



Workplace Fairness Act

Effective Date: 6/5/2023

Sponsoring Organization: Employee & Labor Relations

1) Policy

This policy addresses protections provided by Oregon's Workplace Fairness Act, and supplements the provisions of PGE's Code of Business Ethics and Conduct.

PGE prohibits discrimination and harassment, including sexual assault, based on a protected characteristic, in the workplace. This includes any conduct that a reasonable person in the individual's circumstances would consider unwelcome, intimidating, hostile, threatening, humiliating, violent, abusive, or offensive. PGE also prohibits taking employment actions, including making hiring, promotion, termination, and compensation decisions based on a protected characteristic.

PGE prohibits retaliation in any form against an employee or third party for reporting discrimination or harassment, or for participating in an investigation related to such reports.

2) Scope

This policy applies to all employees.

3) Definitions

- a) **Nondisclosure Agreement:** Any agreement by which one or more parties agree not to discuss or disclose information regarding any complaint of work-related harassment, discrimination, or sexual assault.
- b) **Nondisparagement Agreement:** Any agreement by which one or more parties agree not to discredit or make negative or disparaging written or oral statements about any other party or the company.
- c) **No-Rehire Provision:** An agreement that prohibits an employee from seeking reemployment with the company and allows a company to not rehire that individual in the future.
- d) **Protected Characteristics:** Race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, age, expunged juvenile record, performance of duty in a uniformed service, physical or mental disability, or any other characteristic protected by local law, regulation, or ordinance.
- e) **Sexual Assault:** Unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat, or intimidation.
- f) **Sexual Harassment:** A form of workplace harassment that includes, but is not limited to, the following types of conduct:
 - i) Unwelcome sexual advances, requests for sexual favors, or other conduct of a sexual nature when such conduct is directed toward an individual because of that individual's sex and submission to such conduct is made either explicitly or implicitly a term or condition of employment; or submission to or rejection of such conduct is used as the basis for employment decisions affecting that individual.
 - ii) Unwelcome verbal or physical conduct that is sufficiently severe or pervasive to have the purpose or effect of unreasonably interfering with work performance or creating a hostile, intimidating, or offensive working environment.
- g) **Workplace:** A location where employees perform tasks, jobs, and projects for their employer. For purposes of this policy, the "workplace" includes when employees are on company



premises; participating in a company-sponsored off-site event; traveling on behalf of the company; or conducting company business, regardless of location.

4) Practice

a) Prohibited Conduct

This policy prohibits certain conduct based on an individual's protected-class status. Examples of conduct prohibited by this policy include, but are not limited to, the following:

- i) Physical harassment, including but not limited to unwelcome physical contact such as touching, impeding or blocking movement, or any physical interference with work;
- ii) Verbal harassment, including but not limited to disparaging or disrespectful comments, jokes, slurs, innuendoes, teasing, and other sexual talk such as jokes, personal inquiries, persistent unwanted courting, and derogatory insults;
- iii) Non-verbal harassment, including but not limited to suggestive or insulting sounds, obscene gestures, leering or whistling;
- iv) Visual harassment, including but not limited to displays of explicit or offensive calendars, circulation of derogatory content, or posters, pictures, drawings or cartoons that disparage or depict a class of persons or a particular person negatively; or
- v) Sexual harassment, including but not limited to unwelcome sexual advances, requests for favors in exchange for conduct of a sexual nature, submission to unwelcome conduct of a sexual nature in exchange for a term of employment, or other conduct of a sexual nature.

b) Penalties

- i) PGE will not tolerate discrimination, harassment, or sexual assault. Employees who engage in such conduct may be subject to discipline, up to and including termination. Managers and supervisors who fail to share any complaint of the prohibited conduct with one of the parties designated to receive those complaints may also be subject to discipline, up to and including termination.
- ii) In addition, PGE prohibits retaliation in any form against an employee or third party for reporting discrimination or harassment, or for participating in an investigation related to such reports. An employee who retaliates against anyone involved in an investigation will be subject to discipline, up to and including termination.

c) Reporting Procedure

Any employee aware of or experiencing discrimination, harassment, or sexual assault in the workplace should report that information immediately. Employees may contact any of the following to make their report:

- i) Human Resources business partner
- ii) Employee & Labor Relations Consultant
- iii) EthicsPoint Hotline (allows confidential reporting): [EthicsPoint.com](https://www.ethicspoint.com) or 866-384-4277
- iv) Ethics team: ethics.governance@pge.com or 503-464-7091
- v) Corporate compliance officer, 503-464-8860

All employees should document any incidents involving discrimination, harassment, or sexual assault as soon as possible.



d) Investigations

PGE takes reports of misconduct seriously and has designated individuals who will promptly look into all such reports. See PGE's Internal Investigations Policy for more information.

e) Nondisclosure or Nondisparagement Agreements

- i) PGE will not require an employee to enter into any agreement that prevents, or is intended to prevent, the employee from disclosing or discussing conduct constituting discrimination, harassment, or sexual assault or the amount or fact of any settlement related to such conduct. An employee who claims that they experienced discrimination, harassment, or sexual assault may voluntarily request to enter into a settlement, separation, or severance agreement that contains a nondisclosure, nondisparagement, or no-rehire provision, but the employee will have seven days to revoke any such agreement.
- ii) PGE will not offer a settlement that is conditioned on the employee requesting nondisclosure, nondisparagement, or no-rehire provisions.
- iii) The prohibitions included in subsections 4(e)(i) and (ii) do not apply if PGE makes a good faith determination that the employee engaged in the conduct prohibited by this policy.

f) Time Limitations

- i) Nothing in this policy prevents an employee from filing a formal grievance in accordance with a collective bargaining agreement, the Bureau of Labor and Industries' Civil Rights Division or the Equal Employment Opportunity Commission.
- ii) Oregon state law requires that any legal action taken on alleged discrimination or harassment that violates this policy (specifically conduct prohibited by ORS 659A.030, 659A.082 or 659A.112) commence **no later than five years** after the occurrence of the violation. Other applicable laws may have a shorter time limitation on filing.

5) Responsibilities

a) Managers:

- i) Understand and comply with this policy, and all related policies, procedures, and guidelines.
- ii) Immediately share any complaint related to the conduct prohibited by this policy with one of the parties designated to receive those complaints.

b) Employees:

Understand and comply with this policy, and all related policies, procedures, and guidelines.

6) Sponsoring Organization: Employee & Labor Relations

7) Additional Resources

Code of Business Ethics and Conduct
Internal Investigations Policy