

Anti-Harassment and Discrimination Policy	Policy Effective Date: August 25, 2020
	Policy Number: TBD
	Applicability: All CEI employees
Subject: Prevention of Harassment and Discrimination	
Authorized By: Talin Andonians, Chief People Officer	Department: Corporate/All

1.0 Purpose Statement

In line with the company's values, CEI is committed to providing a respectful working environment free of discrimination and harassment. CEI believes in treating all people, employees and others with respect regardless of their background.

2.0 Scope

This policy applies to all CEI employees at all locations, including those classified as full-time, part-time, contract or temporary. Employees are always expected to comply with this policy, including during CEI-related meetings, trainings, events or business trips that may occur offsite. Any person violating this policy will face discipline, up to and including termination of employment.

3.0 Definitions

3.1 Harassment/Discrimination

Harassment on the basis of any legally protected characteristic, as identified above, is prohibited. Prohibited harassment may include behavior similar to the illustrations above pertaining to sexual harassment. This includes conduct such as:

- Verbal conduct including threats, epithets, derogatory comments or slurs based on an individual's protected characteristic;
- Visual conduct, including derogatory posters, photographs, cartoons, drawings or gestures based on protected characteristic; and
- Physical conduct, including assault, unwanted touching or blocking normal movement because of an individual's protected characteristic.

Even if an employee's intent is to be humorous, making jokes about a protected category or making fun of other employees based on a protected characteristic would be considered a violation of this policy and subject the employee to disciplinary action.

3.2 Sexual Harassment

Sexual harassment is discriminatory and illegal under federal, state and local laws. It is defined as unwanted and unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that:

- Is made (either explicitly or implicitly) a term of condition of employment

- Serves as the reason for employment decisions affecting such an individual
- Substantially interferes with an individual's work performance by creating an intimidating, hostile, or offensive work environment

Title VII of the Civil Rights Act of 1964 recognizes two types of sexual harassment: a) quid pro quo and b) hostile work environment. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Sexual harassment is prohibited whether it's between member of the opposite sex or members of the same sex.

CEI prohibits inappropriate conduct that is sexual in nature, including the following non-exhaustive list of behaviors that are unacceptable:

- Offensive or humiliating behavior that is related to a person's sex
- Behavior of a sexual nature that creates an intimidating, unwelcome, hostile or offensive work environment
- Behavior of a sexual nature that could reasonably be thought to put sexual conditions on a person's job or employment opportunities
- Comments, jokes, or degrading language, such as commentary about an individual's body, sexual prowess or sexual deficiencies
- Sexually suggestive objects, books, magazines, photography, cartoons, pictures, calendars, posters, electronic communications, or other materials and other physical, verbal or visual conduct of a sexual nature
- Unwelcome sexual advances, requests for sexual favors, any sexual touching or leering, insulting or obscene comments or gestures
- Offering favorable terms or conditions of employment or benefits in exchange for sexual favors or threatening or imposing less-favorable terms or conditions of employment if sexual favors are refused

3.3 Abusive Conduct

In addition to harassment, we have zero tolerance for any abusive conduct in the form of bullying, threats, intimidation, or other related behavior directed at any person in the workplace. Examples of abusive conduct include repeated infliction of verbal abuse, such as the use of malicious, derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the intentional sabotage or undermining of a person's work performance. Any employee found in violation of this policy will be disciplined, up to and including termination.

4.0 Policy Requirements

4.1 In General

The company prohibits discrimination, harassment and abusive conduct at work, whether experienced or perpetrated by employees, customers, suppliers, partners or visitors. Discrimination or harassment based on race, color, religion, sex, national origin, citizenship, age, sexual orientation, disability, marital status or any other basis will not be tolerated by CEI.

4.2 Equal Opportunity

As set forth in the policy, Cupertino Electric is committed to equal employment opportunity and to compliance with federal antidiscrimination laws. We also comply with California law, which prohibits

discrimination and harassment against team members, applicants for employment, individuals providing services in the workplace pursuant to a contract, unpaid interns and volunteers based on their actual or perceived: race (including traits historically associated with race, such as hair texture and protective hairstyles), religious creed, color, national origin, ancestry, physical or mental disability, medical condition, genetic information, marital status (including registered domestic partnership status), sex (including pregnancy, childbirth, lactation and related medical conditions), gender, (including gender identity and expression (including transgender individuals who are transitioning, have transitioned, or are perceived to be transitioning to the gender with which they identify), age (40 and over), sexual orientation, Civil Air Patrol status, military and veteran status and any other consideration protected by federal, state or local law (sometimes referred to, collectively, as "protected characteristics").

For purposes of this policy, discrimination on the basis of "national origin" also includes discrimination against an individual because that person holds or presents the California driver's license issued to those who cannot document their lawful presence in the United States, as well as discrimination based upon any of the following: an individual's or individual's ancestors' actual or perceived physical, cultural or linguistic characteristics associated with a national origin group; marriage to or association with individuals of a national origin group; tribal affiliation; membership in or association with an organization identified with or seeking to promote the interests of a national origin group; attendance or participation in schools, churches, temples, mosques or other religious institutions generally used by persons of a national origin group; or a name that is associated with a national origin group. An employee's or applicant for employment's immigration status will not be considered for any employment purpose except as necessary to comply with federal, state or local law.

The Company allows employees to self-identify their gender, name and/or pronoun, including gender-neutral pronouns. The Company will use an employee's gender or legal name as indicated on a government-issued identification document, only as necessary to meet an obligation mandated by law. Otherwise, the Company will identify the employee in accordance with the employee's current gender identity and preferred name. The Company will not tolerate discrimination or harassment based upon these characteristics or any other characteristic protected by applicable federal, state or local law. The Company also does not retaliate or otherwise discriminate against applicants or team members who request a reasonable accommodation for reasons related to disability or religion. Our commitment to equal opportunity employment applies to all persons involved in our operations and prohibits unlawful discrimination and harassment by any employee, including supervisors and co-workers.

4.3 Anti-Retaliation

No one at Cupertino Electric is permitted to retaliate against any other employee for reporting, filing, testifying, assisting or participating in any manner in any investigation, proceeding or hearing conducted by the employer or a federal or state enforcement agency. The Company will not retaliate against any employee for filing a complaint and will not knowingly permit retaliation by management employees or coworkers. Please report any instance of retaliation to Human Resources. Any report of retaliatory conduct will be objectively and thoroughly investigated in accordance with the Company's investigation procedure outlined above. If Cupertino Electric determines that retaliation has occurred, remedial action will be taken, commensurate with the severity of the offense. Appropriate action will also be taken to deter any future retaliation.

5.0 Responsibilities and Ownership

5.1 Management Responsibilities

All managers at CEI have a responsibility to maintain a workplace free of discrimination, abusive conduct and harassment. Managers are directly responsible for the conduct of their staff and for fostering a respectful environment within their department.

Managers are responsible for:

- Promoting a harassment-free workplace and setting an example of appropriate behavior
- Understanding the process for investigating and resolving harassment complaints filed by employees
- Dealing with harassment situations immediately after becoming aware of them, whether a harassment complaint has been made
- Taking appropriate action during a harassment investigation
- Ensuring that harassment situations are handled in a sensitive and confidential manner

CEI will maintain confidentiality throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

5.2 Employee Responsibilities

Under this policy, employees are responsible for:

- Treating others with respect
- Informing their immediate supervisor or HR Business Partner of any harassment
- Using CEI's complaint process to report behavior that the employee feels is harassing, whether that behavior is directed at him/her
- Participating in a harassment investigation and respecting the confidentiality of the investigation process

Under this policy, employees can expect:

- To be treated with respect
- That reported harassment will be dealt with in a timely, confidential, and effective manner
- To have their rights to a fair process and to confidentiality maintained during a harassment investigation
- To be protected against retaliation for reporting harassment or cooperating with an investigation

6.0 Complaints

6.1 Procedure

Creating a workplace free of discrimination and harassment is everyone's responsibility. If an employee observes or believe he/she is a victim of discrimination, sexual harassment or any other form of harassment at CEI, that employee must immediately report it to one of the following:

- His/her manager or another manager in the management chain
- The People Team (Human Resources)

An employee may file a harassment complaint by contacting his/her manager, an HR Business Partner or other member of the People Team/Human Resources. The complaint may be verbal or in writing. The employee should be prepared to provide details such as what happened; when it happened; where it happened; how often and who else was present (if applicable).

Employee may also email concern@cei.com or call our dedicated number 408-808-8108.

Employees must cooperate fully in harassment and discrimination-related investigations. Following an investigation, CEI will take appropriate corrective action, up to and including termination of employment, if necessary.

6.2 Investigation Process

Any claims of discrimination or harassment will be investigated promptly and discreetly by CEI. All complaints are to be treated with sensitivity and kept confidential to the extent possible. The investigation may include interviews with the parties involved and, where necessary, with individuals who observed the alleged conduct or who can provide relevant details. Where applicable, CEI may report illegal activities or actions to the authorities for investigation and potential legal action.

7.0 Employee Agreement on Anti-Harassment and Discrimination Policy

I acknowledge that I have received a copy of the CEI Anti-harassment policy. I have read and understand the policy. I understand that, if I violate the policy, I may be subject to disciplinary action, including termination. I further understand that I will contact my supervisor if I have any questions about any aspect of the policy.

Employee Signature

Date

Employee Printed Name and Title

8.0 Roles and Responsibilities

Role	Responsibility
Talin Andonians	Policy Drafter/Executive Sponsor
Sinead Borgersen	Policy Maintenance/Compliance

9.0 References

Reference Title	Reference Number and Location

10.0 Contact Information

Name	Title
Sinead Borgersen	Senior Director People Operations
Talin Andonians	Chief People Officer

11.0 Revision History

Revision	Date Released	Description of Change
R001	August 25, 2020	
R000	September 12, 2019	Updated to remain compliant with 2019 law and addition of discrimination free workplace.