

## **Equal Opportunity For Employment And Prohibition of Harassment**

### **Purpose**

This Policy establishes and communicates the Company's policy regarding equal employment opportunity.

### **Policy**

In its hiring and promotion policies, the Company is committed to providing equal opportunity to all qualified individuals. The Company will endeavour to create a workforce that is a reflection of the diverse population of the communities in which it operates.

The Company will, in all its operations and employment practices, comply with applicable Law governing equal employment opportunities to assure that there is no unlawful discrimination against any Employee or applicant.

With respect to operations governed by Austrian Law, this Policy relates to all phases of employment, including without limitation, recruitment, hiring, placement, promotion, transfer, compensation, benefits, training, educational, social and recreational programs and the use of Company facilities. It covers all other personnel actions in all job categories and at all levels, including employment of qualified disabled individuals and disabled veterans as well as providing opportunity for training for students under different Austrian Government Policies and Programmes. It is intended to provide Employees with a working environment free of discrimination, harassment, intimidation or coercion relating directly or indirectly to race, colour, religion, disability, sex, age or national origin.

Periodic reviews of personnel practices and actions are to be conducted by appropriate Employees to ensure compliance with the Law in this vitally important area of management responsibility.

The Company believes that all Employees should be treated with dignity and respect.

It is the policy of the Company to provide a work environment which is free from harassment. The Company prohibits all forms of harassment of its Employees by Directors and other Employees, including supervisors or other members of management.

It is the responsibility of every Employee and Director to cooperate in reaching this goal. Harassment is considered a serious act of misconduct and may subject an Employee to disciplinary action including immediate discharge. As used in this Policy, the term "harassment" includes sexual, racial, ethnic, and other forms of harassment, including harassment based upon disability.

Some examples of what may be considered harassment, depending on the facts and circumstances, include the following:

Verbal or Written Harassment. For example, unwelcome or derogatory comments regarding a person's race, colour, sex, religion, ancestry, ethnic heritage, mental or

physical disability, age, appearance or other classification protected by Law; threats of physical harm; or the distribution, including by email or other electronic media, or display in any Company work area, of written or graphic material having such effects.

**Physical Harassment.** For example, hitting, pushing or other aggressive physical contact, touching or threats to take such action, or inappropriate gestures.

**Sexual Harassment.** For example, unwelcome sexual conduct, whether verbal or physical, including, among other things, sexual advances, demands for sexual favours, or other verbal or physical conduct of a sexual nature, whether or not it was designed or intended to promote an intimate relationship.

**Racial Harassment.** For example, unwelcome or derogatory comments regarding a person's race, colour, ancestry or ethnic heritage; or distribution, including email or other electronic media, or display in any Company work area, of written or graphic material having such effects.

It is not considered harassment of any sort for supervisors and other members of management to enforce job performance and standards of conduct in a fair and consistent manner.

Employees who violate this Policy against harassment will be subject to disciplinary action at the discretion of the Company, up to and including suspension and termination of employment. Supervisors and other members of management who fail to report violations by others of which they become aware, also will be subject to disciplinary action, up to and including suspension and termination of employment.

All Directors, members of management and other Employees shall actively support this Corporate Policy. All actions and decisions taken by Directors, members of management and their subordinates shall be consistent with this Corporate Policy and in furtherance of it.

## **Procedure**

An Employee who believes she or he has been or is being subjected to discrimination should bring this matter to the attention of his or her immediate supervisor, department head, the Human Resources Department or the Law Department. An Employee who believes discrimination has occurred or is occurring should report such conduct to one of the above persons regardless of the position of the offending person (e.g., manager, supervisor, fellow Employee, customer, etc.). If a complaint of discrimination is received by any manager or supervisor, the manager or supervisor shall report the complaint immediately to the Human Resources Department. Nothing in this Policy requires any Employee complaining of discrimination to present the matter to the person who is the subject of the complaint.

Any Employee who believes she or he is being harassed should consider telling the offending party that she or he objects to that conduct. This often solves the problem. However, if an Employee is not comfortable confronting the offending party (or if the offending party's unwelcome conduct continues), the Employee should advise his or her immediate supervisor of the offending conduct. If the Employee is more comfortable discussing the issue with someone other than his or her immediate supervisor, or if the immediate supervisor has not taken what the Employee regards as appropriate action to solve the problem, the Employee should contact a Human Resources or Law Department representative.

All complaints of discrimination will be promptly investigated. The privacy of the persons involved will be protected, except to the extent necessary to conduct a proper investigation. If the investigation substantiates the complaint, immediate corrective action designed to stop the discrimination and prevent its recurrence will be taken.

An Employee who believes he or she has been or is being subjected to discrimination, or who believes he or she has observed discrimination, and who reports the matter pursuant to this Policy shall not be retaliated against or adversely treated because of the making of the report. Further all complaints of harassment will be investigated promptly and discreetly. Employees will not suffer adverse consequences as a result of reporting any act of harassment, including sexual harassment.