

- **An investigation will be conducted.**

The company will thoroughly investigate, in a discreet manner, all reported incidents of sexual harassment and retaliation.

- **Appropriate action will be taken.**

Where evidence of sexual harassment or retaliation is found, prompt action will be taken to stop the harassment and ensure that it does not continue. Disciplinary action, up to and including termination, may result.

Additional Information

The Department of Fair Employment and Housing (DFEH) is the state agency that resolves complaints of unlawful discrimination, including sexual harassment. After a complaint is filed, the DFEH has one year to investigate the complaint.

Contact DFEH at (800) 884-1684 or (800) 700-2320 (toll-free TTY number for individuals with hearing impairments). Visit the DFEH Web site at www.dfeh.ca.gov.

The Equal Employment Opportunity Commission (EEOC) is the federal agency that resolves sexual harassment claims. Contact EEOC at (800) 669-4000 or (800) 669-6820 (toll-free for individuals with hearing impairments). Additional information about EEOC is available at www.eeoc.gov.

There are strict time limits for filing charges of employment discrimination and harassment. Employees who believe they have been sexually harassed may file a complaint of discrimination with DFEH within one year of the harassment. You should contact DFEH or EEOC promptly when harassment is suspected. If they find a complaint is justified, the DFEH is authorized to file harassment cases directly in civil court and a wronged party may be entitled to actual, compensatory and punitive damages, as well as other remedies. The EEOC also has the power to order, among other actions, that the wronged party be hired, given back pay, promoted, reinstated or granted damages for emotional distress. A company may also be ordered to prevent further unlawful activity and be required to change its policies or practices.

Sexual Harassment Complaint Procedure

This company has a policy against harassment due to sex, which includes sexual harassment, gender harassment (including gender identity and gender expression) and harassment due to pregnancy, childbirth, breastfeeding or related medical conditions. If you believe that you have been subjected to harassment, report your complaint immediately as follows:

File your complaint with your supervisor (or with another supervisor if the complaint is against your immediate supervisor), the personnel administrator or the president.

It would be best to communicate your complaint in writing, if possible, but this is not mandatory. Include any relevant details, names of the people involved and the names of any witnesses.

The company will investigate your complaint thoroughly.

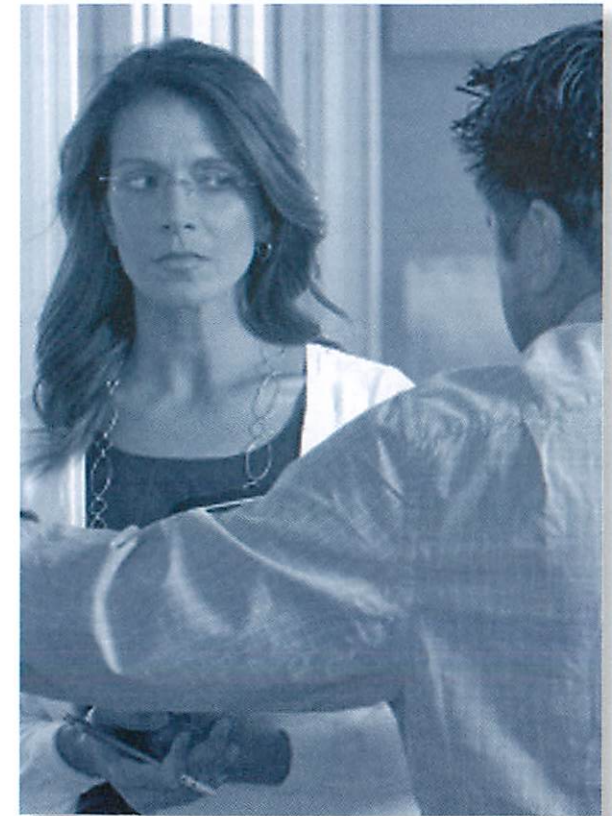
The company will act upon your complaint promptly. A representative of the company will tell you the outcome of the investigation.

If the company finds that harassment has occurred, effective action will be taken to stop the harassment and ensure that it will not continue in the future. Any employee determined by the company to be responsible for harassment will be subject to appropriate disciplinary action, up to, and including termination.

There will be no retaliation against you for filing a complaint.

If you have any questions, contact your personnel administrator.

Sexual Harassment Hurts Everyone



ISBN 1-57997-465-1



9 781579 974657



Sexual Harassment Hurts Everyone

Notice to all Staff

Sexual harassment is prohibited by this company and is against the law.

Every employee and independent contractor should be aware of:

- What sexual harassment is;
- What steps to take if harassment occurs; and
- Prohibition against retaliation for reporting sexual harassment.

Please read this information sheet. If you have any questions or concerns about it, contact your supervisor, personnel department representative or your investigative officer for further information.

What is Sexual Harassment?

Although many people think of sexual harassment as involving a male boss and a female employee, this is not always the case. Sexual harassment often involves co-workers, other employees of the company or other persons doing business with or for the company. It's also against the law for females to sexually harass males or for an employee to sexually harass a person of the same gender.

California Law

California law defines sexual harassment as harassment based on sex or of a sexual nature; gender harassment (including harassment based on gender identity or gender expression); and harassment due to pregnancy, childbirth, breastfeeding or related medical conditions.

1. Verbal harassment

Examples: *Sexual comments, derogatory comments or slurs, epithets, name-calling, belittling, sexually explicit or degrading words to describe an individual, sexually explicit jokes, comments about an employee's anatomy and/or dress, sexually oriented noises or remarks, questions about a person's sexual practices, use of patronizing terms or remarks, verbal abuse, graphic verbal commentaries about the body.*

2. Physical harassment

Examples: *Physical touching, assault, impeding or blocking movement, pinching, patting, grabbing, brushing against or poking another employee's body, hazing or initiation that involves a sexual component, requiring an employee to wear sexually suggestive clothing, any physical interference with normal work or movement, when directed at an individual.*

3. Visual harassment

Examples: *Displaying sexual pictures, derogatory posters, cartoons or drawings, displaying sexual media or electronic information, such as computer images, text messages, emails, web pages, or multimedia content, displaying sexual writings or objects, obscene letters or invitations, staring at an employee's anatomy, leering, sexually oriented gestures, mooning, unwanted love letters or notes.*

4. Sexual favors

Examples: *Unwanted sexual advances or acts which condition an employment benefit upon an exchange of sexual favors. Continued requests for dates, any threat of demotion, termination, etc. if requested sexual favors are not given, making or threatening reprisals after a negative response to sexual advances, propositioning an individual.*

It is impossible to define every action or all words that could be interpreted as sexual harassment. The examples listed above, along with the state definition of sexual harassment, are not meant to be a complete list of objectionable behavior nor do they always constitute sexual harassment.

Federal Law

Under federal law, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Verbal, physical and visual harassment, as discussed in the above list of examples, are also all prohibited under federal law.

Harassers Are Personally Liable

If you, as an employee, are found to have engaged in sexual harassment, or if you as a manager know about the harassing conduct of an employee or non-employee doing business with the company and condone or ratify it, you may be personally liable for monetary damages. This company will **not** pay damages assessed against you personally.

This company takes seriously its obligation to take all reasonable steps to prevent discrimination and harassment from occurring and recognizes its own responsibility and potential liability for harassment by its supervisors or agents.

If harassment does occur, this company will take effective action to stop any further harassment and to correct any effects of the harassment. This company will take appropriate disciplinary measures — termination is one possible action — against any employee who engages in sexual harassment.

Protection Against Retaliation

Company policy and state and federal law forbid retaliation against any employee who opposes sexual harassment, files a complaint, testifies, assists or participates in any manner in an investigation, proceeding or hearing conducted by the company, the Department of Fair Employment and Housing or the Equal Employment Opportunity Commission.

Prohibited retaliation includes but is not limited to:

- Demotion;
- Suspension;
- Failure to hire or consider for hire;
- Failure to give equal consideration in making employment decisions;
- Failure to make impartial employment recommendations; and
- Adversely affecting working conditions or otherwise denying any employment benefit to an individual.

How to Stop Sexual Harassment

- **When possible, talk to the harasser and ask him/her to stop.**

The harasser may not realize the advances or behavior are offensive. When it is appropriate and sensible, you may want to tell the harasser the behavior or advances are unwelcome and must stop. A simple discussion will sometimes end the situation.

- **You are strongly encouraged to report any sexual harassment. Contact your supervisor, personnel department representative or appropriate member of management.**

Sexual harassment or retaliation should be reported in writing or verbally. You may report such activities even though you were not the subject of the harassment. Employees should never pressure other employees not to complain of harassment.