



Performance Driven. Patient Oriented.

**Section 3:** **Employee Relations**  
**Policy:**  
**Applies To:** All Employees  
**Effective Date:** July 1, 2016

## Employee Relations

- Equal Employment Opportunity
- Policy Against Discrimination, Harassment and Retaliation
- Your Responsibility

### Equal Employment Opportunity

The Company is committed to creating and maintaining a positive, productive work environment in which all employees are treated with dignity and respect, and have an equal opportunity to succeed. Therefore, the Company commits that it will not discriminate against any person with regard to employment based upon any protected characteristic such as race, color, national origin, ancestry, gender/sex, pregnancy, age, religion, creed, disability or handicap, sexual orientation, family or marital status, genetic information, veteran or service member status, and/or any other category protected by federal, state, and/or local laws.

Violation of this policy will result in disciplinary action, up to and including termination of employment.

This policy applies to all terms, conditions, and privileges of employment and all policies of the Company.

### Policy Against Discrimination, Harassment and Retaliation

It is our policy to maintain a work environment that is safe and free of inappropriate conduct from other employees, customers, vendors, and others in the workplace or when representing the Company.

The Company expressly prohibits any form of discrimination or harassment based on an individual's race, color, national origin, ancestry, gender/sex, age, religion, creed, pregnancy, disability or handicap, sexual orientation, family or marital status, genetic information, veteran or service member status, and/or any other category protected by federal, state or local laws. The Company also prohibits any form of retaliation against an individual who reports concerns about harassment or discrimination.

If you believe you have been the subject of discrimination or harassment or you have witnessed it in your workplace, immediately bring your concerns to the attention of your Manager, Human Resources or the CEO. Your cooperation and participation is essential if we are to achieve these objectives and fulfill our commitment to these principles. The Company takes all allegations of discrimination, harassment and retaliation seriously and is firmly committed to a workplace free from such inappropriate conduct. Anyone engaging in discrimination, harassment or retaliation is subject to disciplinary action up to and including termination of employment.

The term harassment refers to unwanted and unwelcomed behavior that demeans, threatens or offends an individual based on a person's race, color, national origin, ancestry, gender/sex, age, religion, creed, pregnancy, disability or handicap, sexual orientation, family or marital status, genetic information, veteran or service member status, and/or any other category protected by federal, state, and/or local laws that results in a hostile environment for the person. Harassment can take several forms, including but not limited to:



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### **Sexual Harassment**

Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex that an individual finds directly or indirectly offensive may constitute sexual harassment. This conduct violates Company policy when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used or threatened to be used as the basis for employment decisions (even if that threat goes unfulfilled); 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.

Sexual harassment may include such actions as:

- Conduct which is offensive to the individual, such as sexual flirtations, kidding, teasing, or jokes of a sexual nature;
- Physical contact such as touching, patting, pinching, grabbing or brushing against another's body;
- Sexual favors, or the taking of, or the refusal to take any personnel action on the basis of a employee's submission to or refusal of a sexual overture (even if no personnel actions are taken);
- Displaying pictures, posters, calendars, graffiti, objects, promotional materials, reading materials or other materials that are sexually suggestive, demeaning or pornographic or bringing into the work environment or possessing any such materials to read, display or view at work;
- Continued or repeated verbal abuse or innuendo of a sexual nature;
- Comments of a sexual nature about an individual's body; or
- Making suggestive, obscene or insulting gestures or sounds.

### **Other Forms of Prohibited Harassment and Discrimination**

Harassment based on race, color, national origin, sex, age, religion, creed, pregnancy, disability or handicap, genetic information, veteran or service member status, and/or any other category protected by federal, state, and/or local laws. "Protected Characteristics" can include any verbal, written or physical act in which such traits or characteristics are used to make an employee uncomfortable at work or interferes with an employee's ability to perform their job. This type of harassment can take many forms. While it is impossible for the Company to provide an exhaustive list, the following is a list of some examples of harassing behavior that the Company will not tolerate:

- Jokes that refer to protected characteristics;
- Posting or distributing cartoons, drawing, or any other material that negatively reflects a personal Protected Characteristics;
- The use of slurs or other offensive language related to a person's protected characteristics; or
- Practical jokes, horseplay, or teasing that makes fun of or insults a person's protected characteristics.

### **Reporting and Investing Discrimination, Harassment and Retaliation**

While the Company encourages you to communicate directly with the individual who is violating this policy and make it clear that the individual's behavior is unacceptable, offensive or inappropriate, you are not required to do so.



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However, it is essential to report any incident of perceived discrimination, harassment, and/or retaliation even if you are not sure the offending behavior would ultimately be considered discrimination, harassment or retaliation.

All employees, and particularly Managers, have a responsibility for keeping our work environment free from discrimination, harassment and retaliation. Training is provided to our Managers to identify and prevent work environments of discrimination and harassment. We expect and require immediate reporting of all perceived incidents of harassment. If you believe you are being harassed, or if you believe that your employment is being affected by such conduct directed at someone else, you should immediately discuss your concerns with your Manager, Human Resources or the CEO. Should employees know of an incident of harassment, they are expected to immediately utilize the available options outlined above for communicating such incidents.

The Company's policy is to investigate each complaint thoroughly. If the investigation establishes that Company policy is being violated, we will take prompt remedial action designed to eliminate the problem, up to and including discharging the person(s) who violated the policy.

#### **No Retaliation**

The Company will not allow employees or will directly reprimand, penalize, or otherwise, retaliate against an employee for good faith reporting, filing or responding to a bona fide complaint of discrimination or harassment and/or participating or appearing as a witness in the investigation of a complaint of discrimination or harassment.

#### **Confidentiality**

In cases involving a report of discrimination, harassment or retaliation, all reasonable efforts will be made to protect the privacy of the individuals involved. In many cases, however, the Company's duty to investigate and remedy the problem makes absolute confidentiality impossible. The Company will try to limit confidential information to those people with a "need to know." Where charges are sustained, appropriate corrective action will be taken.

#### **Professional Conduct**

The Company expects employees to behave professionally at all times. Unprofessional conduct includes both (a) offensive conduct, behavior, speech or action based on protected characteristics, regardless of whether the conduct, behavior, speech or action is unwelcome or sufficiently severe and pervasive such that it would constitute harassment under the law, and (b) conduct, behavior, speech or action that is not based on protected characteristics but nonetheless is offensive or inappropriate for the workplace, including but not limited to threats, profanity, epithets,

#### **Your Responsibility**

Do not assume that the Company, Human Resources or your Manager are aware of any problem. It is your responsibility to bring any complaint or concern to our attention so we can take steps to correctly investigate and rectify the problem.