

Empire State Realty Trust, Inc.

Empire State Realty OP, L.P.

Health & Safety Policy

Empire State Realty Trust, Inc. and Empire State Realty OP, L.P. (collectively with their subsidiaries, the “Company”) take seriously our role and responsibility to provide a safe and healthy workplace. This policy outlines the Company’s responsibility to manage our buildings in a way that protects the health and safety of our tenants and employees. The implementation of this policy is overseen by our Chief People Officer and SVP and Director of Energy, Sustainability, and ESG and endorsed by the executive management team. This policy is supported by comprehensive procedures, covering emergency preparedness and response plans, incident reporting, requirements for vendors and partners, and mandatory staff training to ensure their effective implementation.

1. PROCEDURES

As required by law, the Company discloses information about occupational health and safety performance, including injuries, occupational diseases, and work-related fatalities to the U.S. Occupational Safety and Health Administration (“OSHA”) annually. If a work-related injury, illness, or incident occurs, the affected person reports to a telephone nurse triage who reviews, advises, and documents the incident. The Company’s workers’ compensation carrier periodically reviews the safety of our buildings. Our Human Resources department regularly communicates policy and procedure to all employees and union representatives.

The Company has a Crisis Management Team (“CMT”) comprised of relevant department heads that is prepared to respond to emergency situations. The CMT meets regularly, conducts periodic tabletop exercises to test the Company’s business continuity program, and reviews at least annually our crisis management policies and procedures, including our Corporate Crisis Management Plan, Cybersecurity Incident Response Playbook, and the Empire State Building Emergency Response Plan. These policies provide guidance on the activities and resources required to respond, communicate internally and externally, and restore critical operations in the event of a major incident, such as a cyber breach, natural disaster, or other emergency that impacts our buildings and/or employees.

The Company’s portfolio includes the iconic New York landmark, the Empire State Building. Given the high profile of this building, we have special procedures in place, including a dedicated Emergency Response Plan and a 24/7 on-site security team with its own K-9.

2. HEALTH AND SAFETY COMPLIANCE AND TRAINING

The Company is committed to providing a safe and healthy workplace throughout our facilities that complies with applicable safety and health laws, including but not limited to, the Construction Safety Act of 1969, the Occupational Safety and Health Act of 1970, ISO 45001: 2018, and other relevant laws that cover areas including occupational safety, emergency preparedness, occupational injury and illness, industrial hygiene, physically demanding work, machine safeguarding, sanitation, food, and housing.

The Company provides trainings for its employees to raise awareness and reduce operational health and safety incidents, including mandatory OSHA trainings for certain employees that includes parameters for life, fire, electrical and scaffold safety, as well as, identifying potential biological, chemical, or physical hazards such as asbestos, vermiculite, and legionella.

We target best-in-class standards for the health of our buildings. ESRT will continue to improve the performance of our management team in regard to the Health and Safety policy. 100% of our portfolio is WELL Health-Safety certified, and the Company’s commercial portfolio was the first in the Americas to achieve the WELL-Health Safety Rating.

3. VENDOR RESPONSIBILITY

The Company encourages its partners, suppliers, and vendors to aim for the same high standards for health and safety. Vendors shall incorporate health and safety management practices into all aspects of their business. Vendors must fully comply with all applicable safety and health laws, including in the areas of occupational safety, emergency preparedness, occupational injury and illness, industrial hygiene, physically demanding work, machine safeguarding, sanitation, food, and housing. Vendors shall minimize employee and visitor exposure to potential safety hazards by appropriately identifying, assessing, and minimizing risks.