

## **Empire State Realty Trust, Inc. - Human Rights Policy**

Empire State Realty Trust, Inc. (“ESRT” or the “Company”) is committed to reducing human rights risks throughout our operations, our supply chain, and our partnerships. These human rights risks include issues around human trafficking, the use of child and/or forced labor, discrimination, equal pay, the right to collective bargaining and freedom of association, poor working conditions and fair wages. ESRT expects employees, suppliers, and third-party contractors to maintain and enforce our high standards on human rights.

ESRT’s Human Rights Policy is informed by rigorous global and domestic standards, including the United Nations (UN) Guiding Principles on Business and Human Rights, the OECD Due Diligence Guidance for Responsible Business Conduct, the International Labor Organization’s (ILO) Declaration of Fundamental Principles and Rights at Work, the U.S. Department of Labor and Occupational Safety and Health Administration (OSHA) and the International Bill of Human Rights, consisting of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights. ESRT is also a signatory to the United Nations Global Compact and the United Nations Women Empowerment Principles. Additionally, since ESRT’s operations are concentrated in New York City and the Greater New York Metropolitan area, ESRT is subject to New York State and New York City specific laws and regulations, including the New York City Human Rights Law.

ESRT requires all of partners, suppliers, and vendors, as well as their employees, agents and subcontractors, to adhere to its [Vendor Code of Conduct](#), which outlines its expectations for ethical conduct, legal and regulatory compliance, environmental standards, human rights and labor standards, diversity, equity & inclusion and health and safety, among other topics. Additionally, ESRT contracts generally require that new and existing suppliers be compliant with all local, state, and federal laws, which incorporates the New York City Human Rights Law.

A copy of this policy is provided internally and externally through ESRT’s website. It will be communicated to our employees, shareholders, vendors, suppliers, tenants, and customers.

### **Governance and Oversight**

Our environmental, social, and governance (ESG) program is one of ESRT’s top priorities and is supported by cross-departmental ESG team and overseen by our board of directors. The ESG team and ESRT’s Human Resources department regularly update management and the board our progress towards our ESG goals. If any instances are identified of human rights violations, including labor practices or cases of harassment, ESRT will investigate and take any necessary disciplinary action.

### **Human Rights**

#### **Respect for Human Rights**

The Company is committed to maintaining a work environment in which all individuals are treated with respect and dignity. The Company believes every individual has the right to work in an environment that

promotes equal opportunities and prohibits discriminatory practices. The Company is dedicated to complying with pertinent laws.

### **Training**

All employees must complete mandatory compliance trainings annually, including without limitation on topics covered in the Company's [Code of Business Conduct and Ethics](#) (the "Code"), such as sexual harassment, inclusion, human rights, insider trading, anti-bribery and anti-corruption, cybersecurity, and employee manual recertification.

## **Labor Rights**

### **Forced Labor and Human Trafficking**

ESRT strictly prohibits the use of forced labor. This includes recruiting, transporting, or use of forced, bonded (including debt bondage) or indentured labor, involuntary prison labor, slavery or trafficking of persons. ESRT's policies aligns with the Protocol of 2014 to the ILO Forced Labor Convention.

### **Child Labor**

ESRT does not permit child labor to be used inside its organization or by its suppliers under any circumstances. Workers must be no younger than the minimum age for employment under applicable law. ESRT's policies align with the ILO Conventions in these areas, including the Minimum Age Convention (C138) and the Worst Forms of Child Labour Convention (C182).

### **Diversity & Inclusion**

The Company is committed to promoting an inclusive work environment within its operations and to fostering relationships with high-performing and underrepresented vendors and expects its vendors to promote an inclusive work environment. ESRT's supply chain diversity policy encourages the use of women-owned business (WBEs), among other small and minority business owner groups. ESRT is a signatory of the United Nations Women Empowerment Principles, which foster business practices that empower women, including equal pay, equal opportunity for career advancement, paid parental leave and zero tolerance for sexual harassment in the workplace.

### **Non-discrimination and harassment**

The Company is dedicated to maintaining a workplace free of unlawful discrimination or harassment, which includes race, gender, marital status, age, color, religion, national or social origin, disability, veteran status, sexual orientation, or any other status protected by law. Under the Company's policies, employees shall not be subject to verbal, physical, sexual, or psychological abuse, harassment, and shall be treated with respect and dignity.

### **Freedom of Association and Collective Bargaining**

The Company expects its employees and vendors to adhere to applicable laws under the National Labor Relations Act, particularly regarding the right of their employees to organize and affiliate with lawful organizations to bargain collectively with their employers without interference. The Company's policies align with the conventions of the International Labor Organization, including CO87 – Freedom of Association and Protection of the Right to Organise and expects the same of its vendors.

## **Environment**

### **Right to Water**

ESRT acknowledges water as a human right, which entitles all people to sufficient, safe, acceptable, physically accessible, and affordable water for personal and domestic use.

## **Anti-Corruption**

### **Anti-Bribery and Anti-Corruption**

In accordance with its Code, the Company shall enter into and conduct all business relationships honestly and ethically. Bribery, kickbacks or other improper payments, direct or indirect, to any person to obtain a contract, some other commercial benefit or government action is strictly prohibited.

The Company's employees and directors are prohibited from directly or indirectly offering or promising gifts or favors, or providing business entertainment, unless such gifts or business entertainment (i) are reasonable and consistent with usual business practice, (ii) cannot be construed as a bribe or a payoff or made for the purpose of deriving an improper benefit for the Company, (iii) are not in violation of any law and (iv) would not embarrass the Company if disclosed publicly. The Code also requires that Company employees and directors, wherever located, will adhere to the letter and spirit of the United States Foreign Corrupt Practices Act (the "FCPA"), which prohibits giving or promising money or items of value to any foreign official (foreign government official, political party or candidate or public international organization) for the purpose of influencing a decision or obtaining business.

The Code also prohibits Company employees and directors from making or recommending any payment from the Company's funds or assets to or for the benefit of a representative of any domestic or foreign government and from being used as a conduit for corrupt payments. The Code requires that all agents of the Company must be engaged in providing legitimate business services for a fee not in excess of the customary local rate for similar services.

### **Minimum wage, hours, and benefits**

ESRT complies with applicable wage laws, including those relating to minimum wages, overtime hours and legally mandated benefits. Working hours for Company employees are limited to what is permitted by local laws. The Company is committed to ensuring equal pay for equal work and performs periodic analyses to assess gender pay gaps or disparities. ESRT's policies align with the ILO Convention on Equal Remuneration (C100).

## **Health and Safety**

### **Workplace Health and Safety**

ESRT is dedicated to providing a safe and healthy workplace that complies with applicable safety and health laws, including but not limited to, the Construction Safety Act of 1969 and the Occupational Safety and Health Act of 1970 and other 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 takes all necessary precautions to minimize the risk of accidents and injury in our workplace.

ESRT aims to achieve best-in-class health and welfare standards, through mandatory OSHA trainings for certain employees that include parameters for life, fire, electrical and scaffold safety, as well as, identifying potential biological, chemical, or physical hazards such as asbestos, vermiculite, and legionella. As required by law, ESRT discloses information about OH&S performance, including injuries, occupational diseases, and work-related fatalities to OSHA annually. All our office buildings are WELL-Health Safety certified, and the Company's commercial portfolio was the first in the Americas to achieve the WELL-Health Safety Rating.

### **Workplace Security**

The Company is committed to providing a workplace that is free from acts of violence or threats of harassment, intimidation and other unsafe or disruptive conditions due to internal and external threats. The Company will not tolerate violence or threats of violence in, or related to, the workplace.