

Each of us at Devar, Inc. deserves a workplace where we can achieve our full potential. Nothing so utterly detracts from that environment as harassment of employees – for any reason. When an employee is harassed because of some innate or personal characteristic, such as race, sex, color, veteran status, national origin, disability, sexual orientation, age or religion, it is not only bad manners, bad business, and in most cases unlawful, it is also a violation of Company policy. Harassment is unwelcome conduct that interferes with and has no bearing on an employee's job performance. It can be spoken, written, or electronic, graphic or physical. It can be done to offend, or simply as insensitive joking. Simply stated, harassment, of any kind, has no place in the Company's environment and will not be tolerated.

Sexual harassment deserves special mention. It is plainly wrong and unlawful for a supervisor or anyone else in authority to base an employment decision such as hiring, firing, demotion, transfer or promotion on submission to or rejection of unwelcome sexual advances or request for sexual favors. Such conduct is sexual harassment in its most direct form and is prohibited by law and Company policy. Sexual harassment can also occur through sexual conduct that unreasonably interferes with an individual's job performance or creates an intimidating, hostile, or offense working environment. Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented kidding or teasing, practical jokes, jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact such as patting, pinching, or brushing against another's body. As with other forms of harassment, this type of activity is obviously unwelcome if an employee complains. Even without a complaint, each of us must be sensitive to the way in which our words and actions are perceived by others. If they could reasonably be perceived as offensive and unwelcome, they can be unlawful harassment.

Each of us must help keep the workplace free of personal harassment. If you are being harassed, tell the harasser to stop; tell the harasser that his or her advances, comments or gestures are unwelcome and offensive. If you have witnessed or been the victim of harassment, you should immediately notify the Company through one or more of these procedures: inform your supervisor (unless he/she is the alleged harasser), Human Resources representative or a company representative male or female. Devar, Inc. forbids retaliation against anyone who reports harassment or cooperates in an investigation of harassment.

retaliation

It is the Company's policy to investigate each harassment complaint thoroughly and promptly. To the extent practical, any complaint and the terms of its resolution will be kept confidential. If an investigation finds that harassment has occurred, the Company will take disciplinary action, which may include the termination of employment.

SEX HARASSMENT COMPLAINT PROCEDURE

All employees have the option of reporting incidents of harassment to someone other than his or her supervisor, a male or female company representative. The earlier the complaint is addressed, is most helpful in uncovering the true facts.

- (1) Report of complaint
- (2) Conduct a prompt, impartial investigation.
 - (a) Remain objective and open-minded.
 - (b) Consider all evidence collected. Evidence consists of the following:
 1. Information obtained through interviews with complaining employee, alleged offender and other employees or managers who may have witnessed the harassment.
 2. If witness information agrees with the complainant, a signed statement describing what occurred in detail.
- (3) Evaluate information collected from the investigation and establish that if harassment did occur, disciplinary action must be promptly taken against harasser.
- (4) Determine the severity of harassment. Depending upon seriousness, possible course of action could be:

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- (a) Discharge
- (b) Unpaid suspension
- (c) Written warning. Have offender sign statement acknowledging awareness of harassing behavior and commitment to change behavior.

It is important to take appropriate disciplinary action to show the company's adherence to policy and to send a message to other potential harassers that this behavior is unacceptable and will not be tolerated.

The Federal Equal Employment Opportunity Commission defines sexual harassment as: Unwelcome sexual advances, requests for sexual favors and other verbal or physical contact when:

- (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
- (2) submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting such an individual.

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- (3) Such conduct has the purpose or affect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

It is important to keep in mind that sexual harassment claims may result from offensive joking, "friendly" touching, nude or offensive pictures in the workplace and sexual innuendo. What some employees regard as innocent, good-natured fun may be considered intolerably offensive to others.

COMPLAINT PROCEDURE

Individuals who believe they have been subjected to harassment from either a co-worker or a supervisor should make it clear to the offender that such behavior is offensive to them and should immediately bring the matter to the attention of the appropriate manager.

Individuals who wish to speak with management personnel other than their manager may request a meeting with the Personnel Manager or a Company Representative. All allegations of harassment will be immediately investigated. It is important for employees who feel they have been harassed to report incidents promptly to Management.