

SAMPLE DISCRIMINATION, HARASSMENT AND RETALIATION PREVENTION POLICY

Policy Against Discrimination

The Company strictly prohibits discrimination by coworkers, third parties, supervisors, or managers against employees, applicants, or any other covered person based upon race, color, creed, ethnicity, sex, gender (including gender nonconformity and status as a transgender or transsexual individual), religion, marital status, age, national origin or ancestry, physical or mental disability, citizenship, past, current or prospective service in the uniformed services, genetic information, medical condition including cancer and genetic characteristics, sexual orientation, gender identification, or any other protected classes, characteristic, or consideration made unlawful under applicable federal, state, or local laws. The Company also prohibits unlawful discrimination based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics. All Company employees, other workers, and representatives are prohibited from engaging in unlawful discrimination. This policy applies to all terms and conditions of employment, including, but not limited to, recruiting, hiring, training, promotion, discipline, compensation, benefits, and termination of employment.

Policy Against Harassment

The Company strictly prohibits harassment by coworkers, third parties, supervisors, or managers against employees based upon race, color, creed, ethnicity, sex, gender (including gender nonconformity and status as a transgender or transsexual individual), religion, marital status, age, national origin or ancestry, physical or mental disability, citizenship, past, current or prospective service in the uniformed services, genetic information, medical condition including cancer and genetic characteristics, sexual orientation, gender identification, or any other protected classes, characteristic, or consideration made unlawful under applicable federal, state, or local laws.

The Company's prohibition against harassment includes a prohibition against sexual harassment. Sexual harassment is a violation of state and federal law. Sexual harassment is considered to exist when there are unwelcome sexual advances, requests for sexual favors, or any other verbal or physical conduct of a sexual nature or based on gender when:

1. Submission to the conduct is made either implicitly or explicitly a condition of the individual's employment;
2. Submission to or rejection of the conduct is used as a basis for an employment decision affecting the harassed employee; or
3. The harassment has the purpose or effect of unreasonably interfering with the employee's work performance or creating an environment which is intimidating, hostile or offensive to the employee.

Examples of conduct which, if sufficiently egregious, may constitute unlawful sexual harassment include:

1. Unwanted sexual advances
2. Offering employment benefits in exchange for sexual favors
3. Making or threatening reprisals after a negative response to sexual advances

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4. Visual conduct, such as leering, making sexual gestures, displaying of sexually suggestive objects or pictures, cartoons or posters
5. Verbal sexual advances or propositions
6. Verbal or written communications of a sexual nature, such as graphic sexual comments about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes, invitations, or e-mails
7. Physical conduct, such as touching, assault, impeding or blocking movements

Complaint Procedure

If you believe you have been subjected to any form of unlawful discrimination, harassment or retaliation for conduct protected by this policy, you must speak to, write, or otherwise contact your direct supervisor or **[insert at least one alternative to the direct supervisor]**. You can also file a complaint with the California Department of Fair Employment and Housing or the federal Equal Employment Opportunity Commission, which can investigate and order relief. These government agencies can be contacted by phone or through their offices and websites.

Any manager or supervisor who observes any form of unlawful discrimination, harassment or retaliation for conduct protected by this policy, must report the conduct to Human Resources so that an investigation can be made and remedial action taken, if appropriate.

When the Company receives allegations of unlawful discrimination, harassment or retaliation for conduct protected by this policy, the Company will conduct a fair, timely and thorough investigation that provides all parties with appropriate due process and reaches reasonable conclusions based on the evidence collected. Confidentiality will be kept by the Company to the extent possible. If the Company determines that prohibited discrimination or harassment has occurred, effective remedial measures shall be taken. Appropriate action also will be taken to deter any future discrimination or harassment.

The Company's complaint process is designed to ensure that complaints receive an employer's designation of confidentiality to the extent possible, a timely response, impartial and timely investigations by qualified personnel, documentation and tracking for reasonable progress, appropriate options for remedial actions and resolutions, and timely closures.

The Company strictly prohibits any form of retaliation for good faith reports or complaints of discrimination or harassment, pursuing any discrimination or harassment claim, or cooperating in related investigations.

Violations of this Policy

Any employee, regardless of position or title, whom the Company determines has subjected an individual to discrimination, harassment or retaliation in violation of this policy will be subject to discipline, up to and including termination of employment.

ACKNOWLEDGMENT

By signing below, I acknowledge that I have received, read and understand the Company's Discrimination, Harassment and Retaliation Prevention Policy dated _____.

Printed Name of Employee

Signature of Employee

Date

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