

## **Policy Against Unlawful Harassment, Discrimination, and Retaliation**

**[COMPANY NAME]** (“Company”) is committed to providing a work environment that is free of unlawful harassment, discrimination and retaliation. In furtherance of this commitment, the Company strictly prohibits all forms of unlawful discrimination and harassment, including: discrimination or harassment on the basis of race, ethnicity, religion, color, sex (including childbirth, breast feeding, and related medical conditions), gender, gender identity or expression, sexual orientation, national origin, ancestry, citizenship status, uniform service member and veteran status, marital status, pregnancy, age, protected medical condition, genetic information, disability, or any other category protected by applicable state or federal law.

The Company’s policy against unlawful harassment, discrimination, and retaliation applies to all employees, including supervisors and managers, as well as to all unpaid interns and volunteers. The Company prohibits managers, supervisors, and employees from harassing co-workers as well as the Company’s customers, vendors, suppliers, independent contractors, and others doing business with the Company. Any such harassment will subject an employee to disciplinary action, up to and including immediate termination. The Company likewise prohibits its customers, vendors, suppliers, independent contractors, and others doing business with the Company from harassing our employees.

Examples of Prohibited Sexual Harassment: Sexual harassment includes a broad spectrum of conduct including harassment based on sex, gender, gender transition, gender identity or expression, and sexual orientation. By way of illustration only, and not limitation, some examples of unlawful and unacceptable behavior include:

- Unwanted sexual advances;
- Offering an employment benefit (such as a raise, promotion, or career advancement) in exchange for sexual favors, or threatening an employment detriment (such as termination or demotion) for an employee’s failure to engage in sexual activity;
- Visual conduct, such as leering, making sexual gestures, and displaying or posting sexually suggestive objects or pictures, cartoons, or posters;
- Verbal sexual advances, propositions, requests, or comments;
- Sending or posting sexually-related messages, videos or messages via text, instant messaging, or social media;
- Verbal abuse of a sexual nature, graphic verbal comments about an individual’s body, sexually degrading words used to describe an individual, and suggestive or obscene letters, notes, or invitations;
- Physical conduct, such as touching, groping, assault, or blocking movement;

- Physical or verbal abuse concerning an individual's gender, gender transition, gender identity, or gender expression; and
- Verbal abuse concerning a person's characteristics such as pitch of voice, facial hair or the size or shape of a person's body, including remarks that a male is too feminine or a woman is too masculine.

Other Examples of What Constitutes Prohibited Harassment: In addition to the above listed conduct, the Company strictly prohibits harassment concerning any other protected characteristic. By way of illustration only, and not limitation, such prohibited harassment includes:

- Racial or ethnic slurs, epithets, and any other offensive remarks;
- Jokes, whether written, verbal, or electronic;
- Threats, intimidation, and other menacing behavior;
- Inappropriate verbal, graphic, or physical conduct;
- Sending or posting harassing messages, videos or messages via text, instant messaging, or social media; and
- Other harassing conduct based on one or more of the protected categories identified in this policy.

If you have any questions about what constitutes harassing behavior, ask your supervisor or another member of management.

Prohibition Against Retaliation: The Company is committed to prohibiting retaliation against those who themselves or whose family members report, oppose, or participate in an investigation of alleged unlawful harassment, discrimination, or other wrongdoing in the workplace. By way of example only, participating in such an investigation includes, but is not limited to:

- Filing a complaint with a federal or state enforcement or administrative agency;
- Participating in or cooperating with a federal or state enforcement agency conducting an investigation of the Company regarding alleged unlawful activity;
- Testifying as a party, witness, or accused regarding alleged unlawful activity;
- Making or filing an internal complaint with the Company regarding alleged unlawful activity;
- Providing notice to the Company regarding alleged unlawful activity;
- Assisting another employee who is engaged in any of these activities.

The Company is further committed to prohibiting retaliation against qualified employees who request a reasonable accommodation for any known physical or mental disability and employees who request a reasonable accommodation of their religious beliefs and observances. In addition, the Company will not penalize or retaliate against an employee who is a victim of domestic violence, sexual assault, or stalking for requesting leave time or changes in the workplace to ensure the employee's safety and well-being.

## **What You Should Do If You Feel You Are Being or Have Been Harassed, Discriminated Against, or Retaliated Against**

If you feel that you are being or have been harassed, discriminated against, or retaliated against in violation of this policy by another employee, supervisor, manager, customer, vendor, independent contractor or third party doing business with the Company, you should immediately contact **the Human Resources Manager [or Other Management Position] at [insert phone number]**. In addition, if you observe harassment by another employee, supervisor, manager, or non-employee, please report the incident immediately to the individual(s) listed above.

Supervisors who receive any complaint of harassment, discrimination, or retaliation must promptly report such complaint to **the Human Resources Manager [or Other Management Position] at [insert phone number]**.

Your notification of the problem is essential to us. We cannot help resolve a harassment problem unless we know about it. Therefore, it is your responsibility to bring your concerns and/or problems to our attention so we can take appropriate steps to address the situation. The Company takes all complaints of unlawful harassment seriously and will not penalize you or retaliate against you in any way for reporting a harassment problem in good faith.

All complaints of unlawful harassment which are reported to management will be investigated as promptly as possible by an impartial and qualified person and, upon conclusion of such investigation, appropriate corrective action will be taken where warranted. The Company prohibits employees from hindering internal investigations and the internal complaint procedure. All complaints of unlawful harassment reported to management will be treated as confidentially as possible, consistent with the Company's need to conduct an adequate investigation.

**Violation of this policy will subject an employee to disciplinary action, up to and including immediate termination.** Moreover, any supervisor or manager who condones or ignores potential violations of this policy will be subject to appropriate disciplinary action, up to and including termination. **Additionally, under California law, employees may be held personally liable for harassing conduct that violates the California Fair Employment and Housing Act.**

## Personal Appearance & Behavior Policy

In addition to our Policy Against Harassment, [COMPANY NAME] maintains a Personal Appearance and Behavior policy. This policy is directed toward conduct which may not otherwise fall within the legal definition of harassment, but nonetheless projects image problems for the Company.

We expect all employees to use good judgment with respect to their dress and appearance and to present a neat, well-groomed appearance, and a courteous disposition. We feel that these qualities go further than any other factor in making a favorable impression on customers and your co-workers.

Employees shall dress and present themselves in a businesslike manner that reflects a professional image. Flashy, ill-fitting, revealing, offensive, and other non-businesslike and distracting clothing are unacceptable. **Employees who are provided with Company uniforms shall keep them in a neat and clean condition and must wear them at all times when on duty.** Employees who report to work in unacceptable attire may be requested to leave work and return in acceptable attire. Such time away from work will be without pay.

Employees are also expected to behave and conduct themselves in a professional manner at all times in the workplace. Unprofessional behavior in the workplace, such as inappropriate comments, jokes, practical jokes, gestures, sexually related conversations or text messages, inappropriate touching of another employee (such as kissing, hugging, massaging, sitting on laps), and any other behavior of a sexual nature is prohibited. Employees who fail to observe these standards will be subject to disciplinary action, up to and including termination.

**Employee Acknowledgment of Receipt of Policy Against Unlawful Harassment, Discrimination and Retaliation and Personal Appearance and Behavior Policy**

This will acknowledge that I received a copy of the Policy Against Unlawful Harassment, Discrimination, and Retaliation and Personal Appearance and Behavior Policy and that I will comply with its requirements. I understand that under California law, I will be held personally liable for harassing conduct that violates the California Fair Employment and Housing Act.

\_\_\_\_\_  
Print Full Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

[RETAIN IN EMPLOYEE PERSONNEL FILE]

## **Manager Acknowledgment of Receipt of Policy Against Unlawful Harassment, Discrimination, and Retaliation and Personal Appearance and Behavior Policy**

As a management employee of **[COMPANY NAME]**, I acknowledge receipt of the attached copy of the Company's Policy Against Harassment, Discrimination, and Retaliation and Personal Appearance and Behavior Policy. I understand that I may be held personally liable and responsible for acts of harassment that I commit, condone, tolerate or fail to investigate. Therefore, if I know of or have reason to know of any act of harassment or the existence of a hostile, intimidating or offensive work environment in the workplace and I fail to report it to higher management and/or fail to take immediate and appropriate corrective action, both the Company and I can be placed in serious jeopardy.

I understand that because I am a member of management I may not date, engage in any sexual activity with, or make sexual advances, welcome or unwelcome, toward any subordinate employee. I also understand that I am strictly prohibited from offering an employment benefit (such as a raise or promotion or assistance with one's career) in exchange for sexual favors or threatening an employment detriment (such as termination, demotion, or disciplinary action) for an employee's failure to engage in sexual activity.

I agree that I will immediately report any act, allegation or rumor of harassment to **the Human Resources Manager or the General Manager**. I understand and agree that I will cooperate completely in the investigation of any claims of harassment, and that I am not to penalize any person for making a complaint of harassment.

Finally, I understand that if I violate any aspect of this policy, I will be subject to immediate termination and that I can additionally be sued and held personally liable for my acts or omissions.

\_\_\_\_\_  
Print Full Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

[RETAIN IN EMPLOYEE PERSONNEL FILE]