

GLOBAL ANTI-HARASSMENT & ANTI-DISCRIMINATION POLICY

Policy Summary

At Establishment Labs, each of us is responsible for promoting a culture that results in a safe, positive, diverse and inclusive work environment where people can flourish. The purpose of this Global Anti-Harassment and Anti-Discrimination Policy ("Policy") is to ensure our employees can thrive in an inclusive workplace free from all forms of harassment, including unfair discrimination, sexual harassment and sexual misconduct. This Policy protects our employees against inappropriate actions that are unwanted and unwelcome, and/or which create an intimidating, offensive, or hostile work environment.

Establishment Labs takes all forms of harassment and all forms of discrimination very seriously and all complaints of harassment will be promptly investigated. Establishment Labs will take disciplinary action in cases of proven harassment (up to and including termination) and believes that all forms of harassment and discrimination cannot be tolerated, nor can it exist unaddressed within the organization.

All Establishment Labs employees are owners of this Policy. Employees who manage or supervise one or more employees have additional responsibilities to report violations and to enforce this policy as set out below and will be assumed to be familiar with the contents of this policy, regardless of whether they have undergone formal training on its contents.

Violations of this or any other Establishment Labs policy can be reported through <https://www.whistleblowerservices.com/labs> for US reports and <https://establishmentlabs.ethicspoint.com> for outside of US reports (as listed in Section 3, below). If you have any questions about your obligations under this policy, you should contact your Human Resources business partner or the Compliance Team.

Who is Covered?

This Policy extends to all Establishment Labs employees (full-time, part-time and temporary), including employees of any subsidiaries where Establishment Labs has a majority interest or management control.

This policy also covers third parties when dealing with Establishment Labs employees (e.g., contractors, vendors, suppliers, retailers, customers, and guests) and Establishment Labs employees can rely on this policy in case of harassment by third parties who deal with Establishment Labs. We do not tolerate harassment of employees by non-employees, nor do we tolerate harassment of non-employees by anyone in our company workplace.

If you experience or witness harassment by a non-employee, you should report it through the same channels as you would report any complaint. Establishment Labs will take appropriate action to investigate and remediate the issue.

What is our Company Workplace?

Our commitment to a discrimination and harassment-free workplace extends beyond Establishment Labs offices and buildings. Discrimination or Harassment are prohibited both in the actual workplace and in any location that can reasonably be regarded as an extension of the workplace, including washrooms, Establishment Labs worksites, accommodations provided by Establishment Labs, work-related social events, office parties, client entertainment events, any mode of transportation provided by Establishment Labs (or a representative of Establishment Labs) for undertaking a journey to and from the aforementioned locations, and any other location where Establishment Labs business is being conducted or which can be reasonably regarded as an extension of the workplace (all of which we consider to be our "Company Workplace" under this Policy).

Discrimination or Harassment can also take place online or through electronic communications. While messaging and posting information online can be a great way to connect with others, always conduct yourself in a manner that is consistent with this policy and Establishment Labs Social Media Guidelines.

What is Harassment?

Harassment includes all inappropriate conduct that creates a disrespectful, intimidating, hostile, degrading, humiliating, or offensive environment. Harassment may involve verbal or physical conduct including comments, actions or gestures that affect an employee's dignity or psychological or physical integrity.

Harassment can range from extreme forms such as violence, threats, or physical touching to less obvious actions like ridiculing, teasing, or repeatedly bothering employees or subordinates or refusing to talk to them. A single incident that has a lasting harmful effect on an employee or a series of incidents may amount to harassment.

Examples of behavior that may be harassment include:

- Derogatory or insensitive jokes, pranks, or comments;
- Racial slurs, derogatory remarks about a person's accent, display of racially offensive symbols;
- Comments about a person's private life or the way they look;
- Unwelcome sexual advances or requests for dates;
- Non-verbal behavior such as staring, leering, whistling or indecent gestures;
- Ridiculing or demeaning comments;
- Innuendos or veiled threats;
- Unreasonably or unjustifiably excluding someone from normal workplace conversations and making them feel unwelcome;
- Sabotaging a person's work;
- Comments that ridicule or stereotype people;
- Displaying or sharing offensive images such as posters, videos, photos, cartoons, screensavers, emails, or drawings that are derogatory or sexual;
- Offensive comments about appearance, or other personal or physical characteristics, such as sexually charged comments or comments on someone's physical disability;
- Unnecessary or unwanted physical contact such as kissing, groping or massaging, blocking normal movement, or physically interfering with the work of another individual;
- Threats or demands that a person submit to sexual requests as a condition of continued employment or to avoid some other loss and offers of employment-related benefits in return for sexual favors;
- Physical assault or stalking;
- Unwillingness to train, evaluate, assist, or work with an employee;
- Intimidating acts, such as bullying or threatening; or
- Any other conduct that shows hostility toward, disrespect for or mistreatment of an individual.

This list of examples is not exhaustive, and there may be other behaviors that constitute harassment under this policy. Victims of harassment can be of the same or different sex, sexual orientation, race or other status as the harasser. "I was joking," "I didn't mean it that way," "this is acceptable where I come from," or "no one has ever complained about this behavior before," are not excuses for harassment, nor is being under the influence of alcohol or other substances. It is a violation of this policy to engage in harassment of any kind.

Sexual Harassment

Sexual harassment is harassment specifically based on sex and includes any unwelcome sexual advance, unsolicited sexual attention, demand or request for sexual access or favors, sexual innuendo or other unwelcome verbal or physical conduct of a sexual nature. Conduct can be sexual harassment even when it is not motivated by sexual desire. Conduct can be sexual harassment regardless of the victim's gender or gender expression and victims can be of the same sex as the harasser, as well as of the opposite sex. Conduct can be sexual harassment regardless of the harasser's or victim's position at Establishment Labs. It is a violation of this Policy to engage in sexual harassment of any kind.

Discrimination

Discrimination is the unfair denial of equal treatment and opportunity to individuals or groups based on one or more of the characteristics listed below, with respect to the terms, conditions, or privileges of employment, including but not limited to, hiring, firing, promoting, disciplining, scheduling, training, or deciding how to compensate that employee:

- Race, color, ethnic or national origin;
- Age;
- Religion or religious beliefs;
- Sex, including pregnancy, childbirth, or breastfeeding;
- Sexual orientation;
- Gender and gender expression;
- Nationality, immigration status, citizenship, or ancestry;
- Protected military or veteran status;
- Political affiliation
- Unions or labor organizations affiliation
- Physical or mental disability, medical condition, genetic information or characteristics (or those of a family member);
- Parental status; or
- Status as a victim of domestic violence, sexual assault or stalking;

Or any other basis prohibited under applicable local laws. This list is not exhaustive and there may be other circumstances in which employees are unfairly denied equal treatment. It is a violation of this Policy to engage in discrimination of any kind.

Reporting Discrimination or Harassment

If you have been subjected to any form of harassment, or if you have witnessed others being subjected to harassment, you can report the incident(s) through Establishment Labs Compliance Helpline, online at <https://www.whistleblowerservices.com/labs> for US reports and <https://establishmentlabs.ethicspoint.com> for out of US reports.

Alternatively, you can also report harassment through any of the following channels:

- Your Manager
- Your Manager's Manager
- Human Resources
- Compliance Team

Reporting Requirements of Managers & Supervisors

Supervisors and managers who receive discrimination or harassment complaints must within 10 business days report the complaint through the Compliance Department (Supervisors and managers who become aware or have knowledge of a serious and/or systemic violation of this Policy must report as soon as reasonably practicable.

If supervisors and managers do not timely report potential violations of this Policy within these time limits, they will be subject to disciplinary action.

Nothing in this Policy should be read to condone or encourage independent investigation of complaints under this Policy by managers and supervisors. Rather, concerns under this Policy should be reported to Human Resources or Compliance.

Investigations Process

Establishment Labs will investigate any complaint under this Policy promptly, thoroughly and impartially. The relevant Human Resources and Compliance representative will integrate the Disciplinary/Investigative Internal Committee that will recommend/ determine any remedial or disciplinary actions.

All employees are expected to cooperate with investigations undertaken pursuant to this Policy. Failure to cooperate in an investigation may result in disciplinary action, up to and including termination of employment.

No Retaliation

We recognize that employees may find it difficult to raise complaints about harassment, so this policy is meant to encourage employees to come forward with their concerns without fear of retaliation. Examples of retaliation include termination, demotion, refusal to promote, transfer (in some circumstances), or any other adverse action that would discourage a reasonable person from reporting perceived harassment or discrimination.

Retaliation also includes adverse action taken against family members or other people associated with the individual raising complaints of harassment. Accordingly, it is a violation of this Policy for any employee to retaliate against an individual solely because he or she, in good faith, complained of, or expressed an intent to report, what he or she believes in good faith to be harassment, to the company or to a government agency, assisted another employee to report, or participated in an investigation, proceeding or lawsuit relating to a complaint of harassment, including as a witness.

Confidentiality

Establishment Labs will keep all complaints confidential to the extent reasonably practicable while still fulfilling its obligation to investigate and end any alleged harassing, discriminatory or retaliatory conduct. In each investigation, we will do our best to respect the privacy of all persons involved. It may be necessary to discuss the claims with person(s) with knowledge and the person(s) against whom the complaint was filed.

Persons interviewed, including witnesses, may be directed not to discuss any aspect of the investigation with others and the failure to comply with a confidentiality directive may result in disciplinary action.

Managers Responsibilities

Prevention is the best tool to eliminate harassment and all forms of discrimination in the workplace; however, no single person can prevent harassment and discrimination. **All employees are owners of this Policy**. In addition to their obligations to report all incidents of harassment as set out, all Establishment Labs supervisors and managers must:

- Read and understand this Policy and the implications of non-compliance;
- Ensure that employees in his or her team understand and comply with this Policy;
- Ensure that employees in his or her team know they can report any complaint alleging harassment or discrimination, without fear of victimization or retaliation;
- Know how and where to file complaints under this Policy and inform employees in his or her team how and where to file complaints;
- Ensure that this Policy forms part of induction training.

Disciplinary and/or Corrective Action

Any employee found to have violated this policy may be subject to appropriate disciplinary and/or corrective action. This may include but is not limited to written or verbal reprimand, suspension, reassignment, demotion or termination of employment. Referral to another appropriate authority for review for possible violation of local laws may also be required.

Our Standards:

This Policy sets out Establishment Labs minimum standards for addressing and preventing harassment in all Establishment Labs workplaces.

The standards set out in this Policy may be higher and provide greater protection to Establishment Labs employees than some local laws. Accordingly, an employee may be in violation of this Policy even if he or she does not violate local laws.

Employees can rely on this Policy and their local regulations. Nothing in this Policy is meant to conflict with local law, including labor laws, which can vary from country to country.

In the event of any dispute or ambiguity in the interpretation of this Policy, the same will be determined by Establishment Labs, whose decision shall be final and binding on the point. Nothing contained in this Policy shall operate in derogation of any law for the time being in force or to the prejudice of any right of any employees under any other rules or law.

Related Policies

Code of Business Conduct and Ethics

Whistleblower Policy