

Shadowfax

Title	Equal Employment Opportunity
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Initiating Authority	Director of Human Resources
Approved By	Compliance Committee 2-10-22
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Associated Policies	
Associated Procedures	
Associated Documents	

I. POLICY STATEMENT

Shadowfax is an equal opportunity employer that is committed to diversity and inclusion in the workplace. We prohibit discrimination and harassment of any kind based on race, color, sex, religion, sexual orientation, national origin, disability, genetic information, pregnancy, or any other protected characteristic as outlined by federal, state and/or local laws.

II. PURPOSE

In accordance with anti-discrimination law, it is the purpose of this policy to execute these principles and mandates. Shadowfax prohibits discrimination and harassment of any type and affords equal employment opportunities to staff members and applicants without regard to race, color, religion, sex, sexual orientation, gender identity or expression, pregnancy, age, national origin, disability status, genetic information, protected veteran status, or any other characteristic protected by law. Shadowfax conforms to the spirit as well as to the letter of all applicable laws and regulations.

III. SCOPE

The policy of equal employment opportunity (EEO) and anti-discrimination applies to all aspects of the relationship between Shadowfax and its staff members.

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The policies and principles of EEO also apply to the selection and treatment of Individuals, independent contractors, and personnel working on our premises who are employed by temporary agencies and any other persons or firms doing business for or with Shadowfax.

IV. GENERAL

This policy applies to all employment practices within our organization including hiring, recruiting, promotion, termination, layoff, recall, leave of absence, compensation, benefits, training and application of all Shadowfax policies. Shadowfax makes hiring decisions based solely on qualifications, merit, and business needs at the time.

V. POLICY

EQUAL EMPLOYMENT OPPORTUNITY AND NON-DISCRIMINATION

It is the policy of Shadowfax to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, national origin, religion, creed, sex, gender, age, disability, citizenship or alienage status, marital status, domestic partnership or civil union status, sexual orientation, gender identity and/or expression, military or veteran status, domestic violence victim status, pregnancy, childbirth, breastfeeding, or related medical conditions, ancestry, nationality, genetic information or any other characteristic protected by federal, state, or local law ("protected characteristics"). Shadowfax prohibits and will not tolerate any such discrimination or harassment.

This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, transfer, termination, layoff, recall, and leaves of absence, compensation, and training and implementation of all Shadowfax policies.

Program services shall be made accessible to persons with disabilities through the most practical and economically feasible methods available. These methods include, but are not limited to equipment redesign, the provision of aids, and the use of alternative service delivery locations. Structural modifications shall be considered only as a last resort among available methods.

Reasonable accommodations will be made to meet the physical or mental limitations of qualified applicants or staff members.

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Persons who believe they have been discriminated against may file a complaint at any of the following offices:

Shadowfax Corporation
386 Pattison Street
York, PA 17403 or call the
Human Resources Office at 717-854-7742

PA Human Relations Commission
333 Market Street, 8th Floor
Harrisburg, PA 17101

Department of Human Services
Bureau of Equal Opportunity
625 Forster Street
Harrisburg, PA 17120

US Department of Health & Human Services
Office for Civil Rights
Suite 372, Public Ledger Building
150 S. Independence Mall West
Philadelphia, PA 19106-9111

ANTI-HARASSMENT

Definitions of Harassment

a. **Sexual harassment** constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including

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through e-mail or text); and other physical, verbal or visual conduct of a sexual nature. Sex-based harassment - that is, harassment not involving sexual activity or language (e.g., male manager yells only at female staff members and not males) - may also constitute discrimination if it is severe and pervasive and directed at staff members because of their sex.

b. Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, creed, sex, national origin, age, disability, citizenship status, sexual orientation, gender identity and/or expression, marital status or any other characteristic protected by law or that of his/her relatives, friends or associates, and that: (1) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail and text).

COMPLAINT PROCEDURE

Reporting an Incident of Harassment, Discrimination or Retaliation

Staff members who believe they have been the victims of conduct prohibited by this policy statement or who believe they have witnessed such conduct should discuss their concerns with their immediate supervisor, Human Resources or any member of management.

When possible, Shadowfax encourages staff members who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. Shadowfax recognizes, however, that a staff member may prefer to pursue the matter through the complaint procedures.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. While no fixed reporting period

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has been established, Shadowfax strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. Shadowfax will make every effort to stop alleged harassment before it becomes severe or pervasive but can do so only with the cooperation of its staff members. Therefore:

- Supervisor, managers, department heads and all management personnel are required to immediately report any information or knowledge they may have concerning any violation or alleged violation of this policy to the Director of Human Resources or the CEO.
- Human Resources will conduct a confidential investigation. Only those parties that have a “need to know” will be involved in the investigation.

The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

- Pending the outcome of the investigation, in some cases the staff member(s) involved may be temporarily suspended to allow time to fully investigate the matter.

This suspension may be with or without pay. Human Resources will provide their findings within five (5) working days of a receipt of the report of harassment or as soon as is feasible.

- After completion of the investigation, the staff member’s discipline, if warranted, will be documented in accordance with established Human Resources policy. Based on all available facts, disciplinary action up to and including immediate termination of employment may result.
- The CEO will report the results and action taken to the Board Chair as appropriate.
- The final results of the investigation will be discussed with the appropriate individuals.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

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Retaliation against a staff member for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action up to and including termination of employment. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

VI. ENFORCEMENT

Misconduct constituting harassment, discrimination or retaliation will be dealt with in a timely and appropriate manner according to the policies of Shadowfax.

False and malicious complaints of harassment, discrimination or retaliation may be the subject of appropriate disciplinary action up to and including termination.

This policy should not, and may not, be used as a basis for excluding or separating a staff member on the basis of any protected characteristic, from participating in business or work-related social activities or discussions in order to avoid allegations of harassment. The law and the policies of Shadowfax prohibit disparate treatment on the basis of any protected characteristic, with regard to terms, conditions, and privileges of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further these policies, not to form the basis of an exception to them.

Staff members who have questions or concerns about these policies should consult with the Director of Human Resources.

VII. OVERSIGHT

Shadowfax Compliance Committee or their designee(s) (the "Approved By") will be in charge of the administration of this Policy. The Approved By responsibilities include:

1. Identifying the action steps to come into compliance and directives to maintain compliance and implement the action steps.
2. Periodically reviewing this Policy and monitoring compliance to it.

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3. Training responsible parties on their obligations under the Policy.

Revision History

Name	Date	Reason for Changes	Version