

Discrimination, Harassment, and Other Unacceptable Behaviors



Policy 9.5

Purpose

Consistent with our values, Xcel Energy is committed to maintaining a workplace free of discrimination, harassment and other unacceptable behaviors. Such an environment is critical to Xcel Energy's success as it ensures a place where employees can work together to their best potential.

Applicability

This Discrimination, Harassment, and Other Unacceptable Behaviors policy ("Policy") applies to all employees – at all levels – of Xcel Energy Inc.'s subsidiaries and affiliates ("Xcel Energy").

This Policy also applies to contract workers providing services to Xcel Energy.

Requirements and Responsibilities

General Statement Regarding Discrimination, Harassment, and Other Unacceptable Behaviors

Xcel Energy's values articulate behaviors that allow us to work together as One Team Powered By Many. To ensure a work environment consistent with our values, the Company takes the following approach:

- Xcel Energy will not tolerate discrimination, harassment, and other unacceptable behavior.
- Xcel Energy will strictly comply with federal, state, and local laws that prohibit discrimination and harassment in the workplace.
- Everyone – at all levels of the organization – who works or provides services for Xcel Energy is protected by this Policy and is expected to follow this Policy.
- Xcel Energy will not tolerate harassment of employees or contract workers by non-employees (for example: guests, vendors, the public, customers, or business partners). Likewise, Xcel Energy will not tolerate harassment of non-employees by employees or contract workers.
- "I was joking" or "I didn't mean it that way" are not defenses to violating this Policy. Being under the influence of alcohol or drugs is not a defense.
- This Policy applies not only to words spoken or written on paper, but also to emails, text messages, and all other forms of electronic communication, including postings on social media.
- This Policy applies to conduct at work, at work-related social events, and anywhere else where work relationships could be affected.

Policy Highlights

- All employees are responsible for maintaining a work environment free of discrimination and harassment
- Employees are expected to promptly report issues they experience or observe that are inconsistent with this policy
- Any leader who observes conduct that violates this Policy must take immediate action to stop it and promptly report the matter
- The Company will promptly investigate and take appropriate action on all reports

Specific Statements Regarding Discrimination, Harassment, and Other Unacceptable Behaviors**Discrimination**

Discrimination is the treatment of an individual or a group of individuals differently than others with regard to hire, tenure, promotion, development, discipline, discharge, compensation or any other term or condition of employment because of the individual's protected class status. Discrimination based on any of the following characteristics is prohibited:

- race, color, ethnic or national origin;
- age;
- religion or creed;
- sex, including pregnancy, childbirth, breastfeeding, or related medical conditions;
- sexual orientation;
- gender, gender identity, gender expression, transgender status;
- nationality, immigration status, citizenship, or ancestry;
- marital status;
- military or veteran status;
- physical or mental disability, genetic information or characteristics (or those of a family member);
- status as a victim of domestic violence, sexual assault or stalking; or
- any other basis prohibited under federal, state, or local law.

Harassment

Xcel Energy is committed to maintaining a respectful and safe working environment. As such, we expressly prohibit and will not tolerate harassment of employees or contract workers, or harassment of non-employees by employees or contract workers, based on any of the following characteristics:

- race, color, ethnic or national origin;
- age;
- religion or creed;
- sex, including pregnancy, childbirth, breastfeeding, or related medical conditions;
- sexual orientation;
- gender, gender identity, gender expression, transgender status;
- nationality, immigration status, citizenship, or ancestry;
- marital status;
- military or veteran status;
- physical or mental disability, genetic information or characteristics (or those of a family member);
- status as a victim of domestic violence, sexual assault or stalking; or
- any other basis prohibited under federal, state, or local law.

Harassment under this Policy includes any conduct based on the above characteristics that interferes with an individual's job or work performance or is disrespectful, intimidating, hostile, degrading, offensive, or humiliating. Illustrative examples are listed below.

Because the intent of this Policy is support our corporate values and deter harassing conduct before it reaches an unlawful level, conduct may violate this Policy even if it falls short of what would be unlawful harassment under applicable law.

Examples of Sexual Harassment

Prohibited sexual harassment is any conduct based on sex or gender which interferes with an individual's job or work performance or is disrespectful, intimidating, hostile, degrading, offensive, or humiliating. Such conduct can occur between same-sex or opposite-sex individuals, and does not require that the harassing conduct be motivated by sexual desire.

Examples of prohibited sexually harassing conduct include, but are not limited to:

- sexual advances or invitations;
- requests for sexual favors;
- sexually motivated physical contact;
- comments or questions about a person's sexual experiences or activities;
- actual or attempted sexual assault;
- non-customary bodily contact such as brushing against, pinching, groping, or rubbing;
- offers, requests, demands, threats, or pressure that a person engage in sexual activity to maintain employment, to obtain an employment benefit, or to avoid any form of employment related loss;
- sexually suggestive or gender based comments regarding a person's body, physical appearance or characteristics;
- teasing, jokes, or pranks that are sexual in nature, vulgar, obscene, or based on gender;
- insulting or demeaning comments based on gender or sex;
- creating, displaying or sharing images such as posters, videos, photos, cartoons, screensavers, emails, posts, or drawings that are sexual in nature, vulgar, obscene or gender based;
- sexual or gender based name calling, hate words or slurs;
- non-verbal behavior that is sexual in nature or gender based, such as staring, leering, or gestures;
- gender based destruction or interference of another person's work, work station, tools, or property;
- intentionally excluding someone from normal workplace conversations and making them feel unwelcome based on sex or gender; or
- blocking normal movement, or physically interfering with the work of another individual because of sex or gender.

This list of examples is not exhaustive and other types of behavior may also violate this Policy.

Examples of Harassment Based on Other Protected Characteristics

In addition to prohibiting sexually harassing conduct, Xcel Energy also prohibits harassing conduct based on any of the other characteristics listed above, i.e. race, color, national origin, age, disability, religion, veteran status, etc. Any conduct based on these characteristics which interferes with an individual's job or work performance or is disrespectful, intimidating, hostile, degrading, offensive, or humiliating is prohibited. Such conduct can occur between persons who do or do not share the same characteristics.

Examples of such prohibited harassing conduct include, but are not limited to, the following types of conduct when based on the characteristics listed above:

- actual or attempted assault;
- demeaning or derogatory jokes, pranks, teasing, or comments;
- name calling, hate words or slurs;
- non-verbal behavior such as staring, leering, or gestures;
- destruction or interference of another person's work, work station, tools, or personal property;
- intentionally excluding someone from normal workplace conversations and making them feel unwelcome;
- displaying or sharing offensive or derogatory images such as posters, videos, photos, cartoons, screensavers, emails, posts, or drawings; or
- requiring that a person participate in a religious or political activity to maintain employment or assignment, obtain an employment benefit, or to avoid any form of employment-related loss.

Other Unacceptable Behavior

In addition to discrimination and harassment discussed above, Xcel Energy prohibits and will not tolerate bullying, hazing, horseplay, excessive or extreme profanity, or any conduct which:

- unreasonably interferes with workplace productivity or is disruptive,
- creates an unsafe work environment, or
- appears to, or is intended to, demean an individual for any reason.

Reporting Procedures

You should do what's right and report what seems wrong. Therefore, even if you are not sure the conduct in question violates this Policy, if you experience, observe, or are informed of any discrimination, harassment, or other unacceptable behavior against yourself or another person, we expect that you will promptly report a written or oral concern to any of the following:

- The Xcel Energy Compliance Hotline at [XcelEnergyComplianceHotline.com](https://www.xcelenergy.com/compliance-hotline) or at **1-800-555-8516**
- Any member of the Xcel Energy Corporate Compliance and Business Conduct office, 612-215-5354 or ComplianceBusinessConduct@xcelenergy.com
- Any member of the Workforce Relations or Equal Employment Opportunity/Employee Relations Departments
- Any member of the Legal Services Department

This reporting obligation applies not only to conduct directed to you, but also to conduct you may observe or be informed of regarding another employee. Your report should include details of the incident, names of the individuals involved, and names of any witnesses. Anonymous complaints may be made through the Compliance Hotline.

Note: It is against Company policy for a person to make a statement he or she knows to be false.

Special Requirements for Leaders

Any leader (i.e., any employee who supervises other employees) observing conduct that may violate this Policy **MUST** take immediate action to stop it and must promptly report the matter. Also, all leaders who learn

of a potential violation of this Policy must promptly (ideally within 24 hours) forward that report to Legal, EEO or the Xcel Energy Corporate Compliance and Business Conduct office at 612-215-5354 or compliancebusinessconduct@xcelenergy.com. Failure to follow these requirements will result in discipline, up to and including termination of employment.

Investigation Process

All reports or complaints submitted under this Policy will be investigated in a prompt, thorough, and impartial manner. To the extent consistent with legal requirements and a thorough and impartial investigation, Xcel Energy will use reasonable efforts to keep the following information confidential:

- The identity of the complaining individual and/or target of the conduct;
- The identity of witnesses who provide information regarding a complaint;
- The identity of the subject of the complaint; and
- Information gathered as part of the investigation.

Employees are required to participate, cooperate and provide truthful information in an investigation.

Nothing in this Policy is to be construed as a guarantee of absolute confidentiality or is intended to limit employees' legal right to discuss work-related matters.

If you have questions about this Policy or wish to share information without filing a complaint, please contact the Xcel Energy Corporate Compliance and Business Conduct office, 612-215-5354.

Consequences of Non-Compliance

Any employee, regardless of position or title, who violates any provision of this Policy, may be subject to discipline, up to and including termination of employment. Contractor violations may result in removal of assignment at Xcel Energy.

Protection from Retaliation

We encourage individuals to speak up without fear of retaliation when they see or suspect policy violations. Retaliation is prohibited and will not be tolerated at Xcel Energy. Please refer to Xcel Energy's Anti-Retaliation Policy (9.23).

Definitions

Xcel Energy	Xcel Energy Inc.'s subsidiaries and affiliates. The use of "we," "ours," or "the company" is synonymous with Xcel Energy.
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References

[Code of Conduct](#)
[Anti-Retaliation Policy \(9.23\)](#)

Revision Date

January 9, 2019