

Human Rights Policy

Introduction

At Kroger, our Purpose is to Feed the Human Spirit™. We care deeply about the rights of those with whom we work and rely on to operate our business every day, including our associates, customers and the communities in which we operate. We express our aspirations through Kroger's Environmental, Social and Governance (ESG) Strategy, as outlined in our annual ESG Report. Our [Values](#), [Policy on Business Ethics](#) and [Vendor Code of Conduct](#) have long served as the guideposts of our fundamental respect for human rights.

We commit to the corporate responsibility to respect human rights as defined by the United Nations Guiding Principles on Business and Human Rights (UNGPs). We also commit to respect internationally recognized human rights as defined by:

- The International Bill of Human Rights, which includes the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social, and Cultural Rights (ICESCR); and
- The ILO Declaration on Fundamental Principles and Rights at Work.

We will embed this Human Rights Policy in our company's culture, operations and supply chain, conduct human rights due diligence, and provide access to remedy as appropriate. We know we cannot do this alone, and we will work with a broad range of partners and stakeholders to identify human rights risks, prevent abuses and mitigate adverse impacts when they may occur.

Scope of this Human Rights Policy

This human rights policy applies to Kroger's own operations, including retail stores, food processing plants, warehouses, offices, and other facilities. It also sets expectations for our direct and indirect business partners to respect human rights in their operations.

We are committed to respecting the rights of all rightsholders in our operations and supply chain, including our associates, recognized associate representatives, customers, contractors, suppliers, supply chain workers, smallholder farmers, and people in the communities in which we operate. We expect our associates and business partners to uphold the commitments made in this policy, and to comply with domestic law and international human rights standards wherever they operate. We expect employers and business partners to adhere to the law and regulations as established by the applicable jurisdiction, upholding the higher standard where feasible.

We expect that our business partners comply with our [Vendor Code of Conduct](#) and [Social Compliance Program Requirements](#) as a means to demonstrate and implement this shared

commitment to respecting human rights. We expect our business partners to cascade this commitment to respect human rights to other business relationships throughout the value chain.

As a retailer sourcing thousands of products from dozens of countries, we recognize our supply chain includes specifically vulnerable groups such as migrant workers, women, smallholder farmers and marginalized communities. We have a particular commitment to respecting their rights and recognize the importance of partnerships to help protect the rights of these groups and improve working and living conditions.

Governance

This policy has been reviewed and approved by the company's chief executive officer (CEO) and members of the Public Responsibilities Committee (PRC) of The Kroger Co. Board of Directors. The company's CEO, executive leadership team and PRC are responsible for overseeing implementation of this policy. The PRC has a shared responsibility with the Audit Committee of the Board to oversee risk management policies and the integration of human rights risks into company-wide risk management processes.

Our commitment to human rights is embedded in roles and responsibilities throughout the organization. As part of this commitment, a new cross-functional Human Rights Working Group, led by Corporate Affairs and Ethics & Compliance, will be formalized in the first quarter of fiscal 2022 and include subject matter experts in Human Resources & Labor Relations, Responsible Sourcing, Supply Chain, Operations, Manufacturing and Merchandising. Members will be responsible for reviewing inputs from across the organization, fostering collaboration, and overseeing risk identification and management across departments. The Human Rights Working Group will meet every quarter and report to leaders and the PRC twice a year.

Implementation

Business leaders across the organization are responsible for implementing work relevant to their function, such as Human Resources & Labor Relations, Corporate Affairs, Ethics & Compliance, Responsible Sourcing, Operations, Manufacturing and Merchandising. Responsibilities include integrating human rights risk identification and management into planning, operating and regular business activities, as well as monitoring compliance with applicable laws, frameworks and company policies governing our operations and supply chain. This includes escalating identified risks to the Human Rights Working Group, leadership and/or the PRC in alignment with reporting protocols.

We also recognize the importance of engaging associates across the organization to raise awareness of our policy commitments. We expect leaders and associates to implement the policy as part of their respective roles and responsibilities. By 2023, this policy will be included in onboarding processes for new associates, and we will provide training on human rights for current associates as well as function-specific training on key components of the policy for relevant departments.

Given the breadth and reach of our global supply chain, we work with suppliers and partners on human rights. We monitor and assess supplier performance against the [Vendor Code of Conduct](#) through our [Responsible Sourcing Framework](#). For more information, see the Responsible & Resilient Systems section of [Kroger's ESG Report](#).

Finally, as part of our commitment to fully align with the UNGPs, we will develop and implement a human rights due diligence framework to guide:

- Assessing human rights risks on an ongoing basis, for our own business and across the value chain, including for new sourcing geographies and products. We will conduct a formal human rights risk assessment process every two years and monitor emerging risks on an ongoing basis. We will also conduct human rights impact assessments (HRIA) for specific commodities and countries to inform our risk assessment and management
- Integrating risks identified into management decisions and actions
- Preventing, mitigating and managing human rights risks
- Using a data-driven approach to inform decision-making and track progress for effective remediation
- Communicating the outcomes of putting the human rights policy into practice, including regular review of the effectiveness of our processes, and reporting to internal and external stakeholders

Prioritized Human Rights Risks

We have completed a formal exercise to determine salient human rights risks by mapping the severity and likelihood of risks that can be connected to our business activities, products and services. We commit to assessing risks and emerging issues on an annual basis. We will share the most recent list of salient risks in our annual ESG Report.

Stakeholder Engagement

We engaged internal and external stakeholders representing a wide variety of perspectives for the development of this policy and the prioritization of human rights risks, with support from an expert third party. Moving forward, Kroger will continue engaging stakeholders on a regular basis to seek feedback and input for our risk assessment process and to assess the possible adverse impacts of our business operations and the activities of our business partners. Business and functional leaders are responsible for engaging stakeholders on topics related to human rights that pertain to their department.

Communication

This policy is publicly available on our corporate website and shared with all business partners as a condition of doing business with Kroger. We also share the policy internally with leaders and associates.

Kroger recognizes that transparency and disclosure are important elements of our human rights journey. We will report annually on progress made to uphold human rights commitments and

conduct due diligence. We continue to report on human rights-related topics in our annual ESG Report, where we provide more insight into the management of risks and implementation of relevant programs related to human rights in both our operations and supply chain. We will use [Kroger's corporate website](#) to publish additional documentation related to human rights, including progress on HRIAs, updated policies or supplemental reports, where appropriate.

Grievance Mechanisms

Grievance mechanisms are important to help identify possible human rights violations and provide a mechanism for individuals to report misconduct. We are committed to advancing alignment with the UNGP criteria for effective grievance mechanisms.

We provide employees and business partners with access to the Kroger [Help Line](#) via the third-party managed toll-free number (+1) 800-689-4609 and website www.Ethicspoint.com (available 24/7 and in multiple languages). Our [Policy on Business Ethics](#) emphasizes the importance of raising concerns and provides steps on how to report such concerns. Our Vendor Code of Conduct includes the Help Line contact information and requires suppliers and partners to cascade the requirement for a grievance mechanism to their business partners.

The Vice President and Chief Ethics & Compliance Officer oversees all grievance submitted through this process. Kroger does not tolerate any form of retaliation against anyone who has shared a concern in good faith through these mechanisms.

Related Policies

This policy has been developed in alignment and references other corporate policies, including:

- [The Kroger Co. Policy on Business Ethics](#)
- [Vendor Code of Conduct](#)
- [Responsible Sourcing Framework](#)

For more details about Kroger's approach to respecting human rights and focus areas for fiscal 2021 and 2022, please see this [Human Rights Progress Update](#). We will continue to provide updates in our annual ESG Report and supplemental reporting as appropriate.