

Policy Title:	<b>Equal Employment Opportunity/ Anti-Discrimination Policy</b>	Policy No:	<b>N-HR-6</b>
Applicability:	<b>U.S. Associates</b>	Issue Date:	<b>December 14, 2020</b>
Issuing Department:	<b>Global Human Resources</b>	Replaces Policy Dated:	<b>March 30, 2020</b>

**1. GENERAL POLICY**

The continued success of The Scotts Company depends on the full and effective utilization of qualified people regardless of race, color, religion, pregnancy, age, sex, national origin, sexual orientation, gender identity or expression, non-disqualifying physical or mental disability, veteran status, or any other legally protected characteristic. The Scotts Company has a continuing obligation to hire and develop people, based on job-related qualifications. The Company will continue to direct employment and personnel practices toward ensuring equal opportunity for qualified individuals.

**2. SPECIFIC GUIDANCE**

In order to provide equal employment and advancement opportunities to qualified individuals, The Scotts Company makes employment decisions based on the Company’s judgment of merit, qualifications, and abilities without regard to race, color, religion, pregnancy, age, sex, national origin, sexual orientation, gender identity or expression, non-disqualifying physical or mental disabilities, veteran status, or any other legally protected characteristic. This policy applies to, among other things, matters related to recruiting, hiring, training, compensation, benefits (including retirement plans and disability leave), terminations, promotions, transfers, layoffs or recalls, Company sponsored educational, social, and recreational programs, and all treatment on the job.

The Company will recruit, hire, train and promote persons in all job classifications and advertise positions without regard to race, color, religion, age, sex, national origin, sexual orientation, gender identity or expression, non-disqualifying physical or mental disability, veteran status, or any other legally protected characteristic.

Associates who believe that they have been discriminated against on any of the above bases, are to notify their supervisor, a Human Resources Representative, or any member of management immediately. Any supervisor or manager who receives information concerning a possible violation of this policy must report the matter promptly to a Human Resources representative. The Company will treat the matter as confidentially as possible under the circumstances, consistent with the need to investigate and address the matter. Based on its investigation, the Company will take any action which, in the Company’s judgement, is necessary to address the matter, including

possible discipline up to and including termination of any individual found to have violated this policy.

Associates should be particularly aware that prohibited conduct includes, but is not limited to: derogatory or demeaning name calling, labels, stereotypes, or actions directed toward another associate because of that person's race, color, religion, age, sex, national origin, sexual orientation, gender identity or expression, non-disqualifying physical or mental disability, veteran status, or any other legally protected characteristic. Associates should refer to the Company's Anti-Harassment Policy for other relevant information.

Associates will be accommodated, for the purpose of expressing milk, for up to three years following the birth of a child. An associate must request, in writing and with reasonable advance notice, accommodation for the purpose of expressing milk. Associates will be permitted to take reasonable breaks, each time the associate has the need to express milk, for this purpose. To the extent possible, these breaks should be taken concurrently with regularly provided rest periods.

Scotts will provide a private place (other than a restroom), shielded from view and free from intrusion, for the associate's use. In the event that it is impractical for an associate to use a designated place on-site, due to the nature of the associate's job duties, Scotts will make reasonable efforts to provide or locate a private place for the associate's use. This policy does not limit any nursing mother's right, under state law, to breastfeed in a place of public accommodation.

In order to meet our commitment to prevent and address discrimination, we rely on the commitment and cooperation of all associates. All associates must cooperate in any investigation relating to enforcement of this policy. Retaliation against any associate for making a good faith complaint or cooperating in an investigation under this policy is strictly prohibited and will not be tolerated. Any individual who believes that he or she may be experiencing retaliation should report the matter immediately to a Human Resources representative so that it may be promptly investigated and addressed. Scotts EEO Statement is located on the associate bulletin boards as well as on The Garden. Associates who have questions or concerns about any aspect of this policy may contact any Human Resources representative.

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**Disclaimer**

The Scotts Company reserves the right to alter, amend, or suspend any element of this policy at any time.

Except for those persons whose employment is otherwise governed by a specific employment contract, employment at The Scotts Company is at will. Employment "at will" means Scotts or its associates have the right to terminate the employment relationship at any time, without restriction. Nothing in Scotts' Human Resources Policies is intended or should be construed as altering or limiting the employment at will relationship.