

EQUAL EMPLOYMENT POLICY
(41 CFR 60-741.44(a))

Newco undertakes affirmative action as described, to recruit, hire, train and promote, qualified individuals with disabilities and ensure that all personnel actions, including compensation, are administered without regard to a person's disability; and that employment decisions are based only on valid job requirements. In offering employment or promotions to individuals with disabilities, Newco will also ensure that the compensation offered is not reduced based upon any other income related to disability-related income or benefits.

It is company policy that employees and applicants are not subjected to harassment, intimidation, threats, coercion or discrimination merely because they filed a complaint or participated in an investigation requiring equal employment opportunity for disabled individuals.

To ensure equal employment opportunity and fair treatment, Newco will periodically measure the effectiveness of its overall Affirmative Action Program efforts. Our Human Resources Director is assigned overall responsibility for the implementation of our Affirmative Action Program.

REVIEW OF PERSONNEL PROCESSES
(41 CFR 60-741.44(b))

Newco will ensure that its personnel processes provide a thorough and systematic consideration of the job qualifications of applicants and employees with known disabilities for job vacancies filled through hiring or promotion and for all training opportunities.

In addition, Newco will ensure that its personnel processes provide for careful, thorough, and systematic consideration of the job qualifications of applicants and employees with known disabilities for job vacancies filled either by hiring or promotion, and for all training opportunities offered or available. The contractor shall ensure that its personnel processes do not stereotype disabled persons in a manner which limits their access to all jobs for which they are qualified. The contractor shall periodically review such processes and make any necessary modifications to ensure that these obligations are carried out. A description of the review and any necessary modifications to personnel processes or development of new processes shall be included in any affirmative action programs required under this part. The contractor must design procedures that facilitate a review of the implementation of this requirement by the contractor and the Government.

PHYSICAL AND MENTAL QUALIFICATIONS
(41 CFR 60-741.44(c))

Newco will ensure that to the extent qualifications may screen out qualified individuals with disabilities, they are job-related for the position in question and consistent with business necessity.

Whenever physical or mental job qualifications are applied to the selection of an applicant or employee, to the extent that qualification standards may screen out qualified individuals with disabilities, the standards will be related to the specific job or jobs for which the individual is being considered, consistent with business necessity.

The company may determine that an individual poses a direct threat to the health or safety of themselves or others in the workplace and use this information as a defense to allegations of discrimination.

In the event a medical examination is required to qualify for a job, the results of such an examination will be used only in accordance with the provisions of this Plan. We will inquire into an individual's physical or mental condition or conduct a medical examination only when it is necessary to evaluate the individual for his or her present job or one for which the individual is being considered. In any event, all information obtained will be kept confidential except as may be expressly waived in writing by the employee or under the following conditions:

- Supervisors and managers may be informed regarding work or duty restrictions of the individual and regarding needed reasonable accommodations;
- First Aid and Safety personnel may be informed, to the extent appropriate, if the condition requires emergency treatment; and,
- Government officials engaged in enforcing the Rehabilitation Act, VEVRAAA, or the Americans with Disabilities Act (ADA) may be informed.

**REASONABLE ACCOMMODATION TO PHYSICAL AND MENTAL
LIMITATIONS OF EMPLOYEES
(41 CFR 60-741.44(d))**

Newco will make reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability unless it can be shown that the accommodation in question would impose an undue hardship on the operation of the business. In determining the extent of the accommodation to be made, business necessity and financial costs may be considered.

When appropriate, if an employee with a known disability is having significant difficulty performing his or her job and discussion relates the performance problem to a known disability, the company may confidentially discuss whether the employee is in need of a reasonable accommodation to address the problem.

Information on individuals with disabilities will be kept confidential except in the following situations:

- Supervisors and managers may be informed regarding restrictions to the work or duties of the individual and regarding needed reasonable accommodations;
- First Aid and Safety personnel may be informed where and to the extent appropriate, if the condition might require emergency treatment; and
- Government Officials engaged in enforcing the Rehabilitation Act, VEVRAA, and the ADA may be informed.

**HARASSMENT
(41 CFR 60-741.44(e))**

Newco will ensure that people with disabilities are not harassed because of known physical or mental limitations.

**EXTERNAL DISSEMINATION OF POLICY, OUTREACH
AND POSITIVE RECRUITMENT
(41 CFR 60-741.44(f))**

We have reviewed our employment practices to determine whether our personnel programs provide effective affirmative action for employment and advancement of qualified individuals with disabilities. As appropriate, we will undertake to do one or more of the following:

- a) Enlist the assistance and support of recruiting sources (including State Employment Agencies, State vocational rehabilitation agencies or facilities, sheltered workshops, college placement offices, State education agencies, and organizations of and for individuals with disabilities) to provide meaningful employment opportunities for qualified individuals with disabilities.
- b) Hold formal briefing sessions with representatives from recruiting sources. Plant tours, clear and concise explanations of current and future job openings, position descriptions, job specifications, explanation of the company selection processes, and recruiting literature will be an integral part of the briefing sessions.

- c) Incorporate special efforts during recruitment efforts at schools to reach students with disabilities. Efforts may be made to participate in work-study programs with rehabilitation facilities and schools that specialize in training or educating individuals with disabilities.
- d) Establish contact with appropriate social service agencies, organizations of and for individuals with disabilities and vocational rehabilitation agencies or facilities, for such purposes as advice, technical assistance, and referral of potential employees.
- e) Include individuals with disabilities when employees are featured in consumer, promotion, or employment advertising. Individuals with disabilities can participate in career days, youth motivation programs and related activities in the community.
- f) Send written notification of our EEO policy to subcontractors, vendors and suppliers, requesting appropriate action on their part.
- g) Consider applicants with known disabilities for other available positions for which they may be qualified when the position(s) applied for is unavailable.
- h) Take positive steps to attract qualified individuals with disabilities not currently in the workforce who have the requisite skills and can be recruited through affirmative action efforts.

**INTERNAL DISSEMINATION OF POLICY
(41 CFR 60-741.44(g))**

To ensure greater participation in our Affirmative Action Program, Newco has developed internal procedures to engage in efforts to employ and advance in employment, qualified individuals with disabilities. We may undertake the following activities in an effort to foster understanding, acceptance and support among managers and employees:

- a) Include the company policy on equal employment opportunity in our Employee Handbook;
- b) Inform employees and prospective employees of our commitment to engage in affirmative action to increase employment opportunities for individuals with disabilities.
- c) Publicize our EEO policy in the Annual Report, newsletter and other media, as appropriate.
- d) During management and employee meetings, include discussion of the intent of the EEO policy and individual responsibility for effective implementation, making clear the Chief Executive Officer's commitment.
- e) Discuss the EEO policy in employee orientation and management training programs.
- f) Where appropriate, include articles on accomplishments of disabled workers in company publications.
- g) Communicate on a regular basis our company policy regarding non-harassment of individuals with disabilities.

**AUDIT AND REPORTING SYSTEM
(41 CFR 60-741.44(h))**

Newco will develop an audit and reporting system that measures the effectiveness of the Affirmative Action Program. The system, when fully implemented, will include the following elements:

- (a) The degree to which affirmative action objectives have been attained.
- (b) Whether individuals with known disabilities have had the opportunity to participate in company sponsored educational, training, recreational and social activities.
- (c) Measures the company's compliance with specific Affirmative Action Program obligations.
- (d) Where an Affirmative Action Program element is found to be deficient, the company will undertake the action(s) necessary to bring the program into compliance.

**RECORDKEEPING
(41 CFR 60-741.80))**

Generally speaking, personnel or employment records made or kept will be preserved for a period of two years from the date of the record or the personnel action involved, whichever occurs later. Records include, but are not limited to:

- Records relating to reasonable accommodations;
- The results of physical examinations;
- Job advertisements and postings; applications and resumes;
- Tests and test results; interview notes; and other records having to do with hiring, assignment, promotion, demotion, transfer, lay-off, or termination, rates of pay or other terms of compensation, and selection for training programs;
- In the case of involuntary terminations, personnel records shall be kept for a period of two years from the date of the terminations;
- Where a complaint of discrimination has been filed, a compliance review initiated, or an enforcement action has commenced, all personnel records relevant to the situation shall be preserved until final disposition of the action.

Record keeping requirements apply only to records made or kept on or after August 29, 1996.

**RESPONSIBILITY FOR IMPLEMENTING THE AAP
(41 CFR 60-741.44(i))**

Newco has assigned responsibility for implementation of the Affirmative Action Program and its activities to an officer of the company. Our Human Resources Director's identity will appear on internal and external communications regarding the company's Affirmative Action Program. She will be given the necessary management support, staff and other resources to manage and implement the program.

**TRAINING
(41 CFR 70-741.44(j))**

All personnel involved in the recruitment, screening, selection, promotion, disciplinary, and related processes will be trained to ensure that the commitments in the company's Affirmative Action Program are implemented.

**AVAILABILITY OF THE AFFIRMATIVE ACTION PROGRAM
(41 CFR 60-741.41)**

A copy of this Affirmative Action Program is available to employees or applicants for employment, upon request to any member of Human Resources or management. The location and hours during which copies of the AAP may be obtained are posted at each site, as appropriate.

INVITATION TO SELF-IDENTIFY
(41 CFR 60-741.42)

As required, Newco will, after making an offer of employment to an applicant and before the applicant begins his or her employment, invite them to inform the company whether the applicant believes he or she may be covered under the Affirmative Action Program for Individuals with Disabilities.

The invitation to self-identify will state that a request to benefit under the Affirmative Action Program may be made immediately, or any time in the future. The invitation will summarize relevant portions of the Affirmative Action Program and state that the information being requested is voluntary and will be kept confidential and that refusal to provide it will not subject the applicant to any adverse treatment and that the information will only be used in accordance with obligations in the regulations.

A separate file will be kept on individuals who self-identify. This information will be provided to Government representatives upon request.