



**Jack Cooper Investments, Inc.  
Diversity, Equity, and Inclusion Incident Policy**

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## **1.0 Purpose**

This Diversity, Equity, and Inclusion Incident Policy (the “Policy”) is intended to provide a framework for the response to, and management of, critical Incidents that pertain to conduct that is in violation of practices outlined in the Diversity, Equity, and Inclusion policy **and** foster a culture of inclusion within the Jack Cooper organization by treating Incidents with importance and intentional actions to achieve resolution.

## **2.0 Definition**

For the purpose of clarity and employee management, a “DEI Incident” is defined as an event which causes stress, fear or injury based on conduct that discriminates, stereotypes, excludes, harasses, or harms any employee based on his or her protected class membership, as defined by local, state, and federal law or Jack Cooper policies. Protected class membership includes, but is not limited to, race, color, ethnicity, national origin, sex, gender identity or expression, sexual orientation, disability, age, or religion.

Examples of DEI incidents may include, but are not limited to:

- Verbally abusive language and comments;
- Psychological aggression;
- Threatening or violent behaviors and acts; and
- Physical threats or altercations.

Additionally, for each Incident, an Incident Response Team (“IRT”) consisting of two or more members will be formed from members of the DEI, labor, legal, or HR teams as appropriate. It is important to note that this team will be fluid and flexible, as more information becomes available in each Incident.

## **3.0 Policy & Procedure**

### **3.1 Policy**

Jack Cooper Investments, Inc. and its wholly owned or controlled subsidiaries (collectively, the “Company” or “Jack Cooper”) has developed and implemented systems and processes for appropriate, effective, and timely responses to, and management of, DEI Incidents. Specifically, Jack Cooper has designated staff members that are responsible for the prevention and management of DEI Incidents, including the DEI Commission, Labor Relations, Human Resources Team (“HR”), and, in some cases, the Executive Committee.

The responsibilities of the IRT include:

- Risk assessment of the situation;



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- Analysis of requirements to address the Incident;
  - Establishment of liaison with all relevant and involved parties, including alignment with any labor union contacts or grievance procedures;
  - Communication and coordination with relevant employees needed in the event of an Incident;
  - Development of an Incident investigation and response plan for each Incident identified;
  - Assisting with implementation of Incident plans;
  - Dissemination of planned procedures (including a summary of the DEI Incident Policy, highlighting the Incident contacts); and
  - Regular review of critical Incident plans (including an annual to ensure currency).

The DEI Commission and HR Team will be responsible for DEI Incident procedures and designating an appropriate IRT and IRT leader. The designated IRT will guide DEI Incident response and management from first report of an Incident to completion of the response, including review and evaluation of responses to the Incident. Other than the Company's Chief Executive Officer and marketing communications, Jack Cooper employees shall not communicate with the media on behalf of Jack Cooper concerning a DEI Incident, including but not limited to sharing or posting any information concerning the DEI Incident to personal social media, **with the exception of those protected under NRLA rights**. Jack Cooper approved records management systems, such as Incident Reports, the Lighthouse tool, and databases managed by HR, will have effective processes for record-keeping and records management in relation to DEI Incidents.

### 3.2 Procedure

In the event of a DEI Incident, Jack Cooper encourages employees to consider personal safety first before engaging in any active response efforts. Once employee has confirmed his or her safety, employee should consider taking immediate and reasonable action by addressing the DEI Incident directly with support and involvement from a direct manager. Additionally, employees are encouraged to leverage the DEI team for resources on speaking out against DEI Incidents as well as education materials on DEI topics that align with the DEI Incident.

In the event a situation occurs where the employee prefers to report the DEI Incident, the following steps shall be taken to ensure proper investigation, management, and resolution.

1. **Make the DEI and HR teams aware** of the DEI Incident using the following three channels:
  - a. Lighthouse: 855-400-7008
  - b. Let Us Know line: 844-677-2178
  - c. Email: [dei@jackcooper.com](mailto:dei@jackcooper.com) or [hrcommunications@jackcooper.com](mailto:hrcommunications@jackcooper.com)
  - d. A direct supervisor or terminal manager

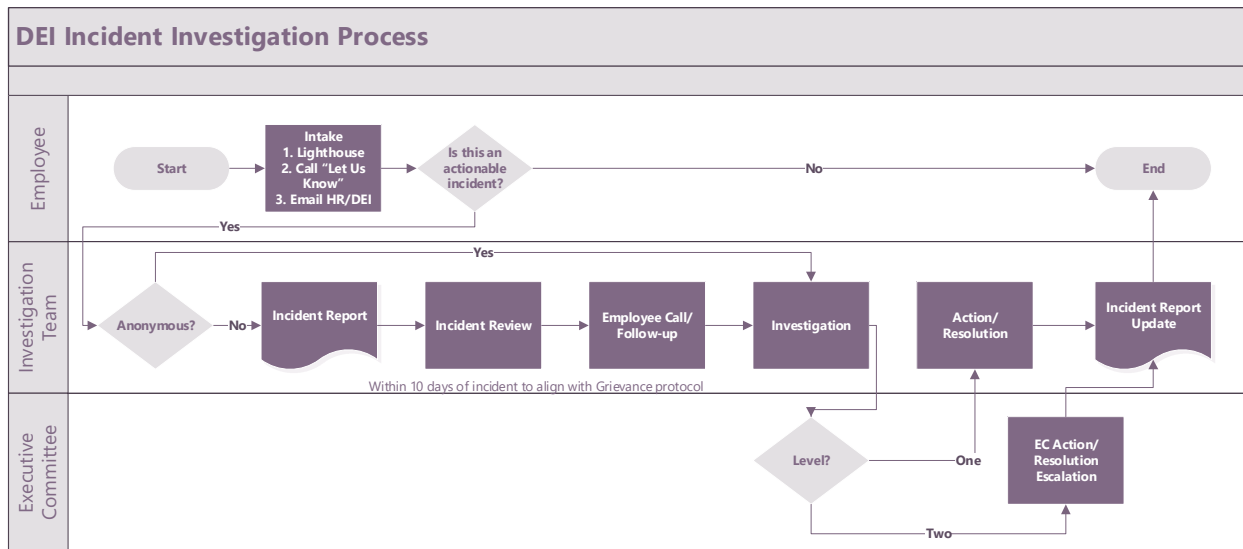


2. The DEI and HR teams will **determine if this is an actionable Incident**, based on how much information is collected from the initial complaint being submitted. If a response contact is requested, the DEI and HR teams will engage in beginning the DEI Incident report process. If not, they may conduct a “soft” investigation and inform management of the complaint at their site with a training recommendation. For purposes of determining if a DEI Incident is actionable only, the DEI and HR teams will presume the facts as alleged by the complainant as true. The veracity of the allegations will be assessed at a later point in the investigation.
3. **Incident report and review:** the preliminary information provided about the Incident from the above listed channels will be used to appoint an IRT. The IRT will create an initial report, including any possible labor or legal implications.
4. **Follow Up Call:** the IRT will make contact to obtain additional information about the Incident, identify and interview additional parties involved, and gather additional details to add to the report.
5. **Investigation:** The IRT will conduct research into the details of the Incident by contacting all involved parties (direct or indirect) to gather information, statements, relevant documents, content (emails, texts, videos, screenshots, etc.) to understand the occurrence and determine severity. Severity has been broken into Level One and Level Two categories:
  - a. **Level One:** Conduct in violation of the practices outlined in the diversity, equity, and inclusion and/or employee policy that exhibit characteristics of **IMPLICIT** bias towards individuals. These can be remarks or comments, unfair treatment, discriminatory and/or exclusive actions, or any other activities promoting an uncomfortable or unpleasant work environment towards any person belonging in a protected category listed in our handbook or outlined via state law.
  - b. **Level Two:** Conduct in violation of the practices outlined in the diversity, equity, and inclusion and/or employee policy that exhibit characteristics of **EXPLICIT** bias towards individuals. This would include, but is not limited to, blatant discriminatory and/or exclusive actions, aggressive or threatening behaviors, use of derogatory language, slurs, or any other activities promoting a negative or hostile work environment towards any person belonging in a protected category listed in our handbook or outlined via state law. *All Level Two DEI Incidents will result in escalation to a committee comprised of one Executive Committee member, depending on role and business area.*
6. **Action/Resolution:** The IRT will collectively meet to discuss and outline the action/resolution plan for the Incident. Outcomes and activities in the plan can include, but are not limited to:
  - a. Required DEI training for education and awareness building
  - b. Verbal/written warnings to discourage future violations of the policy
  - c. In severe cases, suspension and/or termination



7. **Incident Report Update:** The IRT will update the report with findings, action/resolution plans, and conduct a closing call with the Incident filer to offer support, resources, and trainings to all parties involved.

#### 4.0 Process Flow



Review of the policy and procedure will occur annually. In the event any parts of this process do not align with current best practices during an Incident investigation, a review and revisions should be conducted as deemed necessary.