

CHAPTER 3

3. Equal Employment Opportunity

3.1. Policy Statement

Q&D is an Equal Employment Opportunity employer. In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Q&D will be based on merit, qualifications, abilities, alignment with our core values, and business needs. Q&D will not tolerate any form of illegal harassment in the workplace by anyone based upon a person's sex (including pregnancy, childbirth, or related medical condition), sexual orientation, gender (including gender identity or expression) color, race (including traits associated with race such as hair texture and protective hairstyles), ethnicity, religion, religious creed, national origin, ancestry, age (40 or older), physical or mental disability, medical condition, genetic information, marital status, military and veteran status, or any other legally protected status..

An employee who witnesses or is subjected to unlawful discrimination or harassment in violation of this policy should contact their immediate supervisor, management, EEO officer or the Human Resources Manager. All complaints will be given the highest priority and a complete, thorough, and impartial investigation will be conducted. After the investigation has been completed, a determination will be made by appropriate management regarding the matter and appropriate action, including disciplinary action up to and including termination will be imposed if warranted. The investigation and its results will be maintained as confidential as possible under the circumstances. Employees with access to such information shall maintain the confidentiality of the information to the extent reasonably possible and shall not release the information to anyone who does not have the right or need to know.

This policy also prohibits retaliation against employees who complain in good faith about unlawful discrimination or harassment or who participate or assist in any investigation in good faith. Retaliation in violation of this policy may result in discipline up to and including termination. However, employees who make false or reckless accusations or complaints or engage in dishonesty may be subject to discipline.

In addition to a commitment to provide equal employment opportunities to all qualified individuals, Q&D has established an affirmative action program to promote opportunities for individuals in certain protected classes throughout the organization consistent with applicable law.

3.2. Accommodation of Individuals with Disabilities

Q&D complies with the Americans with Disabilities Act, as amended, and all applicable state and local laws. It is Q&D's policy to ensure that qualified individuals with disabilities are treated in a nondiscriminatory manner in the pre-employment process and that employees with disabilities are treated in a nondiscriminatory manner in all terms, conditions, and privileges of employment, including during the pre-employment process.

Q&D will make reasonable accommodations for qualified individuals with known disabilities. Employees may make a request for reasonable accommodation to their supervisor or the Human Resources Manager. When the company becomes aware of any disability that prevents an otherwise qualified applicant or employee from performing the essential functions of a job, Q&D will assess the employee's precise limitations and whether a reasonable accommodation would allow the person to perform the essential functions of the job. Q&D may require a written medical certification from a physician substantiating the need for an accommodation and the specific accommodation requested. An accommodation which creates an undue hardship on the company or which endangers health or safety is not a reasonable accommodation. The

company will make any reasonable accommodation necessary to allow an otherwise qualified applicant or employee to perform the job.

Q&D will determine the feasibility of the requested accommodation and will inform the employee of Q&D's decision on the accommodation request or on how to make the accommodation. If you have any questions about this policy, contact the Human Resources Manager.

3.3. Pregnancy Accommodation

Pursuant to the Nevada Pregnant Workers' Fairness Act, NRS 613.4353 to NRS 613.4383, and the federal Pregnant Workers' Fairness Act, 42 U.S.C. §§ 2000gg-2000gg-6, qualified employees and job applicants have the right to be free from discriminatory or unlawful practices based on pregnancy, childbirth, or a related medical condition. It is unlawful for employer to, and Q&D will not:

- (1) Deny a reasonable accommodation to a qualified employee or applicant for a condition relating to pregnancy, childbirth or a related medical condition, unless the accommodation would impose an undue hardship on Q&D;
- (2) Take an adverse employment action against a qualified employee for requesting or using a reasonable accommodation for a condition related to pregnancy, childbirth or a related medical condition;
- (3) Deny an employment opportunity to a qualified applicant or employee based on their need for a reasonable accommodation for a condition related to pregnancy, childbirth, or a related medical condition; or
- (4) Require a qualified applicant or employee who is affected by a condition related to pregnancy, childbirth, or a related medical condition to accept an accommodation that the employee or applicant did not request or chooses not to accept or to take leave if a reasonable accommodation is available.

Employees or applicants who believe they need an accommodation must make a request to their the Human Resources Manager as soon as possible. In the event an employee or applicant seeks a reasonable accommodation, Q&D will engage in a timely, good-faith interactive process to arrive at an effective, reasonable accommodation for the employee. Examples of reasonable accommodations include things like: (1) modifying equipment or providing different seating; (2) revising break schedules (as to frequency or duration); (3) providing a space in an area other than a bathroom that might be used for expressing breast milk; (4) providing assistance with manual labor if the manual labor is incidental to the primary work duties of the employee; (5) authorizing light duty; (6) temporarily transferring the employee to a less strenuous or hazardous position; or (7) restructuring a position or providing a modified work schedule.

Q&D is not, however, required to create a new position as an accommodation. Q&D is also not required to fire another employee, transfer any employee with more seniority, or promote any employee who is not qualified to perform the job. Further, Q&D is not required to provide a requested accommodation that would pose an undue burden.

Q&D may require an employee to provide an explanatory statement from the employee's physician concerning the specific accommodation recommended by the physician for the employee and the need

for an accommodation. Please contact the Human Resources Manager if you have any questions about this policy.

3.4. Anti-Harassment and Anti-Discrimination Policy

3.4.1. Policy Statement

Q&D is committed to diversity, inclusion, and respect with the goal to create and maintain a safe working environment for all employees.

3.4.2. Coverage

Harassment can occur in the workplace, after hours, or on the internet or social media. Q&D absolutely prohibits illegal harassment during work, in the course of business involving the company, while on company property or at a company jobsite, in the workplace, after hours, at company-sponsored events, or on the internet or on social media.

Q&D absolutely prohibits illegal harassment by any employee (including supervisors and managers) or by any non-employee (including customers, clients, visitors, vendors, contractors, subcontractors, etc.).

3.4.3. Sexual Harassment

Sexual harassment is illegal, against Q&D's policy, and will absolutely not be tolerated. Sexual harassment includes harassment based on a person's sex (including pregnancy, childbirth, or related medical conditions), sexual orientation, or gender (including gender identity and expression), regardless of the harasser's sex, gender, or sexual orientation.

Sexual harassment consists of unwelcome sexual comments, sexual advances or requests for sexual favors, offensive touching, and other verbal, graphic, or physical conduct of a sexual nature, regardless of the harasser's sex or gender. Sexual harassment also includes situations where submission to unwelcome sexual advances, requests for sexual favors or sexual conduct is (1) explicitly or implicitly made a term or condition of the individual's employment; (2) submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual; or (3) such advances, requests or conduct have the effect of substantially or unreasonably interfering with an employee's work performance by creating an intimidating, hostile or offensive work environment.

Q&D will not tolerate any form of sexual harassment, regardless of whether it is:

- Verbal (for example, epithets, derogatory statements, slurs, sexually-related comments or jokes, suggestive or obscene letters, emails, or text, unwelcome sexual advances or requests for sexual favors).
- Physical (for example; assault, inappropriate or unwelcome physical contact, or impeding or blocking movements).
- Visual (for example, displaying or sending sexually suggestive posters, cartoon, or drawings, sending inappropriate adult-themed gifts, leering or making sexual gestures).
- Retaliatory (for example, threatening retaliation or taking retaliatory action against an employee who in good faith complains or participates in an investigation related to sexual harassment).

Further examples of conduct specifically prohibited under Q&D's policy against sexual harassment include:

- Offering or implying an employment-related reward (such as a promotion, raise, training, timekeeping, overtime assignments, leaves of absence) in exchange for submitting to unwelcome verbal or physical conduct of a sexual nature.

- Threatening or taking of a negative employment action (termination, demotion, denial of a leave of absence) if sexual conduct is rejected.
- Unwelcome sexual advances, repeated flirtations,
- Unwelcome touching of another person, other unwanted intentional physical contact (including patting, pinching, or brushing against another person's body), or blocking of physical movement.
- Unwelcome whistling, staring, or leering at another person.
- Asking unwelcome questions or making unwelcome comments about another person's sexual activities, dating, personal intimate relationships, or appearance.
- Unwelcome sexually suggestive or flirtatious gifts, letters, notes, e-mail, text or voicemail.
- Unwelcome conduct or remarks that are sexually suggestive.
- Unwelcome conduct or remarks that demean or show hostility to a person because of the person's sex (including pregnancy), sexual orientation, or gender (including jokes, pranks, teasing, bullying, obscenities, obscene or rude gestures or noises, slurs, epithets, taunts, negative stereotyping).
- Displaying or circulating unwelcome 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 sex or gender.
- Any unwelcome conduct of a sexual nature with the purpose or effect of substantially interfering with an individual's work performance, or creating an intimidating, hostile, or offensive work environment.

These lists are examples only, and not exhaustive. No form of sexual harassment will be tolerated.

3.4.4. Other Types of Harassment

Q&D's anti-harassment policy applies equally to other unlawful harassment based on an employee's color, race (including traits associated with race such as hair texture and protective hairstyles), ethnicity, religion, religious creed, national origin, ancestry, age (40 or older), physical or mental disability, medical condition, genetic information, marital status, military and veteran status, or any other legally protected status.

Such harassment often takes a similar form to sexual harassment and includes harassment that is:

- Verbal (for example, epithets, derogatory statements, slurs, derogatory comments or jokes).
- Physical (for example, assault or inappropriate physical contact).
- Visual (for example, displaying or circulating derogatory posters, cartoons, or drawings or making derogatory gestures).
- Retaliatory (for example, threatening retaliation or taking retaliatory action).
- These lists are examples only, and not exhaustive. No form of sexual harassment will be tolerated.

3.4.5. Manager and Supervisor Responsibility

While all employees are responsible for compliance with this policy, managers and supervisors at all levels are particularly responsible for preventing or addressing illegal harassment in the

workplace. Managers and supervisors must immediately report conduct by anyone that may constitute illegal harassment, discrimination, or retaliation of which they become aware, regardless of how awareness of conduct was gained. Managers and supervisors must report such conduct to the Human Resources Manager, your group President, and/or upper management so that an investigation can be made and corrective action taken, if appropriate.

3.4.6. Complaint Procedure

Any employee who believes that he or she has been subjected to any conduct that violates policy or who witnesses such conduct must promptly report the conduct orally or in writing. You may report such conduct to any of the following resources at Q&D:

- Your immediate supervisor;
- Your group President;
- Human Resources Manager; and/or
- Upper management.

Your report should be as detailed as possible, including the names of individuals involved, names of witnesses, direct quotations when language is relevant, and any documentary evidence (such as notes, pictures, cartoons, emails, texts, etc.)

Q&D will ensure that a fair, timely, and thorough investigation is conducted by qualified personnel in an impartial manner. At the close of the investigation, Q&D will consider appropriate options for remedial actions and resolutions. If misconduct is found, Q&D will take prompt, corrective action, if appropriate to stop the conduct and deter future conduct. If warranted, discipline up to and including termination will be imposed. Q&D will maintain confidentiality of the complaining employee, witnesses, the target of the investigation, the investigation and the results to the extent possible under the circumstances.

If the discrimination, harassment, or retaliation continues, the employee should report the issue or continued conduct and/or retaliation in accordance with the procedures outlined in this policy.

Q&D is committed to enforcing this Anti-Harassment policy. The effectiveness of our efforts depends in part on employees telling us about inappropriate workplace conduct. If you feel that you or someone else may have been subjected to conduct that violates this policy, you should report it immediately. If employees do not report harassing conduct, Q&D may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action.

3.4.7. Retaliation Prohibited

This policy also prohibits retaliation against employees who bring illegal harassment charges or assist in investigating charges in good faith. Retaliation, reprisal, or intimidation in violation of this policy may result in discipline up to and including termination. Any employee bringing a complaint in good faith or assisting in good faith in the investigation of such a complaint will not be adversely affected in terms and conditions of employment, nor discriminated against or discharged because of the complaint.

3.4.8. Administration of this Policy

The Human Resources Manager is responsible for the administration of this policy. If you have any questions regarding this policy or questions about harassment that are not addressed in this policy, please contact the Human Resources Manager, your group President, or upper management.

3.4.9. Employees Covered Under a Collective Bargaining Agreement

The employment terms set out in this policy work in conjunction with, and do not replace, amend or supplement any terms or conditions of employment stated in any collective bargaining agreement that a union has with Q&D. Employees should consult the terms of their collective bargaining agreement. Wherever employment terms in this policy differ from the terms expressed in the applicable collective bargaining agreement, the collective bargaining agreement will control.