



Belt Railway Company of Chicago Policies & Procedures

POLICY No: 15

POLICY: Equal Employment Opportunity

Effective: Effective May 15, 2004; Policy Reissue dates: March 16, 2005; January 1 2008

Revised: November 1, 2009

EQUAL EMPLOYMENT OPPORTUNITY

The Belt Railway Company of Chicago prohibits discrimination based on a person's race, color, national origin, religion, sex (including pregnancy, childbirth or related medical conditions), sexual orientation, age, disability, veteran status, or any ground prohibited by federal or state law ("protected status"). This policy applies to all terms and conditions of employment, including hiring, transfer, termination, discipline, promotion, compensation, benefits, furlough, return from furlough, leave of absence, or company-sponsored education and training. Sexual harassment is a form of sex discrimination and is prohibited by this policy.

I expect all Belt Railway employees, at all levels, will ensure their actions fully comply with the provisions and the spirit of this policy. Discrimination and harassment are personally offensive, debilitating to morale and therefore, an impediment to productivity and work effectiveness. **Violations of this policy may result in dismissal from service.**

OFFENSIVE BEHAVIOR AND REMARKS:

An employee is in violation of this policy when engaged in behavior including, but are not limited to:

1. Any offensive or demeaning epithet or remark referring to race, gender or other protected status, including that which is intended as humor;
2. Any offensive or demeaning comment, gesture or other behavior directed toward another person because of that person's race, gender or other protected status;
3. Use of Belt Railway Company property to display or store material that is demeaning or offensive on the basis of a protected status;
4. Sharing or displaying any item or material that is demeaning or offensive on the basis of a protected status;
5. Defacing Belt Railway Company property or property of another person for purposes of conveying a demeaning or offensive message based on or referring to a protected status; or

6. Creating any graffiti or other anonymous communication that refers to race, gender or any other protected status.
- 7.

SEXUAL HARASSMENT:

Sexual harassment is prohibited and includes, but not limited to, unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature. This is particularly the case when submission to such conduct is made a term or condition of employment or such conduct has an effect on wages, advancement, job performance or creates an intimidating, hostile or offensive working environment.

Sexual harassment includes the following conduct:

1. Unwelcome verbal or physical conduct of a sexual nature when submission to the conduct is made either an explicit or implicit term or condition of employment (such as promotion, training, timekeeping, overtime assignments, leaves of absence);
2. Unwelcome verbal or physical conduct of a sexual nature when submission to or rejection of the conduct is used as a basis for making employment decisions;
3. Unwelcome verbal or physical conduct of a sexual nature when the conduct has the purpose or effect of substantially interfering with an individual's work performance, or creating an intimidating, hostile or offensive work environment; or
4. Unwelcome verbal or physical non-sexual conduct that denigrates or shows hostility toward a person because of his or her gender when the conduct has the purpose or effect of substantially interfering with an individual's work performance, or creating an intimidating, hostile or offensive work environment.

Examples of sexual harassment include, but are not limited to:

- Offering or implying an employment-related reward (such as a promotion or raise) in exchange for sexual favors or submission to sexual conduct.
- Threatening or taking a negative employment action (such as termination, demotion, denial of a leave of absence) if sexual conduct is rejected.
- Unwelcome sexual advances or unwelcome repeated flirtations.
- Unwelcome intentional touching of another person, or other unwanted physical contact (including patting, pinching or brushing against another person's body).
- Asking unwelcome questions or making unwelcome comments about another person's sexual activities, dating, personal or intimate relationships or appearance.
- Unwelcome sexually suggestive or flirtatious gifts, letters, notes, e-mails or voicemail.
- Conduct or remarks that are sexually suggestive or that demean or show hostility to a person because of the person's gender (including jokes, pranks, teasing, obscenities, rude gestures, noises, epithets, taunts, negative stereotyping, threats, blocking of physical movement).
- Displaying or circulating pictures, objects or written materials (including graffiti, cartoons, photographs, pinups, calendars, magazines, figurines, novelty items)

that are sexually suggestive or that demean or show hostility to a person because of the person's gender.

COMPLAINT PROCEDURES:

Any person that believes she or he is being subjected to discrimination or harassment, or is aware of such prohibited conduct directed toward another person, should immediately report the matter to a supervisor, or to any member of the senior staff, AND must immediately report the complaint with the Human Resources Department. If there is no member of the supervisory staff the employee is comfortable speaking with about the issue, then the employee should contact either Christopher Steinway at (708) 496-4110 or Timothy E. Coffey at (708) 496-4112 in the Human Resources Department directly. To the fullest extent possible, all complaints, matters of investigation or terms of their resolution will be kept confidential.

MANAGERIAL AND SUPERVISORY DUTIES:

Managers and supervisors have a responsibility to provide a workplace where employees can thrive. Each manager and supervisor of the Belt Railway Company is responsible for helping to prevent discrimination or harassment. After receiving a complaint of discrimination or harassment, a manager or supervisor must contact the Human Resources Department and immediately report the complaint. If a manager or supervisor has not received a complaint but suspects that conduct might constitute discrimination or harassment, the manager or supervisor must contact the Human Resources Department, regardless of how the manager or supervisor became aware of the conduct. Even if the suspected discrimination or harassment was sanctioned or involves persons who work outside the manager or supervisor's department, it must be immediately reported.

INVESTIGATION AND RESOLUTION:

The Belt Railway Company forbids retaliation against anyone for truthfully reporting discrimination or harassment, making a good faith report of discrimination or harassment, assisting in filing a complaint with the Human Resources Department or government agency, or cooperating in an investigation. If an investigation confirms that discrimination or harassment has occurred, prompt corrective action will be taken, up to and including, dismissal from service. Additional appropriate actions may be taken to correct problems caused by the conduct.

COMPLIANCE EXPECTATIONS:

Each of us is required to be familiar with the Belt Railway's policy on "Equal Employment Opportunity." This policy encompasses remarks and behavior on Belt Railway Company property, while representing the Belt Railway Company, or during travel or overnight stays in relation to employment (even if no one who is present is offended by the behavior or remark), and includes remarks or behavior in the presence of other employees, contractors, customers, visitors or any other persons.

** This directive becomes the governing policy addressing sexual harassment and equal employment opportunity at The Belt Railway Company of Chicago. If you need additional information, you should contact the Human Resources Department.*