



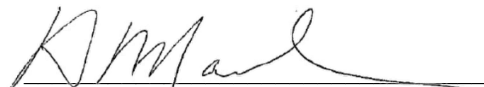
EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

It is Plug Power's policy to not discriminate against any employee or applicant for employment because of their race, color, religion, sex, or national origin or because they are an individual with a disability or disabled veteran, Armed Forces service medal veteran, recently separated veteran, or active duty wartime or campaign badge veteran, hereinafter referred collectively as "protected veterans," or any other characteristics protected under applicable law. It is also Plug Power's policy to take affirmative action to employ and to advance in employment, all persons regardless of their status as individuals with disabilities or protected veterans, and to base all employment decisions only on valid job requirements. This policy shall apply to all employment actions, including but not limited to recruitment, hiring, upgrading, promotion, transfer, demotion, layoff, recall, termination, rates of pay, or other forms of compensation and selection for training, including apprenticeship, at all levels of employment.

Employees and applicants shall not be subjected to harassment, intimidation, threats, coercion or discrimination because they have engaged in or may engage in any of the following activities: (1) Filing a complaint; (2) Assisting or participating in an investigation, compliance evaluation, hearing, or any other activity related to the administration of Section 503 of the Rehabilitation Act of 1973, as amended (Section 503) or any other Federal, State or local law requiring equal opportunity for individuals with disabilities; (3) Opposing any act or practice made unlawful by Section 503 or its implementing regulations in this part or any other Federal, State or local law requiring equal opportunity for disabled persons; or (4) Exercising any other right protected by section 503 or its implementing regulations in this part. Further, the Agency will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant.

As President and Chief Executive Officer of Plug Power, I am committed to the principles of Affirmative Action and Equal Employment Opportunity. In order to ensure the dissemination and implementation of equal employment opportunity and affirmative action throughout all levels of the Agency, I have selected Tammy Kimble-Manitta as the Executive Vice President, Human Resources for Plug Power. One of the Executive Vice President, Human Resources' duties will be to establish and maintain an internal audit and reporting system to allow for effective measurement of Plug Power's programs.

In furtherance of Plug Power's policy regarding Affirmative Action and Equal Employment Opportunity, Plug Power has developed a written Affirmative Action Program which sets forth the policies, practices, and procedures that Plug Power commits to in order to ensure that its policy of nondiscrimination and affirmative action for qualified individuals with disabilities and qualified protected veterans is accomplished. This Affirmative Action Program is available for inspection by any employee or applicant for employment upon request between normal business hours at the Human Resources department. Any questions should be directed to me, your supervisor, or Tammy Kimble-Manitta, Executive Vice President, Human Resources.


Andy Marsh, President and Chief Executive Officer
Plug Power
October 1, 2023