



## **POLICY AGAINST HARASSMENT, DISCRIMINATION AND RETALIATION**

The Company is committed to providing a workplace free of harassment and discrimination based on sex/gender (including pregnancy, childbirth, or related medical conditions), race, color, religion (including religious dress and grooming practices), national origin, ancestry, age, physical or mental disability, legally protected medical condition, marital status, sexual orientation, gender identity, gender expression, military or veteran status, genetic information or any other characteristic protected by applicable local, state or federal law. The Company also prohibits harassment and discrimination based on the perception that a person has any of the above-protected characteristics, or is associated with a person who has or is perceived as having any of the above-protected characteristics. This policy applies to all applicants for employment, employees and other third parties with whom the Company or its employees have a business, service or professional relationship (such as customers, vendors, and independent contractors).

### **DEFINITION**

Harassment prohibited by this policy includes, but is not limited to, verbal, physical, and/or visual conduct that creates an intimidating, offensive, or hostile working environment or that interferes with work performance. Such conduct may constitute unlawful harassment when:

1. Submission to the conduct is made either an explicit or implicit condition of Employment;
2. Submission to or rejection of the conduct is used as the basis for an employment decision; and/or
3. The harassment is severe or pervasive and unreasonably interferes with an representative's work performance or creates an intimidating, hostile, or offensive work environment.

Examples of prohibited harassment include, but are not limited to any of the following when based on a protected characteristic: making comments, slurs, innuendos or jokes; the display of cartoons, posters, or other materials; distributing pictures or words in written, pictorial or electronic form; touching, or other unwanted attention; threats, intimidation or other abusive behavior. Electronic form; touching, or other unwanted attention; threats, intimidation, or other abusive behavior.

Sexual harassment deserves particular mention. Unwelcome sexual advances, requests for sexual favors and other physical, verbal, or visual conduct based on sex are not allowed. This includes such things as sexual innuendoes, suggestive comments, sexually oriented teasing or practical jokes, display of sexually suggestive pictures or other materials, suggestive or insulting sounds, looks, or gestures, and any unwanted physical contact. Obviously, a more severe form of harassment, such as sexual assault, is also prohibited.



Discrimination is the act of differentiating among representatives, applicants for employment or other covered individuals on the basis of any protected characteristic described above. This policy applies at all Company locations, Company-sponsored social or other events, as well as all activities at which an individual represents the Company.

## **REQUIRED INTERNAL COMPLAINT PROCEDURE**

All Company representatives are responsible for helping to ensure that the work environment is free from prohibited harassment and discrimination. If you believe you have been subjected to harassment or discrimination in violation of this policy by an employee or a non-employee, in most cases you should immediately inform the offending party that the conduct is unwelcome and tell that person to stop the behavior. However, if you are uncomfortable doing so, or if after doing so the situation has not been satisfactorily resolved, **you must immediately inform your supervisor, any member of Company management.** You are not required to complain first to your immediate supervisor. Any management representative of the Company who receives a complaint or who observes harassing conduct or discrimination must promptly inform the Vice President - Operations. Anyone who has observed harassment or discrimination, including but not limited to supervisors, must report such conduct immediately to his or her immediate supervisor, and/or any member of Company management.

Reported incidents of discrimination or harassment will be promptly and thoroughly investigated in an impartial and fair manner by qualified personnel. While the manner of the investigation is at the sole discretion of the Company, the Company shall ensure appropriate due process during the investigation, document and track the investigation for reasonable progress, reach a determination and closure of the investigation in a timely manner based on the information collected and communicate its conclusions in a timely manner as appropriate. The investigation will be kept as confidential as reasonably possible, but complete confidentiality cannot be guaranteed. Information will be shared on a need-to-know basis. The Company will take appropriate remedial action to stop any prohibited harassment or discrimination and deter conduct of a similar nature. The parties involved will be notified of the outcome of the investigation; however, because of privacy concerns, specific personnel actions taken in response to an investigation may not be shared.

The Company does not tolerate retaliation against a company representative for cooperating in an investigation, for making a good faith report of harassment or engaging in other related activity. Any company representative who believes that he or she is experiencing retaliation as a result of making a complaint or participating in an investigation must immediately inform the Vice President -Operations. All complaints of retaliation will be investigated in the manner described above.

If, after conducting an investigation, a violation of this policy or other inappropriate conduct is established, the Company will take appropriate corrective action up to and including separation from employment, or contract termination.

## **ADDITIONAL ENFORCEMENT INFORMATION**

In addition to following the required internal complaint procedure, employees should also be aware that the



federal Equal Employment Opportunity Commission ("EEOC") and particular state agencies investigate and prosecute complaints of unlawful harassment in employment. In addition to notifying the Company, representatives may also direct their complaints to the EEOC or to the particular state agency in the state in which the employee is employed. Representatives may contact the nearest EEOC office or the state agency responsible for investigating harassment allegations by checking the government listings in the local telephone directory.

### **TRAINING**

All supervisors and managers will receive training that is mandated by law.