

## **EQUAL EMPLOYMENT OPPORTUNITY**

### **POLICY STATEMENT**

It is the policy of MTR to provide equal opportunity to all employees and applicants with respect to recruitment, hiring, training, promotion, demotion, transfer, layoff, compensation, benefits and other terms and conditions of employment without regard to race, color, national origin, ancestry, sex, age, religion, physical or mental disability, medical condition, veteran status, marital status, pregnancy, sexual orientation, gender identity, genetic information or any other non-job related characteristics or prohibited grounds specified in applicable state or local law.

Furthermore, positive, continuing affirmative action programs have been established to ensure nondiscrimination in MTR's policies and practices and to assess that equal opportunity is being afforded to women, minorities, persons with disabilities, qualified disabled veterans, recently separated veterans, Active Duty Wartime or Campaign Badge veterans, and Armed Forces service medal veterans. Meryl Rains has been designated as the company official responsible for implementation of affirmative action activities. MTR regularly audits and revises its affirmative action programs to ensure their continued effectiveness.

Harassment of and illegal discrimination against employees and applicants are prohibited. Employees should report all incidents of harassment and illegal discrimination to Human Resources. All complaints of harassment and illegal discrimination will be investigated according to MTR's complaint procedure. Employees will not be subjected to harassment, intimidation, threats, coercion or illegal discrimination because they have filed a complaint, assisted in a compliance investigation, or engaged in any other legally protected activities.

MTR 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, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the contractor's legal duty to furnish information.

This policy complies with regulations under Executive Order 11246, the Vietnam Era Veterans' Readjustment Assistance Act, the Rehabilitation Act, the Americans with Disabilities Act, the Age Discrimination in Employment Act, the Equal Pay Act, and other applicable state and local law.

Hans Wijmans  
President