

107 - Policy Against Discrimination and Harassment

OMI will not discriminate against any person because of race, religious creed, color, age, sex, national origin, ancestry, citizenship status, religion, marital status, familial status, status with regard to public assistance, sexual orientation, disability, military service or veteran status, genetic information, or any other classification protected by applicable federal, state, and local laws and ordinances.

OMI is committed to providing a work environment in which employees are treated with courtesy, respect, and dignity. As part of this commitment, OMI will not tolerate any form of harassment, verbal or physical, including with regard to an individual's race, color, religion, age, sex, national origin, ethnicity, disability, ancestry, genetic information, sexual orientation, marital status, familial status, military service or veteran status, or any other protected characteristics.

Harassment Defined: Harassment as defined in this policy is unwelcome verbal, visual, or physical conduct, based on an individual's protected characteristic, creating an intimidating, offensive, or hostile work environment that interferes with work performance. Harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), graphic (including offensive posters, symbols, cartoons, drawings, computer displays, or e-mails) or physical conduct (including physically threatening another, blocking someone's way, etc.) that denigrates or shows hostility or aversion towards an individual because of any protected characteristic. Such conduct violates this policy, even if it is not unlawful. Because it is difficult to define unlawful harassment, employees are expected to behave in a professional and respectful manner. You as an employee have the right to make the harasser aware of any conduct listed above, and ask them to stop.

Sexual Harassment Defined: Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as; unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, and other verbal or physical conduct of a sexual nature.

Examples of conduct that violates this policy include:

- unwelcome sexual advances, flirtations, advances, leering, whistling, touching, pinching, assault, blocking normal movement
- requests for sexual favors or demands for sexual favors in exchange for favorable treatment
- obscene or vulgar gestures, images, or comments
- sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies
- propositions, or suggestive or insulting comments of a sexual nature
- derogatory cartoons, posters, and drawings
- sexually-explicit e-mails or voicemails
- uninvited touching of a sexual nature
- unwelcome sexually-related comments
- conversation about one's own or someone else's sex life

- conduct or comments consistently targeted at only one gender, even if the content is not sexual
- teasing or conduct directed toward a person because of the person's gender

Reporting Procedures: The following steps have been put into place to ensure the work environment at OMI is free of harassment. If an employee believes someone has violated this policy, the employee should promptly bring the matter to the immediate attention of their supervisor and/or Human Resources Department (telephone: 320-240-1900). If the alleged source of the harassment is the supervisor or Human Resources, immediate contact should be made with the next person in the chain of command, including the Board of Directors if the alleged harasser is the CEO. Employees are strongly encouraged to make their report on the objectionable conduct in writing.

No Retaliation: No employee will be subject to, and OMI prohibits, any form of discipline or retaliation for reporting perceived violations of this policy in good faith, pursuing any such claim, or cooperating in any way in the investigation of such claims in good faith. If an employee believes someone has violated this no-retaliation policy, the employee should bring the matter to the immediate attention of their supervisor and/or Human Resources Department (320-240-1900). If the alleged source of the retaliation is the supervisor or Human Resources, immediate contact should be made with the next person in the chain of command, including the Board of Directors. Anyone, regardless of position or title, whom OMI determines has engaged in conduct that violates this No Retaliation Policy will be subject to discipline, up to and including termination. We cannot remedy claimed discrimination, harassment, or retaliation unless you bring these claims to the attention of management. Failure to report claims of harassment and/or retaliation prevents us from taking steps to remedy the problem.

Finally, it is imperative that all managers of people at all OMI locations comply with the Equal Employment Opportunity Policy and enforce it. Each department head, division head, and manager is responsible for ensuring that employees comply with this policy. OMI will enforce this policy against any individual engaging in prohibited or unlawful harassment or discriminatory conduct, and against management personnel who knowingly allow such behavior to continue. Managers must take timely and appropriate action when they know or have reason to know that behavior which might amount to prohibited or illegal harassment, discrimination, or retaliation is occurring.

Investigation Procedures: All complaints of sexual harassment, or harassment of any kind, will be investigated promptly, prompt, appropriate action will be taken to stop, remedy any such conduct. Any supervisor, agent, or employee found in violation of this policy will be subject to disciplinary action, up to and including termination.