

WEST GROUP HARASSMENT POLICY

1.0 PURPOSE

To establish policy, practices and procedures that support the Company's commitment to maintain a work environment where each and every employee is treated with dignity and respect as an individual, high standards of personal conduct are practiced and every employee has the opportunity to reach his/her highest potential as a person and as an employee. To affirm and support the Company's commitment to comply with all federal, state and local antidiscrimination laws, orders, rules and regulations and guidelines.

2.0 POLICY

It is West Group's policy to maintain a work environment free from discrimination and from harassment, including inappropriate, offensive or degrading remarks or behavior. Such behavior includes, but is not limited to, inappropriate remarks or conduct related to an employee's race, color, religion, creed, national origin, sex, marital status, disability, age, ancestry, citizenship or sexual preference.

This policy includes remarks or behavior (verbal, nonverbal and physical) of a sexual nature that creates an intimidating, hostile or offensive work environment.

The Company will not tolerate and will take appropriate disciplinary action up to and including discharge in regards to behavior that fails to comply with either the letter or spirit of this policy or both.

West Group does not intend to regulate employees' social interactions or relationships freely entered into. However, behavior that constitutes harassment will not be tolerated.

Any person who feels he or she is being subjected to offensive or degrading remarks or behavior or discriminatory behavior of any kind should feel free to object to the behavior and inform the offending individual that such behavior is unwelcome and that the behavior should stop.

3.0 SCOPE

This policy applies to all units, sites, facilities and employees of West Group.

4.0 DEFINITIONS

"Harassment" is defined as, but is not limited to, any remarks or behavior that demeans, threatens, offends or intimidates an employee on account of race, color, religion, creed, national origin, sex, marital status, disability, age, ancestry, citizenship or sexual preference.

"Sexual harassment", which can consist of a wide variety of unwanted and unwelcome behavior of a sexual nature, is defined as:

Unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature when:

- (1) Submitting to the conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- (2) Submitting to or rejecting the conduct is used as the basis for an Employment decision affecting an individual; or
- (3) Such conduct has the purpose or result of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Verbal harassment includes, but is not limited to, telling sexual jokes or stories; making sexual comment about a person's body, clothing or looks; asking about or talking about sexual fantasies or dreams; repeatedly asking a person for dates; whistling or making cat calls; making sexual comments or innuendo; making derogatory, demeaning or offensive remarks or comments about an individual's race, religion, age, ethnic heritage, disability or sexual preference; or making threats of physical harm for any of the aforementioned reasons.

Nonverbal harassment includes, but is not limited to, staring at an individual; following an individual; making sexually-suggestive expressions or gestures; displaying sexual visuals; giving personal gifts; and displaying racially offensive visuals.

Physical harassment includes, but is not limited to, giving massages; touching a person's body, clothing or hair; patting, stroking, hugging or kissing; brushing up against or standing close to an individual; distributing derogatory or offensive materials; and hitting, pushing or other physical contact.

5.0 PRACTICES

- 5.1 Any manager or supervisor, who has knowledge, either direct or indirect, or who is in a position to observe behavior that may constitute harassment, will take immediate action to stop the behavior and report the incident to Human Resources.

- 5.2 Any employee, who has knowledge of, either direct or indirect, or who is in a position to observe behavior that may constitute harassment, should report the incident to their manager or supervisor or Human Resources.
- 5.3 A complaint of harassment, or a report of behavior that may constitute harassment, made by an employee or nonemployee or other third party, against another employee, employees, nonemployee(s) or other third party will be investigated and thoroughly documented.
- 5.4 In all cases involving a complaint of harassment, or reports of behavior that may constitute harassment, all reasonable efforts shall be made the confidentiality of the complaint or report, so that to the maximum extent possible, the identity of the complainant, the accused and all reported witnesses are kept confidential and to protect the reputations of all involved employees, especially an employee or other person that may be wrongfully accused.
- 5.5 Investigation of a report of harassment should include conferring with the manager or supervisor of the functional area and interviewing the accuser, reporter, accused, named or apparent witnesses or any other person that may have relevant evidence.

If a manager or supervisor is the subject of a harassment complaint or report, Human Resources shall conduct the investigation.

All investigations shall be thorough, fair and impartial.

- 5.6 An employee making a complaint of harassment or reporting behavior that may constitute harassment, or who assists in an investigation, shall be protected against retaliation, intimidation, coercion and any other inappropriate behavior. Retaliation or other inappropriate behavior resulting from a harassment report shall be a separate violation of this policy.
- 5.7 Depending upon the severity and the pervasiveness of the behavior, disciplinary action may include verbal or written warning or reprimand, suspension and/or termination.

6.0 PROCEDURE

- 6.1 An individual who believes they are being harassed or an individual who believes they have witnessed behavior that may constitute harassment shall report the incident to their manager or supervisor or Human Resources. If the incident is first reported to a manager or supervisor, the manager or supervisor shall report the incident to Human Resources. Nonemployees or other third parties shall make their reports to directly to Human Resources.
- 6.2 Human Resource shall conduct the investigation. In conducting the investigation, Human Resources shall:

- (1) Interview the accuser or person making the report. Human Resources shall ask the reporting party to disclose and discuss the facts and circumstances surrounding the incident(s). Human Resources shall ask the individual to disclose the names of witnesses or any other person(s) that may have relevant evidence. Human Resources shall make a record of the interview and secure the signature of the reporting individual as to the accuracy and correctness of the record;
- (2) Interview witnesses or other persons with relevant evidence;
- (3) Secured signed statements from witnesses and other individual with relevant information;
- (4) Make a determination as to whether or not the facts uncovered support confronting the accused person. If the facts do not support confronting the accused person(s), Human Resources shall conclude the investigation. If the facts support going forward with the investigation, Human resources will interview the accused.
- (5) Interview of the accused. In interviewing the accused, Human Resources shall:
 - Describe the complaint;
 - Inform the individual of the seriousness of the allegations;
 - Provide the individual with a copy of the Company's harassment policy;
 - Review the Company's harassment policy with the individual;
 - Invite the accused to respond to the allegation(s) either verbally or in a written, signed statement.

6.3 Human Resources shall keep those in management who have a need to know, apprised of the complaint and the results of its investigation. Human Resources shall seek the advice and assistance of General Counsel.

6.4 If Human Resources determines that harassment has taken place and that disciplinary action is necessary, Human Resources and other necessary management will determine and impose the appropriate disciplinary action to be taken.

6.5 If the investigation reveals that the allegations are patently false and deliberate, such false accusations will result in severe disciplinary action up to and including discharge of the accuser.

7.0 RESPONSIBILITY

- 7.1 Managers are responsible for the implementation of and day-to-day adherence to this policy. Managers are also responsible for taking appropriate corrective action to ensure compliance with this policy.
- 7.2 Employees are responsible conducting their behavior consistent with this policy. Employees will be held accountable for behavior which violates or seeks to avoid this policy.
- 7.3 Human resources is responsible for the development, dissemination, implementation and enforcement of this policy.

8.0 EFFECTIVE DATE

This policy become effective on and after July 1, 1997.