

Harassment, Discrimination, and Retaliation Prevention Policy

Harassment creates a hostile, offensive and oppressive work environment and deprives individuals of the right to work in a place that is free of discrimination. [COMPANY] is committed to providing a work environment that is free from any form of harassment and/or discrimination based on race, religious creed, color, national origin or ancestry, physical or mental disability, medical condition, genetic information, marital or domestic partner status, sex, gender, gender identity or expression, age, sexual orientation, military or veteran status, pregnancy, childbirth or related medical conditions or any other characteristic or status made unlawful by federal, state or local laws. This policy also prohibits unlawful discrimination based on the perception that a person has any of those characteristics or a protected status or, is associated with a person who has or is perceived as having any of those characteristics or a protected status. All such discrimination is unlawful and will not be tolerated or permitted.

This policy prohibits managers, supervisors, coworkers, independent contractors, non-employees in the workplace, or any person with whom a worker comes in contact with while working, from engaging in harassment based on any protected category. This policy protects employees, independent contractors (including staffing agency employees), volunteers and interns from unlawful harassment. An intern or volunteer means any individual (often a student or trainee) who works without pay for an employer or other covered entity, in any unpaid internship or another limited duration program to provide unpaid work experience, or as a volunteer.

This policy further prohibits retaliation against any person for reporting or threatening to report any practice prohibited by this policy or for participating in an investigation of a violation of this policy. All Company's employees, including managers, employees, interns and volunteers, and independent contractors are expected to abide by this policy.

Prohibited harassment based on a protected status includes, but is not limited to, verbal conduct, such as threats, epithets, derogatory comments, or slurs; visual conduct such as derogatory pictures, cartoons, drawings, gestures, screen savers, e-mail, social media postings, or posters; and physical conduct such as assault, unwanted touching, or blocking or impeding movement.

Definition of Sexual Harassment

Sexual harassment is verbal, visual, or physical conduct based on a person's sex or gender that interferes with a person's work performance or creates an intimidating, hostile, or offensive work environment. It includes sexual harassment, gender harassment and/or harassment based on pregnancy, childbirth or related medical condition. A single incident of harassing conduct

may constitute harassment. Sexual harassment need not be motivated by sexual desire.

Sexual harassment includes, but is not limited to:

- Unwelcome sexual flirtations, advances or propositions
- Request for sexual favors
- Verbal abuse of a sexual nature
- Display of derogatory or sexually suggestive posters, cartoons, drawings, or objects
- Sexual comments about an individual's body
- Physical or verbal conduct of a sexual nature by supervisors, fellow employees or others in the workplace.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to the conduct is made either an explicit or implicit condition of employment,
- Submission to or rejection of the conduct is used as a basis for an employment decision affecting the harassed employee, or
- The harassment substantially interferes with an employee's work performance or creates an intimidating, hostile or offensive work environment.

Reporting Procedures

Any worker who feels they have been subject to harassment, discrimination or retaliation based on one or more of the protected classes should immediately report the matter to their manager or [POSITION TO WHOM COMPLAINTS MAY BE MADE]. If the worker desires, they may report the incident to another manager with whom they feel comfortable. Any manager or supervisor who receives a complaint or who becomes aware of any possible harassment, discrimination, or retaliation should immediately report it to the Human Resources Department.

Company will promptly undertake an effective, independent investigation. An impartial, qualified individual will conduct the investigation. The investigation will be fair and thorough and will provide all parties with an opportunity to be heard. Accordingly, during the investigation, the complainant will be asked to describe the harassment, discrimination and/or retaliation and to identify the names of all individuals involved and any witnesses. The investigator will maintain records of the investigation and will make reasonable conclusions based on all evidence collected. Company will investigate in as discreet and confidential a fashion as possible. Complete confidentiality cannot be guaranteed.

The Company will take appropriate corrective action where warranted and any action required will be taken promptly. Any worker engaging in harassment, discrimination, or retaliation based on one or more of the protected classes will be subject to discipline, up to and including termination of employment. The form of corrective action will be decided by the Company. The Company will document any actions taken and will advise the complainant of the nature of the action taken.

While the Company is confident that its internal complaint procedure will effectively address all complaints of violations of this policy, please be aware that the federal Equal Employment Opportunity Commission (“EEOC”) and the California Department of Fair Employment & Housing (“DFEH”) also investigate and prosecute complaints of unlawful harassment and discrimination in employment. If you believe that you have been unlawfully harassed or discriminated against, you may file a complaint with either of these agencies. The EEOC and the DFEH serve as neutral fact finders and attempt to help the parties voluntarily resolve disputes. You may contact the nearest office of the EEOC or the DFEH as listed in the telephone directory or online at www.eeoc.gov or www.dfeh.ca.gov.

The Company will protect its workers from retaliation for opposing or reporting any practice prohibited by this policy, including protecting workers from retaliation for filing a complaint, participating in an investigation, proceeding or hearing conducted internally or by the DFEH or EEOC.

Responsibility

Each manager and supervisor is responsible for implementing this policy. This policy further requires that each worker exhibit, in their conduct and communications, sound judgment and respect for the feelings and sensibilities of every other employee of or worker at Company.¹

I acknowledge that I have received and read the Harassment and Discrimination Prevention Policy.

EMPLOYEE NAME

DATE

¹ The policy must be translated into every language spoken by at least 10% of the workforce.