
POLICY of RESPECTFUL COLLABORATION AND PROHIBITING DISCRIMINATION, HARASSMENT, AND RETALIATION

(From the Transphorm Employee Handbook – Updated May 18, 2020)

The Company is committed to providing a work environment that is respectful and free of discrimination and harassment. In keeping with this policy, the Company strictly prohibits discrimination and harassment of any kind, including discrimination and harassment on the basis of race, color, religion, citizenship, political activity or affiliation, marital status, age, national origin, ancestry, physical or mental disability, medical condition (as defined under California law), veteran status, sexual orientation, gender identity, gender expression, sex or gender (which includes harassment and discrimination based on pregnancy, childbirth, breastfeeding, or related medical conditions), taking or requesting statutorily protected leave, or any other characteristics protected under federal, state, or local laws.

Definitions: *Harassment may take many forms, but the most common forms include:*

- (1) Verbal harassment – such as jokes, epithets, slurs, negative stereotyping, and unwelcome remarks about an individual’s body, color, physical characteristics, or appearance, questions about a person’s sexual practices, or gossiping about sexual relations;
- (2) Physical harassment – such as physical interference with normal work, impeding or blocking movement, assault, unwelcome physical contact, leering at a person’s body, and threatening, intimidating, or hostile acts that relate to a protected characteristic;
- (3) Visual harassment – such as offensive or obscene photographs, calendars, posters, cards, cartoons, e-mails, drawings, and gestures, display of sexually suggestive or lewd objects, unwelcome notes or letters, and any other written or graphic material that denigrates or shows hostility or aversion toward an individual, because of a protected characteristic, that is placed on walls, bulletin boards, or elsewhere on the employer’s premises or circulated in the workplace.

Sexual harassment – There are two distinct categories of sexual harassment:

- (4) **Quid Pro Quo** – When an individual’s submission to or rejection of unwelcome sexual conduct is used as a basis for employment decisions affecting that individual, including granting of employment benefits; and
- (5) **Hostile Environment** – When unwelcome sexual conduct unreasonably interferes with an individual’s job performance or creates an intimidating, hostile, or offensive working environment, even if it does not lead to tangible or economic job consequences.

Sexual harassment includes harassment of women by men, of men by women, and same-sex harassment. Sexual harassment is unlawful whether it involves co-worker harassment, harassment by a supervisor or manager, or by persons doing business with or for the Company.

The Company prohibits any and all conduct that may reasonably be interpreted as harassment as defined above whether or not such conduct is pervasive enough or severe enough to meet the technical legal requirements of harassment.

Reporting and Investigation

If you believe you have been subject to harassment or discrimination of any kind or any conduct that violates this policy, you must immediately report the facts of the conduct. The preferred first report should be to your supervisor.

If, for any reason, you do not feel comfortable discussing the matter with your supervisor, you should bring the matter to the attention of the Company's Compliance Officers (the Human Resources Leader or the Chief Financial Officer), or both. If neither of these options is practical then you may safely report issues to the Company's Ethics Hotline, which is a third party services that has confidential reporting options. The contact information for the Ethics Hotline is: Phone: 844-989-1486 or by internet www.transphorm.ethicspoint.com . The important thing is that you bring the matter to the Company's attention promptly so that any concern of harassment or discrimination can be investigated and addressed appropriately.

All complaints will be promptly and thoroughly investigated, and all information disclosed during the course of the investigation will remain confidential, except as necessary to conduct the investigation and take any remedial action, and in accordance with applicable law. All employees and supervisors have a duty to cooperate in the investigation of alleged harassment or discrimination. In addition, failing to cooperate or deliberately providing false information during an investigation shall be grounds for disciplinary action, including termination of employment. At the conclusion of its investigation, if the Company determines a violation of policy has occurred, it will take effective remedial action commensurate with the severity of the offense. This action may include disciplinary action against the accused party, up to and including termination. Steps will be taken, as reasonable and necessary, to prevent any further violations of policy.

Retaliation

Retaliation for reporting any incidents of harassment or discrimination, or perceived harassment or discrimination, for making any complaints of harassment or discrimination, or participating in any investigation of incidents of harassment or discrimination, or perceived harassment or discrimination, is strictly prohibited.

Any report of retaliation by the one accused of harassment or discrimination, or by co-workers, supervisors, or managers, will also be promptly and thoroughly investigated in accordance with the Company's investigation procedures outlined above. If a complaint of retaliation is substantiated, appropriate disciplinary action, up to and including discharge, will be taken.

Additional Enforcement Information

In addition to the Company's internal complaint procedure, employees should also be aware that the federal Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) investigate and prosecute complaints of harassment, discrimination, and retaliation in employment.

Information about the EEOC complaint procedure can be found on their website (www.eeoc.gov). You may also contact the EEOC at:

1-800-669-4000 (English) 1-800-669-6820 (TTY)

Information about the DFEH can be found on their website (www.dfeh.ca.gov). You may also contact the DFEH at the following numbers if you are calling within California:

1-800-884-1684 (English) 1-800-700-2320 (TTY)

This policy can be modified unilaterally by the Company at any time without notice. Modification may be necessary to maintain compliance with local, state, and federal laws and/or accommodate organizational changes within the Company.