



**Policy:** Social Media Policy

**Revision Level /Date:** Rev. 0- 01/31/2023

**Department:** Human Resources

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### REVISION HISTORY

REVISION LEVEL/DATE	DESCRIPTION
Rev. 0- 01/31/2023	Initial Release

#### **I. Purpose and Scope**

Workhorse Group Inc. and its subsidiaries (the “Company”) recognizes that the internet provides unique opportunities to participate in interactive discussions and share information on topics using a wide variety of social media, such as Facebook, LinkedIn, Twitter, TikTok, Instagram, Pinterest, Tumblr, blogs, and wikis. However, employees’ use of social media can pose risks to the Company’s confidential and proprietary information, reputation, and brands, can expose the company to discrimination and harassment claims, and can jeopardize the company’s compliance with business rules and laws.

To minimize these business and legal risks, to avoid loss of productivity and distraction from employees’ job performance, and to ensure that the company’s IT resources and communications systems are used appropriately as explained below, the Company expects its employees to adhere to the following guidelines and rules regarding social media use.

While employees are entitled to the personal use of their own social media, the Company encourages its employees to participate responsibly in social media. Employees are permitted to engage and respond to official company social media posts, remembering they are ambassadors of the Company. As a result, they should be mindful of and use appropriate discourse. Certain designated Company representatives, where such activity is a part of that employee’s job duties, have additional responsibilities. If you are required to use social media as part of your job duties, please refer to the section entitled “Business Use of Social Media” below.

#### **II. Compliance with Related Policies and Agreements**

All the Company’s other policies that might apply to employee activities remain in full force and effect. Employees should always adhere to them when using social media.

Social media should never be used in a way that violates any other company policies or employee obligations. If your activity would violate any of the Company’s policies in another forum, it will also violate them in an online forum.

For example, employees are prohibited from using social media to:

- Violate the IT resources and communications systems policies, including the Use of Company Assets Policy.
- Violate confidentiality and proprietary rights policies.
- Circumvent the Company’s ethics and standards of conduct policies.
- Engage in unlawful harassment.
- Circumvent policies prohibiting unlawful discrimination against current employees or applicants for employment.



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- Violate the Company’s privacy policies (for example, never access private password-protected sites of coworkers or other company stakeholders without permission).
- Violate any other laws or ethical standards (for example, never use social media in a false or misleading way, such as by claiming to be someone other than yourself or by creating an artificial “buzz” around our business, products, or stock).
- Provide references or recommendations for stakeholders on social or professional networking sites, as such references or recommendations can be attributed to the Company and create legal liability for employees and the Company (such as interference with prospective business contracts and allegations of wrongful termination).

Employees authorized to promote the Company should always disclose that they are employees of the Company when promoting the Company and its products on social media platforms.

Employees who violate Company policies may be subject to discipline, up to and including termination of employment.

### **III. Personal Use of Social Media**

We recognize that employees might work long hours and occasionally may desire to use social media for personal activities at the office or by means of the company’s computers, networks, and other IT resources and communications systems. We authorize this use during nonworking time so long as it does not involve vulgar, obscene, threatening, intimidating, or harassing content (not otherwise protected or required by law) is not maliciously false, does not violate any other Company policies or employee obligations, and does not interfere with your employment responsibilities or productivity. Circulating or posting commercial, personal, religious, or political solicitations, chain letters, spam, or promotion of outside organizations unrelated to company business are also prohibited during working time unless otherwise protected or required by law.

### **IV. No Expectation of Privacy**

All contents of the Company’s IT resources, and communications systems are the property of the Company. Therefore, employees should have no expectation of privacy whatsoever in any message, files, data, document, facsimile, telephone conversation, social media post, conversation or message, or any other kind of information or communications transmitted to, received, or printed from, or stored or recorded on the Company’s electronic information and communications systems.

You are expressly advised that, in order to prevent misuse, the Company reserves the right to monitor, intercept, and review, without further notice, every employee’s activity using the Company’s IT resources and communications systems, including but not limited to social media postings and activities, and you consent to such monitoring by your acknowledgment of this policy and your use of such resources and systems. This might include, without limitation, the monitoring, interception, accessing, recording, disclosing, inspecting, reviewing, retrieving, and printing of transactions, messages, communications, postings, logins, recordings, and other uses of the systems, as well as keystroke capturing and other network monitoring technologies for the purposes of investigating suspected misuse of IT resources.



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The Company may also store copies of such data or communications for a period of time after they are created and may delete such copies from time to time without notice.

Do not use the Company's IT resources and communications systems for any matter that you desire to be kept private or confidential from the Company.

**V. Business Use of Social Media**

Note that the Company owns all social media accounts used on behalf of the Company or otherwise for business purposes, including all log-in information, passwords, and content associated with each account, such as followers and contacts. The Company owns all such information and content regardless of the employee that opens the account or uses it and will retain all such information and content regardless of separation of any employee from employment with the Company. If your job duties require you to speak on behalf of the Company in a social media environment, you must still seek approval for such communication from company leadership, who may require you to receive training before you do so and impose certain requirements and restrictions regarding your activities. Likewise, if you are contacted for comment about the Company for publication, including in any social media outlet, direct the inquiry to Investor Relations and do not respond without written approval.

**VI. Guidelines for Employees' Responsible Use of Social Media**

The above material covers specific rules, policies, and contractual obligations that employees must follow in using social media, whether for personal or business purposes, in consideration of their employment. Employees may be subject to discipline for violations. The following sections of the policy provide employees with common sense guidelines and recommendations for using social media responsibly and safely, in the best interests of the Company. These guidelines are intended to add to, not contradict, limit, or replace, other applicable Company policies, contractual obligations, or any applicable legal requirements or prohibitions.

**VII. Protect the Company's Goodwill, Brands, and Business Reputation**

You are personally responsible for what you communicate on social media. Remember that what you publish might be available to be read by the masses (including the company itself, future employers, and social acquaintances) for a long time. Keep this in mind before you post content.

Make it clear in your social media activity that you are speaking on your own behalf. Write in the first person and use your personal email address when communicating via social media. Never post anonymously to social media sites when your post could be attributed to the Company, its affiliates, customers, clients, business partners, suppliers, vendors, or other stakeholders. Anonymous posts can be traced back to the original sender. Follow all guidelines in this policy regarding social media postings.

When you disclose your affiliation as an employee of the Company, it is recommended that you also include a disclaimer that your views do not represent those of your employer. For example, consider such language as "the views in this posting reflect my personal views and do not represent the views of my employer."



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Use good judgment about what you post and remember that anything you say can reflect on the Company, even if you do include a disclaimer. Always strive to be accurate in your communications about the Company and remember that your statements have the potential to result in liability for you or the Company. Professionalism and honesty in social media and other communications is always encouraged.

### **VIII. Respect Intellectual Property and Confidential Information**

The Company's Confidential Information Policy restricts employees' use and disclosure of the company's trade secrets, confidential information, and intellectual property (see above). Beyond these mandatory restrictions, you should treat the company's trade secrets, intellectual property, and other proprietary information about the Company's customers and products/other proprietary and confidential information such as specific items to be treated as confidential and not do anything to jeopardize or unwittingly disclose them through your use of social media. In addition, you should avoid misappropriating or infringing on the intellectual property of other companies and individuals, which can create liability for yourself and for the Company.

Respect laws regarding copyrights, trademarks, and other third-party rights. To protect yourself and the company against liability for copyright or trademark infringement, where appropriate, reference sources of information you post or upload and cite them accurately. If you have any questions about whether a particular post or upload might violate the copyright or trademark of any person or company, ask the legal department before making the communication.

### **IX. Respect and Comply with Terms of Use of All Sites You Visit**

Do not expose yourself or the Company to legal risk by using a social media site in violation of its terms of use. Review the terms of use of all social media sites you visit and ensure your use complies with them. If you are using social media as part of your job duties, pay particular attention to terms relating to:

- Prohibitions or restrictions on the use of the social media site, including prohibitions or restrictions on use for advertising, marketing and promotions, or other commercial purposes. For example, Facebook's Statement of Rights and Responsibilities (its terms of use) and accompanying Promotional Guidelines specify the terms for businesses administering promotions through Facebook.
- Ownership of intellectual property used on, or information collected or generated through use of, the site. For example, any of the Company's copyrighted material and trademarks that might be posted on the site, or user information the company collects through the site.
- Requirements for licenses or other permissions allowing use by the site owner and other third parties of the Company's trademarks or other intellectual property.
- Privacy rights and responsibilities of the site owner and users.

### **X. Respect Others**

In addition to complying with the Company's Harassment Policy, do not post, or express a viewpoint on another's post, such as by "liking" a Facebook post, anything that the Company's customers, clients, business



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partners, suppliers, or vendors would find offensive, including ethnic slurs, sexist comments, discriminatory comments, profanity, abusive language, or obscenity, or that is maliciously false.

Supervisors should refrain from trying to connect with their direct reports on social media sites (for example, making friend requests on Facebook). Neither supervisors nor direct reports should feel pressured to accept any social media requests from anyone at the Company.

**XI. Conduct Not Prohibited by This Policy**

This policy is not intended to restrict communications or actions protected or required by state or federal law.