 Compliance & Ethics Department	Policy No. Compliance 4.0	Page 1 of 3
Subject: Prohibition of Retaliation for Reporting Compliance Concerns	Effective Date: January 1, 2018	
	Reviewed Date: December 31, 2020	
Approval: Chief Compliance Officer		

### 1.0 Purpose

To establish a policy that prohibits retaliation or retribution against employees who, in good faith, report known or suspected instances of inappropriate business conduct or activity.

### 2.0 Scope


This policy applies to all BrightSpring employees, contractors, Board Members, and any others acting on BrightSpring's behalf.

### 3.0 Policy

BrightSpring employees, contractors, Board Members, and any other person or entity acting on BrightSpring's behalf, are not permitted to engage in retaliation, retribution, or any form of harassment directed against any employee who, in good faith, reports a suspected, actual or potential violation of law or regulation, Company policies, Code of Conduct or any other compliance concern.

### 4.0 Procedure

- 4.1 Knowledgeable individuals have the responsibility to report, in good faith, concerns about suspected, actual or potential wrongdoing. Both direct and anonymous reporting mechanisms are available to BrightSpring employees, clients and the public to assist in meeting this responsibility. (See *Compliance Policy 2.0 – Reporting Compliance Issues/Compliance Action Line*).
- 4.2 BrightSpring is committed to a policy that requires timely disclosure of such concerns and prohibits any action directed against any employees, managers, staff members, or clients for making a good faith report of a concern.
- 4.3 Any manager, supervisor or employee who engages in retribution, retaliation or harassment against a reporting employee or client is subject to corrective action, up to and including separation of employment on first offense. (See *HR Policy 7.1 – Standards of Conduct*)
- 4.4 All instances of retaliation, retribution or harassment against reporting employees should be brought to the attention of a Compliance Officer. The Compliance Department may refer the concern to the appropriate Business Line/Resource Center Management personnel and Human Resource Department for both investigation and determination of corrective action. BrightSpring's Compliance Department and/or the Legal Department may also conduct investigations in these matters.
- 4.5 Prompt and forthright disclosure of an error by an employee when discovered, even if the error constitutes inappropriate or inadequate performance, will be considered a positive constructive action by the employee.
- 4.6 If an employee reports a concern regarding his or her own inappropriate or inadequate actions, reporting those concerns may not exempt him or her from the consequences of those actions.
- 4.7 In the event the investigation reveals or uncovers what appears to be criminal activity, local, state and/or Federal agencies will be notified as appropriate.

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**4.8** Any person using the Compliance Action Line to purposely report false information or to attempt to settle personal grievances by making false reports will be subject to corrective action in accordance with BrightSpring's Progressive Disciplinary Action Policy. (See *HR Policy 7.3*)

**4.9** Employee Rights and Protections Pursuant To Federal and State False Claims Acts: In addition to BrightSpring's requirement to report all concerns of wrongdoing to management without fear of retaliation or retribution, employees have additional rights and protections under various federal and state laws.

**4.9.1** Under Federal and State False Claims Acts, employees have the rights and protections outlined below.

**4.9.1.1** Rights: An employee has the right to lawfully file a "whistle blower" or qui tam law suit against other individuals or entities which make false claims for financial payment or reimbursement from the federal government or a state government. In most cases, an employee has the further right to participate in the investigation of such law suits, testify in such law suits or otherwise participate in the prosecution of such law suits.

**4.9.1.2** Protections: An employee engaging in above described protected activities may not be subjected to retaliation through an adverse employment action or subjected to any other form of discrimination. Some states have their own false claims act or general statutes related to non-intimidation/non-retaliation (for example: NY Labor Law 740-741).

**4.9.1.3** Examples of adverse employment actions include, but are not limited to: discharge from employment, demotion, suspension, and harassment. An employer who engages in any form of retaliatory action is required to make the employee whole. This may include reinstatement, possible payment of up to two (2) times the amount of back pay owed plus interest, compensation for any special damages, possibly punitive damages, and attorney fees and costs.

**4.9.1.4** To be entitled to these protections, an employee's actions must be lawful. Both the Federal and some State False Claims Acts provide for sanctions against anyone who files a whistleblower suit that is found to be frivolous, vexatious or filed primarily for the purposes of harassment.

## 5.0 Definitions

**5.1** Good faith: The individual reasonably believes or perceives the information reported to be true.

**5.2** Retaliation/Retribution: May include, but are not limited to the following actions:

**5.2.1** Reprimanding an employee.


**5.2.2** Giving a poor performance evaluation;

**5.2.3** Issuing corrective actions;

**5.2.4** Transfer of employee to a less desirable position;

**5.2.5** Engaging in verbal or physical abuse;

**5.2.6** Increasing scrutiny;

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**5.2.7** Spreading of false rumors;

**5.2.8** Making the work environment more difficult.

**5.2.9** Discharge from employment.

## 6.0 Responsibility

It is the responsibility of all BrightSpring employees, contractors, Board Members and any others acting on BrightSpring's behalf to notify the Company's Human Resources, Legal and Compliance Departments if they have reason to know or suspect that an employee is being retaliated against for reporting known or suspected instances of inappropriate business conduct or activities.