



1.0 Overview and Purpose

The purpose of the *Equal Opportunity* and *Affirmative Action* Policy is to ensure all employees are aware of the Enterprise's commitment as a federal contractor to comply with all applicable *equal opportunity* and *affirmative action* legal requirements.

2.0 Scope

The *Equal Opportunity* and *Affirmative Action* Policy applies to all employees.

3.0 Statement

Equal Opportunity

The Enterprise prohibits discrimination and harassment against any applicant, employee, vendor, contractor, customer, or client on the basis of an individual being a member of a *protected class*.

In addition, the Enterprise prohibits any and all forms of retaliation against anyone who complains of (i) harassing or discriminatory conduct, or (ii) participates in an Enterprise or agency investigation into such complaints.

Affirmative Action

The Enterprise is also a federal contractor subject to Executive Order 11246, Section 4212 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended ("Section 4212") and Section 503 of the Rehabilitation Act of 1973, as amended ("Section 503"). Accordingly, the Enterprise takes *affirmative action* to employ, advance in employment, and otherwise treat qualified individuals without regard to their race, color, sex, sexual orientation, gender identity, national origin, disability, or status as a protected veteran.

The Enterprise also provides reasonable accommodation to the known physical or mental limitations of an otherwise qualified employee or applicant for employment unless the accommodation would impose undue hardship on the operation of the Enterprise's business.

In addition, the Enterprise prohibits employees and applicants from being subjected to harassment, intimidation, threats, coercion, or discrimination because they have engaged in or may engage in (1) filing a complaint; (2) assisting or participating in an investigation, compliance review, hearing, or any other activity related to the administration of Section 503, Section 4212, or any other federal, state or local law requiring *equal opportunity* for individuals with disabilities or protected veterans; (3) opposing any act or practice made unlawful by Section 503 or Section 4212 and their implementing regulations, or any other Federal, state or local law requiring *equal opportunity* for individuals with disabilities or protected veterans; or (4) exercising any other right protected by Section 503 or Section 4212 or their implementing regulations.

The non-confidential portions of the *affirmative action* program for individuals with disabilities and protected veterans shall be available for inspection upon request by any employee or applicant for employment by Human Resources Division at 402-351-3300 on regularly scheduled workdays, Monday through Friday, between the hours of 8 a.m. and 4:30 p.m. CST.

Application of Equal Opportunity and Affirmative Action

This policy applies whenever and wherever an Enterprise employee is performing a function of his or her job, including all Enterprise locations, client worksites, and Enterprise-sponsored or client-sponsored business and social functions. The Enterprise's commitment to *equal opportunity* and *affirmative action* requires that employment decisions be based only on valid job requirements, and extend to all terms, conditions, and privileges of employment including, but not limited to, recruitment, selection, compensation, benefits, training, promotion, and disciplinary actions.

Workplace Harassment, Including Sexual Harassment

The Enterprise has zero tolerance for workplace harassment based on an individual being a member of any *protected class*. Such harassment, whether committed by Enterprise employees or by clients, customers, vendors, or other individuals doing business with the Enterprise, will not be tolerated.

Prohibited harassment occurs when a supervisor, co-worker, or even a non-employee behaves or acts in such a way that creates a hostile work environment for another employee based on an individual being a member of any *protected class*.

Obligations of Enterprise Employees

You have an obligation to contribute to a workplace that is free from harassment and discrimination. If you are subjected to or observe harassment, discrimination or any other violation of this policy you should notify one of the individuals identified below. The Director Code of Conduct and/or Human Resources will promptly and thoroughly investigate the alleged misconduct and, if a violation of this policy is found, will take immediate and appropriate corrective action.

Pay Transparency Policy Statement

The Enterprise will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the Enterprise's legal duty to furnish information.

With regard to the above paragraph, the term "pay" means any payments made to, or on behalf of, an employee or offered to an applicant as remuneration for employment, including but not limited to salary, wages, overtime pay, shift differentials, bonuses, commissions, vacation and holiday pay, allowances, insurance and other benefits, stock options and awards, profit sharing, and retirement. The term "compensation information" means the amount and type of compensation provided to employees or offered to applicants, including, but not limited to, the desire of the Enterprise to attract and retain a particular employee for the value the employee is perceived to add to the Enterprise's profit or productivity; the availability of employees with like skills in the marketplace; market research about the worth of similar jobs in the relevant marketplace; job analysis, descriptions, and evaluations; salary and pay structures; salary surveys; labor union agreements; and Enterprise decisions, statements and policies related to setting or altering employee compensation. A job function may be considered "essential" if: (i) The access to compensation information is necessary in order to perform that function or another routinely assigned business task; or (ii) The function or duties of the position include protecting and maintaining the privacy of employee personnel records, including compensation information.

Zero Tolerance for Retaliation

You are encouraged to come forward without fear of reprisal. The Enterprise's *equal opportunity* and *affirmative action* policies prohibit any and all forms of retaliation against anyone who in good faith complains that these policies are not being followed, or who otherwise participates in an Enterprise or agency investigation into such complaints, even if sufficient evidence is not found to substantiate the complaint. If you believe that you have been subjected to retaliation, your complaint should be directed to one of the individuals identified below.

Report and Investigation of Complaints

After receiving a complaint involving a violation of this policy, the Director Code of Conduct and/or Human Resources will investigate and take corrective action, as appropriate. Complaints and investigations will be kept strictly confidential to the maximum extent possible.

4.0 Roles and Responsibilities

- Employees
 - Adhere to and be familiar with Enterprise, Human Resources and business unit policies, standards, guidelines, processes and expectations
 - Foster a harassment and discrimination free work environment
 - Report complaints, non-compliance or retaliation to your manager, Human Resources, the Code of Ethics and Business Conduct Helpline (1-800-635-5130) or in writing to the Director of Code of Conduct Compliance by email addressed to codeofconductdirector@mutualofomaha.com or by regular mail to PO Box 3401, Omaha, NE 68103-0401
- Managers
 - Implement, monitor, enforce and/or comply with Enterprise policies and standards as well as all applicable laws and regulations
 - Receive complaints related to this policy and refer all complaints received to Human Resources and/or the Director Code of Conduct
- Human Resources
 - Develop and implement Human Resource policies and standards
 - Ensure compliance with federal, state, and local laws related to employment
 - Ensure compliance with all aspects of this policy
 - Direct and ensure investigation and prompt remedial action of all complaints received pursuant to this policy
 - Develop, implement and maintain an *Affirmative Action* Plan in compliance with the requirements of the U.S. Department of Labor's Office of Federal Contractor Compliance Programs (OFCCP)
 - Report suspected non-compliance to the Director of Code of Conduct
- Law
 - Provide legal review and opinions
- Chief Human Resources Officer
 - Oversee the development and implementation of the Enterprise *Affirmative Action* Plan and compliance with local, state and federal laws
- Director Code of Conduct
 - Oversee and ensure investigation and prompt remedial action of all complaints related to this Policy
- CEO
 - Support Enterprise programs and commitment to the implementation of the Enterprise's *Equal Opportunity* and *Affirmative Action* policies
 - Delegate overall responsibility for the *Equal Opportunity* and *Affirmative Action* policies to the Chief Human Resources Officer

5.0 Key Definitions (Optional)

Affirmative Action means a policy or program designed to counter discrimination against minority groups, women, qualified individuals with disabilities and protected veterans in employment.

Equal Opportunity means people should be treated similarly, unhampered by artificial barriers or prejudices or preferences except when particular distinctions can be explicitly justified.

Protected Class means a group of individuals with a common characteristics who are legally protected from employment discrimination on the basis of any of the following characteristics: race, color, age, sex, pregnancy, sexual orientation, gender identity, religion, citizenship, national origin or ancestry, physical or mental disability, genetic information, veteran status, protected veteran status or any other protected class created by local or state law.

6.0 Exception Requirements


No one, regardless of position or length of service, is exempt from the Equal Opportunity and Affirmative Action Policy.

7.0 References/Sources

Americans with Disabilities Act (ADA), state and local discrimination laws
Civil Rights Action of 1964, state and local discrimination laws
Pregnancy Discrimination Act, state and local discrimination laws
Immigration Reform and Control Act Disability Accommodation Policy
Executive Order 11246 and OFCCP regulations
Genetic Information Nondiscrimination Act
Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA)
Harassment Free Environment Policy
No Retaliation Policy
Recruitment and Selection Policy
Rehabilitation Act of 1973
Religious Accommodation Policy

8.0 Revision History

Conversion to Policy and Standard Meta Policy format
Annual review and revise April 1, 2016
Annual review April 1, 2017
Annual review December 1, 2017
Updated document formatting to conform with the Policy and Standard Meta Policy. March 2018
Annual review and revise February 1, 2019



CEO Signature