



Non-harassment Policy

Our values at Sleep Number promote trust and respect for all individuals and doing the right thing for our customers and our company and each other. Consistent with these values, we are committed to treating all of our team member and guests in a lawful, non-discriminatory manner, and to maintaining a work environment that is based upon and fosters mutual respect for the personal dignity of all of our team members and guests.

Sleep Number prohibits, and will take timely and appropriate action in response to, unlawful discrimination or harassment on the basis of age, sex, color, race, creed, national origin, religion, sexual orientation, gender identity, disability, military or veteran status or other applicable protected class status under federal, state and local laws. Any such discrimination or harassment will not be tolerated. It is a violation of this Policy for any team member, or any other individual in our work environment, to engage in any such unlawful discrimination or harassment against any team member of Sleep Number or any supplier, partner, customer or other invitee of Sleep Number. Any team member determined to have violated this Policy will be subject to disciplinary action, which may include termination of employment.

What is Harassment?

Prohibited harassment under this Policy consists of unwelcome verbal or physical conduct or communications of a sexual nature or based upon an team member race, creed, color, national origin, gender, sexual orientation, gender identity, religion, age, disability, military or veteran status or other applicable protected class status.

Sexual harassment is specifically prohibited. Sexual harassment consists of unwelcome sexual conduct, overtures, communications, favors or other verbal or physical conduct or communication of a sexual nature when:

- (a) submission to such conduct or communication is either explicitly or implicitly made a term or condition of employment; or
- (b) submission to or rejection of such conduct or communication is used as a factor in decisions affecting that individual’s employment, including without limitation an individual’s hiring, termination, promotion, performance review or compensation; or
- (c) such conduct or communication has the purpose or effect of substantially interfering with an individual’s employment or creating an intimidating, hostile or offensive work environment.

Examples of Conduct that May Constitute Sexual Harassment

Sexual harassment prohibited by this Policy may include but is not limited to:

1. Jokes, cartoons, emails, texts, pictures, stories or social media posts which have a sexual context;
2. Unwanted sexual advances, flirting or propositions;

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3. Objectionable physical proximity or physical contact, such as patting, pinching or unnecessary touching;
4. Threats, demands or suggestions that a team member’s work status, advancement or other terms or conditions of employment are contingent upon the team member’s toleration of or acquiescence to unwelcome sexual harassment; or
5. Repeated, unwelcome invitations to social engagements.

This Policy prohibits harassment against any individual by a member of the same sex or a member of the opposite sex.

Examples of other Conduct that May Constitute Unlawful Discrimination or Harassment

1. Using a person’s race, creed, color, national origin, gender, sexual orientation, gender identity, religion, age, disability, military or veteran status or other applicable protected class status as a factor in making any decision affecting that individual’s employment, including without limitation an individual’s hiring, termination, promotion, performance review or compensation;
2. Graffiti or similar displays or references to racist or hate-based organizations, symbols or logos;
3. Display or distribution of offensive or hate-based literature or cartoons;
4. Profane, vulgar or offensive statements, epithets, slurs, jokes, negative stereotyping or nicknames based upon a person’s protected class status;
5. Sabotaging or defiling of a team member’s work area, locker or personal property motivated by or based upon the team member’s protected class status;
6. Wearing hostile, hate-based or offensive clothing or jewelry; or
7. Any form of statement or conduct toward a team member that is intimidating, hostile, offensive, threatening, degrading or critical based on another person’s protected class status.

Reporting Discrimination or Harassment

If you believe that you are personally being subjected to, or have observed others being subjected to, any form of prohibited discrimination or harassment, you must follow these procedures:

FIRST: If you are comfortable doing so, tell the offender to stop. Then, immediately go to the next step below.

SECOND: Immediately report the incident to your manager or department head. In your report, it is important that you be as precise and specific as reasonably possible regarding dates, times, places, individuals, statements made, conduct observed, other individuals present

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and similar details in order to enable a fair and thorough investigation of the complaint. You are also encouraged to immediately notify Human Resources or the General Counsel regarding your concern.

THIRD: Immediately report any subsequent objectionable conduct or retaliation of any type in accordance with the foregoing procedures.

You should never:

Fail to report objectionable conduct;

Ignore objectionable conduct;

Decline to report objectionable conduct because the complainant has asked that the complaint be kept in confidence; or

Accept objectionable conduct.

You must always immediately report any concern you may have regarding discrimination, harassment or similarly objectionable conduct in accordance with the foregoing procedures. However, nothing in this policy limits or prevents the complainant from pursuing other remedies or resolution through other federal, state or local agencies or the courts.

All allegations will be promptly investigated. Any team member determined to have engaged in prohibited discrimination, harassment or retaliation will be subject to appropriate disciplinary action, up to and including termination of employment.

In determining whether alleged conduct constitutes discrimination, harassment or other objectionable conduct that violates this Policy, and in evaluating potential disciplinary action, Sleep Number may consider the surrounding circumstances, the nature of the alleged statements or conduct, the relationships between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes discrimination, harassment or other objectionable conduct requires consideration of all the facts and surrounding circumstances.

Zero Tolerance Policy for Retaliation

Sleep Number prohibits retaliation against a person who submits a complaint or report of discrimination, harassment or other objectionable conduct in good faith, or who participates in an investigation pursuant to this policy. Any person who violates this provision will be subject to discipline, including possible termination of employment. Because of Sleep Number’s Zero Tolerance Policy for Retaliation, a team member should never fail to submit such a report or claim because of a generalized fear of retaliation.

Questions About This Policy

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If you have any questions about this policy, you should contact your manager, department head or Human Resources Business Partner.

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