



HARASSMENT PREVENTION POLICY

TITLE: Harassment Prevention Policy			
Number: S-120		Version: 1.0	
Type: Human Resource Policy		Author: Director Human Resource	
Effective Date: 10/1/2012	Original Date: 10/1/2012	Review Date:	Deactivation Date:
Facility: All Flyers Energy Facilities			

I. Purpose/Expected Outcome:

- A. It is Flyers Energy’s policy that all team members have the right to work in an environment that is free of unlawful discrimination and harassment, including sexual harassment. The following policy and procedures will be observed throughout the Company.

II. Definitions:

- A. Sexual harassment is defined as any unwelcome or unwanted conduct of a sexual nature, whether verbal, nonverbal, or physical, where:
 - It is expressed or implied that an employee’s submission to, or refusal of the conduct, will have an effect on his or her employment, job assignment, wages, evaluation, promotion, training, future job opportunities, or other terms or conditions of employment, or where such submission or refusal is used as a factor in decisions relating to the team member’s employment; or
- B. The conduct substantially interferes with the individual’s employment by creating an intimidating, hostile or offensive work environment.

Some examples of sexually harassing conduct include, but are not limited to, the following acts;

- Unwanted sexual advances, or requests or demands for sexual favors or sexual acts;
- Verbal or physical conduct of a sexual nature that is not welcomed by another team member, such as repeated sexual flirtation, advances, innuendo, propositions, gestures, jokes, or mockery;
- The display or distribution of sexually-oriented objects, pictures, or literature, including illustrations, drawings or cartoons, including materials downloaded from computer systems via the Internet, electronic mail, or other sources; or
- Any uninvited, unwelcome physical contact.

This policy applies in the workplace and any other work-related settings, such as business trips, sales meetings, conventions, or business related social events. The Company expects team members to conduct themselves in a professional manner in the workplace and any other time they are representing the Company. Such conduct is essential to promote quality work and to ensure a work environment free of discrimination. Physical conduct of a sexual nature, even if

welcomed by another team member, is prohibited in the workplace, or in any work-related setting.

III. Policy:

A. Sexual Harassment

Flyers Energy unequivocally prohibits the sexual harassment of its team members. Sexual harassment is illegal and will not be tolerated at any level in the Company. This policy applies to sexual harassment of any team member by another team member, by a supervisor or manager, or by other individuals with whom a team member interacts in the course of his or her employment with Flyers Energy, including but not limited to customers, clients, vendors, suppliers, contractors, or other similar individuals.

Further, at Flyers Energy no team member will be punished or treated unfavorably because he or she refused to submit to or participate in sexual harassment, and no team member will be rewarded or treated favorably because he or she submits to or participates in such conduct.

B. Sanctions

Any team member, supervisor or manager, at any level in the Company, who violates this policy, will be subject to discipline up to and including termination of employment.

IV. Complaint Procedure:

A. The Company encourages team members who believe they are being sexually harassed to initially, where possible, inform the offender that his or her behavior is unwelcome and ask the individual to stop the conduct. In addition, however, the Company encourages any team member who believes that they are being sexually harassed or have been harassed to report the harassing conduct to the Company. In this way, the Company will be able to take action to stop the harassment before it becomes severe or pervasive.

B. If a team member believes that he or she is being or has been sexually harassed, he or she should report the matter to his or her supervisor. However, this may not always be appropriate, so the team member may choose to report the matter to a Company official as follows:

If for any reason it is not appropriate under the circumstances to report the matter to the supervisor (for example, where the offender is the team member's supervisor or is in the team member's chain of supervision), or if the team member is not comfortable with this approach for any reason, or if the team member feels that the complaint has not been satisfactorily resolved, the team member should report the matter to his or her department Director, local manager in charge, any Human Resource Representative or the General Manager.

C. All complaints of sexual harassment will be kept confidential to the extent reasonable and possible under the circumstances, and will be investigated promptly, thoroughly, and impartially.

- D. If an investigation substantiates allegations of sexual harassment, the Company will take immediate and appropriate corrective action that is designed to address, stop, and remedy the harassment, and to ensure that the harassment does not recur.

Any Manger or Supervisor who becomes aware of allegations of sexual harassment must bring the allegations to the attention of his or her Department Head, manager in charge or the Human Resource Director, or if that is not appropriate, to the General Manager.

V. Protection Against Retaliation:

- A. Flyers Energy prohibits any form of retaliation against an individual who makes a bona fide complaint of sexual harassment, for assisting in a complaint investigation, pro providing information in a complaint investigation, or for making any determination necessary under this Policy. Retaliation is a serious violation of this Policy, and any individual found to have retaliated against another person in violation of this Policy will be subject to discipline, up to and including termination of employment.
- B. False and malicious complaints of sexual harassment, as opposed to complaints, which, even erroneous, are brought in good faith, will result in appropriate discipline, up to and including discharge.

VI. Additional Information

- A. This policy will be distributed to all new team members individually upon hire and discussed at the new hire orientation, at each Preventing Harassment training session held for Managers, and will be posted on billboards and the Company Intranet and will be available for review in the Flyers Human Resource office. If you have any questions about this policy, please contact Flyers' Human Resource Department Director at 530-885-0401.
- B. All policies are subject to change at any time, and without advance notice. The Team Member Handbook, or any other policies are not intended to create a contract of employment between Flyers Energy (or any of its affiliates) and Team Members.

VII. References:

VIII. Other Related Policies/Procedures:

Equal Employment Opportunity

IX. Cross Index As:

X. Attachments:

- A. N/A