



Belt Railway Company of Chicago Policies & Procedures

POLICY No: 15

POLICY: Equal Employment Opportunity

Effective: Effective May 15, 2004

Reviewed: February 10, 2020

Revised: April 1, 2021; February 11, 2020; January 1, 2014; November 1, 2009; January 1, 2008; March 16, 2005

EQUAL EMPLOYMENT OPPORTUNITY

The Belt Railway Company of Chicago ("BRC") prohibits discrimination based on a person's race, color, national origin, ancestry, religion, sex (including pregnancy, childbirth or related medical conditions), sexual orientation, gender identity, marital status, order of protection status, age, disability, covered veteran status, military status, genetic information, or any other status prohibited by federal or state law ("protected status"). This policy applies to all terms and conditions of employment, including hiring, transfer, termination, discipline, promotion, compensation, benefits, furlough, return from furlough, leave of absence, or company-sponsored education and training. Sexual harassment is a form of sex discrimination and is prohibited by this policy.

The BRC expects that all of its employees, at all levels, will ensure their actions fully comply with the provisions and the spirit of this policy. The BRC promotes equal opportunity employment and a workplace free of discrimination and harassment. As an employee, you reflect that commitment in your everyday interactions with colleagues and customers, helping ensure our place as the employer of choice. BRC is committed to promoting talent from within the company and bases recommendations for promotion on criteria such as job performance, skill, safety, discipline, and education.

As a BRC employee, you have an impact on the company's EEO efforts and share in the responsibility to ensure compliance with fair and equal treatment of all employees. You benefit from EEO policies because they ensure that you and everyone with whom you work receives pay, benefits, transfers, promotions, furloughs and recall, training, tuition assistance, and disciplinary action without discrimination on the basis of race, religion, color, national origin, ancestry, gender, age, marital status, order of protection status, military status, covered veteran status, sexual orientation, gender identity, disability, genetic information, or any other legally protected status.

Discrimination and harassment are personally offensive, debilitating to morale and therefore, an impediment to productivity and work effectiveness. **Violations of this policy may result in discipline, up to and including dismissal from service.**

PROHIBITED BEHAVIOR AND REMARKS:

An employee is in violation of this policy when engaged in behavior including, but not limited to:

1. Making any employment decision (hiring, promotion, job assignment, discipline, etc.) based on any protected status;
2. Making an offensive or demeaning epithet or remark referring to race, gender or other protected status, including that which is intended as humor;
3. Any offensive or demeaning comment, gesture or other behavior directed toward another person because of any protected status;
4. Use of BRC property to display or store material that is demeaning or offensive on the basis of a protected status;
5. Sharing or displaying any item or material that is demeaning or offensive on the basis of a protected status;
6. Defacing BRC property or property of another person for purposes of conveying a demeaning or offensive message based on or referring to a protected status.

SEXUAL HARASSMENT:

The BRC is committed to maintaining a professional and respectful working environment. Sexual harassment is prohibited and includes, but not limited to, unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature. This is particularly the case when submission to such conduct is made a term or condition of employment or such conduct has an effect on wages, advancement, job performance or creates an intimidating, hostile or offensive working environment.

Sexual harassment includes the following conduct:

1. Unwelcome verbal or physical conduct of a sexual nature when submission to the conduct is made either an explicit or implicit term or condition of employment (such as promotion, training, timekeeping, overtime assignments, leaves of absence);
2. Unwelcome verbal or physical conduct of a sexual nature when submission to or rejection of the conduct is used as a basis for making employment decisions;
3. Unwelcome verbal or physical conduct of a sexual nature when the conduct has the purpose or effect of substantially interfering with an individual's work performance, or creating an intimidating, hostile or offensive work environment; or
4. Unwelcome verbal or physical non-sexual conduct that denigrates or shows hostility toward a person because of his or her gender when the conduct has the purpose or effect of substantially interfering with an individual's work performance, or creating an intimidating, hostile, or offensive work environment.

Examples of sexual harassment include, but are not limited to:

- Offering or implying an employment-related reward (such as a promotion or raise) in exchange for sexual favors or submission to sexual conduct.
- Threatening or taking a negative employment action (such as termination, demotion, denial of a leave of absence) if sexual conduct is rejected.
- Unwelcome sexual advances or unwelcome repeated flirtations.
- Unwelcome intentional touching of another person, or other unwanted physical contact (including patting, pinching or brushing against another person's body).

- Asking unwelcome questions or making unwelcome comments about another person's sexual activities, dating, personal or intimate relationships or appearance.
- Unwelcome sexually suggestive or flirtatious gifts, letters, notes, e-mails, or voicemail.
- Conduct or remarks that are sexually suggestive or that demean or show hostility to a person because of the person's gender (including jokes, pranks, teasing, obscenities, rude gestures, noises, epithets, taunts, negative stereotyping, threats, blocking of physical movement).
- Displaying or circulating pictures, objects, or written materials (including graffiti, cartoons, photographs, pinups, calendars, magazines, figurines, novelty items) that are sexually suggestive or that demean or show hostility to a person because of the person's gender.

COMPLAINT PROCEDURES:

Any person that believes she or he is being subjected to discrimination or harassment, or is aware of such prohibited conduct directed toward another person, should immediately report the matter to a non-agreement supervisor, or to any member of the BRC senior staff, AND must immediately report the complaint with the Human Resources Department. If there is no member of the supervisory staff the employee is comfortable speaking with about the issue, then the employee should contact General Counsel & Director Human Resources Christopher Steinway at (708) 496-4110 directly. To the fullest extent possible, all complaints, matters of investigation, or terms of their resolution will be kept confidential.

MANAGERIAL AND SUPERVISORY DUTIES:

Managers and supervisors have a responsibility to provide a workplace where employees can thrive. Each manager and supervisor of the BRC is responsible for helping to prevent discrimination or harassment. After receiving a complaint of discrimination or harassment, a manager or supervisor must contact the Human Resources Department and immediately report the complaint. If a manager or supervisor has not received a complaint but suspects that conduct might constitute discrimination or harassment, the manager or supervisor must contact the Human Resources Department, regardless of how the manager or supervisor became aware of the conduct. Even if the suspected discrimination or harassment was sanctioned or involves persons who work outside the manager or supervisor's department, it must be immediately reported.

INVESTIGATION AND RESOLUTION:

The BRC forbids retaliation against anyone for truthfully reporting discrimination or harassment, making a good faith report of discrimination or harassment, assisting in filing a complaint with the Human Resources Department or government agency, or cooperating in an investigation. If an investigation confirms that discrimination, harassment, or retaliation has occurred, prompt corrective action will be taken, up to and including, dismissal from service. Additional appropriate actions may be taken to correct problems caused by the conduct. The BRC expects all employees to fully cooperate with any investigation conducted by the BRC into a complaint of proscribed harassment, discrimination, or retaliation, and during the investigation, to keep matters related to the investigation confidential.

COMPLIANCE EXPECTATIONS:

Each of us is required to be familiar with the BRC's policy on "Equal Employment Opportunity." This policy encompasses remarks and behavior on Belt Railway Company property, while representing the Belt Railway Company, or during travel or overnight stays in relation to employment (even if no one who is present is offended by the behavior or remark), and includes remarks or behavior in the presence of other employees, contractors, customers, visitors, or any other persons.