

**AFFIRMATIVE ACTION PLAN FOR INDIVIDUALS WITH DISABILITIES AND CERTAIN PROTECTED VETERANS**

The following definitions apply in this Affirmative Action Plan ("Plan"):

Disabled Veteran means a veteran of the U.S. military, ground, naval or air service who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the secretary of Veterans Affairs, or a person who was discharged or released from active duty because of a service-connected disability.

Other Protected Veteran means a veteran who served on active duty in the U.S. military, ground, naval or air service during a war or in a campaign or expedition for which a campaign badge has been authorized, under the laws administered by the department of defense.

Recently Separated Veteran means any veteran during the three-year period beginning on the date of such veteran's discharge or release from active duty in the U.S. military, ground, naval or air service.

Armed Forces Service Medal Veteran means a veteran who served on active duty in the U. S. military, ground, naval or air service and participated in a United States military operation to which an Armed Forces service medal was awarded pursuant to Executive Order 12985(61 FR 1209).

**EQUAL EMPLOYMENT OPPORTUNITY POLICY- 41 C.F.R. §§ 60-741.44(a);-250.44(a) & -300.44(a)**

To provide equal employment and advancement opportunities to all individuals and to ensure that employment decisions will be based on merit, qualifications, and abilities. Clayco does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex (including pregnancy, childbirth or related medical conditions), national origin, ancestry, age, disability, protected veteran status, or any other characteristic protected by applicable law.

Clayco will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. Clayco prohibits harassment of any individual on the basis of any characteristic listed above (see Clayco's No Harassment Policy).

Employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor, Executive Management and/or the Code Compliance Officer. Employees can raise concerns and make reports without fear of reprisal, harassment, intimidation, threats, coercion or discrimination because they: (1) file a complaint with Clayco or with federal, state, or local agencies; (2) assist or participate in any investigation, compliance review, hearing, or any other activity related to the administration of any federal, state or local equal employment opportunity or affirmative action statute; (3) oppose any act or practice made unlawful by federal, state or local law requiring equal employment opportunity or affirmative action; or (4) exercise any other employment right Protected by federal, state or local law or

its implementing regulations.

Clayco maintains an audit and reporting system to determine overall compliance with its equal employment opportunity mandates and to respond to any specific complaints applicants or employees. Overall responsibility of the Plan and compliance is assigned to the Code Compliance Officer.

#### REVIEW OF PERSONNEL PROCESSES - 41 C.F.R. §§ 60-741.44(b);-250.44(b) & -300.44(b)

Clayco ensures that its processes provide for careful, thorough, and systematic consideration of job qualifications of applicants and employees with known disabilities and for Protected Veterans for job vacancies filled either by hiring or promotion, and for all training opportunities. Clayco ensures that its processes do not stereotype disabled persons or Protected Veterans in a manner which limits their access to jobs for which they are qualified. Clayco periodically reviews its processes and makes necessary modifications to ensure compliance. Clayco invites applicants and employees to self-identify as disabled or as a Protected Veteran. The self-identification forms are retrievable for review by the Department of Labor and by Company officials for use in investigations and internal compliance activities. Personnel records of each employee with a known disability or a Protected Veteran include identification of each promotion and each training program for which he or she was considered and any accommodation which made it possible to place the individual on the job.

In each case in which an employee or applicant with a disability and/or Protected Veteran is rejected for employment, promotion, or training, Clayco appends a statement of the reason to the personnel file or application form and a description of any accommodations considered if disability was the reason for rejection. Clayco makes this statement available to the applicant or employee concerned upon request.

#### PHYSICAL AND MENTAL QUALIFICATIONS - 41 C.F.R. §§ 60-744(c);-250.44(c) & -300.44(c)

On a regular basis, Clayco reviews all physical and mental job qualification requirements with supervisors to ensure that, to the extent qualification requirements screen out or tend to screen out qualified disabled individuals or Protected Veterans, they are job related and consistent with business necessity and the safe performance of the job. To the extent that physical or mental job qualification requirements screen out or tend to screen out qualified disabled individuals or Protected Veterans in the selection of employees or applicants for employment or other changes in employment status such as promotion or training, Clayco assures that the requirements are related to the specific job(s) for which the individual is being considered and are job related and consistent with business necessity and the safe performance of the job.

#### REASONABLE ACCOMMODATION OF PHYSICAL AND MENTAL IMPAIRMENTS - 41 C.F.R. §§ 60- 741.44(d); -250.44(d) & -300.44(d)

Clayco makes reasonable accommodation to the known physical or mental limitations of all otherwise qualified individuals with a disability unless it can demonstrate that the accommodation would impose an undue hardship on the operation of our business. If an employee with a known disability is having significant difficulty performing his or her job and it is reasonable to conclude that the performance problem may be related to the known disability, Clayco confidentially notifies the employee of the performance problem and inquires whether the problem is related to the disability. If the employee responds affirmatively, Clayco confidentially inquires whether the employee is in need of a reasonable accommodation.

Employees may also contact their immediate supervisor, Executive Management and/or Code Compliance Officer at any time to request an accommodation.

#### HARASSMENT - 41 C.F.R. §§ 60-741.44(e); -250.44(e) & -300.44(e)

Clayco has developed and implemented procedures to ensure that employees with disabilities and Protected Veterans are not harassed because of their disability or Protected Veteran status.

#### EXTERNAL DISSEMINATION OF POLICY, OUTREACH AND POSITIVE RECRUITMENT - 41 C.F.R.

##### §§ 60-741.44(f);-250.44(f) & -300.44(f)

Clayco enlists the assistance and advice of recruiting sources (including State agencies, workshops, college placement offices and labor organizations) to provide meaningful employment opportunities to qualified individuals with disabilities and Protected Veterans. Clayco's recruitment efforts at all schools incorporate special efforts to reach students with disabilities and Protected Veterans. Clayco engages in recruitment activities at educational institutions which participate in training of individuals with disabilities and Protected Veterans.

Clayco includes pictures of individuals with disabilities and Protected Veterans in marketing materials and takes positive steps to attract qualified individuals with disabilities and Protected Veterans not currently in the work force who have requisite skills and can be recruited through affirmative action measures.

Clayco considers applicants with known disabilities and those known to be Protected Veterans for all available positions for which they may be qualified when such position(s) are available.

#### INTERNAL DISSEMINATION OF POLICY - 41 C.F.R. § 60-741.44(g);-250.44(g) & -300.44(g)

Clayco recognizes that even a strong outreach program will be ineffective without adequate internal support from supervisors, Executive Management and other employees, who may have had limited contact with individuals with disabilities or with Protected Veterans in the past. To assure greater employee cooperation and participation in Clayco's efforts with respect to the disabled and Protected Veterans, it has developed procedures to communicate its obligation to engage in affirmative action efforts to employ and advance qualified individuals with disabilities. These procedures are designed to foster understanding, acceptance and support among supervisors, Executive Management and other employees and to encourage such persons to take the necessary actions to aid Clayco to meet its obligations.

Clayco includes its equal employment and No Harassment Policy in its Employee Handbook, informs all employees and applicants of its commitment and meets with employees to discuss policies and individual responsibilities not to discriminate against or harass other employees.

#### AUDIT AND REPORTING SYSTEM - 41 C.F.R. §§ 60-741.44(h);-250.44(h) & -300.44(h)

Clayco audit and reporting system (1) measures the effectiveness and compliance with the Plan; (2) indicates any need for remedial action; (3) determines the degree to which objectives are being attained; and (4) determines whether individuals with known disabilities

and Protected Veterans have had the opportunity to participate in sponsored educational, training, recreational and social activities. Where Clayco finds the Plan to be deficient, it undertakes necessary action to bring it into compliance.

## RESPONSIBILITY FOR IMPLEMENTATION - 41 C.F.R. §§ 60-741.44(i);-250.44(i) & -300.44(i)

The Code Compliance Officer has been given the support and staff to direct affirmative action activities, implement, monitor and administering the Plan and will continue to:

1. Develop policy statements, programs, and communication techniques to ensure policies are followed.
2. Advise supervisors that they are responsible to prevent employees harassed due to their disability.
3. Identify problems in the implementation of the Plan and develop solutions.
4. Maintain an audit and reporting system to monitor the progress of the Plan.
5. Serve as liaison between Clayco and governmental enforcement agencies, community groups, vocational rehabilitation organizations and organizations for disabled persons and covered veterans.
6. Inform management of the latest developments in the affirmative action area.
7. Arrange career counseling for disabled employees and covered veterans when requested.

Each manager is responsible to implement the Plan which includes monitoring hiring and promotion practices, identifying problem areas, and taking other actions as outlined herein.

## TRAINING - 41 C.F.R. §§ 60-741.44(j);-250.44(j) & -300.44(j)

Clayco trains personnel involved in recruitment, screening, selection, promotion, disciplinary, and related processes to ensure that its commitments are implemented as to the disabled and Protected Veterans.