

EMPLOYEE RELATIONS POLICY NO. 509

1. SUBJECT: SEXUAL HARASSMENT

2. OBJECTIVE:

2.1. It is the policy of Beartooth Electric Cooperative, Inc. (BEC) to prohibit sexual harassment in any form. BEC has adopted a policy of “zero tolerance” with respect to employee harassment. In this connection, BEC expressly prohibits any form of employee harassment based on race, color, religion, sex, sexual preference, national origin, age, disability, genetic information, citizenship, status as a Vietnam-era, special disabled or other covered veteran or status in any group protected by state or local law. Improper interference with the ability of BEC’s employees to perform their expected job duties is not tolerated.

3. PROVISIONS:

3.1. With respect to sexual harassment, BEC prohibits the following:

3.1.1. Unwelcome sexual advances; requests for sexual favors and all other verbal or physical conduct of a sexual or otherwise offensive nature, especially where:

3.1.1.1. Submission to such conduct is made either explicitly or implicitly a term of condition of employment;

3.1.1.2. Submission to or rejection of such conduct is used as the basis for decisions affecting an individual’s employment or

3.1.1.3. Such conduct has the purpose or effect of creating an intimidating, hostile or offensive working environment.

3.1.2. Offensive comments, jokes, innuendos and other sexually oriented statements.

3.1.3. Examples of the types of conduct expressly prohibited by this policy include, but are not limited to, the following:

3.1.3.1. Touching, such as rubbing or massaging someone’s neck or shoulders, stroking someone’s hair or brushing against another’s body.

3.1.3.2. Sexually suggestive touching.

3.1.3.3. Grabbing, groping, kissing, fondling.

3.1.3.4. Violating someone’s “personal space”.

- 3.1.3.5. Offensive whistling.
 - 3.1.3.6. Lewd, off-color, sexually or racially oriented comments or jokes.
 - 3.1.3.7. Foul or obscene language.
 - 3.1.3.8. Leering, staring, stalking.
 - 3.1.3.9. Suggestive or sexually explicit posters, calendars, photographs, graffiti, cartoons.
 - 3.1.3.10. Unwanted or offensive letters or poems.
 - 3.1.3.11. Sitting or gesturing sexually.
 - 3.1.3.12. Sexual, racial or otherwise offensive e-mail or voicemail messages.
 - 3.1.3.13. Sexually oriented or explicit remarks, including written or oral references to sexual conduct, gossip regarding one's sex life, body, sexual activities, deficiencies or prowess.
 - 3.1.3.14. Questions about one's sex life or experiences.
 - 3.1.3.15. Repeated requests for dates.
 - 3.1.3.16. Sexual favors in return for employment rewards or threats if sexual favors are not provided.
 - 3.1.3.17. Sexual assault or rape.
 - 3.1.3.18. Any other related types of conduct or behavior deemed inappropriate by BEC.
- 3.2. The activities described in Section 3.1. are also prohibited between fellow employees; i.e. it is not necessary that there be a supervisory relationship between the employees.
- 3.3. Each member of management is responsible for creating an atmosphere free of discrimination and harassment, sexual or otherwise. Further, employees are responsible for respecting the rights of their coworkers.
- 3.4. If an employee experiences any job-related discrimination or harassment as described above it should be promptly reported to the employee's supervisor or general manager. This policy applies to all incidents of alleged harassment, including those which occur off-premises, or off-hours, where the alleged offender is a supervisor, coworker or even a non-employee with whom the employee is involved, directly or indirectly, in a

business or potential business relationship relating to BEC.

- 3.4.1. Should the alleged harassment occur at a time other than normal business hours, the complaint should be filed on the first business day following the alleged incident.
- 3.4.2. If the complaint involves the employee's supervisor, it should be reported to the General Manager. If it involves the General Manager, it should be reported directly to the Board President.
- 3.4.3. Employees have a duty to report any conduct which they believe violates this policy. In addition, every employee has a duty to cooperate with any investigation conducted by BEC, regardless of whether the investigation is being conducted by BEC or by outside parties retained by BEC for this purpose.
- 3.5. If BEC determines that an employee is guilty of discrimination against or sexually harassing another individual, appropriate disciplinary action will be taken against the offending individual, up to and including an unpaid suspension or termination of employment or, in the case of a Trustee, removal from the Board.
- 3.6. BEC prohibits any form of retaliation against any employee for reporting a violation of this policy, filing a complaint under this policy or for assisting in a complaint investigation. However, if, after investigating any complaint of harassment or discrimination, BEC determines that the complaint is frivolous and was not made in good faith or that an employee has provided false information regarding the complaint, disciplinary action may be taken against the individual who filed the complaint or who gave the false information, up to and including an unpaid suspension or termination.

4. RESPONSIBILITY:

- 4.1. The Board and General Manager shall ensure that the provisions of this policy are followed.

Adopted: 02/22/2013
Revised: 06/30/2015
Reference: FMFW PC
Review Date: June 2017

Attest: /s/ Richard Nolan
Secretary/Treasurer

Attest: /s/ Roxie Melton
Board President