

POLICY AND PROCEDURES PERTAINING TO EQUAL EMPLOYMENT OPPORTUNITY, AFFIRMATIVE ACTION, AND FREEDOM FROM HARASSMENT POLICY

PURPOSE

The purpose of this policy is to inform employees of EON practices relative to recruitment, hiring, assignment, advancement, and compensation of employees to prohibit practices that harass, disrupt or interfere with any employee, or discriminate against a protected class.

POLICY

EON is committed to the principals of Equal Employment Opportunity (EEO) and is committed to making employment decisions based on merit and value. We are committed to complying with all Federal, State, and local laws providing EEO, as well as all laws related to terms and conditions of employment. We desire to keep a work environment which is free of harassment and discrimination based on sex, creed, race, religion, color, national origin, sexual orientation, status with regard to public assistance, physical or mental disability, marital status, age, familial status, status as a family caregiver, or any other status protected by federal, state, or local laws. We value diversity and are willing to employ men and women of all ethnic and racial groups, ranging in age, and representing a broad spectrum of religions and national origins. The company will make every reasonable effort to accommodate those physical or mental limitations of an otherwise qualified employee, unless undue hardship would result for the company.

Just as the company bears a responsibility towards this policy, each of us must clearly communicate our disinterest in, or offense taken to, any perceived verbal or physical discrimination or harassment. We are all responsible for upholding this EEO policy and commitment. EEO laws afford each one of us the chance to succeed or fail based on individual merit.

PROCEDURE

- I. This policy applies to all terms, conditions, and privileges of employment, including recruiting, hiring, promotion, transfer, compensation, benefits, disciplinary action, and termination.
- II. **Freedom of Harassment**
 - A. Every EON employee has the right to work in an environment free from harassment on the basis of color, creed, religion, national origin, sex, sexual orientation, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, age, or other legally protected characteristics.
 - B. Any employee or supervisor who permits employees under his/her supervision to engage in such harassment or any employee who retaliates or permits retaliation against an employee who reports such harassment, is guilty of misconduct and

shall be subject to remedial action which may include corrective action or termination of employment.

- C. Sexual harassment is defined as follows: “Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:
1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment
 2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual
 3. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment.
 4. Examples of sexual harassment are:
 - a. Leering, i.e. staring in a sexually suggestive manner.
 - b. Abusing the dignity of an employee through insulting or degrading sexual remarks or conduct (this includes remarks concerning sexual orientation directed at an individual employee.
 - c. Threats, demands or suggestions that an employee's work status is contingent upon the employee's toleration of or acquiescence to sexual advances.
 - d. Touching in a way that may make an employee feel uncomfortable, such as patting, pinching or intentional brushing against another’s body; telling sexual or lewd jokes, making sexual gestures, etc.; displaying, in the workplace, sexually suggestive objects or pictures; sending, forwarding or soliciting sexually suggestive letters, notes, emails, texts, or images.
- D. Hostile work environment harassment occurs when unwelcome comments or conduct based on sex, race or other legally protected characteristics unreasonably interferes with an employee’s work performance or creates an intimidating, hostile or offensive work environment.
1. Examples of hostile environment harassment include:
 - a. Use of racially derogatory words, phrases, epithets;
 - b. Demonstrations of a racial or ethnic nature such as a use of gestures, mimicking accents, pictures or drawings which would offend a particular racial or ethnic group;
 - c. Comments about an individual’s skin color or other racial/ethnic characteristics;
 - d. Making disparaging remarks about an individual’s gender that are not sexual in nature;

- e. Negative comments about an employee's religious beliefs (or lack of religious beliefs);
- f. Expressing negative stereotypes regarding an employee's birthplace or ancestry;
- g. Negative comments regarding an employee's age;
- h. Derogatory or intimidating references to an employee's mental or physical impairment;
- i. Retaliation against employees for complaining about the behavior cited above or similar behaviors.

III. Complaints Regarding Harassment

Employees who feel that they are being harassed, discriminated against, or such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment have several ways to make their concerns known. Complaints relating to harassment/sexual harassment should be submitted as follows:

- A. Employees who believe they have been harassed and feel comfortable doing so, should directly inform the person engaging in harassing conduct or communications that such conduct or communications are offensive, against company policy and must STOP.
- B. Follow POLICY AND PROCEDURES CONCERNING EMPLOYEES COMMUNICATING CONCERNS AND SUBMITTING GRIEVANCES (A-10).
- C. Contact the Human Resources (HR) Director or Chief Executive Officer (CEO) at 1200 South Broadway, New Ulm, MN 56073, 507-233-3030, who serves as EON's Equal Opportunity Coordinators.

IV. Penalties for Harassment

A violation of this policy shall be grounds for immediate corrective action up to and including termination. The specific penalty to be imposed shall be determined on a case by case basis, after a careful review of all the relevant facts.

V. Affirmative Action Plan

- A. EON has an affirmative action plan to achieve full utilization of minorities, persons with disabilities, and women at all levels and in all segments of the workforce.
- B. This plan is evaluated and modified on an annual basis.
- C. The Affirmative Action Plan is available to employees upon request of the HR Director.

VI. Communication and Training

- A. All employees will be trained and receive a copy of this policy upon hire.
- B. Annual training will be conducted on this policy by every employee.
- C. Copies of this policy are available via the employee web portal.

VII. Policy Exception

Any exception to this policy must be made in consultation with the CEO.