



400.107
HUMAN RESOURCES
EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION
POLICY
MAY 6, 2021

1. Purpose

- 1.1. The Company is committed to providing equal employment opportunity to all qualified individuals without regard to race, color, age, religion, sex, national origin, disability, pregnancy, protected veteran status, sexual orientation, gender identity, or any other legally protected status and maintaining a work environment in which all employees are treated with respect and dignity.
- 1.2. The Company policy centers upon full compliance with applicable federal, state, and local laws, rules, and regulations regarding equal opportunity and affirmative action in employment.
- 1.3. The purpose of this policy is to communicate the Company's requirements for all employees to interact in a professional manner and contribute to a work environment that reflects the spirit of equal employment opportunity free from prohibited harassment, discrimination and/or retaliation. The policy also establishes the Company's reporting procedures and processes for responding to claims of inappropriate behavior and perceived harassment, discrimination, and retaliation so that issues can be identified and remedied internally, promptly, thoroughly, and effectively.

2. Scope and Coverage

- 2.1. This policy applies to all employees, regardless of length of service, applicants for employment, interns, whether paid or unpaid, contractors, visitors, and any persons conducting business with the Company.
- 2.2. The employment aspects of this policy require that all employment decisions regarding applicants and employees be non-discriminatory, based only on valid job requirements, and extend to all terms, conditions, and privileges of employment, including, but are not limited to, recruitment, hiring, selection for training (including apprenticeship) and advancement (including upgrade and promotion), compensation, benefits and privileges of employment, transfer, demotion, termination (including layoff and recall), social and recreational programs, and all treatment on the job.

3. Definitions

Term	Definition
Company	Hawaiian Electric Company, Inc., and its subsidiaries Maui Electric Company, Ltd. and Hawai'i Electric Light Company, Inc.
Discrimination	Any action, process, or procedure that is intended to, and/or results in, an individual or group to be distinguished between, or to be regarded as, or treated, in an unjust, prejudicial, unfair, or inconsistent manner, due to race, color, religion, sex/gender (including gender identity/expression), ancestry/national origin, disability, age, marital status, arrest and court record, sexual orientation, pregnancy, veteran status, genetic background, domestic/sexual violence victim status, or any other protected status.
Harassment	<p>Verbal, physical, graphic or written conduct that has the purpose or effect of creating a hostile, intimidating, or offensive work environment, i.e., conduct which is sufficiently severe, pervasive, or persistent that interferes significantly with an individual's work performance, work conditions, or employment opportunities. Often it is persistent or repeated behavior, but a single incident can be serious enough to be seen as harassment.</p> <p>Harassment includes unwelcome visual, verbal, or physical conduct, including but not limited to:</p> <ul style="list-style-type: none"> ▪ Verbal: Comments, jokes or epithets that are offensive by reason of, or that make derogatory references concerning any protected characteristic; repeated sexual innuendoes, sexual epithets, derogatory slurs, sexual jokes, propositions, threats, or suggestive or insulting sounds or foul or obscene language; questions about another's sex life or experiences, requests for sexual favors, or repeated unwelcome requests for dates; ▪ Visual/Non-Verbal/Recorded: E-mail, voice-mail messages, or any electronic communications that are offensive by reason of, or that make derogatory references concerning any protected characteristic; suggestive objects or pictures; graphic commentaries; obscene e-

	<p>mails, text messages, or instant messages; leering; or obscene gestures;</p> <ul style="list-style-type: none"> ▪ Physical: Unwarranted physical contact including touching, grabbing, groping, or fondling; interference with an individual’s normal movement; or assault; or <p>Other: Conditioning an employee’s receipt of a benefit or favorable working condition or foregoing an adverse employment action (such as discipline, a pay cut, demotion, etc.) based upon an employee’s submission to sexual conduct or in exchange for sexual favors. Coercing an employee into submitting to sexual conduct by providing preferential treatment.</p>
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4. Policy

4.1. Equal Employment Opportunity

The Company is committed to maintaining a work environment free from all forms of unlawful discrimination and harassment. It is the Company's policy to prohibit discrimination and harassment against any applicant or employee on the basis of race, color, religion, sex/gender (including gender identity/expression), ancestry/national origin, disability, age, marital status, arrest and court record, sexual orientation, pregnancy, veteran status, genetic background, domestic or sexual violence victim status, or any other grounds protected under applicable state and federal laws. It is also the Company’s policy to provide reasonable accommodation to qualified individuals with disabilities and to the sincerely held religious beliefs, practices, or observance of applicants or employees so long as such accommodation does not pose an undue hardship. The Company also prohibits retaliation against any individual who in good faith complains of perceived harassing or discriminatory conduct, participates in a Company or agency investigation into such complaints, requests a reasonable accommodation, or engages in other protected activity.

4.2. Affirmative Action

As a government contractor, subject to Executive Order 11246, the Vietnam Era Veterans' Readjustment Assistance Act of 1974, and Section 503 of the Rehabilitation Act of 1973, all as amended, it is the Company’s policy to take affirmative action to employ, advance in employment, and otherwise treat qualified minorities, women, protected veterans, and qualified individuals with disabilities without regard to their race/ethnicity, sex, veteran status, or physical or mental disability. The Company also will provide reasonable accommodation to the known physical or mental limitations of

qualified individuals with disabilities unless the accommodation would impose undue hardship on the operation of the Company's business.

Employees and applicants shall not be subject to harassment, intimidation, threats, coercion, or discrimination because they have engaged in, or may engage in, filing a complaint, assisting or participating in an investigation, compliance evaluation, hearing, or any other activity related to the administration of the affirmative action provision of Section 503 of the Rehabilitation Act of 1973, the Vietnam Era Veterans' Readjustment Assistance Act of 1974, Executive Order 11246, all as amended, and/or any other federal, state, or local law requiring equal opportunity, opposing any act or practice made unlawful, or exercising any other right protected by laws or regulations.

This Affirmative Action Program is available for inspection by any employee or applicant for employment upon request to the Human Resources Department and may be viewed during normal business hours. Interested persons should contact their respective company Human Resources Business Partner for assistance.

4.3. Responsibility for Implementation

- 4.3.1. The President and CEO retains the overall responsibility for the Company's Equal Employment Opportunity and Affirmative Action Programs.
- 4.3.2. The VP, Human Resources and Chief People Strategist is responsible for the administration and implementation of the Equal Employment Opportunity and Affirmative Action Programs for women, minorities, individuals with disabilities, protected veterans, and other protected groups.
- 4.3.3. All applicable individuals are expected to adhere to this policy in their day-to-day working relationships and in carrying out their job responsibilities or services for the Company.
- 4.3.4. Supervisors/managers are responsible for ensuring compliance with this policy and for providing a work environment free from any form of discrimination or harassment. Management is also responsible for ensuring that all employees under their supervision are fully aware of this policy and appropriate complaint procedures (below). Supervisors/managers must notify their respective company Human Resources Business Partner whenever they become aware of any discrimination or harassment matters.



5. Procedures

- 5.1. Individuals having suggestions, problems, complaints or grievances with regard to equal employment opportunity or affirmative action are encouraged to contact their respective company Human Resources Business Partner for assistance.
- 5.2. Individuals may choose to file a confidential and anonymous report through EthicsPoint. The EthicsPoint link can be accessed through the Company's intranet home page under "Tools & Resources" or from any computer by going to www.ethicspoint.com and clicking on "Make a Report". Individuals may also call EthicsPoint directly via their toll-free hotline at 1-888-247-3186.
- 5.3. Applicants who feel that they have been the victim of unlawful discrimination in violation of this policy should contact the company Human Resources Business Partner handling the hiring/recruitment process for assistance or file a report with Ethics Point.
- 5.4. The Company will take every reasonable effort to promptly investigate all allegations of discrimination or harassment in as confidential a manner as possible and will take appropriate corrective action, if so warranted.
- 5.5. As stated in the Company's Anti-Retaliation Policy, the Company will not tolerate retaliation against any employee who, in good faith, reports acts of discrimination or sexual or other forms of harassment, cooperates with the investigation of a complaint, or acts as a witness during the investigation of a complaint.

6. Record Retention

All investigations, records, reports, and disciplinary actions resulting from violations of this policy will be maintained in accordance with the Company's applicable records retention requirements.

7. Policy Review

This policy will be updated as needed or reviewed once every two years and no later than May 6, 2023.

8. Discipline

- 8.1. Violations of this policy may result in disciplinary action, up to and including termination, in accordance with the Company's Discipline Policy.
- 8.2. Any member of management who fails to report discriminatory harassment or fails to take appropriate action to resolve discriminatory harassment complaints will be subject

to disciplinary action, up to and including termination.

- 8.3. Any management personnel who does not ensure equal opportunity for all persons by administering recruitment, hiring, selection for training (including apprenticeship) and advancement (including upgrade and promotion), compensation, benefits and privileges of employment, transfer, demotion, termination (including layoff and recall), social and recreational programs, and all treatment on the job be free of unlawful discriminatory practices will be subject to disciplinary action, up to and including termination.
- 8.4. This policy will not be misused to bring false, malicious, or bad faith complaints against other employees. Disciplinary action, up to and including termination, may be taken against any person who knowingly files a false, malicious, or bad faith complaint of harassment.

9. Training

Equal Employment Opportunity and Affirmative Action is covered under Civil Treatment Workplace for Leaders and Civil Treatment Workplace for Employees, which is a required course for all employees and new hires.

10. Reporting Policy Violations

All employees of the Company must immediately report known, suspected, or potential violations of this policy in accordance with the Corporate Code of Conduct, *Reporting Concerns and Seeking Guidance*.

11. Related Corporate Policies, Procedures, Guidelines and References

Corporate Code of Conduct
Anti-Harassment Policy
Anti-Retaliation Policy

12. Tracking Information

Effective Date:	May 6, 2021
Last Amended Date:	N/A
Last Review Date:	May 6, 2021
Review Before:	May 6, 2023
Policy Owner:	Thao T. Tran, Director, Human Resources
Corporate Compliance Reviewer:	Mami Bueno, Corporate Compliance Analyst/Investigator



**Hawaiian
Electric**

Legal Reviewer:	Thao T. Tran, Senior Associate General Counsel
Policy Approver:	Claire Cooper, VP Human Resources and Chief People Strategist Scott Seu, President & CEO, Hawaiian Electric