

POLK-BURNETT ELECTRIC COOPERATIVE

Policy No.: **BD-13**  
Subject: **Workplace Conduct**  
Authority: Bylaw Article V, Section 6

**PURPOSE:**

To affirm the board of directors' commitment to promoting a safe and respectful workplace by making the same principles prohibiting unlawful workplace discrimination, harassment and retaliation expected of the workforce applicable to the board itself as the highest level of responsible cooperative governance.

**SCOPE:**

- A. The general manager/CEO shall establish, maintain, and oversee policies and employment practices necessary to carry out the objectives of this policy in compliance with applicable laws.
- B. The board of directors shall be responsible for overseeing this policy.
- C. All directors are required to comply with this policy.
- D. This policy shall govern the procedure for managing complaints brought against the board of directors or the general manager/CEO.

**POLICY:**

A. Polk-Burnett Employment Practices

1. *Discrimination and Harassment Prohibited.* Polk-Burnett shall provide equal employment opportunities to all employees and applicants for employment without regard to race, color, religion, sex, sexual orientation, national origin, age, disability, genetics, or any other unlawful criteria. This policy applies to all terms and conditions of employment, including recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training. Polk-Burnett will not tolerate unlawful discrimination or harassment in the workplace.
2. *Retaliation Prohibited.* Polk-Burnett will not tolerate retaliation against employees who report unlawful discrimination/harassment or participate in investigations or other proceedings related to discrimination or harassment.
3. *Safe and Respectful Workplace.* Polk-Burnett shall establish and maintain policies and practices necessary to ensure a safe and respectful workplace free from violence or the threats of violence.

B. Employee Conduct

The general manager/CEO shall establish effective policies and procedures that:

1. Prohibit discrimination and harassment in the workplace, consistent with this policy and applicable law;
2. Provide appropriate procedures for employees who experience or observe discrimination, harassment, or retaliation to report such matters;
3. Ensure prompt, thorough, and impartial investigations of all complaints;
4. Ensure confidentiality of complainants and information gathered during an investigation to the extent possible consistent with a thorough and impartial investigation;
5. Provide for immediate and proportionate corrective action for validated complaints; and
6. Prohibit and remedy retaliation against anyone who submits a complaint or provides information regarding such complaint.

C. Board of Directors Compliance with Employment Standards

All directors shall comply with this policy and shall comply with the standards regarding workplace discrimination, harassment, retaliation, safety, and workplace violence set forth in policies established by the general manager/CEO. Directors shall review such policies and receive appropriate training regarding workplace conduct.

D. Procedures for Complaints Involving the Board or General Manager/CEO

If a complaint about unlawful discrimination or harassment pertains to any director or the general manager/CEO, the following procedures shall apply.

1. Unless otherwise specified herein, any employee complaint should be reported and addressed pursuant to the procedures established by the general manager/CEO in policy E-16: Anti-Harassment Policy & Complaint Procedures.
  - a. If the complaint involves any director, the general manager/CEO or his/her delegate shall promptly report the complaint to the board president.
  - b. If the complaint involves the general manager/CEO, then the executive assistant/HR administrator shall promptly report it to the board president.
  - c. Employees may also report complaints directly to the board president or to Polk-Burnett's legal counsel.
  - d. If the complaint involves the board president, employees may report to Polk-Burnett's legal counsel.
  - e. Directors reporting or complaining about discrimination/harassment may report directly to the board president or Polk-Burnett's legal counsel.
2. A complainant shall be requested to complete a written complaint, but all reports of unlawful discrimination, harassment, or retaliation shall be investigated whether verbal or written.
3. Reasonable efforts will be made to respect the privacy of parties involved in the complaint, but Polk-Burnett cannot guarantee confidentiality when conducting a thorough investigation.
4. Polk-Burnett's legal counsel shall be responsible for overseeing investigation of the complaint. If any director is involved in the complaint, including as a witness, that director shall not participate in the oversight or discussions regarding the complaint.
5. All complaints against the general manager/CEO or any director will be investigated by an independent third-party investigator under the direction of Polk-Burnett's legal counsel. The nature and extent of the investigation may depend on the circumstances of the complaint, but all complaints shall be investigated promptly and thoroughly.
6. The board of directors shall receive a written report from the investigator, and such other reports from legal counsel that the board deems necessary to conduct a full and fair review of the complaint and investigation.
7. If a complaint against a director or the general manager/CEO is determined to be valid, Polk-Burnett's legal counsel shall promptly report the matter to the board.
8. The board shall ensure that prompt corrective action is taken in response to any validated complaints to ensure that the wrongful conduct ceases and does not recur.
9. If a complaint against a director is determined to be valid, the board shall determine any appropriate disciplinary action. This may include recommending removal of the director.
10. If a complaint against the general manager/CEO is determined to be valid, the board shall determine the appropriate disciplinary action.
11. No employee or director who, in good faith, reports a violation of this policy or participates in any investigation, will be disciplined or retaliated against in any way regardless of whether the complaint is ultimately substantiated.

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Edward O. Gullickson  
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