HARASSMENT WORKPLACE VIOLENCE PROGRAM

HARASSMENT

We believe that every employee is entitled to a working environment free of verbal, physical, visual or other harassment because of race, color, religion, sex, national origin, age, handicap, Vietnam era military service or any other basis protected by Federal, State or Local laws. This policy is applicable in the workplace as well as at company-initiated or sponsored activities – social, recreational and travel – outside the workplace, or situations which carry over outside the workplace. Harassment of employees is a form of unlawful discrimination which violates this policy. We expect the full cooperation of every manager, supervisor and employee in making this policy effective. If necessary, however, appropriate management action will be taken for violation of this policy.

DEFINITION

Harassment on the basis of race, color, religion, sex, national origin, age, disability, marital status, citizenship status, veteran status, sexual orientation, or gender identity is prohibited by laws in the United States and Winger Companies, herein referred to as Winger, policy. This unlawful harassment is a violation of Equal Employment opportunity and Winger policy. Harassment can occur between or among peers and co-workers or between supervisors and subordinates. Customers and suppliers may also initiate or be victims of unlawful harassment.

One form of harassment is sexual harassment. According to the Equal Employment Opportunity Commission (EEOC) Guidelines, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when the harassment:

1. affects the employee's employment status
   OR
2. is used as a basis for employment decisions;
   OR
3. creates an offensive, intimidating or hostile work environment.

Examples include (but are not limited to):

- Preferential treatment or promises of special treatment (e.g. compensation or promotions) for submitting to sexual conduct, or adverse treatment of an employee for refusing to accept an invitation to enter into a personal or sexual relationship.

- Subjecting an employee to unwelcome sexual attention or conduct, or intentionally making the employee's job performance more difficult because of that employee's sex.

- Intentional physical contact which is sexual in nature, such as touching, pinching, patting, grabbing, or brushing against another employee's body, or physical assaults of a sexual nature.

- Sexually-oriented gestures, jokes, or comments directed at or made in the presence of an individual who does not welcome such conduct.

- Sexual or discriminatory displays or publications anywhere in Cargill's workplace – displaying or distributing pictures, posters, calendars, graffiti, objects, reading materials, or other materials that are sexually suggestive, demeaning, or pornographic. A picture will be presumed to be

sexually suggestive if it depicts a person of either sex who is not fully clothed or in clothes that are not suited for the work environment, and who is posed for the obvious purpose of displaying or drawing attention to private portions of his or her body.

PROCEDURE

Employees who feel they have been harassed can raise allegations of harassment through the following steps:

1. Clearly inform the alleged harasser that his/her behavior is offensive and unwelcome and to stop such behavior. If you feel you cannot talk to the alleged harasser, inform the alleged harasser's supervisor or your supervisor. If the alleged harasser is your supervisor, inform the alleged harasser's supervisor. You may also contact your Human Resources Manager. Appropriate management personnel are then obliged to investigate the claim.

2. Allegations of harassment brought to the attention of management will be investigated in a timely and thorough manner. The investigation will be conducted confidentially to the extent that only those parties who have a definite need to be involved to investigate and rectify the issue will be included.

3. Retaliation or reprisal towards the alleged victim because of their bringing the complaint is strictly prohibited. Proven retaliation may result in disciplinary action against the employee who retaliated.

DISCIPLINE

Substantiated acts of harassment will be met with appropriate corrective action, up to and including termination of employment. The discipline will vary depending on the nature, the number and severity of the acts and the position held by the harasser relative to the victim. An individual may be terminated for a first offense if the proven offense is sufficiently serious, using the factors listed above. In addition, any retaliatory action taken against an individual who honestly complains of harassment is a form of discrimination which will result in disciplinary action against the perpetrator of the retaliation.

RESPONSIBILITY

It is the responsibility of all employees, supervisors and managers to conduct themselves in a manner consistent with this policy. In addition, it is a requirement for supervisors and managers to maintain a work environment free of unlawful harassment. This includes acting promptly to investigate all allegations of harassment once the supervisor or manager becomes aware of the allegations.

CONCLUSION

Winger strives to provide a pleasant, harmonious working environment and to treat employees honestly, with dignity and respect. If you find that you have a work-related problem or concern, you are encouraged to talk it over with someone. Even if it seems minor to you, Winger wants you to air the problem in the hope that it can be resolved before becoming a major issue. Any incident of harassment should be reported to your immediate Supervisor, Mr. Tom Keck.

Winger will investigate immediately and will take prompt and appropriate corrective action which may include termination. Employees are assured that they will not be retaliated against as a result of reporting incidents of harassment.

SOURCE CREDITS

U.S. Department of Labor, Occupational Safety and Health Administration, www.osha.gov
Business and Legal Reports (BLR)
Cargill Corn Milling North America

DOCUMENT CONTROL

Initial Program August 18, 2006
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