



## **Policy Against Harassment**

### Harassment

The Company is committed to maintaining a work environment that is free from any type of harassment. In keeping with this commitment, this policy strictly prohibits acts of harassment by, or against, employees on the basis of any protected class. This policy applies to all people involved in the operations of the Company, and prohibits such harassment by any employee, including supervisors and co-workers. In addition, we will take all reasonable steps to protect employees from harassment by non-employees. Violation of this policy against harassment will result in discipline up to and including immediate termination.

Harassment is any unwelcome or unwanted speech, action or conduct that is offensive or abusive. Harassment of any kind that is based upon an individual's race, color, religion (including religious dress and grooming practices), sex (including pregnancy, childbirth, breastfeeding or related medical conditions), sex stereotype, gender identity, gender expression, transgender (including whether or not you are transitioning or have transitioned), sexual orientation age (40 and above), physical or mental disability, national origin (including language use restrictions and possession of a driver's license issued to persons unable to prove their presence in the United States is authorized under federal law – Vehicle Code Section 120801.9), marital status/registered domestic partner status, ancestry, medical condition including genetic information/characteristics, military or veteran status, or any other characteristics protected by federal, state and local law or ordinance or regulation prohibiting discrimination, harassment and retaliation is specifically prohibited.

The harassment prohibited by this policy includes any harassment against an individual because that individual is perceived to be a member of a protected class or perceived to have any of the characteristics mentioned above or be associated with a person who has or is perceived to have any such characteristic.

Harassment it is generally defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of a protected class, and that:

- Creates an intimidating, hostile or offensive working environment;
- Unreasonably interferes with an individual's work performance; or
- Otherwise adversely affects an individual's employment opportunities.

In addition, the Company shall not tolerate any type of abusive conduct (also known as "bullying") whether it is based on a protected category or not. Abusive conduct is defined as conduct, with malice, that a reasonable person would find hostile, offensive, and unrelated the employer's legitimate business interest. Abusive conduct may include: repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets; verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating; or the gratuitous sabotage or undermining of a person's work performance.

Conduct of employees of the Company while performing their duties outside the workplace shall also be governed by this policy.

If we determine that prohibited harassment has occurred, we will take appropriate action, up to and including termination, and act to deter any future harassment or retaliation. It is your responsibility to



promptly report any incidents of harassment so that complaints and problems can be quickly and fairly resolved.

### Sexual Harassment

Sexual harassment is a specific kind of harassment. We firmly prohibit sexual harassment of any employee by another employee, supervisor or third party. Sexual harassment of third parties by our employees is also prohibited. The purpose of this policy is to ensure that in the workplace, no employee is subject to sexual harassment.

Sexual harassment is, it is generally defined as: unwelcome sexual advances, requests for sexual favors, and/or verbal or physical conduct of a sexual nature when:

- 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 such as favorable reviews, salary increases, promotions, increased benefits or continued employment regardless of whether the harasser actually carries through with the threats to alter the subordinate's terms or conditions of employment; or
- 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.

Other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating, or humiliating to workers may also constitute sexual harassment.

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

Verbal conduct such as name calling, epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations, comments, excessive flattery, posts or messages, questioning of a personal nature such as sexual remarks about a person's physical appearance or dress, unwelcome discussion of one's sexual experiences, desires, etc., repeated requests for dates, sexually oriented "kidding," "teasing" or "practical jokes", jokes about gender specific traits, offensive or obscene language or gestures, whistling or hooting;

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- Visual displays such as derogatory and/or sexually-oriented posters, photography, cartoons, graffiti, drawings or gestures;



- Physical conduct including assault, unwanted touching (e.g., brushing, patting, touching, hugging, pinching, or shoulder rubs), intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis;
- Threats and demands to submit to sexual requests or sexual advances as a condition of continued employment, or to avoid some other loss and offers of employment benefits in return for sexual favors;
- Retaliation for reporting or threatening to report harassment; and
- Communication via electronic media of any type that includes any conduct that is prohibited by local, state and/or federal law or by company policy.

Sexual harassment does not need to be motivated by sexual desire to be unlawful or to violate this policy. For example, hostile acts toward an employee because of their gender can amount to sexual harassment, regardless of whether the treatment is motivated by sexual desire.

Prohibited harassment is sexual harassment and harassment based on any protected category.

#### Complaint Procedures

All employees are responsible for helping to assure a workplace free from prohibited abusive conduct, discrimination or harassment. Employees who feel that they have been subjected to any form of harassment, discrimination, retaliation or any other prohibited conduct, the employee should immediately report the situation by providing the facts and other details of the incident(s), names of the individuals involved, and any witnesses to their supervisor or any member of management, including the Company President. These are the individuals who are authorized by this policy to receive and act upon reports or complaints of harassment or discrimination on behalf the Company. This policy does not require reporting harassment to any supervisor or manager who may be creating the harassment.

Delay or failure to report hurts both the Company and the alleged victim. If no report of harassment is made, the Company will be unable to undertake a prompt investigation and take appropriate remedial action when harassment has occurred. Any supervisor or manager who becomes aware of alleged incidents of harassment or discrimination must immediately report such incidents or refer any complaints to the Company President or the appropriate Human Resources staff member.

All of us must recognize that harassment, discrimination, and retaliation not only violate the rules of common courtesy and are a violation of the company's policy, but also are illegal under federal, state and local employment discrimination laws. It is our policy to investigate all reports or complaints of harassment or discrimination thoroughly, promptly, and discreetly. To the extent possible, the confidentiality of an employee or any other person who has reported a problem and that of any witnesses and the alleged offending party will be protected against unnecessary disclosure consistent with the need to conduct an adequate investigation. The outcome of the investigation and a timely resolution of each complaint will be reached and communicated to the employee and the other parties involved. If an investigation confirms that harassment or discrimination has occurred, the Company will take appropriate corrective and remedial action, in accordance with the circumstances involved. The Company also will take appropriate action to deter future misconduct.



Any employee determined by the Company to be responsible for harassment, discrimination, retaliation or other prohibited conduct will be subject to appropriate disciplinary action, up to and including termination. Employees should also know that if they engage in unlawful harassment, they can be held personally liable for the misconduct.

#### Prohibition Against Retaliation

The Company strictly prohibits retaliating against any employee who reports or threatens to report harassment or discrimination or who cooperates with an investigation of a complaint, or supported such a complaint. Retaliation can consist of threats, reprimands, negative performance evaluations, hazing, bullying tactics, and any other types of adverse treatment by a manager or co-worker. Any employee who engages in retaliation will be disciplined, up to and including immediate termination.

Any employee, who believes they have been retaliated against in any way for making a complaint of harassment or discrimination or participating or assisting in an investigation of a harassment complaint, should immediately notify their supervisor, manager, or Human Resources.

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#### **Acknowledgement - Policy Against Harassment**

My signature indicates that I have received a training session on the subject of Harassment Prevention for hourly employees. Additionally, we reviewed the Policy Against Harassment for **AMT**. I have had the opportunity to ask questions to ensure my complete understanding of it, and hereby agree to comply with it.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date