

# **AFFIRMATIVE ACTION PLAN**

APRIL 25, 2022

**DENVER**  
8167 SouthPark Circle  
Littleton, CO 80120

**COLORADO SPRINGS**  
1055 Elkton Drive  
Colorado Springs, CO 80907

**MINNESOTA**  
1831 121<sup>st</sup> Street East  
Burnsville, MN 55337

**24/7 service**  
**1.800.372.8837**  
info@setpointssystems.com  
setpointssystems.com

## **Equal Employment Opportunity and Affirmative Action Program**

### **Policy Statement**

It is the policy of Setpoint Systems Corporation (SSC) not to discriminate against any employee or applicant for employment because of that person's race, color, creed, ancestry, religion, age, disability, medical condition, sex, sexual orientation, transgender, marital status, national origin, based on genetic information, citizenship, or any other class protected by state or federal law and will treat all such employees or applicants equally as required by federal, state, and local law. Moreover, to the extent required under the relevant federal law pertaining to federal contractors, the Company will take affirmative action in an effort to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, age, sex, disability, national origin based on genetic information. This policy shall apply to all employment actions, including but not limited to recruitment, hiring, upgrading, promotion, transfer, demotion, layoff, recall, termination, rates of pay or other forms of compensation and selection for training, including apprenticeship, at all levels of employment.

As the President of SSC, I am committed to the principles of Affirmative Action and Equal Employment Opportunity. In furtherance of SSC's policy regarding Affirmative Action and Equal Employment Opportunity, SSC has developed a written Affirmative Action Program which sets forth the policies, practices, and procedures which SSC is committed to applying in order to ensure that its policy of non-discrimination and affirmative action for all individuals is accomplished. This Affirmative Action Program is available for inspection by any employee or applicant for employment upon request, during normal business hours, in the Administration Department. Interested persons should contact Human Resources at 303-733-2300 for assistance.

Aaron Nahale  
President, Setpoint Systems Corporation

## **Affirmative Action Program**

### 1. EEO Officer Responsibilities

Aaron Nahale, President, is responsible for the overall application of the program and will appoint an EEO Officer of the company. The EEO Officer will have the authority to carry out the program which includes, but is not limited to, the following:

- Developing Equal Employment Opportunity (EEO) policy statements, affirmative action programs and internal and external communication procedures.
- Assisting in the identification of AAP/EEO problem areas and assisting management in arriving at effective solutions to AAP/EEO problems.
- Keeping SSC's President informed of equal opportunity progress.
- Serving as liaison between SSC and enforcement agencies, minority and women's organizations and other community groups.
- Compiling and submitting, as necessary, all records, reports, files and lists that are required under the relevant federal laws, regulations, orders, and guidelines pertaining to federal contractors.
- Disseminating current legal information affecting affirmative action regulations to responsible officials.
- Keeping SSC's President informed when the union or unions with which SSC has a collective bargaining agreement has impeded SSC's effort to meet its Equal Opportunity Policy.

### Responsibilities of Managers and Supervisors

It is the responsibility of all managerial and supervisory staff to implement SSC's AAP. These responsibilities include, but are not limited to:

- Assisting in the identification of problem areas, formulating solutions, and establishing departmental goals and objectives when necessary.
- Reviewing the qualifications of all applicants and employees to ensure qualified individuals are treated in a nondiscriminatory manner when hiring, promotion, transfer, and termination actions occur; and
- Reviewing the job performance of each employee to assess whether personnel actions are justified based on the employee's performance of his or her duties and responsibilities.

### 2. Internal Dissemination of Policy

SSC will strive to maintain a working environment that is free from harassment, intimidation, and coercion at all sites and in all facilities at which Company employees are assigned to work. SSC shall take appropriate steps in an effort to

ensure that all project managers, foremen and other on-site supervisory personnel are aware of and carry out the SSC's commitment to maintain such a working environment, with specific attention being given to minority or female individuals working at such sites or in such facilities.

SSC will do the following:

- Copies of our affirmative action programs will be made available for inspection to any employee or applicant upon request to promote understanding, acceptance, and support. Policies are re-emphasized to managers and supervisors annually. All employees are advised annually of the company's policy and encouraged to aid in SSC's affirmative action efforts to ensure a fair and effective program.
- SSC's Affirmative Action policy and the EEO poster are posted on bulletin boards located throughout our facilities and office work areas. The policy will be available to newly hired and current employees.

### 3. External Dissemination of Policy

SSC will make a good faith effort to make the Equal Opportunity Policy known to all recruiting sources and potential employees by taking the following action:

- All recruiting sources, including State employment agencies, educational institutions and social service agencies have been informed of SSC's AAP policy. Qualified applicants will receive consideration for employment without regard to race, color, creed, ancestry, religion, age, disability, medical condition, sex, sexual orientation, transgender, marital status, national origin, based on genetic information, citizenship, or any other class protected by state or federal law and will treat all such employees or applicants equally as required by federal, state, and local law.
- SSC will post its Equal Opportunity Policy on bulletin boards accessible to all employees.
- SSC will notify training programs and unions with which SSC has a collective bargaining agreement of its policy and will request their cooperation in assisting SSC to meet those obligations.

### 4. Recruitment Practices

SSC will advertise job openings in newspapers, other publications, electronic media, or with training organizations having a circulation among minority and female groups in the area from which SSC's workforce would normally be derived. The phrase "Equal Opportunity/Affirmative Action Employer" shall be included in the employment advertisement.

Arrangements have been made to ensure that each recruitment source is provided with timely notice of job opportunities, to ensure that recruitment sources have an opportunity to refer qualified candidates.

SSC will conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minority group applicants. A request will be made to refer qualified minorities and women.

Current employees will be encouraged to refer minorities and female group applicants for employment.

#### 5. Utilization of Minorities and Females

SSC will make a good faith effort to meet established goals by the OFCCP for the utilization of minorities and females in various crafts on all projects.

Our goals and commitments are to meet our affirmative action obligations under the equal opportunity portion of the contract. This is not intended and shall not be used to discriminate against any qualified applicant or employee.

#### 6. Disabled

SSC shall not discriminate against any employee or applicant for employment because of a physical or mental impairment regarding any position for which the employee or applicant for employment is qualified. All applicants who believe they are a qualified individual with a disability, as defined in Section 503 of the Rehabilitation Act of 1973, as amended, have been invited to identify themselves if they wish to benefit under this affirmative action program. Employees may self-identify at any time.

#### 7. Disabled Veterans and Veterans of the Vietnam Era

SSC shall not discriminate against any employee or applicant for employment because he or she is a disabled veteran or a veteran of the Vietnam Era regarding any position for which the employee or applicant for employment is qualified. All applicants who are a qualified protected veteran under the equal employment opportunity provisions of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, have been invited to identify themselves if they wish to benefit under this affirmative action program. Employees may self-identify at any time.

#### 8. Training and Promotional Opportunities

SSC will include on-the-job training opportunities and/or participate in training

programs which expressly include minorities and females while ensuring that all employees are given equal opportunity for promotion.

This is achieved by:

- Posting promotional opportunities.
- Offering counseling to assist employees in identifying promotional opportunities, training, and educational programs to enhance promotions and opportunities for job rotation or transfer.
- Evaluating job requirements for promotion.
- SSC shall take affirmative action to employ, advance in employment and otherwise treat qualified individuals with a disability, disabled veterans, and veterans of the Vietnam Era without discrimination based on their disability or veteran status.

## 9. Non-Segregated Facilities

All facilities and company activities are non-segregated which can include but are not limited to, waiting rooms, work areas, eating areas, time clocks, parking lots, storage areas, and other such common facilities. Separate toilets and necessary changing facilities shall be provided to assure privacy between the sexes.

## 10. Personnel Process

SSC will monitor its personnel and employment related activities to ensure they do not have a discriminatory impact. SSC shall do the following:

- Train and review the policy with all employees having any responsibility for hiring, assignment, layoff, termination, or other employment decisions. This will include onsite supervisory personnel.
- Penalties and sanctions will be imposed for violations of the EEO policy, and its affirmative action program as may be required under the relevant federal law.

## 11. Contractor Compliance

SSC will include with its contracts, purchase orders, work orders and subcontracts those provisions required under Executive Order 11246, as amended.

When required by federal contract, SSC will make a good faith effort to utilize minority group subcontractors, suppliers, and vendors. The Company reserves the right to determine if the firm is a bona fide Minority Business Enterprise and qualified to perform required work.

## 12. Non-Federal Work

When participating in non-federal construction work during which time it also has a direct federal or federally assisted contract, SSC will be bound by the equal opportunity clause required by Executive Order 11246, as amended, with respect to its own employment practices.

## 13. Debarred or Ineligible Contractors or Subcontractors

SSC agrees to refrain from entering any contract or contract modifications with a contractor or subcontractor debarred from or who has not demonstrated eligibility for direct federal or federally assisted construction contracts pursuant to Executive Order 11246, as amended.

## 14. Record Keeping

SSC will maintain and submit, if necessary, records, files and lists that are required under the relevant federal laws, regulations, orders, and guidelines pertaining to federal contractors and subcontractors.

## 15. Affirmative Action Commitments

SSCs commitments are set forth in an effort to comply with relevant federal laws, rules, regulations, orders, and guidelines pertaining to federal contractors. SSC does not intend to create any contractual obligations on its part toward any individual or groups of individuals or assume any obligations beyond that which is required under the relevant law. Deviation from affirmative action commitments shall not give rise to any private cause of action.

## 16. Plan Updates

SSC will review, at least annually, its EEO policy and affirmative action obligations. The Affirmative Action Plan will be reviewed and include the development of new procedures as required following review of updates to EEO-1.