

Empire State Realty Trust

Human Capital Policy

It is the purpose of this Policy to define Empire State Realty Trust Inc.s (collectively with its affiliates, the “Company” or “we”) commitment to respect Human Rights, Labor Rights, and Occupational Health and Safety as defined by the International Bill of Human Rights, the International Labor Organization’s (ILO) Declaration of Fundamental Principles and Rights at Work and the US Department of Labor and Occupational Safety and Health Administration (OSHA). The International Bill of Human Rights collectively includes the two Covenants: The International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights. We also commit to the United Nations’ Guiding Principles on Business and Human Rights. This policy is applicable to, including but not limited to: ESRT employees, vendors, tenants and customers.

We will regularly review and update the progress on our efforts. If any employee believes that the Company, another employee, a vendor, tenant or customer of the Company or anyone else affiliated with the Company is violating Human Rights, Labor Rights, Occupational Health and Safety Policy or the law, they are asked to report it to the Human Resources Department where we will review the concern and conduct an appropriate investigation. A copy of this Policy will be provided internally and externally through the Company’s website. It will be communicated to our employees, shareholders, vendors, tenants, and customers.

- Respect for Human Rights: We respect the rights of all persons impacted, both directly and indirectly, by our business. We emphasize treating individuals with dignity and respect inside our organization and throughout our supply chain. We are dedicated to complying with pertinent laws.
- Non-discrimination and harassment: We are dedicated to maintaining workplaces that are free from discrimination or harassment on the basis of race, sex, color, national or social origin, ethnicity, religion, age, disability, sexual orientation, gender identity, HIV status, marital status, or any other status protected by the laws or regulations in the locations where we operate. These principles apply not only to employees, but also throughout our supply chain.
- Freedom of Association and Collective Bargaining: We respect our employees’ right to associate or not associate with third-party organizations, join, form or not join a labor union, seek representation, bargain or not bargain collectively in accordance with local laws, without fear of reprisal, intimidation or harassment. Where employees are represented by a legally recognized union, we are committed to establishing a constructive dialogue with their freely chosen representative.
- Child Labor: We will not permit child labor to be used inside our organization [or by our suppliers] under any circumstances. All employees must meet the minimum age requirement set by local laws.
- Minimum wage, hours, and benefits: We operate in full compliance with applicable wage laws, including those relating to minimum wages, overtime hours and legally mandated benefits. Working hours for our employees shall be limited to what is permitted by local laws.
- Workplace Health and Safety: We are dedicated to providing safe and healthy workplaces that comply with all applicable health and safety laws, regulation, and internal directives, and we implement all precautions and practices as feasible to minimize the risk of accidents and injury in our workplaces. Applicable laws and regulations include but are not limited to:

Construction Safety Act of 1969 and The Occupational Safety and Health Act of 1970.