



NEWFIELDS ANTI-HARASSMENT AND ANTI-DISCRIMINATION POLICY

INTRODUCTION

NewFields is committed to the principle that the workplace should be free from all forms of discrimination and conduct that can reasonably be considered as harassing, coercive, intimidating, bullying, or disruptive. NewFields believes in treating everyone with respect, fairness, and dignity regardless of his or her race, color, religion, creed, gender, sex, age, national origin or ancestry, sexual orientation, gender identity, gender expression, disability, veteran status, military status, family status, marital status, pregnancy or related medical conditions, genetic information, or any other classification protected by federal, state or local law. NewFields will not tolerate unlawful harassment or discrimination that violates this policy.

POLICY OBJECTIVE

This Anti-Harassment and Anti-Discrimination Policy serves many purposes. This policy is designed to:

1. Demonstrate NewFields' commitment to providing its employees with a positive work environment and protection against inappropriate treatment by supervisors, colleagues, clients, or business partners;
2. Outline the steps that NewFields takes to prevent harassment or discrimination in its places of business;
3. Provide NewFields employees with instructions on how to report violations of this policy or harassing or discriminatory actions; and
4. Assure NewFields employees that they will be protected against retaliation following a good faith report of inappropriate behavior.

DEFINITIONS

"Harassment" includes bullying, intimidation, direct insults, malicious gossip, and victimization. Some examples of harassment may include:

- Intentionally sabotaging someone's work or performance.
- Engaging in frequent or unwanted advances of any type.
- Making derogatory comments about a persons' characteristics or qualities that are unrelated to his or her job performance.
- Discussing or spreading rumors about a person's personal life.



- Ridiculing a person in front of others or publicly singling out a person in a negative way.

Harassment generally does NOT include:

- Constructive criticism that is given with the purpose of improving an employee's performance.
- Negative performance reviews when discussed confidentially between an employee and his or her supervisor, manager, or the HR Department.
- Singling a person out for positive comments on that person's job performance.
- Good faith disagreements about the best way to handle a problem or perform a job.
- Instructive commentary or constructive criticism made by a member of management to a team as a whole, rather than an individual.

"Discrimination" is defined as any bias that results in negative action taken against someone because of that person's protected characteristics, like race, gender, age, religion, ethnicity, nationality, disability, marital status, family status, gender identity, or sexual orientation. Examples of discrimination may include:

- When a supervisor, colleague, client or business partner treats an employee unfairly based on that employee's protected characteristics.
- When an employer makes hiring, firing, disciplinary, or pay-rate decisions based on an individual's protected characteristics, rather than his or her education, skills, experience, and job performance.
- When a colleague or client refuses to work with an employee based on the target employee's protected characteristics.
- When a job advertisement suggests that a preferred candidate will have certain personal characteristics.
- When an employee is denied access to an employer's facilities or benefits based on that employee's protected characteristics.

"Sexual harassment" is a form of harassment, and is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Such conduct constitutes sexual harassment when (1) submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) 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. While sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include:

- Promising an employee a reward if the employee complies with a sexually-oriented request.
- Threatening an adverse employment action if the employee refuses to submit to or comply with a sexually oriented request.



- Denying an employee an employment opportunity if the employee refuses to submit to or comply with a sexually oriented request.
- Engaging in sexually suggestive physical conduct or touching in a way that is unwelcome.
- Sharing or displaying sexually oriented materials in the office or while present at the workplace or a NewFields function.

“Workplace Bullying” is a form of harassment, and is defined as repeated inappropriate behavior, either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others, at the place of work, or in the course of employment. Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant and may not be given consideration when determining appropriate discipline. As with sexual harassment, it is the effect of the behavior upon the individual that is important. Bullying can include, but is not limited to:

- Verbal Bullying: Slandering, ridiculing, or maligning a person or his/her family; persistent name calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- Physical Bullying: Pushing, shoving, kicking, poking, tripping, assault, or threat of physical assault; damage to a person’s work area or property.
- Gesture Bullying: Nonverbal threatening gestures or glances that convey threatening messages.
- Exclusive Bullying: Socially or physically excluding or disregarding a person in work-related activities.

“Hostile Work Environment” is a legal definition that contemplates a work environment where inappropriate conduct, harassment, or bullying is so severe and frequent that it pervades throughout the work environment and interferes with an employee’s ability to perform his or her job.

PROHIBITED ACTIONS

Harassment. This policy prohibits unwelcome conduct and/or conduct that negatively affects someone because of that person’s protected status, whether such conduct is verbal, physical, or visual in nature. Among the types of harassment that are forbidden by this policy are epithets, slurs, negative stereotyping, intimidating acts, derogatory remarks, drawings or pictures, unwelcome “jokes,” teasing, sexual flirtations, obscene gestures, improper touching, and repeated explicit verbal or physical conduct, whether sexual or otherwise, which embarrasses, humiliates, or otherwise adversely affects the target employee because of his or her protected status.

Employees are prohibited from harassing other employees whether or not the incidents of harassment occur on NewFields’ property or during working hours.

Discrimination. This policy prohibits any discrimination in employment opportunities based on a person’s protected personal characteristics. An individual’s protected characteristics may never be the basis for any negative treatment of that individual at any point in the employment process, whether related to recruitment,



hiring, compensation, promotions, transfers, discipline, demotions, terminations, access to benefits, training, or any other aspects of employment.

Bullying. The conduct prohibited by this policy including any bullying of an employee, whether verbally, physically, or otherwise, which is designed to intimidate, humiliate, undermine, or degrade the targeted employee. Bullying is also prohibited where it is designed to interfere with the target employee's work duties, sabotage his or her career, encourage him or her to leave his or her employment, or where it poses a risk to the health or safety of the target employee or others.

ENFORCEMENT

Violations of this policy will not be permitted and may result in disciplinary action, up to and including immediate termination of employment.

Any employee who feels that he or she has been the subject of harassment, discrimination, or bullying, or who has witnessed the harassment, discrimination, or bullying of another, should report it at once to his/her immediate supervisor, manager, or the Human Resources Manager. However, employees are not required to first report the incident to their supervisor. Employees may bypass the chain of command, if they feel that is appropriate, and report the incident to any of the individuals listed above or NewFields' Legal Department. Complaints are not required to be in any particular form and may be oral or written. Concerns regarding harassment, discrimination or bullying should be reported regardless of the perceived severity of the conduct.

NewFields will investigate and take effective action in response to any reports of unlawful discrimination, harassment, or bullying, and disciplinary action will be taken where appropriate. Under no circumstances should any employee allow improper conduct to go unreported.

Keep in mind that harassment or bullying of a NewFields employee by a *client or business partner* is equally unacceptable and should be reported as described above. NewFields will make every effort to preserve the client or business relationship if possible, but it will take any and all steps necessary to address the reported concerns and protect its employees.

NO RETALIATION

NewFields will not tolerate any retaliation, coercion, intimidation, relationship interference, or discrimination against an employee for reporting harassment, discrimination, or bullying, or for filing a complaint or participating in any investigation of a claim of harassment, discrimination, or bullying.

NewFields similarly prohibits retaliation of any kind against any employee who, in good faith, opposes harassment, discrimination, or bullying, reports any unlawful conduct including discrimination, or who testifies, assists, or participates in any manner in an investigation, proceeding, or hearing. NewFields will not reprimand, penalize, or otherwise retaliate against an employee for any of those protected activities. If an employee feels that he or she has been retaliated against for opposing or reporting unlawful conduct or for participating in or cooperating with



an investigation, he or she should promptly report such actions using the same procedures as noted in the Enforcement section of this policy.

ADMINISTRATION

NewFields' Human Resources and Legal Departments are responsible for the administration, revision, interpretation, and application of this policy. The policy will be reviewed annually and revised as needed.

APPROVALS

Approved this 16th day of March, 2020.

Patrick C. Gobb
Chief Executive Officer