejection of such conduct by an individual is used as the basis for an employment decision affecting that individual; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance and creating an intimidating, hostile, or offensive working environment.

Sexual harassment may involve individuals of the same or different gender. It may also occur between individuals of any employment status. Harassment on the basis of an individual's sexual orientation, self-identified gender, perceived gender, or transgender status are all forms of prohibited sexual harassment. Harassment need not be motivated by sexual desire in order to constitute sexual harassment under this Policy.

Conduct that may constitute sexual harassment and is prohibited by this Policy includes, but is not limited to:

- unwanted or inappropriate forms of touching, patting, pinching, or brushing against a person's body;
- staring, ogling, leering, or making sexual gestures;
- verbal abuse of a sexual nature;
- sexually explicit statements, sexual flirtations, advances, propositions, or innuendos;
- unwanted sexual advances or propositions (including repeated and unwelcome requests for dates and explicit, implicit, or subtle pressure for sexual activity);
- offers of employment benefits in exchange for sexual favors, including conditioning or threatening to condition employment terms (including but not limited to playing time, positions, trades, contract renewal) on submitting to sexual advances;
- making or threatening reprisals after a negative response to sexual advances;

- sexually suggestive or sexually derogatory comments, questions, jokes, or anecdotes;
- graphic or degrading comments about a person's clothing, body, or sexual activity;
- sexually suggestive or obscene objects, cartoons, posters, calendars, pictures, or websites;
- sexually suggestive or obscene letters, notes, invitations, emails, text messages, tweets or other social media postings;
- harassing use of electronic mail, electronic or instant messaging, or telephone communication systems; and
- other physical, visual, or verbal conduct of a sexual nature.

As part of its commitment to a workplace that is free of all forms of sexual harassment, NWSL prohibits anyone from threatening or insinuating, either explicitly or implicitly, that a player's submission to or rejection of any form of sexual harassment will in any way influence any decision regarding that player's playing opportunities, training program, availability for a trade to another Team, contract renewal, wages, development, or any other condition of employment.

4. Sexual Misconduct

Sexual misconduct in any form is prohibited. Sexual misconduct may occur where effective consent cannot be given to an encounter because of lack of consent, sexual exploitation, or the use of Coercion, Force, Intimidation, or a Power Imbalance, as defined below:

- **Coercion:** Pressure to engage in sexual misconduct.
- **Force:** The use or threat of physical force that overcomes free will or resistance.
- **Intimidation:** Implied threats or acts that reasonably cause a fear of harm in another.
- **Power Imbalance:** Where one person is in a "Position of Power" such that, based on the totality of the circumstances, there is a Power Imbalance. Whether someone occupies a "Position of Power" depends on several factors, including: the nature and extent of the supervisory authority over the person; the actual relationship between the parties; the parties' respective roles; the nature and duration of the relationship; and the age of the people involved, both presently and at time of the relationship's conception. Once a coach-player relationship is established, a Power Imbalance is presumed regardless of age. A Power Imbalance may exist, but is not presumed, where an intimate relationship that did not contain a Power Imbalance existed before the coach-player relationship (e.g., a relationship between two spouses or committed partners that preceded the sport relationship).

This Policy prohibits the use of Coercion, Force, Intimidation, or Power Imbalance to pursue sexual contact or an intimate relationship of any sort.

Any romantic or sexual interaction between a player (or trialist) and an individual with supervisory authority (direct or indirect) involves a Power Imbalance and may be exploitative, impair judgment, and/or create an actual, potential, or perceived conflict of interest.

5. Emotional Misconduct

Emotional misconduct in all forms is prohibited. Emotional misconduct is defined as deliberate, non-contact behavior that has the potential to cause emotional or psychological harm to another person. Non-contact behaviors include verbal, physical, or other acts that deny attention or support to or degrade, insult, sabotage, humiliate, belittle, berate, and/or single out, ignore, or reject an individual, as well as any act or conduct described as emotional abuse or misconduct under federal or state law. Depending on the circumstances, emotional misconduct by NWSL coaches, staff, and other personnel may include maliciously threatening to waive, bench or trade players absent a legitimate reason, or belittling players about their body image or weight. Emotional misconduct does not include professionally-accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improving athletic performance.

6. Physical Misconduct

Physical misconduct in all forms is prohibited. Physical misconduct is defined as contact or non-contact conduct that results in, or reasonably threatens to cause, physical harm to another person; or any act or conduct described as physical abuse or misconduct under federal or state law (e.g., assault). Examples of physical misconduct include beating, punching, slapping, or striking; denying hydration, medical attention, or nutrition; and encouraging or knowingly permitting an injured athlete to return to practicing or playing without clearance by a medical professional or other appropriate authority. Physical misconduct does not include professionally-accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improving athletic performance. For example, hitting and punching are well-regulated forms of contact in combat sports, but have no place in soccer.

7. Bullying

Bullying in all forms is prohibited. Bullying, which may include emotional or physical misconduct, involves intentionally committing or willfully tolerating physical or non-physical behaviors that are intended, or have the reasonable potential, to cause fear, intimidation, humiliation, or physical harm in an attempt to socially exclude, diminish, isolate, or otherwise abuse or harm the targeted person. Cyberbullying is a form of bullying that occurs through the use of a computer, cell phone, tablet, or other device that transmits electronic information, regardless of whether the device is owned by or located at NWSL or connected to the NWSL network. All players, coaches, trainers, trialists, or other NWSL Personnel have a right to work in an environment that is free of bullying (including cyberbullying) by any other NWSL Personnel. Bullying does not include group or team activities that (a) are meant to establish normative team behaviors, or (b) promote team cohesion, as long as those activities are not prohibited as described herein.

8. Hazing

Hazing in all forms is prohibited. Hazing includes, but is not limited to, engaging in (whether through coercion, force, pressure, or recklessness) or willfully tolerating any humiliating, degrading, intimidating, abusive, or dangerous activity that serves as a condition for (a) joining or maintaining membership in a group or Team, or (b) receiving approval or being accepted by other NWSL Personnel (such as coaches, players, and team captains). Examples of hazing include contact acts, such as tying, taping, or otherwise physically restraining another person; and non-contact acts such as forcing consumption of alcohol or illegal drugs, personal servitude, and excessive training requirements. Hazing does not include group or team activities that (a) are meant to establish normative team behaviors, or (b) promote team cohesion, as long as those activities are not prohibited as described herein.

9. Retaliation

NWSL prohibits reprisal or retaliation against anyone for engaging in the following Protected Activity: filing a good faith report under this Policy; supporting or assisting, in good faith, someone else in pursuing a report or in an investigation; objecting to misconduct; or filing, testifying, assisting or participating in any manner in any investigation, proceeding or hearing conducted by a governmental enforcement agency. NWSL will not, and will not allow a Team to, retaliate against anyone for exercising any rights under this Policy. Retaliation of any kind is a violation of this Policy.

Retaliation can take many forms. Prohibited retaliation could include any of the following actions if taken because of a player/employee's involvement in Protected Activity: termination of employment, demotion, transfer to less desirable position, suspension, failure to hire or consider for hire, failure to give equal consideration in making employment decisions, failure to make employment recommendations impartially, adversely affecting working conditions, or otherwise denying any employment benefit.

NWSL Personnel who believe they have been subjected to retaliation, or believe that another individual has been subjected to retaliation, should report this concern utilizing the procedure set forth in Section III, below. Any report of retaliatory conduct will be investigated in a thorough and objective manner. If a report of retaliation prohibited by this Policy is substantiated, appropriate disciplinary action, up to and including suspension (with or without pay) or termination of employment (in the case of NWSL employees) or being banned from the NWSL environment (for non-NWSL employees), will be taken. If a report cannot be substantiated, NWSL may take appropriate action to reinforce its commitment to providing a work environment free from retaliation.

10. Disciplinary Action

NWSL shall have the authority and discretion to determine and enforce disciplinary action in connection with any violation of this Policy by any NWSL Personnel, subject to the relevant provisions of the Tentative Agreements as of January 31, 2022, and any successor agreements, with the National Women's Soccer League Players Association ("NWSLPA). In its sole discretion, NWSL may cooperate with Team management concerning disciplinary action against Team employees, coaches and players. The NWSL Commissioner may impose disciplinary action against Team owners for violation of this Policy, subject to the Third Amended and Restated Limited Liability Company

Agreement of the NWSL. The individual Teams may also have the right to impose disciplinary action under certain circumstances.

Disciplinary action may include verbal counseling, equal employment and/or harassment prevention training, written warning, demotion, transfer, suspension (paid or unpaid), fines, penalties, termination of employment and of a player's individual agreement. This list is not exhaustive and does not limit NWSL's right to discipline in whatever manner it deems appropriate up to and including termination, depending upon the NWSL's assessment of the severity of the conduct.

11. Supervisors

The term "Supervisor" means any individual having authority, in the interest of NWSL or a Team, to evaluate, hire, fire, transfer, suspend, lay-off, promote, discharge, assign, reward, or discipline other employees, or responsibly direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment. The term "Supervisor" generally includes Technical Directors and General Managers and other managers, provided their duties are consistent with those described in this definition.

12. Head Coaches and Assistant Coaches

The term "coach" refers to both Team head coaches and assistant coaches. A Team Head Coach shall be considered a Supervisor for purposes of this Policy. A Head Coach has the responsibility and authority to determine, among other things, player recruitment, selection, evaluation, and retention; playing time for individual players; substitutions; player positions; offensive and defensive strategy and tactics; player development; practice formats and goals; physical and mental fitness and conditioning of players; determining benching, trades and waivers for players; Team administration, travel, and logistics for players and related employees; and selection, supervision, and evaluation of assistant coaches, technical staff and volunteers. Assistant Coaches may exercise certain supervisory duties in the discretion of the Head Coach. Assistant Coaches shall not be deemed to be Supervisors unless they regularly meet all aspects of the definition of a "Supervisor" set forth above.

III. Procedures for Reports, Investigations, and Corrective Action

1. Reporting and Confidentiality

NWSL strongly encourages anyone with information concerning an actual or potential violation of this Policy to immediately report their concerns to NWSL, whether the concern relates to conduct they are the subject of, that they learn of, that they have reason to believe has occurred, or that they witness. However, this Policy does not require players to report violations of this Policy or to report the offending conduct to a direct Supervisor, any individual who is engaging in or permitting the conduct, any individual who is a close associate of the person who is engaging in the conduct, or any person with whom the reporting party is uncomfortable discussing such matters for any reason.

Reports may be made through whichever of the following reporting channels is most comfortable for the person making the report. Complaints or reports may be made to NWSL verbally or in writing

(such as through email, text, letter, or use of the attached Complaint Form (Appendix A)) via **any of the following reporting channels:**

How to Report a Suspected Violation of this Policy

- **TEXT** the RealResponse Hotline at **872-259-NWSL (6975)**; or
- **EMAIL, CALL, OR WRITE** the NWSL HR Manager at hroffice@nwslsoccer.com or (312) 549-8892 or 800 W. Huron St., Floor 4W, Chicago, IL 60642; or
- **EMAIL OR CALL** the joint investigative team comprised of attorneys for NWSL and the NWSLPA at NWSL_Investigation@cov.com or (212) 379-8727

Any text message sent to the RealResponse Hotline will be anonymized. To the extent possible, Covington & Burling will maintain the anonymity of anyone who submits a report directly to NWSL_Investigation@cov.com or (212) 379-8727.

Players may also report concerns via the NWSL Players Association (“NWSLPA”) hotline set forth below. However, because the NWSLPA is not obligated to share such reports with NWSL and may choose not to do so, reports made via the NWSLPA hotline may not result in any investigation or disciplinary action by NWSL.

- Website: www.lighthouse-services.com/nwslplayers
- Anonymous Reporting App: Keyword: nwslplayers
 - Detailed app instructions: [https://www.lighthouse-services.com/documents/Using the Lighthouse Anonymous Reporting App.docx](https://www.lighthouse-services.com/documents/Using%20the%20Lighthouse%20Anonymous%20Reporting%20App.docx)
- Toll-Free Telephone:
 - English speaking USA and Canada: 855-222-4751
 - Spanish speaking USA and Canada: 800-216-1288
 - Spanish speaking Mexico: 01-800-681-5340
 - French speaking Canada: 855-725-0002
- Contact us if you need a toll-free # for North American callers speaking languages other than English, Spanish or French

Supervisors in NWSL, including Supervisors affiliated with or employed by Teams are required to report promptly all complaints or reports of misconduct (including incidents of workplace discrimination, harassment, or bullying that they experience, witness, or receive information about, whether or not reported as formal complaints) and all other potential violations of this policy to the NWSL HR Manager (hroffice@nwslsoccer.com or (312) 549-8892 or 800 W. Huron St., Floor 4W, Chicago, IL 60642). For the avoidance of doubt, in some instances, reporters may be required to report to law enforcement and/or the [U.S. Center for SafeSport](http://www.uscfsport.org).

Each Team shall designate two individuals to receive reports of potential violations of this Policy, at least one of whom shall be an individual other than the Board of Governors representative and the Head Coach of the Team, and shall publish the names and contact information for persons so designated at

Team facilities. Reports of potential violations of this Policy may also be reported to any Team’s designated person or people authorized to receive complaints, or any Team administrator, general manager, or Team’s HR department.

Complaints or reports may be submitted anonymously through any of the above channels, and through reporting channels provided by Teams. **Any Team administrator, general manager, HR representative, or other person who receives complaints or reports of violations of this Policy through any channel, whether such complaints or reports are credited or not, must immediately—and no later than 24 hours after receipt of the report—submit the report to the NWSL HR Manager and/or General Counsel by emailing hroffice@nwslsoccer.com.**

In addition to reporting incidents to NWSL, individuals may report complaints to certain federal, state, or local agencies. The Equal Employment Opportunity Commission (“EEOC”) and equivalent state agencies will accept and investigate charges of unlawful discrimination and harassment at no charge to the reporting party. The nearest office of the EEOC and equivalent state agencies can be found in your local telephone directory or online at www.eeoc.gov. Appendix B to this Policy contains state-specific information about reporting incidents of discrimination or harassment. Furthermore, any type of illegal conduct (such as sexual abuse or violence) should be reported to federal, state, or local law enforcement agencies.

2. Investigation of Reports or Complaints

All reports or information about suspected discrimination, harassment, or violations of this Policy will be reviewed and assessed, whether that information was reported in verbal or written form. After a complaint or report is received, NWSL will undertake a fair, thorough, impartial, and objective investigation that reaches reasonable conclusions based on the information collected. Investigations will be timely conducted by NWSL attorneys, or outside legal counsel hired by NWSL, who are experienced in conducting workplace investigations. The investigations will be overseen by the General Counsel of NWSL, unless the General Counsel is implicated in the report or complaint, in which case the NWSL Commissioner and/or Board of Governors will oversee the investigation.

While the details of the investigation process may vary from case to case, investigations will be performed in accordance with the following steps:

- Upon receipt of a report, NWSL will conduct a review of the allegations promptly, assess any safety concerns, and take any interim actions, as appropriate. If the identity of the reporting party is known, NWSL will acknowledge receipt of the report to the reporting party in writing, generally within two business days of receipt of the report;
- If documents, emails, text messages, recordings, or phone records are relevant to the allegations or investigation, NWSL will take reasonable steps to obtain and preserve them (and will ask relevant NWSL Personnel to preserve such information);
- NWSL will request all relevant communications, documents, and files that are in NWSL’s possession or reasonably obtainable by NWSL. Both the person(s) raising the complaint and the person(s) about whom the complaint was made, as well as any witnesses, will be asked to

provide information and documents that may be relevant to the investigation;

- The investigator will review all available relevant documents, including electronic communications and phone records, and will interview witnesses or other parties who may have knowledge of the circumstances giving rise to the report;
- The findings of the investigation will be based on the evidence collected and reviewed;
- NWSL or investigative counsel will maintain a written record of the investigation, which contains the following:
 - Summary of relevant documents reviewed;
 - Names of individuals interviewed and summaries of their statements;
 - Summary of the findings, conclusions, and/or recommendations of the investigator, along with any disciplinary or corrective actions taken as a result of the investigation;
- The reporting party will be informed generally of the status of an ongoing investigation, promptly notified when the investigation has been completed, and will be generally informed of the final determination, where appropriate, but detailed findings of the investigation or any disciplinary action taken may not be disclosed to the reporting party. The individual about whom the complaint was made will be informed of the outcome and, if NWSL determines that this Policy was violated, will be subject to appropriate disciplinary measures; and
- If the investigation reveals broader concerns or risks arising from the culture or environment of NWSL or any Team, NWSL will take additional measures to remediate and redress the situation, in consultation with the NWSLPA.

NWSL will make all reasonable efforts to complete the investigation as soon as practicable, while ensuring that the investigation has been conducted carefully and thoroughly. Although absolute confidentiality cannot be guaranteed, confidentiality will be maintained to the extent practical and permitted by law, and information will only be shared with others on a need-to-know basis, subject to the reporting requirements described in Section III.4, below.

NWSL will preserve the investigative records described above for at least seven years. All necessary and reasonable measures will be taken to ensure the privacy and confidentiality of such reports. On an annual basis beginning in 2023, NWSL will produce an anonymized summary report of the number of reports of violations of this Policy received by NWSL and the number of investigations conducted. This anonymized summary report will be made available to the NWSLPA, the Board of Governors, and players. This anonymized summary report will never include names or any other personally identifying information of the parties involved.

The initiation of a good faith report under this policy will not be grounds for disciplinary action, even if the allegations cannot be substantiated. Any individual who submits a report that is demonstrated to be intentionally false may be subject to discipline, up to and including termination of employment and/or exclusion from NWSL activities. In addition, NWSL may, in its discretion, undertake interim measures while the investigation is pending, such as placing the subject of the report on leave during the pendency

of the investigation.

NWSL strongly encourages everyone involved in its operations to report all potential violations of this Policy as soon as possible. NWSL is committed to providing a safe, inclusive, and respectful working environment. This requires all NWSL Personnel to abide by this Policy and report concerns or violations so that they can be addressed and prevented from recurring.

3. Cooperation with Investigations

All NWSL Personnel must cooperate fully in investigations by NWSL, counsel hired by NWSL, or other parties who have been authorized by NWSL to investigate a complaint or suspected incident of harassment, discrimination, bullying, or retaliation. Cooperation includes providing comprehensive and truthful information and documents when requested by NWSL or its counsel. Cooperation also includes providing NWSL with access to personal or NWSL-owned mobile devices or computers that have been used for work purposes or that are reasonably believed to contain evidence relevant to the investigation, when requested by NWSL in order to aid in the investigation of a complaint.

In addition, all other individuals or entities affiliated with NWSL have an obligation to cooperate in any investigation of a complaint of misconduct, including providing any and all information concerning the complaint. Failure to do so may be a violation of this Policy.

4. Report on Findings and Outcome of Investigation

The intent of this Policy is to provide greater protection from harassment, discrimination, sexual misconduct, emotional misconduct, physical misconduct, bullying, hazing, and retaliation than provided under the law. Consequently, if—after completing its investigation—NWSL (or its outside counsel investigating the complaints) has determined that an NWSL Personnel has violated this Policy, that individual will face disciplinary action, which may include suspension, termination of employment, and/or exclusion from NWSL activities, depending on the severity of the violation, even in cases where applicable laws may not have been violated.

In addition, the findings of the investigation must be reported to NWSL's General Counsel and Commissioner (except if any one of them is implicated in the complaint or investigation), and the findings should be shared with designated individuals from each Team if any player or other employee affiliated with any of the Teams was implicated by the complaint or was involved in the investigation. If a player-facing NWSL employee, Team owner, manager, front office personnel, or coaching personnel was found to have violated this Policy, NWSL will also provide notice of such finding to NWSL's Board of Governors, Team management, coaching staff, and players of the fact that a violation was found.

If a complaint or report of misconduct cannot be substantiated after an investigation, NWSL may take appropriate action to reinforce its commitment to providing a work environment free from harassment and other conduct prohibited by this Policy.

5. Protection of Reporting Parties.

Under appropriate circumstances, pending the outcome of an investigation, the NWSL shall have the sole discretion to suspend an alleged perpetrator from the workplace, or place the alleged perpetrator in a work environment which precludes any interaction with the reporting party, and to require him or her to refrain from any direct communication or physical contact with the reporting party.

IV. Additional Responsibilities of Supervisors Employed by NWSL

All Supervisors employed by NWSL are responsible for:

- Implementing this Policy, which includes, but is not limited to, taking steps to prevent harassment and retaliation;
- Ensuring that all employees under their supervision have knowledge of and understand this Policy;
- Promptly reporting any complaints, violations, or other misconduct to the NWSL HR Manager and/or Covington & Burling LLP through the channels outlined in Section III.1 so that they may be investigated and resolved in a timely manner;
- Taking and/or assisting in prompt and appropriate corrective action when necessary to ensure compliance with this Policy; and
- Conducting themselves, at all times, in a manner consistent with this Policy.

NWSL Supervisors may not engage in, develop, continue, or pursue any romantic and/or sexual relationships or encounters (with members of either sex), even when consensual, with any employee (including NWSL players or trialists) over whom they currently have direct or indirect supervisory authority or management influence. Such relationships are strictly prohibited.

In addition, in the event that any such romantic or sexual encounter or relationship were to occur between a Supervisor and a non-Supervisor, regardless of whether it is on NWSL premises or related to any NWSL-sponsored activity, the Supervisor must immediately report the situation to NWSL. The non-Supervisor (such as a player or trialist) should also report the situation to NWSL immediately. NWSL may take measures to ensure that this Policy is followed and to address any actual, potential, or perceived conflict. Such measures will be taken at the sole discretion of NWSL and may include suspending or terminating the Supervisor's employment by NWSL. This paragraph does not apply to a pre-existing relationship (which is defined as a relationship which began prior to the employment by NWSL of either party) between two spouses or committed partners, except in the event one party is acting in a manner prohibited by this Policy to the other party in the work environment.

Sexual or romantic activities, pursuits, or encounters in any form involving an individual under the age of 18 is strictly prohibited and may result in criminal charges. This includes sexual contact with a minor that is accomplished by deception, intimidation, manipulation, force, or threat of force, regardless of the age of the participants, and all sexual interactions between an adult and a child, regardless of whether

there is deception or whether the child professes to understand and/or consent to the sexual activity. Sexual activity also includes inappropriate sexual verbal communications (e.g., “sexting” and sending or requesting nude photos) and non-verbal conduct, such as sexual gestures or bodily exposure. Any incidents or allegations of sexual harassment or abuse of children *must* be reported. Reports should be made to [U.S. Center for SafeSport](https://www.childwelfare.gov) and the applicable legal authority. A list of available federal, state, and local authorities is available at <https://www.childwelfare.gov>.

Any failure by a Supervisor to meet these responsibilities or comply with these prohibitions, or any action taken or omission that results in the continuation of harassment, sexual harassment, bullying, retaliation, or other misconduct, will lead to disciplinary action against the Supervisor, up to and including termination of employment.

APPENDIX A
Complaint Form

If you choose to use this Complaint Form to report a complaint, please provide the requested information so that NWSL may investigate and resolve your complaint. You are not limited to the space provided and may attach additional pages. Once you have completed this form, please provide a copy of it to NWSL HR Manager (hroffice@nwslsoccer.com or 800 W. Huron St., Floor 4W, Chicago, IL 60642) or Covington & Burling LLP (NWSL_Investigation@cov.com).

Name _____

Team (as applicable) _____

Coach/Staff Supervisor _____

- A. Complaint(s) – Please describe your complaint(s), including the name of the person(s) about whom you are complaining. If your complaint involves specific comments, please include a description of the comments.

- B. Related Material – Please list, and if possible, provide copies of, any emails, text messages, letters, notes, memos, diary entries, calendars, reports, or other items that relate to your complaint(s):

- C. Persons With Information – Please list any individuals who you believe may have information about your complaint(s):

- D. Prior Report(s) – Have you reported your concerns to anyone else at NWSL and/or your Team? If so, please provide the name and position of the person to whom you reported the concerns, and the date of the report.

NWSL encourages all employees to report any information that is relevant to their complaint and prohibits retaliation against an employee or witness who makes a good faith report concerning a violation of its policies or participates in the investigation of such a report. If you believe you have experienced or witnessed retaliation, please report the incident immediately to the NWSL HR Manager and/or Covington & Burling LLP. If you become aware of additional relevant information after submitting this Complaint Form, you should promptly inform the NWSL HR Manager and/or Covington & Burling LLP.

Complainant Signature

Date Completed

NWSL HR Manager / Covington & Burling LLP

Date Received

APPENDIX B – ADDITIONAL STATE-SPECIFIC INFORMATION

NWSL will not tolerate discrimination, harassment, retaliation, or any other misconduct against individuals based on any characteristic protected by applicable federal, state, or local law. In addition to the reporting procedures set forth above, individuals who believe they have been discriminated, harassed, or retaliated against may file a complaint with the Equal Employment Opportunity Commission (EEOC) and/or with a state or local enforcement agency. The following sections contain contact information for EEOC field offices and state and local enforcement agencies, which may be applicable to the NWSL Personnel who perform work on behalf of NWSL in the states set forth below.

Legal remedies for unlawful harassment, discrimination, or retaliation could include cease and desist orders, back pay for employees, compensatory damages, emotional distress damages, attorneys' fees, employment reinstatement, and/or changes in the policies or practices of the employer.

1. California Employees

The state agency responsible for complaints of discrimination and harassment is the California Department of Fair Employment and Housing (DFEH). The DFEH can be reached at:

2218 Kausen Drive, Suite 100
Elk Grove, CA 95758
Phone: 800-884-1684
Email: contact.center@dfeh.ca.gov
Website: <https://www.dfeh.ca.gov/>

The EEOC is the federal agency that investigates discrimination and harassment claims, including claims of sexual harassment. The EEOC can be reached at:

Royal Federal Building
255 East Temple Street, 4th Floor
Los Angeles, CA 90012
Phone: 1-800-669-4000

2. Connecticut Employees

The state agency responsible for complaints of discrimination and harassment is the Connecticut Commission on Human Rights and Opportunities. The CHRO can be reached at:

450 Columbus Blvd. Suite 2
Hartford, CT 06103
Phone: 860-541-3400
Website: <https://portal.ct.gov/CHRO/Commission/Commission/Contact-Us>

The EEOC can be reached at:
33 Whitehall Street, 5th Floor
New York, NY 10004
Phone: 1-800-669-4000

3. Florida Employees

The state agency responsible for complaints of discrimination and harassment is the Florida Commission on Human Relations (FCHR). The FCHR can be reached at:

4075 Esplanade Way
Room 110
Tallahassee, FLO 32399
Phone: 850-488-7082
Website: <https://fchr.myflorida.com/>

The EEOC can be reached at:
501 E. Polk Street #1000
Tampa, FL 33602
Phone: 1-800-669-4000

4. Illinois Employees

The state agency responsible for complaints of discrimination and harassment is the Illinois Department of Human Rights (IDHR). The IDHR can be reached at:

James R. Thompson Center
100 West Randolph Street, Suite 10-100
Chicago, IL 60601
Phone: 312-814-6200
Email: IDHR.Intake@illinois.gov
Website: www.illinois.gov/dhr

The EEOC can be reached at:
JCK Federal Building
230 S. Dearborn Street
Chicago, IL 60604
Phone: 1-800-669-4000

Employees in Chicago may also file complaints with the Chicago Commission on Human Relations, which is located at:

740 N. Sedgwick, 4th Floor
Chicago, IL 60654
Phone: 312-744-4111
Website: <https://www.chicago.gov/city/en/depts/cchr.html>

5. Kansas Employees

The state agency responsible for complaints of discrimination and harassment is the Kansas Human Rights Commission (KHRC). The KHRC can be reached at:

900 S.W. Jackson, Suite 851-S
Topeka, KS 66612-1258
Phone: 785-296-3206
Website: <http://www.khrc.net/>

The EEOC can be reached at:
Gateway Tower II
400 State Avenue, Suite 905
Kansas City, KS 66101
Phone: 913-340-8810

6. Kentucky Employees

The state agency responsible for complaints of discrimination and harassment is the Kentucky Commission on Human Rights (KCHR). The KCHR can be reached at:
332 W. Broadway
Floor 14
Louisville, KY 40202
Phone: 502-595-4024
Website: <https://kchr.ky.gov/Pages/index.aspx>

The EEOC can be reached at:
600 Dr. Martin Luther King Jr. Pl, Suite #268
Louisville, KY 40202
Phone: 1-800-669-4000

7. Maine Employees

The state agency responsible for complaints of discrimination and harassment is the Main Human Rights Commission (MHRC). The MHRC can be reached at:
51 State House Station
Augusta, ME 04333-0051
Phone: 207-624-6290
Website: <https://www.maine.gov/mhrc/mhrc/home>

The EEOC can be reached at:
33 Whitehall Street, 5th Floor
New York, NY 10004
Phone: 1-800-669-4000

8. Massachusetts Employees

The state agency responsible for complaints of discrimination and harassment is the Massachusetts Commission Against Discrimination (MCAD). The MCAD can be reached at:

One Ashburton Place, Sixth Floor, Room 601
Boston MA 02108
Phone: 617-994-6000
Website: <https://www.mass.gov/orgs/massachusetts-commission-against-discrimination>

The EEOC can be reached at:
JFK Federal Building
15 New Sudbury Street, Room 475
Boston, MA 02203-0506
Phone: 1-800-669-4000

9. New York Employees

The state agency responsible for complaints of discrimination and harassment is the New York State Division of Human Rights. The New York State Division of Human Rights can be reached at:
One Fordham Plaza, 4th Floor
Bronx, NY 10458
Phone: 1-888-392-3644
Website: <https://dhr.ny.gov/>

The EEOC can be reached at:
33 Whitehall Street, 5th Floor
New York, NY 10004
Phone: 1-800-669-4000

Employees in New York City may also file complaints with the New York City Commission on Human Rights, which is located at:
22 Reade Street
New York, NY 10007
Phone: 212-306-7450
Website: <https://www1.nyc.gov/site/cchr/index.page>

A Stop Sexual Harassment Act Fact Sheet is attached to this Policy.

10. North Carolina Employees

The state agency responsible for complaints of discrimination and harassment is the Civil Rights Division of the North Carolina Office for Administrative Hearings. The Civil Rights Division can be reached at:
1711 New Hope Church Road
Raleigh, NC 27609
Email: oah.postmaster@oah.nc.gov
Phone: 984-236-1850

The EEOC can be reached at:

434 Fayetteville Street Suite 700
Raleigh, NC 27601
Phone: 1-800-669-4000

11. Oregon Employees

The state agency responsible for complaints of discrimination and harassment is the Civil Rights Division of the Oregon Bureau of Labor and Industries. The Civil Rights Division can be reached at:
800 NE Oregon Street
Portland, OR 97232
Email: help@boli.state
Phone: 971-673-0761
Website: <https://www.oregon.gov/boli/pages/index.aspx>

The EEOC can be reached at:
450 Golden Gate Avenue
5 West, P.O. Box 36025
San Francisco, CA 94102-3661
Phone: 1-800-669-4000

All employees are encouraged to document any incidents involving discrimination, harassment or sexual assault as soon as possible.

Time Limitations

Nothing in this policy precludes any person from filing a formal grievance in accordance with the Oregon Bureau of Labor and Industries' Civil Rights Division or the Equal Employment Opportunity Commission. Note that Oregon state law requires that any legal action taken on alleged discriminatory conduct (specifically that prohibited by ORS 659A.030, 659A.082 or 659A.112) commence no later than five years after the occurrence of the violation. Other applicable laws may have a shorter time limitation on filing.

Nondisclosure and Nondisparagement Agreements

Consistent with Oregon law, NWSL will not require or coerce an employee or prospective employee to enter into any agreement as a condition of employment, continued employment, promotion, compensation or the receipt of benefits, that contains a nondisclosure provision, nondisparagement provision or any other provision that has the purpose or effect of preventing the individual from disclosing or discussing unlawful employment discrimination or harassment (including sexual assault). An employee claiming to be aggrieved by discrimination, harassment, or sexual assault may, however, voluntarily request to enter into a settlement, separation, or severance agreement that contains a nondisclosure, nondisparagement, or no-rehire provision (as defined below) and will have at least seven days to revoke any such agreement.

Under this policy, a nondisclosure agreement is any agreement by which one or more parties agree not to discuss or disclose information regarding any complaint of work-related harassment, discrimination, or sexual assault. A nondisparagement agreement is any agreement by which one or more parties agree

not to discredit or make negative or disparaging written or oral statements about any other party or NWSL. A no-rehire provision is an agreement that prohibits an employee from seeking reemployment with NWSL and allows NWSL to not rehire that individual in the future.

12. Rhode Island Employees

The state agency responsible for handling complaints of discrimination and harassment is the Rhode Island Commission for Human Rights (RICHR). The RICHR can be reached at:

180 Westminster Street, 3rd Floor
Providence, RI 02903
Tel: 401-222-2661
Website: <http://www.richr.ri.gov/>

The EEOC can be reached at:
JFK Federal Building
15 New Sudbury Street, Room 475
Boston, MA 02203-0506
Phone: 1-800-669-4000

13. Texas Employees

The state agency responsible for complaints of discrimination and harassment is the Texas Workforce Commission - Civil Rights Division (TWC-CRD). The TWC-CRD can be reached at:

Address to mail completed intake questionnaire:

101 E. 15th Street, Room 144-T
Austin, TX 78701
Phone: (888) 452-4778

Intake Questionnaire: <https://www.twc.texas.gov/files/partners/employment-discrimination-complaint-twc.pdf>

To submit complaint in person:
117 Trinity Street, 144-T
Austin, TX 78701

The EEOC can be reached at:
Mickey Leland Building
1919 Smith Street, 6th Floor
Houston, TX 77002
Phone: 1-800-669-4000

14. Vermont Employees

The state agency responsible for complaints of harassment is the Public Protection Division, Civil Rights Unit of the State of Vermont Attorney General's Office. The Division can be reached at:

109 State Street
Montpelier, VT 05609-1001
Phone: 802-828-3657
Website: <https://ago.vermont.gov/about-the-attorney-generals-office/divisions/civil-rights/>

The EEOC can be reached at:
JFK Federal Building
15 New Sudbury Street, Room 475
Boston, MA 02203-0506
Phone: 1-800-669-4000

15. Washington, DC Employees

The state agency responsible for complaints of discrimination and harassment is the DC Office of Human Rights. The DC Office of Human Rights can be reached at:
441 4th Street NW, Suite 570
Washington, DC 20001
Phone: 202-727-4559
Email: ohr@dc.gov
Website: <https://ohr.dc.gov/protectedtraits>

The EEOC can be reached at:
131 M Street NE
Washington, DC 20002
Phone: 1-800-669-4000

16. Washington Employees

The state agency responsible for complaints of harassment is the Washington State Human Rights Commission (WSHRC). The WSHRC can be reached at:
Seattle District Office
Melbourne Tower, #921
1511 Third Avenue
Seattle, WA 98101-1626
Phone: 206-464-6500
Website: <https://www.hum.wa.gov/>

The EEOC can be reached at:
EEOC - Seattle District Office
Federal Office Building
909 First Avenue, Suite 400
Seattle, WA 98104-1061
Phone: 1-800-669-4000

STOP SEXUAL HARASSMENT ACT FACTSHEET

All employers are required to provide written notice of employees' rights under the Human Rights Law both in the form of a displayed poster **and** as an information sheet distributed to individual employees at the time of hire. This document satisfies the information sheet requirement.

The NYC Human Rights Law

The NYC Human Rights Law, one of the strongest anti-discrimination laws in the nation, protects all individuals against discrimination based on gender, which includes sexual harassment in the workplace, in housing, and in public accommodations like stores and restaurants. Violators can be held accountable with civil penalties of up to \$250,000 in the case of a willful violation. The Commission can also assess emotional distress damages and other remedies to the victim, can require the violator to undergo training, and can mandate other remedies such as community service.

Sexual Harassment Under the Law

Sexual harassment, a form of gender-based discrimination, is unwelcome verbal or physical behavior based on a person's gender.

Some Examples of Sexual Harassment

- unwelcome or inappropriate touching of employees or customers
- threatening or engaging in adverse action after someone refuses a sexual advance
- making lewd or sexual comments about an individual's appearance, body, or style of dress
- conditioning promotions or other opportunities on sexual favors
- displaying pornographic images, cartoons, or graffiti on computers, emails, cell phones, bulletin boards, etc.
- making sexist remarks or derogatory comments based on gender

Retaliation Is Prohibited Under the Law

It is a violation of the law for an employer to take action against you because you oppose or speak

out against sexual harassment in the workplace. The NYC Human Rights Law prohibits employers from retaliating or discriminating "in any manner against any person" because that person opposed an unlawful discriminatory practice. Retaliation can manifest through direct actions, such as demotions or terminations, or more subtle behavior, such as an increased work load or being transferred to a less desirable location. The NYC Human Rights Law protects individuals against retaliation who have a good faith belief that their employer's conduct is illegal, even if it turns out that they were mistaken.

Report Sexual Harassment

If you have witnessed or experienced sexual harassment inform a manager, the equal employment opportunity officer at your workplace, or human resources as soon as possible.

Report sexual harassment to the NYC Commission on Human Rights. Call 718-722-3131 or visit NYC.gov/HumanRights to learn how to file a complaint or report discrimination. You can file a complaint anonymously.

State and Federal Government Resources

Sexual harassment is also unlawful under state and federal law where statutes of limitations vary.

To file a complaint with the New York State Division of Human Rights, please visit the Division's website at www.dhr.ny.gov.

To file a charge with the U.S. Equal Employment Opportunity Commission (EEOC), please visit the EEOC's website at www.eeoc.gov.

    @NYCCHR
NYC.gov/HumanRights

NYC Commission on Human Rights
BILL DE BLASIO Mayor
CARMELYN P. MALALIS Commissioner/Chair