

INDEPENDENT COMMUNITY BANKERS OF AMERICA

NON-HARASSMENT, DISCRIMINATION AND RETALIATION POLICY

ICBA expressly prohibits discrimination, harassment and retaliation based on race, color, creed, religion, sex, sexual orientation, national origin, ancestry, age, disability, medical condition, familial or marital status, public assistance status, political affiliation, veteran status or any other category protected by law. Improper interference with the ability of ICBA's employees to perform their expected job duties is also prohibited. Nor will ICBA tolerate any actual or attempted reprisals or retaliation against an employee who raises a sincere and valid concern that this policy has been violated. ICBA takes all allegations of discrimination, harassment and retaliation very seriously and is firmly committed to ensuring a workplace free of those discriminatory activities. Anyone engaging in discrimination, harassment, or retaliation is subject to disciplinary action up to and including discharge.

Harassment Prohibited – Definition: As used in this policy, the term “harassment” refers to conduct relating to a person's race, color, creed, religion, sex, sexual orientation, national origin, ancestry, age, disability, medical condition, familial or marital status, public assistance status, political affiliation, veteran status which fails to respect the dignity and feelings of the individual. Harassment that is forbidden by this policy can take several forms, including but not limited to:

(1) Sexual harassment. This includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature where the individual is made to feel as if he or she must agree to the request or submit to the advance in order to get favorable treatment at work. Sexual harassment also includes sexually oriented conduct and communications that unreasonably interfere with an employee's work performance or create an intimidating, hostile, or offensive environment. This policy protects and covers the conduct of all employees. In other words, unwarranted sexual advances violate this policy even if directed at a co-worker or supervisor. It also applies to vendors and employees of or member Banks. While not exhaustive, the following is a list of some examples of sexual harassment:

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual harassment.
- Visual conduct such as leering, making sexual gestures, displaying or distributing sexually suggestive objects or pictures, cartoons or posters.
- Verbal conduct such as making or using sexually derogatory comments, epithets, slurs, or jokes.
- Verbal sexual advances or propositions.
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations.
- Physical conduct such as touching (fear of unwanted touching), assault, or impeding or blocking movements.

(2) Harassment based on race, color, creed, religion, sex, sexual orientation, national origin, ancestry, age, disability, medical condition, familial or marital status, public assistance status, political

affiliation, veteran status. Harassment based on race, color, creed, religion, sex, sexual orientation, national origin, ancestry, age, disability, medical condition, familial or marital status, public assistance status, political affiliation, veteran status can include any verbal, written, or physical act in which race, color, creed, religion, sex, sexual orientation, national origin, ancestry, age, disability, medical condition, familial or marital status, public assistance status, political affiliation, veteran status is used to make an employee uncomfortable at work or interferes with an employee's ability to perform their job.

Harassment based on these categories may take many forms. While it is impossible for the ICBA to provide an exhaustive list, the following is a list of some examples of harassing behavior that the ICBA will not tolerate:

- Jokes that refer to these protected categories.
- Posting or distributing cartoons, drawings, or any other material that negatively reflects a person's race, color, creed, religion, sex, sexual orientation, national origin, ancestry, age, disability, medical condition, familial or marital status, public assistance status, political affiliation, veteran status.
- The use of slurs or other offensive language.
- Practical jokes, horseplay, or teasing that makes fun of or insults a person's race, color, creed, religion, sex, sexual orientation, national origin, ancestry, age, disability, medical condition, familial or marital status, public assistance status, political affiliation, veteran status.

Reporting and Investigating Discrimination, Harassment and Retaliation: In an effort to eliminate all workplace discrimination, harassment, and retaliation, ICBA utilizes an internal investigation process in response to complaints of such conduct. Anyone who believes he or she is being subjected to discrimination, harassment, or retaliation or who has witnessed such conduct must report the conduct as provided in the following procedure. Anyone who knowingly fails to report an incident of discrimination, harassment, or retaliation may be subject to disciplinary action.

Report any discriminatory, harassing, or retaliatory behavior that you experience or witness to your immediate supervisor immediately. If the problem is not immediately resolved, contact the Human Resources Manager or your companies' president. If your supervisor is involved, or if you do not feel comfortable talking to your supervisor for any reason, you need not contact your supervisor first, but may instead proceed directly to the Human Resources Manager or your companies' president. A thorough investigation will be conducted and there will be no retaliation against victims or witnesses for notifying ICBA about such conduct.

Confidentiality: In cases involving a report of harassment or discrimination, all reasonable efforts will be made to protect the privacy of the individuals involved. In many cases, however, ICBA's duty to investigate and remedy harassment makes absolute confidentiality impossible. ICBA will try to limit confidential information to those individuals with a "need to know". Employees who assist in an investigation are required to keep confidential all information they learn or provide. Employees will be reminded of this confidentiality requirement during the investigation.

Assurance of Non-Retaliation: ICBA expressly prohibits retaliation of any kind against anyone for reporting harassment or discrimination. Any such retaliation may result in discipline up to and including discharge.