

## No Harassment Policy

We prohibit harassment of one employee by another employee, supervisor or third party for any reason based upon an individual's race; color; religion; genetic information; national origin; sex (including same sex); pregnancy, childbirth, or related medical conditions; age; disability or handicap; citizenship status; service member status; or any other category protected under federal, state, or local law.

In Arizona, the following are also a protected class: race, color, religion, sex, age [40 or over], disability, AIDS/HIV status, national origin, status as a cardholder for medicinal marijuana, and genetic test results.

In California, the following are also a protected class: race; religious creed; color; national origin; ancestry; physical disability; mental disability; medical condition, including genetic characteristics; genetic information; marital status; sex; pregnancy, childbirth or related medical conditions; perceived pregnancy; actual or perceived gender; gender identity or expression; sexual orientation; civil air patrol membership; service in the military forces of the State of California or of the United States; lawful conduct occurring during nonworking hours away from company premises; and age [40 or over]. Included in the definition of each protected category is the perception of membership in a protected category and an individual's association with an actual or perceived member of a protected category.

In Connecticut, the following are also a protected class: race; color; religious creed; age; sex; pregnancy, child-bearing capacity, sterilization, fertility or related medical conditions; marital status; national origin; ancestry; present or past history of mental disabilities; mental retardation; learning disability or physical disability; blindness; sexual orientation; gender identity or expression; off duty tobacco usage; status as a palliative marijuana patient or caregiver; and genetic information.

In Michigan, the following are also a protected class: disability; religion; race; color; national origin; age; sex; pregnancy, childbirth or related medical condition [that does not include nontherapeutic abortion not intended to save the life of the mother]; height; weight; marital status; and genetic information.

In New Jersey, the following are also a protected class: race, creed, color, national origin, ancestry, age, marital status, domestic partnership status, civil union status, affectional or sexual orientation, gender identity or expression, genetic information, sex, atypical hereditary cellular or blood trait, nationality, refusing to submit to a genetic test or make available the results of a genetic test to an employer, disability, liability for service in the U.S. military, religious practice or observance, an individual's status as a smoker or non-smoker, and for displaying the American flag on the employee's person or work station, as long as the display does not substantially and materially interfere with the employee's job duties.

In New York, the following are also a protected class: age [18 and over], race, creed, color, national origin, sexual orientation, sex, disability (including use of a guide dog, hearing dog, or service dog), predisposing genetic characteristics, military status, marital status, victims of domestic violence or stalking, for displaying the American flag on the employee's person or work station, as long as the display does not substantially and materially interfere with the employee's job duties, legal use of consumable products or legal recreational activities off company premises during nonworking hours, and previous conviction of criminal offenses, unless directly related to employment or would involve an unreasonable risk to property, or to the safety or welfare of specific individuals, or the general public.

In Ohio, the following are also a protected class: race; color; religion; sex; pregnancy, or any illness arising out of and occurring during the course of pregnancy, childbirth or related medical conditions; national origin; disability; age [40 or over], military status and ancestry.

In South Carolina, the following are also a protected class: race; religion; color; sex; pregnancy, childbirth or related medical conditions; age [40 or over]; national origin; disability; and tobacco use outside the workplace.

In Texas, the following are also a protected class: race; color; disability; religion; sex; pregnancy, childbirth or a related medical condition; national origin; age [40 or over] and genetic information [or refusal to submit to a genetic test].

**Violation of this policy will result in disciplinary action, up to and including immediate discharge.**

If you have any questions about what constitutes harassing behavior or what conduct is prohibited by this policy, please discuss the questions with your immediate supervisor or one of the contacts listed in this policy. At a minimum, the term “harassment” as used in this policy includes any of the following activities pertaining to an individual’s race; color; religion; genetic information; national origin; sex (including same sex); pregnancy, childbirth, or related medical conditions; age; disability or handicap; citizenship status; service member status; or any other category protected by federal, state, or local law:

- Offensive remarks, comments, jokes, slurs, threats, or verbal conduct.
- Offensive pictures, drawings, photographs, figurines, writings, or other graphic images, conduct, or communications, including text messages, instant messages, websites, voicemails, social media postings, e-mails, faxes, and copies.
- Offensive sexual remarks, sexual advances, or requests for sexual favors regardless of the gender of the individuals involved; and
- Offensive physical conduct, including touching and gestures, regardless of the gender of the individuals involved.

We also absolutely prohibit retaliation, which includes: threatening an individual or taking any adverse action against an individual for (1) reporting a possible violation of this policy, or (2) participating in an investigation conducted under this policy.

Our supervisors and managers are covered by this policy and are prohibited from engaging in any form of harassing, discriminatory, or retaliatory conduct. No supervisor or other member of management has the authority to suggest to any applicant or employee that employment or advancement will be affected by the individual entering into (or refusing to enter into) a personal relationship with the supervisor or manager, or for tolerating (or refusing to tolerate) conduct or communication that might violate this policy. Such conduct is a direct violation of this policy.

Even non-employees are covered by this policy. We prohibit harassment, discrimination, or retaliation of our employees in connection with their work by non-employees. Immediately report any harassing

or discriminating behavior by non-employees, including contractor or subcontractor employees. Any employee who experiences or observes harassment, discrimination, or retaliation should report it using the steps listed below.

**If you have any concern that our No Harassment policy may have been violated by anyone, you must immediately report the matter. Due to the very serious nature of harassment, discrimination and retaliation, you must report your concerns to one of the individuals listed below:**

1. Discuss any concern for Cleveland employees, with Mike Kelly at (216) 351-1500, Lon Thrasher at (315)-768-6635 or Gina Dier at (315)-768-6635 and 4639 Van Epps Rd. Brooklyn Heights, OH 44131
2. Discuss any concern for Oriskany employees, with Mike Kelly at (216) 351-1500, Lon Thrasher at (315)-768-6635 or Gina Dier at (315)-768-6635 and 132 Clear Road Oriskany, NY 13424.

If an employee makes a report to any of these members of management and the manager either does not respond or does not respond in a manner the employee deems satisfactory or consistent with this policy, the employee is required to report the situation to one of the other members of management designated in this policy to receive complaints.

**You should report any actions that you believe may violate our policy no matter how slight the actions may seem.**

We will investigate the report and then take prompt, appropriate remedial action. The company will protect the confidentiality of employees reporting suspected violations to the extent possible consistent with our investigation.

**You will not be penalized or retaliated against for reporting improper conduct, harassment, discrimination, retaliation, or other actions that you believe may violate this policy.**

We are serious about enforcing our policy against harassment. Persons who violate this or any other company policy are subject to discipline, up to and including discharge. We cannot resolve a potential policy violation unless we know about it. You are responsible for reporting possible policy violations to us so that we can take appropriate actions to address your concerns.