

Sexual and Unlawful Workplace Harassment

The Company is committed to providing a workplace which is free from all verbal, physical and visual forms of harassment so that everyone can work in a productive, respectful and professional environment. Sexual harassment, and harassment for any discriminatory reason such as race, sex, color, religion, national origin, disability, age or any other characteristic protected by local, state or federal law is strictly prohibited. In addition, this policy prohibits any other workplace harassment, whether or not it is specifically covered by law. Conduct by supervisors, employees and non-employees such as vendors or customers are covered by this policy. Employees who violate this policy are subject to discipline, up to and including termination. All employees of the Company are covered by this policy.

Examples of Harassment

Sexual Harassment: Sexual harassment is generally defined as unwelcome sexual advances, requests for sexual favors, or other visual, verbal or physical conduct of a sexual nature when:

- The conduct interferes with an employee's work or creates an intimidating, hostile or offensive work environment;
- Submission to the conduct is made either an express or implied term or condition of employment; or
- Submission to or rejection of the conduct is used as the basis for employment decisions affecting the individual.

Sexual harassment includes harassment based on another person's gender or harassment based upon pregnancy, childbirth, or related medical conditions. It also includes harassment of another employee of the same gender as the harasser.

Examples of sexual harassment include, but are not limited to, the following types of behavior:

- Unwelcome sexual advances, like propositions for sexual favors.
- Excessive, one-sided, romantic attention in the form of love letters, telephone calls, emails or gifts;
- Offering or conditioning an employment benefit, like a raise, a promotion or a preferred work schedule, in exchange for sexual favors;
- Making or threatening reprisals, or changing performance expectations after an employee has turned down a sexual advance;
- Visual conduct, such as leering, making indecent gestures, or displaying sexual objects, pictures, cartoons, calendars or posters in the workplace;
- Verbal conduct, such as making sexual comments, using demeaning terms such as "Babe", using crude and offensive language, and telling off-color jokes;
- Unwelcome or unnecessary physical contact, including pats, hugs, kisses, brushes, touches, shoulder rubs, assaults, bumping or blocking movements; and
- Sexually charged or crude behavior, banter, teasing or horseplay with other employees, even if consensual.

This policy is also violated if an employee is fired, denied a job, or denied some other employment benefit because the employee refused to grant sexual favors, complained about harassment, or participated in an investigation or complaint proceeding.

Other Workplace Harassment: Examples of harassment based on race, sex, color, religion, national origin, age, disability or other protected characteristic can include, but are not limited to:

- Cartoons, calendars, posters or other visual displays of objects, text, pictures or graphics that depict any protected group or individual in a derogatory way;
- Physical or verbal conduct, including making or using derogatory comments, gestures, epithets, slurs and jokes towards such groups or individuals.

The Company also expects all employees to exercise good judgment and avoid any action that could arguably be construed as harassment. Employees must conduct themselves in a professional and courteous manner towards others at all times regardless of sex, race or other protected status. Examples of prohibited conduct include but are not limited to:

- Physical aggression, threatening gestures or other hostile behavior;
- Any behavior that is cruel, vindictive or intended to humiliate and/or degrade.
- Openly insulting, berating or yelling at other persons; or
- Other boorish, rude, childish or discourteous behavior.

Procedure if Harassment Occurs or is Reported

The Company is committed to taking reasonable steps to prevent harassment from occurring and will take immediate and appropriate action when we determined that harassment has occurred. To do this, however, we need the cooperation of all employees at all levels. Each employee is responsible for supporting and adhering to this policy.

Employees should never tolerate inappropriate behavior, but should tell anyone harassing them that the conduct is unwelcome. In addition, employees must promptly report (as set forth below) any offending behavior, whether such behavior is directed towards them personally or to other employees of the Company. Do not allow an inappropriate situation to continue by not reporting it, regardless of who is creating the situation.

- **Reporting Harassment:**
 - **Employee Awareness Hotline.** If an employee believes he or she is being harassed or observes a possible violation of this policy, he or she must immediately report the conduct via the link on the Crew Quarters page at www.theroadinc.com. Employees are report before the conduct becomes severe or pervasive. The employee is not required to first tell his or her supervisor. However, in addition to, but not instead of reporting via the web, the employee may also report the incident to his or her supervisor.
 - **Human Resources or Higher Level Management.** The employee may also directly contact Human Resources (913-492-0007), the Multi-Unit Manager or any higher level manager.

- **Supervisor's Responsibilities:** Each supervisor is responsible for maintaining a workplace free of harassment. Any supervisor who is notified of a complaint of harassment, or observes, becomes aware of, or is notified of a possible violation of this policy, must:
 - Report the incident to the Human Resources Department and your immediate supervisor at: 913-492-0007.
 - The Supervisor is responsible for following these procedures even if the complainant has already reported, has told another supervisor, or chooses to remain anonymous.
 - The supervisor must also take appropriate steps to protect the employee from continued harassment or retaliation. No supervisor shall threaten or insinuate, either explicitly/or implicitly, that an employee's complaint will adversely affect the employee's terms and conditions of employment in any way.

Investigating/Corrective Action: In response to every complaint, the Company will take prompt and impartial investigatory action, and take appropriate corrective and/or preventive action where necessary. Confidentiality will be maintained to the extent possible; however information about the allegations of harassment will be shared with those who have a need to know about it.

If harassment is found to have occurred, the Company will make every effort to ensure that no further harassment occurs and to correct its effects on the employee. Any employee who is found to have engaged in any form of harassment or otherwise violated this policy will be subjected to appropriate disciplinary action up to and including termination. If an individual outside the employ of the Company has harassed an employee, the Company will take appropriate action to address the situation and to prevent its recurrence.

Reporting Retaliation: All employees will be protected against retaliation should they complain about harassment, participate in an investigation or complaint proceeding, or engage in other protected activity. Employees who believe they have been retaliated against should immediately report via the link on the Crew Quarters page at www.theroadinc.com so that their concerns can be investigated. Appropriate remedial action will be taken if retaliation is found to have occurred.