



## HARASSMENT AND DISCRIMINATION POLICY

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**DOCUMENT CONTACT TITLE: TEAM MEMBER RELATIONS LEADER**

**BUSINESS AREA: EQUAL EMPLOYMENT OPPORTUNITY, HUMAN RESOURCES**

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### 1.0 Policy Overview

- 1.1. Tyson Foods, Inc. is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual and other forms of harassment.

### 2.0 Scope

- 2.1. This policy sets forth guidelines for maintaining a work environment that is free of any form of unlawful harassment and/or discrimination by anyone in the workplace including: managers, supervisors, co-workers, vendors, clients, or customers of Tyson Foods, Inc.

### 3.0 Statements of Policy

- 3.1. It is the policy of Tyson Foods, Inc. to strictly prohibit any kind of unlawful harassment, such as that involving race, religion, color, age, national origin, veteran status, disability, retaliation, genetics information, sex (including pregnancy), sexual orientation, gender identity, or other protected status under federal, state, or local law.
- 3.2. This policy prohibits harassment in any form, including verbal, written, visual, or physical harassment.
- 3.3. All Team Members (including intern, part-time, and temporary) will be trained in orientation and annually on the Harassment and Discrimination Policy.
- 3.4. All Team Members are responsible for discouraging harassment and/or discrimination in the workplace. Should a Team Member witness, experience, and/or learn about harassment or discrimination, the Team Member must report it immediately. The guidelines for reporting are as follows:
  - 3.4.1 Step 1: Contact your supervisor and/or local HR Manager
  - 3.4.2 Step 2: Contact the senior location Management Official and/or Director of HR Operations
  - 3.4.3 Step 3: Contact the Employment Compliance Department at (800) 643-3410 X 7313

3.4.4 Team Members may at any point contact the Tell Tyson First telephone line (888) 301-7304 or weblines at [tellysonfirst.com](http://tellysonfirst.com) and/or report to his/her supervisor, any member of Management, HR, or Employment Compliance if the Team Member feels more comfortable skipping one or more of the steps or if the sources of the harassment and discrimination are the individuals described in a step.

**3.5.** Once a complaint is reported, a certified Harassment Investigator (HI) will investigate the complaint.

3.5.1 The HI will protect the confidentiality of the complaint and will only reveal information relating to the complaint and investigation to those having a “need to know” in order to facilitate the investigation or resolution.

3.5.2 When an investigation substantiates a complaint of harassment or discrimination, discipline, up to and including termination, will result depending on the seriousness or repetition of the offense.

3.5.3 Upon completion of the investigation everyone involved will be retrained on the Harassment and Discrimination policy.

**3.6.** Retaliation against those who report harassment/discrimination or participate in an investigation is forbidden. (See also the Anti-Retaliation Policy)

3.6.1 If any individual believes they have been subjected to retaliation, contact the location HR Manager, Director HR Operations, Employment Compliance Department, or the Tyson Help Line immediately.

3.6.2 Any member of management, who is found to have committed retaliation, will be disciplined up to and including termination.

#### **4.0 Responsibilities**

**4.1.** All Team Members who witness or experience harassment and/or discrimination must report it immediately.

**4.2.** All members of management must immediately report incidents of harassment and/or discrimination to the Human Resources Department.

**4.3.** Only certified Harassment Investigators (HI) will be authorized to investigate harassment and/or discrimination complaints.

**4.4.** All Team Members will be required to complete annual Harassment/Discrimination training.

**4.5.** Each facility (to include remote locations) will complete and post the Harassment and Discrimination Policy and Notification Roster on the facility bulletin board.

4.5.1 The posting must include the names and phone numbers of individuals may be contacted as described in the steps of reporting a harassment/discrimination complaint.

## 5.0 Exceptions & Exclusions

- 5.1. None.

## 6.0 Additional Policy Information

### 6.1. Definitions

- 6.1.1. **Harassment** is unwelcome conduct, whether explicit or implied, verbal or non-verbal, physical or visual, directed toward any person or groups of people based on their race, color, religion, national origin, age, disability, veteran status, genetic information, sex (including pregnancy), sexual orientation, gender identity, or any other protected characteristic that affects tangible job benefits, interferes with a person's work performance, creates a hostile work environment, or diminishes the dignity of any person.
- 6.1.2. **Sexual Harassment** is defined as sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission is a condition of employment, submission or rejection affects employment opportunities, or when conduct interferes with work or creates an intimidating, hostile, or offensive work environment. This includes sexual misconduct, which means any behavior of a sexual nature which also involves coercion, abuse of authority, or misuse of an individual's employment position. Examples of sexual harassment include, but are not limited to, offering employment benefits in exchange for sexual favors; displaying sexually suggestive objects, pictures, cartoons, or posters; and physical touching. \*\*
- 6.1.3. **Hostile Work Environment** is defined as a work environment characterized by severe and pervasive comments or conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment on the basis of their race, color, religion, national origin, veteran's status, age, disability, genetic information, sex (including pregnancy), sexual orientation, gender identity, or any other protected characteristic.
- 6.1.4. **Employment Discrimination** is making any employment decision that impacts the terms and conditions of employment in a negative or adverse manner based on an individual's protected status, including but not limited to race, color, national origin, religion, age, disability, veteran status, genetic information, sex (including pregnancy), sexual orientation, gender identity or any other protected characteristic.
- 6.1.5. **Retaliation** is making any employment decision that impacts the terms and conditions of employment of an individual in a negative or adverse manner because of their opposition to a discriminatory or harassing practice or conduct in the workplace, or their participation in a complaint against such unlawful practices.

6.1.6. **Certified Harassment Investigator** is defined as a trained salaried HR Team Member who performs harassment investigations.

## **7.0 Related Documents**

- 7.1. [H&D Training Acknowledgment](#)
- 7.2. [Anti-Retaliation Policy](#)
- 7.3. [Equal Employment Opportunity Policy](#)
- 7.4. [State of California Addendum](#)

## **8.0 Revision Record**

- 8.1. 11/09/2011 – Version Imported from SharePoint to PolicyTech
- 8.2. 1/19/2016 – Updated to delete HR practice related guidance; add gender identity as a protected basis, and eliminated “unwelcome” as a conduct standard.
- 8.3. 3/31/2016 – Added provision specifying management obligation to report to HR; attached addendum for State of California locations.
- 8.4. 9/13/2016 – Changed “supervisor” to “member of management” in 3.6
- 8.5. 10/15/2020 – Revised/updated policy definitions in 6.1
- 8.6. 7/01/2022- Revised/updated policy responsibilities in 4.4; policy definition in 6.1.2 with \*\* reference to City of Chicago

\*\* Sexual harassment and retaliation for complaints of sexual harassment are unlawful in the City of Chicago. Team Members may report sexual harassment or retaliation as outlined in this policy or through the City of Chicago as detailed in postings at our Chicago locations.