

OP.403: Equal Employment Opportunity and Anti-Harassment – AgCountry, FCSAmerica & Frontier

On 04-17-2024 (effective 04-15-2024) the Board of Directors of AgCountry Farm Credit Services, ACA, sitting for itself and concurrently as the Board of Directors of its wholly owned subsidiaries, AgCountry Farm Credit, FLCA and AgCountry Farm Credit, PCA, (hereafter, collectively "AgCountry Board") adopted this policy; the Board of Directors of Farm Credit Services of America, ACA, sitting for itself and concurrently as the Board of Directors of its wholly owned subsidiaries, Farm Credit Services of America, FLCA and Farm Credit Services of America, PCA (hereafter, collectively "FCSAmerica Board") adopted this policy; and the Board of Directors of Frontier Farm Credit, ACA, sitting for itself and concurrently as the Board of Directors of its wholly owned subsidiaries, Frontier Farm Credit, FLCA and Frontier Farm Credit, PCA (hereafter, collectively "Frontier Board") adopted this policy.

Objectives

The objective of this policy is to provide direction to Association leadership in developing standards, procedures and guidelines to ensure that:

- all terms and conditions of employment, including, but not limited to hiring, training, promotion, discipline, compensation, benefits and termination of employment comply with all applicable federal, state and local fair employment laws; and
- the work environment is free from all forms of discrimination or harassment in any form.

Source References

This policy sets out the Association Board's expectations for compliance with Section 4.38 of the Farm Credit Act of 1971, as amended, Farm Credit Administration (FCA) Regulation §620.31; federal and state labor and employment laws including, but not limited to:

- Title VII of the Civil Rights Act of 1964 (Title VII)
- The Americans with Disabilities Act (ADA), as amended by the ADA Amendments Act
- The Genetic Information Nondiscrimination Act (GINA)
- The Uniformed Services Employment and Reemployment Rights Act (USERRA)
- Section 1981 of the Civil Rights Act of 1866 (Section 1981)
- The Equal Pay Act (EPA)
- The Immigration Reform and Control Act (IRCA), and other sections Title 8 of the US Code
- The Age Discrimination in Employment Act (ADEA)
- The Pregnant Workers Fairness Act
- The PUMP for Nursing Mothers Act

Operating Parameters

Definitions

- **Agent:** Any Person, other than a Director or Employee, with the power to act for the Association either by contract or apparent authority and

who currently either represents the Association in contacts with third parties or provides professional or fiduciary services to the Association.

- **Association:** AgCountry Farm Credit Services, ACA and its wholly owned subsidiaries (AgCountry Farm Credit Services, FLCA and AgCountry Farm Credit Services, PCA), Farm Credit Services of America, ACA and its wholly owned subsidiaries (Farm Credit Services of America, FLCA and Farm Credit Services of America, PCA), or Frontier Farm Credit, ACA and its wholly owned subsidiaries (Frontier Farm Credit, FLCA and Frontier Farm Credit, PCA).
- **Covered Persons or Protected Class:** Employees, applicants, or any other persons characterized because of race, color, religion, creed, national origin or ancestry, ethnicity, sex (including gender, pregnancy, sexual orientation, gender identity, and status as a transgender or transsexual individual), age, physical or mental disability, citizenship, past, current, or prospective service in the uniformed services, genetic information, childbirth or related medical conditions, HIV infection status or AIDS, status as a victim of domestic violence or sexual assault, marital status, blindness or partial blindness, or any other characteristic protected under applicable federal, state, or local law.
- **Customer (or Member):** Any Person who has borrowed funds or received other services from the Association for which the Association receives interest, fees or other compensation pursuant to a loan or lease agreement, contract, or other legal instrument.
- **Director:** Any member of the Association Board.
- **Discrimination:** An act which in some manner limits, segregates or classifies an individual or group of Covered Persons.
- **Employee:** Any full-time, part-time, or temporary employee of the Association.
- **Third Party Service Provider:** Any Person providing goods or services to the Association for a price pursuant to an agreement or contract, but who is not under the direct control of the Association and does not otherwise qualify as a Director or Employee. This term may include a Person (e.g., Agents) with access to confidential or sensitive information or who has an ongoing relationship with the Association. The following are examples of Third-Party Service Providers: information technology service providers, real estate appraisers, attorneys, and accountants.

Equal Employment Opportunity

Equal Opportunity Employer

The Association is an equal opportunity employer and complies with all applicable federal, state, and local fair employment practices laws. The Association strictly prohibits and does not tolerate discrimination against Employees, applicants for employment, or any other Covered Persons because of race, color, religion, creed, national origin or ancestry, ethnicity, sex (including pregnancy, sexual orientation, gender identity, and status as a transgender or transsexual individual), age, physical or mental disability,

citizenship, past, current, or prospective service in the uniformed services, genetic information, childbirth or related medical conditions, HIV infection status or AIDS, status as a victim of domestic violence or sexual assault, marital status, blindness or partial blindness, or any other characteristic protected under applicable federal, state, or local law. All Association Employees, Directors, Agents, and Third Party Service Providers are prohibited from engaging in unlawful discrimination. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, training, promotion, discipline, compensation, benefits, and termination of employment.

The Association will comply with the Americans with Disabilities Act (ADA), as amended by the ADA Amendments Act, and all applicable state or local laws. Consistent with those requirements, the Association will reasonably accommodate qualified individuals with a disability, or who have known limitations related to pregnancy, childbirth, or related medical conditions, if such accommodation would allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship. The Association will also, where appropriate, provide reasonable accommodations for the religious beliefs or practices of an Employee, applicants for employment, or other Covered Persons. Employees, applicants for employment, and other Covered Persons should contact a Human Resources Generalist to request a reasonable religious accommodation or a reasonable accommodation for a disability.

Anti-Harassment

The Association strictly prohibits and will not tolerate unlawful harassment, as described more fully below, against Employees, applicants for employment, or any other Covered Persons.

Harassment is prohibited both at the workplace and at Employer-sponsored events.

Sexual Harassment

Association Employees, Directors, Agents, Third Party Service Providers, Customers, and visitors are prohibited from harassing Employees, applicants for employment, and other Covered Persons based on that individual's sex or gender (including pregnancy, sexual orientation, gender identity, and status as a transgender or transsexual individual) regardless of the harasser's sex or gender.

Sexual harassment means any harassment based on someone's sex or gender. It includes harassment that is not sexual in nature (for example, offensive remarks about an individual's sex or gender), as well as any unwelcome sexual advances or requests for sexual favors, or any other conduct of a sexual nature, when any of the following is true:

- Submission to the advance, request or conduct is made either explicitly or implicitly as a term or condition of employment.
- Submission to or rejection of the advance, request or conduct is used as a basis for employment decisions.

- Such advances, requests or conduct have the purpose or effect of substantially or unreasonably interfering with an Employee's work performance by creating an intimidating, hostile or offensive work environment.

The Association will not tolerate any form of sexual harassment, regardless of whether it is:

- Verbal, e.g., epithets, derogatory statements, slurs, sexually-related comments or jokes, unwelcome sexual advances or requests for sexual favors.
- Physical, e.g., assault or inappropriate physical contact.
- Visual, e.g., displaying sexually suggestive posters, cartoons or drawings, sending inappropriate adult-themed gifts, leering, or making sexual gestures.
- Online, e.g., derogatory statements or sexually suggestive communications using any email, instant messaging or text messaging platforms or postings in any social media platform such as Facebook, Twitter, Instagram, Snapchat, etc.

This list is illustrative only, and not exhaustive. No form of sexual harassment will be tolerated.

Other Types of Harassment

This policy applies equally to harassment based on the race, religion, creed, national origin, ancestry, age, physical or mental disability, citizenship, genetic information, past, present or prospective service in the uniformed services, childbirth or related medical conditions, HIV infection status or AIDS, status as a victim of domestic violence or sexual assault, marital status, blindness or partial blindness, or any other characteristic of an Employee, applicants for employment, or other Covered Persons protected under applicable federal, state, or local law.

Other types of harassment may occur verbally, physically, or visually as described in the sexual harassment section of this policy.

- Verbal, e.g., epithets, derogatory statements, slurs, derogatory comments, or jokes.
- Physical, e.g., assault or inappropriate physical contact.
- Visual, e.g., displaying derogatory posters, cartoons, drawings or making derogatory gestures.
- Online, e.g., for example, derogatory statements or racist postings in any social media platform such as Facebook, Twitter, Instagram, Snapchat, etc.

This list is illustrative only, and not exhaustive.

No form of harassment will be tolerated and will be deemed to be a violation of this policy if the conduct has the purpose or effect of substantially or unreasonably interfering with an Employee's work performance by creating an intimidating, hostile or offensive work environment.

Reporting Suspected Violations

Employees, applicants for employment, and other Covered Persons or any other individual having knowledge or awareness of any suspected harassment or discriminatory conduct by an Employee, Director, Agent, Third Party Service Provider, Customer, or visitor, should promptly report such conduct to an Association leader, a Human Resources Business Partner, or the General Counsel as soon as possible after gaining knowledge or awareness of the conduct. Additionally, any leader who becomes aware of any suspected harassment or discriminatory conduct must report the conduct to a Human Resources Business Partner or the General Counsel so that an investigation can be made, and corrective action taken, if appropriate. Suspected violations may also be reported through the Anonymous Reporting SharePoint site found on Access America or available on the Association's external website.

Reporting any suspected violation should be as detailed as possible, including the names of all individuals involved and any witnesses. The General Counsel or his or her designee will directly and thoroughly investigate the facts and circumstances of the reported information and will cause the Association to take prompt corrective action, if appropriate.

No Retaliation

The Associations prohibit, any form of discipline, reprisal, intimidation or retaliation for good faith reporting of incidents that violate this policy or cooperating in related investigations.

Appropriate enforcement depends on Employees reporting inappropriate workplace conduct. If an Employee, applicant for employment or other Covered Persons believes that they or someone else may have been subjected to conduct that violates this policy, they should report it immediately to an Association leader, a Human Resources Business Partner or the General Counsel, or through the Anonymous Reporting SharePoint site found on Access America or available on the Association's external website. If Employees, applicants for employment, and other Covered Persons do not report harassing conduct, the Association may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action.

Violations of This Policy

Acts of conduct that constitute a violation of this policy shall be subject to disciplinary action up to and including termination of employment for any Employee, regardless of position or title, who engages in such acts or conduct, removal from the Association Board for any Director who engages in such acts or conduct, or termination of any Agent or Third Party Service Provider arrangements for any Agent or Third Party Service Provider that engages in such acts or conduct.

Delegated Authorities

Association leadership is hereby delegated authority to: develop and implement standards, procedures, and guidelines for compliance with this policy;

- monitor and evaluate compliance with this policy;
- take appropriate action to correct deviations from this policy; and
- approve exceptions to this policy when such exceptions are essential to the effective administration of Association operations and are not prohibited by statutes, regulations, charters, or bylaws.

The Association Board reserves the right to:

- revise or withdraw delegated authorities at any time; and
- develop, amend, or repeal this policy at any time.

Internal Controls

Association leadership will develop and implement appropriate internal control procedures to monitor compliance with this policy. These internal controls will provide reasonable assurance that policy requirements are met, deviations from policy requirements are detected, exceptions are identified and reported, and corrective actions are taken to restore compliance.

Reporting Requirements

To the greatest extent possible, policy reporting shall be completed through joint meetings of the Association Boards, joint meetings of the Association Board Committees (Audit, Business Risk, Governance or Human Capital) or the Joint Executive Committee of the Association Boards.

Association leadership shall report to the Association Board when any matter being investigated pursuant to this policy may:

- result in removal of a Director or termination of an Employee, Agent or Third Party Service Provider; or
- have a materially adverse impact on the reputation of or public confidence in the Association.

Exception Procedures

All exceptions granted by Association leadership under this policy and all unauthorized exceptions to this policy identified by Association leadership must be promptly reported to the Association Board. Such reports will be made at the next regularly scheduled meeting of the Association Board unless:

- the exceptions result in risk or cost to the Association that warrants immediate reporting; or
- the granting or discovery of the exception does not permit enough time to reasonably prepare reports before the meeting and the cost and risk to the Association warrants delay until the next scheduled meeting.