

Discrimination and Harassment Policy and Guidelines

Policy Statement

Every employee has the right to work in an environment free of harassment and discrimination. Such conduct does not advance the purposes of the company and may violate laws where the company conducts business. This policy is part of Berkshire Hathaway Energy’s commitment to diversity and inclusion, and the company strives to create a workplace free from disrespect, divisiveness and all forms of harassment and discrimination, including sexual harassment.

It is the policy of the company to ensure equal employment opportunity and administer employment practices, without regard to race, color, religion or religious creed, age, national origin, ancestry, citizenship status (except as required by law), gender, gender identity, gender expression, sex, pregnancy, sexual orientation, genetic information, physical or mental disability¹, veteran or military status, familial or parental status, marital status, or any other category protected by local, state or U.S. federal law (“Protected Category” or collectively referred to as “Protected Categories”). Discrimination or harassment of an employee because the employee is a member of or affiliated with a member of any of the foregoing Protected Categories is prohibited and will not be tolerated. In addition, sexual harassment or harassment as defined by this policy is prohibited and will not be tolerated.

As a matter of policy, the company will not tolerate any individual engaging in verbal, physical or other conduct that has the purpose or effect of unreasonably interfering with a person’s work performance or creates an intimidating, hostile or offensive work environment. Any employee who violates this policy by engaging in harassment or discrimination will be subject to disciplinary action, up to and including termination of employment.

Application of the Policy

Operations in the U.S.

This policy applies to all work locations within the U.S. and to all U.S. citizens who are employees of the company, interns, volunteers, applicants for employment, or persons providing services pursuant to a contract. The policy also applies to all employees in their interaction with nonemployees as customers, vendors or the general public. This policy applies during work and nonworking hours when the employee is being reimbursed by the company for time and expenses. Examples include attending conferences or training where participation is a result of your employment.

Guidelines

Harassment

Harassment is generally defined as verbal, written or physical conduct that degrades or shows

¹ California also includes medical condition, as defined under California law.

hostility or dislike toward an individual based upon a Protected Category.

Harassment in violation of the company's policy may occur when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment
- Submission to such conduct is made either explicitly or implicitly a term or condition of employment
- Submission to or rejection of such conduct by an employee is used as a basis for employment decisions, such as promotion, assignment, demotion, discipline or termination of employment

Harassing behavior does not need to be illegal harassment in order for the company to take corrective action. Behavior that could create a harassing environment should the behavior continue or escalate will not be tolerated and may lead to corrective action. Employees should be aware that the issue of whether conduct constitutes harassment or discriminatory conduct might depend on how the conduct is viewed by the employee who is subjected to the conduct. Any employee who initiates or persists in this prohibited conduct assumes the risk of violating this policy. In the event the person who is the object of the conduct views it as offensive, the employee who initiated the offensive behavior may be subject to discipline even if the conduct might not have been intended as offensive. Depending on the circumstances, harassment may include, but is not limited to:

Verbal Harassment

- Certain descriptions, slurs, negative stereotyping, jokes, pranks, or other threatening, intimidating or hostile acts that relate to a Protected Category
- Unwanted sexual advances or propositions, such as requests for sexual favors accompanied by implied or overt threats concerning job benefits or detriments
- Subtle or obvious pressure for unwelcome sexual activities
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience

Written Harassment

- Certain unwelcome poems, letters, cartoons or other visual or physical renderings that denigrate or show hostility or dislike toward an individual or group because of a Protected Category that are placed on walls, bulletin boards, email, internet, intranet or elsewhere on the company's premises or circulated in the workplace
- Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes sexual displays on work computers or cellular phones and sharing of such displays while in the workplace

Physical Harassment

- Unwelcome gestures, touching, impeding movement, or other threatening, intimidating, hostile or offensive contact directed toward an individual because of a Protected Category
- Physical acts of a sexual nature, such as touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body

- in a sexual nature
- Rape, sexual battery, molestation or attempts to commit these assaults

Sexual Harassment

Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender. Sexual harassment may include unwelcome verbal or physical sexual advances, requests for sexual favors, and other verbal, written or physical conduct of a sexual nature where:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment
- Submission to such conduct is made either explicitly or implicitly a term or condition of employment
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions, such as promotion, assignment, demotion, discipline or termination of employment

Sexual harassment can occur between members of the same sex; the victim or the harasser, may be a woman or a man. The harasser may be a co-worker, a manager in an employee's work unit or another unit, or someone who is not an employee who is encountered in the course of work for the company.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment, or any other terms, conditions and privileges of employment. This is called "quid pro quo" harassment.

Any employee who feels sexually harassed should report the situation so that any violation of this policy can be corrected promptly. Any sexually harassing conduct, even a single incident, can be addressed under this policy.

Discrimination

Discrimination occurs when an individual is subject to an adverse employment action because of the individual's membership in a Protected Category. Although not an exhaustive list, the following are examples of conduct that could constitute discrimination:

- Employment decisions based on stereotypes or assumptions about the abilities, traits or performance of individuals of a certain sex, race, age, religion, or ethnic group or individuals with disabilities or based on myths or assumptions about an individual's genetic information
- Denying employment opportunities to an individual because of marriage to or association with an individual of a particular race, religion, national origin or an individual with a disability or because of participation in schools or places of worship associated with a particular racial, ethnic or religious group
- Denial of training opportunities, transfers or promotions due to a Protected Category

Harassment is also considered discriminatory behavior if it is motivated by a Protected Category.

Internal Complaint Procedure

Filing a Complaint – Employee Responsibility

The first step for an employee who believes they have been subjected or exposed to any discrimination or harassment in the workplace should always be to tell the individual engaging in such behavior that the behavior is improper or offensive and it must stop. A report of the behavior should also be made to the employee's manager. If an employee is uncomfortable approaching the offending individual or if the conduct continues and the employee would like the company to investigate the problem, the employee should immediately contact their manager, the legal department or a human resources representative. Similarly, employees who suspect unlawful harassment or discrimination is occurring or who want to report an incident of an unfair employment practice should immediately contact their manager or a human resources representative.

If the employee is not comfortable dealing with their manager or the human resources representative in their area, the employee should contact any human resources representative, the legal department or file a written complaint using the internal employee EEO complaint form and sending directly to:

Director, Human Resources Compliance
Berkshire Hathaway Energy
P.O. Box 657
Des Moines, IA 50306-0657

The internal EEO complaint forms are available to all employees who want to make a complaint of prohibited or unlawful harassment or discriminatory treatment. Employees are strongly encouraged to use the internal EEO complaint form to describe the objectionable conduct thoroughly. Employees can obtain an EEO complaint form from the intranet, a manager or a human resources representative.

If the situation is severe or the employee fears possible physical injury, the employee should immediately contact their manager or a human resources representative.

Manager Responsibility

It is imperative that all managers at all company locations conduct themselves in accordance with this policy. Each manager is responsible for ensuring employees comply with this policy. The company will enforce this policy against any individual engaging in prohibited or unlawful harassment or discriminatory conduct and against management personnel who knowingly allow such behavior to continue.

Managers must take timely and appropriate action when they know or have reason to know behavior that might amount to prohibited or illegal harassment or discrimination is occurring. This action must include reporting to human resources, either at the company level or to the director of human resources compliance at the address set forth above. In addition, all employees, including managers, are prohibited from retaliating against employees for filing a complaint in good faith or for participating in good faith in an EEO investigation.

Complaint Investigation and Resolution

All complaints, verbal or written, made according to these procedures will be investigated in a fair and timely manner. All employees, including managers, are required to cooperate with any internal investigation of alleged policy violations. If the investigation determines the allegations are true and foreign laws do not require otherwise, discipline, up to and including termination of employment, may be imposed on the offending party. The company will provide written notification to the complainant, the alleged harasser and any other person who has a need to know of the disposition of the complaint.

Review

Either the complainant or alleged harasser may request a review of a completed investigation by writing to the director of human resources compliance at the address set forth above. The request should specify the complainant's name, the alleged offender's name and the reasons for the review.

Confidentiality

The company will take all necessary steps to protect the integrity of its investigations. Although the company strives to maintain confidentiality during the investigation, it makes no guarantee of complete confidentiality. The information provided during the investigation process will only be shared with others as needed to complete a thorough review and take follow-up actions as appropriate. The company's intent is to protect witnesses from harassment, intimidation and retaliation; to keep evidence from being hidden, altered or destroyed; and to ensure that testimony is not fabricated. The company may decide in some circumstances that in order to achieve these objectives, employees must maintain the investigation and their role in it in strict confidence. If the company reasonably imposes such a requirement and an employee does not maintain such confidentiality, the employee may be subject to disciplinary action, up to and including termination of employment.

Retaliation

Retaliation against any person who complains of or participates in the investigation of a harassment or discrimination complaint is prohibited. Retaliation occurs when an employee engages in protected activity and, because of that activity, the employer takes a materially adverse employment action against the employee, such as termination, reassignment to a less desirable position, reduction of hours, or unwarranted disciplinary action. Any employee who learns of, observes or has reason to be concerned about retaliatory conduct in violation of this policy must immediately inform their manager, the legal department or a human resources representative. The company takes complaints of retaliation very seriously. As a result, all complaints of retaliation made pursuant to this policy will be thoroughly and promptly investigated. Where the company finds retaliation has occurred, individuals who engaged in the retaliatory behavior may be subject to discipline, up to and including termination of employment, regardless of whether the original complaint is substantiated.

False Claims

The company takes all allegations of harassment and discrimination seriously. If the company determines an individual has misused the process by intentionally filing a false charge of discrimination or harassment, the individual may be subject to discipline, up to and including termination of employment.

Distribution

This policy shall be published annually through internal company communications and shall be posted at each of the company's U.S. work locations. This statement and the employee EEO complaint form shall be available to employees from their managers, the intranet, or a human resources representative.

All references to the company contained in this policy mean Berkshire Hathaway Energy and its subsidiaries and affiliates. For convenience, the term employees will be used in this policy to refer to employees, officers, directors and agents of all direct and indirect subsidiaries of the company who are working in the U.S. or are U.S. citizens working abroad. In addition, the term manager will be used in this policy to refer to managers and supervisors of the company. This Discrimination and Harassment Policy supersedes previous policy statements on the same subject and may be amended or discontinued at any time without notice.