

Harassment/Discrimination Company Policy

I. PURPOSE

To assert Herzog's commitment to equal employment opportunity. The goal of this company is to continue to establish, implement and enforce policies of appropriate workplace behaviors.

II. SCOPE

This policy applies to all departments, projects, supervisors, managers, and employees in all division/locations.

III. POLICY

Our company believes that each individual employee has the right to be free from harassment and discrimination in any form. It is the policy of Herzog to be in compliance with applicable employment laws. Discrimination and harassment based on race, color, religion, national origin, marital status, sex, age, disability, sex orientation, disability, veteran status or any other status protected by law are strictly prohibited. We are committed to a work environment free from harassment.

Unlawful harassment may take many forms, including, but not limited to verbal, physical or visual conduct that is based on an individual's status protected by law, and which has the purpose or effect of creating an intimidating, hostile or offensive working environment. Company Policy explicitly prohibits sexual harassment and harassment in the workplace.

Any employee found to have acted in violation of this policy shall be subject to appropriate disciplinary action based on the circumstances and reasonably believed by management to eliminate further harassment, including but not limited to warnings, reprimand, suspension, or immediate termination.

Employees that are subjected to, or are witness to, unlawful discrimination or harassment must immediately report such conduct to their supervisor, area superintendent, project manager, or Herzog's EEO officer and failure to do so may result in discipline, up to and including termination.

Ryan VanMeter is the Equal Employment Opportunity Officer for HERZOG and has full responsibility to receive, investigate, and resolve complaints involving violations of the policies stated herein.

At a minimum, when an employee complains about harassment, the EEO Officer or authorized agent shall:

- Fully inform the employee of his or her rights to complain and redress the harassment; the employee must be informed of his or her own obligations to secure his or her rights and of any assistance available to him or her under Herzog's operating procedures.
- Immediately conduct a thorough, objective and complete investigation of the alleged harassment. The EEO Officer shall make a determination about whether unlawful harassment has occurred, and communicate this finding to the harasser/alleged harasser and any other concerned party.
- Take prompt and effective remedial action if harassment has occurred. The action must be commensurate with the severity of the offense and may be made known to the victim. Confidentiality will be maintained to the extent possible under the circumstances.