



**The policy of this company is to have a zero tolerance for any forms of harassment, discrimination, or violence in the work place. Should any employee be subjected to what they perceive as any form of harassment discrimination or violence in the workplace; that employee shall follow the same procedure for filing a complaint for sexual harassment.**

### **INTRODUCTION**

It is the goal of the Company to promote a workplace that is free of sexual harassment. This policy applies to all employees at all levels of this organization. Sexual harassment of employees occurring in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated by this organization. Further, any retaliation against an individual who has filed a sexual harassment complaint is similarly unlawful and will not be tolerated. To achieve this organization's goal of providing a workplace free from sexual harassment, this organization will not tolerate the conduct that is described in this policy, and has provided a procedure by which inappropriate conduct will be dealt with, if encountered by employees.

Because the Company takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate. Please note that while this policy sets forth our goals of promoting a workplace that is free of sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

### **DEFINITION OF SEXUAL HARASSMENT**

The legal definition of sexual harassment is this:

"sexual harassment" means any unwelcome sexual advances, requests for sexual favors, and/or verbal or physical conduct of a sexual nature when:

- (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or
- (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

### **EXAMPLES OF SEXUAL HARASSMENT**

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a work environment that is hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness.

- Direct or implied requests by a manager or supervisor, whether male or female, or sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits;
- Sexual advances – whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and
- Discussion of one's sexual activities.

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by this organization.



### **COMPLAINTS OF SEXUAL HARASSMENT**

If any of our employees believes that he or she has been subjected to sexual harassment, whether by a manager, a supervisor, a co-worker, or any other person in the work environment, that employee has the right to file a complaint with our organization. This may be done in writing or orally. If you would like to file a complaint you may do so by contacting your Company Branch Office.

### **SEXUAL HARASSMENT INVESTIGATION**

When we receive the complaint we will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. We will strive to release information arising out of a complaint or investigation only on a need-to-know basis. Employees should be aware, however, that information must be shared for an effective investigation to be conducted.

Our investigation will include (but it is not necessarily limited to) a private interview with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed sexual harassment. When we have completed our investigation, we will, to the extent appropriate inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate we will also impose disciplinary action.

### **DISCIPLINARY ACTION**

If it is determined that inappropriate conduct has been committed by one of our employees, we will take such action as is appropriate under the circumstances.

Such action may range from counseling to termination from employment, and may include such other forms of disciplinary action, as we deem appropriate under the circumstances.

### **STATE AND FEDERAL REMEDIES**

In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint with the state agency responsible for discrimination and/or your local EEOC office. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a specific time period to file a complaint so contact them immediately.

### **THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (“EEOC”)**

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***Policy acknowledgement and signature required under Employee Hourly Contract and Obligations (REF 051)***