



Equal Employment Opportunity and Affirmative Action Statement of Policy

It is the policy of The Hartz Mountain Corporation, herein known as the “Company”, not to discriminate and provide equal employment opportunities to all applicants and employees without regard to race, color, religion, sex, age, national origin, sexual orientation, gender identity, disability or protected veteran status, or any other characteristic protected by law; and to affirmatively seek to advance the principles of equal employment opportunity.

This policy relates to all phases of employment, including but not limited to, recruiting, employment, placement, promotion, transfer, demotion, termination, compensation, benefits, selection for company-sponsored training, the use of all facilities, and participation in all company-sponsored employee activities.

The Company will take affirmative action to recruit, employ, and advance in employment qualified minority group individuals, females, disabled veterans, recently separated veterans, other protected veterans, Armed Forces service medal veterans, and qualified disabled persons, at all levels within the company, as called for by the Rehabilitation Act of 1973, the Vietnam Era Veteran’s Readjustment Assistance Act of 1974, Executive Order 11246, all as amended, and/or any other applicable laws.

The Company will ensure that all employment actions are based on legitimate job-related criteria. All personnel actions or programs that affect qualified individuals are made without discrimination based upon the individual’s race, color, religion, sex, age, national origin, sexual orientation, gender identity, disability, or protected veteran status, or any other characteristic protected by law. The Company will also provide qualified applicants and employees with disabilities and disabled veterans with needed reasonable accommodations, as required by law, and will ensure that all employment decisions are based only on valid job requirements.

Employees and applicants shall not be subjected to harassment, intimidation, threats, coercion, or discrimination because they have; (1) filed a complaint; (2) assisted or participated in an investigation, compliance review hearing, or any other activity related to the administration of any federal, state, or local law requiring Equal Opportunity; (3) opposed any act or practice made unlawful by any federal, state, or local law requiring equal opportunity; or (4) exercised any other right protected by federal, state, or local law requiring equal opportunity.

Further, the Company 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, Company employees who have access to the compensation information of other employees or applicants as part of the essential job functions

cannot disclose the compensation information of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is in response to a formal complaint or charge, or in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the Company, or is consistent with the Company's legal duty to furnish information.

The Hartz Mountain Corporation, in compliance with Executive Order 11375, by Executive Order 11246, the Rehabilitation Act of 1973, and the Vietnam Era Veterans' Readjustment Assistance Act of 1974, all as amended, maintain a written Affirmative Action Program. The Affirmative Action Program is maintained in the Human Resources Department and is made available to prospective employees and employees upon request, during normal business hours.

As Chairman & Chief Executive Officer, I am fully committed to the principles of affirmative action and equal employment opportunity, and support the successful implementation of the Company's Affirmative Action Programs. Overall responsibility for directing and implementing the policy enunciated herein and the Company's Affirmative Action Program has been assigned to Norma Hanley, Senior Director Human Resources. The day-to-day responsibilities and administration of the program have been assigned to David Caudill, Senior Manager Human Resources, 5374 Long Spurling Road, Pleasant Plain, OH, 45162, (513) 877-2131, who serves as the Company's Affirmative Action Administrator.

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