



**Equal Employment Opportunity and
Prohibition against Discrimination and
Harassment**

	Document Title: Equal Employment Opportunity and Prohibition against Discrimination and Harassment	Revision Date: 11/10/2021
	Department: HR	Revision Num: 5.0

Equal Employment Opportunity and Prohibition against Discrimination and Harassment

Equal Employment Opportunity

The Company is sincerely committed to equal opportunity employment. All employees and applicants for employment with the Company are evaluated without regard to race, color, sex, sexual orientation, religion, national origin, citizenship status, age, genetic information, physical or mental disability, veteran status, pregnancy or other legally protected status, or engaging in activity protected under anti-discrimination laws. This applies in all aspects of employment, including recruitment, hiring, training, placement, compensation, benefits, discipline, leaves of absence, transfer, promotion, demotion, layoff, recall and discharge of personnel.

To the extent legally applicable to the Company or its operations, the Company will adhere to all Federal, State and local laws and the Executive Orders, rules and regulations pertaining to equal opportunity in employment, as amended from time to time (collectively “EEO Laws”).

In this regard, the Company will:

- Periodically train and educate its employees regarding compliance with applicable EEO Laws
- Provide a work environment free from unlawful discrimination and harassment
- Where appropriate, make reasonable accommodations for qualified disabled individuals to permit them to perform the essential functions of their jobs

Any covered person who believes this policy is being violated must immediately make a report to the Company in accordance with the reporting procedures addressed below under “Reporting Violations and Investigations.”

Prohibition of Discrimination and Harassment

The Company is committed to maintaining a workplace free from sexual and other forms of unlawful discrimination and harassment.

Discrimination or harassment based on race, color, sex, sexual orientation, religion, national origin, citizenship status, age, genetic information, physical or mental disability, veteran status, pregnancy or other legally protected status, or engaging in activity protected under antidiscrimination laws will not be tolerated.

The Company will respond promptly to all reports of such discrimination or harassment, whether by supervisors, co-workers or non-employees. Covered persons should be aware that violation of this policy will lead to disciplinary action up to and including termination of employment or service.

“Harassment” includes any and all conduct, whether physical, verbal, written or graphic, based upon race, color, sex, religion, national origin, citizenship status, age, genetic information, physical or mental disability, veteran status, pregnancy or other legally protected status, or engaging in protected activity.

Such harassment includes, without limitation, severe or pervasive conduct that:

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- Creates a hostile or intimidating work environment
- Substantially interferes with the ability of others to perform their work
- Denies employment opportunity to others

Examples of conduct that constitutes harassment include unwanted physical contact, hazing, assault, battery, threats, racial and ethnic slurs, racial insults, intimidation, racial jokes and pranks, vandalism, graffiti (including the use of racially derogatory terms and imagery), and jokes, slurs or ridicule based on religion, age, physical or mental disability, race, color, sex, sexual orientation, religion, national origin, citizenship status, genetic information, veteran status, pregnancy or other legally protected status, or engaging in activity prohibited under anti-discrimination laws. All conduct constituting harassment is prohibited on Company property, while engaging in authorized business-related activities, and at all Company worksites whether or not it is directed at a specific person or persons.

This policy applies to all applicants, employees, temporary employees, independent contractors, vendors, consultants, visitors, non-employee work contacts and customers.

Special Provisions Regarding Sexual Harassment

Sexual harassment, in addition to the types of harassment noted above, may be either physical or verbal and is defined to include any unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- Submission to the conduct is either an explicit or implicit term or condition of employment
- Submission to or rejection of the conduct is used as a basis for employment decisions affecting the recipient
- The conduct has the purpose or effect of substantially interfering with work performance of another, or creates an intimidating, hostile or offensive work environment

Examples of sexual harassment prohibited by this policy include:

- Dating or other romantic or sexual relationships between employees within the same chain of authority or reporting relationship
- Unwanted physical contact or conduct of any kind including sexual flirtations, touching, advances, or propositions
- Lewd comments, sexual jokes or references, and offensive personal references
- Demeaning, insulting, intimidating, or sexually suggestive comments about an individual or individuals
- Displaying any objects, pictures, photographs, or other items which are demeaning, insulting, intimidating, lewd, sexually suggestive, or pornographic
- Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages (such as letters, memos, notes, e-mail, instant messaging, telephonic, or other written or verbal communications)
- Any other conduct of a sexual nature or targeted toward a member of a particular sex that has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment

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Duty to Report Harassment

If a covered person believes they have been or are being harassed, the covered person must report the matter immediately. If the covered person’s supervisor is unavailable or the covered person does not feel comfortable reporting it to their supervisor, the covered person must report the matter immediately to another member of management or contact the Human Resources Department, the Legal Department, the Company’s Chief Compliance Officer or the Company’s Ethics Hotline, which is

administered by a third party call center and is available 24 hours a day, 7 days a week. The contact information for the Company’s Ethics Hotline can be found in Section 2.27 titled “Reporting Violations and Investigations.” Any supervisor who becomes aware of possible harassment must immediately advise the Human Resources Department in order to commence a prompt investigation and to take any necessary remedial or disciplinary action.

No Retaliation

The Company strictly prohibits retaliation against a covered person who, in good faith, seeks help or reports concerns to the Company, including those reports made through the Ethics Hotline. Any covered person who threatens or retaliates against an employee who, in good faith, sought help or filed a report will be subject to appropriate disciplinary action, including potential termination of employment or service.

A more detailed description of the reporting and investigation procedures and the Company’s no-retaliation policy are addressed below under “Reporting Violations and Investigations.”

Americans with Disabilities Act Compliance

The Company is committed to complying with the Americans with Disabilities Act of 1990 (“ADA”), as amended. The Company will not discriminate against any qualified applicant or employee with regard to any terms or conditions of employment because of an ADA-covered disability. The Company will provide reasonable accommodations upon request to qualified individuals with an ADA-covered disability, when doing so will enable applicants to complete the hiring process or will enable employees to perform the essential functions of the job.

Requesting an Accommodation

The Company encourages employees to make their needs known to management. If an employee believes he or she has an ADA-covered disability and believes he or she needs a reasonable accommodation to successfully perform the essential functions of his or her job, the employee should contact the Human Resources Department and provide any documentation that may be needed in order to determine whether the employee has an impairment that constitutes an ADA-covered disability. Failure to cooperate with the Company may result in denial of a requested accommodation.

To help the Company comply with the Genetic Information Non-Discrimination Act of 2008 (GINA), employees should not provide the Company any genetic information when responding to a request for medical information. GINA prohibits covered employers from requesting or requiring genetic information of an individual or family member of the individual. “Genetic information” as defined by

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GINA, includes an individual’s family medical history, the results of an individual’s or family member’s genetic tests, the fact that an individual or an individual’s family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual’s family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

The Accommodation Process and Accommodation Decision

Upon receipt of an accommodation request, a member of Human Resources will discuss the request with the employee and his or her supervisor and will determine the feasibility of any requested accommodations.

The process and decision may include determining the following:

- The nature and scope of the impairment at issue
- Whether the impairment is an ADA-covered disability
- Whether the impairment limits the employee’s ability to perform one or more of the essential functions of his or her job and, if so, the precise limitations resulting from the impairment
- Possible reasonable accommodations the Company might make to help the employee overcome the limitations and successfully perform the essential functions of the job
- The nature and cost of the accommodation
- The impact of proposed accommodations on the Company’s operations
- Productivity
- The ability of others to perform their duties
- The Company’s ability to conduct business

If an employee has any questions about the ADA, please contact the Human Resources Department. If an employee believes he or she has been discriminated against because of a disability, the employee must immediately report the matter in accordance with the procedures addressed below under “Reporting Violations and Investigations.”

Religious Accommodations

The Company is committed to maintaining a work environment that respects religious diversity. To that end, the Company will consider and, when appropriate, grant reasonable accommodations for sincerely held religious beliefs, practices and observances.

To receive consideration for a religious accommodation, an employee should contact the Human Resources Department as far in advance as possible, but in no event less than 48 hours prior to the need for the accommodation, unless there is an emergency beyond the employee’s control. The Company will evaluate the request to determine if the religious belief, practice, or observance can be accommodated without imposing an undue hardship on the Company and its operations. The requesting employee must cooperate with the Company in evaluating the request and determining the means, if any, by which the sincerely held belief may be reasonably accommodated. Failure to cooperate may result in a denial of the request. The Company will promptly notify the employee of its determination. Because each request shall be approved or denied based on the unique circumstances existing at the time of the request, the Company’s resolution of a specific request does not mean that all similar requests shall be denied or approved. Consequently, a new request must be submitted for each subsequent need for

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accommodation unless the Company has provided notice eliminating the need for subsequent requests for the same accommodation.

Immigration Law Compliance

The Company is committed to employing only those individuals who are authorized to work in the United States. In doing so, the Company prohibits and will not tolerate unlawful discrimination on the basis of citizenship or national origin. In compliance with applicable law, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present original documentation establishing identity and employment eligibility. Failure to present original documents will disqualify a candidate from employment or will result in a revocation of a conditional offer of employment. Former employees who are rehired must also complete Form I-9 if they have not completed an I-9 with the Company within the past three years, or if their previous I-9 is no longer valid. If an employee’s authorization of employment or evidence of authorization of employment will expire, the Company must re-verify employment eligibility. Employees are responsible for renewing their authorization in a timely manner. The Company will re-verify an employee’s eligibility for employment by requiring him or her to complete a new Form I-9 in order to maintain uninterrupted employment.

If an employee has questions about immigration issues, he or she should contact the Human Resources Department. If an employee believes he or she has been discriminated against because of his or her citizenship or national origin, the employee must immediately report the matter in accordance with the procedures addressed below under “Reporting Violations and Investigations.” The Company will promptly investigate the report, will keep the matter confidential to the maximum extent possible and will take swift and effective corrective action, if warranted.

Reporting

Individuals who believe they have been subject to unlawful discrimination or harassment are required to immediately report such conduct in accordance with the reporting procedures addressed below under “Reporting Violations and Investigations.” Likewise, covered persons of the Company who observe or otherwise become aware of conduct that violates this policy are required to immediately report the matter in accordance with the reporting procedures addressed below under “Reporting Violations and Investigations.” Whenever possible, witnesses or other substantiating information should be provided.

Any manager or supervisor that receives a report of discrimination or harassment must immediately report the matter to the Human Resources Department.

A Company representative will investigate each unresolved complaint.

Every reasonable effort will be made to ensure that no retaliation occurs against any person who makes a good faith report of a violation of this policy. If a covered person believes he or she is being treated unfairly or is the subject of retaliation by anyone as the result of making a report under this policy, the covered person should immediately notify the Legal Department.

Upon conclusion of an investigation and confirmation that a covered person has violated this policy, appropriate discipline, depending on the facts of the case, will be imposed, up to and including termination of employment.

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Upon conclusion of an investigation and confirmation that a non-employee has violated this policy, such non-employee will be informed of this policy and the Company will take such action against the non-employee as is appropriate.