



## **Policy Prohibiting Unlawful Discrimination and Harassment**

All persons, including employees, vendors, contractors, clients, customers and other third-parties are prohibited from engaging in unlawful behavior under the Fair Employment and Housing Act (“FEHA”) or Title VII. Unlawful behavior includes discrimination, harassment or retaliation of our employees, independent contractors, volunteers or interns. We want to maintain a working environment free from all forms of discrimination and harassment, whether based upon race, religious creed, color, national origin, ancestry, physical or mental disability, medical condition, genetic information or characteristics, marital status, age, sex, gender, gender identity, gender expression, or sexual orientation, age, or military and veteran status, or any other legally protected characteristic or status. Employees are also protected if they are perceived to have any of these characteristics or are associated with a person who has, or is perceived to have any of these characteristics.

Unlawful discrimination may consist of a decision, policy or practice that treats employees differently based on a protected characteristic or status. Harassment involves conduct or behavior that is so severe or pervasive that it alters a person’s employment and affects a term, condition or privilege of employment. This is called a “hostile working environment.” Harassment may also occur when a managerial employee asks a subordinate for sexual favors in return for a job benefit. This is called “quid pro quo” harassment. Sexually harassing conduct need not be motivated by sexual desire. Examples of prohibited conduct are described below.

Behavior such as telling ethnic jokes, making religious slurs, using offensive “slang” or other derogatory terms denoting a person’s race, age, national origin, disability or mimicking one’s speech, accent or disability, are examples of prohibited conduct and will not be tolerated in our organization.

Discrimination or harassment may take many forms. The following are a few examples of prohibited discrimination or harassment:

- A manager making a promotion or other employment decision based on the worker’s gender, race, personal relationship or other protected class;
- Making racial, ethnic or religious epithets, slurs or jokes;
- Directing remarks, jokes or other intimidating behavior towards persons of a specific race, gender or other protected classification;
- Making comments, jokes or innuendo of a sexual nature, including comments about a person’s body;
- Exhibiting nude, profane, or obscene cartoons, drawings or photographs;
- Whistling, staring, leering or making other sexual gestures;
- Inappropriate touching, hugging or kissing, assault, or impeding or blocking movements;
- Making unwelcome sexual advances or requests for sexual favors;
- Making submission to sexual requests a term or condition of employment, job benefit or job opportunity;
- Rejecting a person for employment, or for a job benefit or opportunity because the person has refused to participate in sexual conduct;



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- Any other conduct that a person could conclude is intimidating, hostile or offensive behavior and based on a protected classification.

Every employee has the responsibility to maintain the workplace free of any form of unlawful discrimination or harassment. If you are the victim of unlawful discrimination or harassment, or if you witness an event that you feel may constitute unlawful discrimination or harassment, you must immediately report the incident(s) to an appropriate authority. You cannot remain silent. You have an obligation to report the incident(s) and cooperate in any investigation.

Managers and supervisors are accountable for taking reasonable steps to prevent unlawful discrimination or harassment and stop the behavior from reoccurring in the event it does happen. This includes ensuring reporting of incidents, monitoring employees and third persons (such as vendors or clients) who may have engaged in inappropriate behavior, carefully listening to employee grievances regarding alleged misconduct and protecting employees against retaliation. Supervisors must report any complaints of misconduct to Rebecca Abell so that HireUp Staffing Services can try to resolve the claim as quickly as possible.

This policy covers conduct in the workplace, at social functions sponsored by HireUp Staffing Services (such as holiday dinners, picnics, sporting events, etc.), and business functions (such as conventions, trade shows, etc.).

Any messages or communications sent or received using our electronic communications systems are subject to our anti-harassment and anti-discrimination policies. The use of information systems (including telephone, cellphone, email and internet) for the display or transmission of sexually explicit images, message, off-color jokes, racial slurs, or anything that may be construed as unlawful harassment or showing disrespect for others, is prohibited.

The company provides and supports a dispute resolution procedure for receiving and resolving complaints alleging discriminatory practices in employee relations. As an employee of HireUp Staffing Services you have the responsibility to immediately report any possible misconduct from a supervisor, co-worker, vendor, client, customer, contractor or other individual. You should report the incident to your manager/supervisor, or any other manager, or to the next level of management, if the complaint involves your direct supervisor or manager. You may always express your concerns to Sierra HR Partners (559.431.8090), a company that assists with our human resource needs.

We encourage employees to use the appropriate procedure for notifying HireUp Staffing Services of a concern or complaint. Notifying the appropriate representative allows us to investigate and resolve a complaint. An employee who does not use appropriate procedures, but instead gossips to co-workers may make the situation worse. In addition, the person gossiping may be subject to a lawsuit by the person who is the subject of the gossip. Company representatives will also exercise discretion and maintain confidentiality to the extent possible, disclosing information to those persons only who have a legitimate need to know the information.



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HireUp Staffing Services will not retaliate against you for filing a complaint, forbidding any practice prohibited by this policy, testifying, assisting or cooperating in any proceeding authorized by state or federal civil rights laws. Nor will we retaliate or discriminate against a person for requesting a religious accommodation.

HireUp Staffing Services will take prompt remedial action in the event of a complaint. All complaints of unlawful discrimination or harassment will be followed by a fair, complete and timely investigation by qualified personnel. We will provide all parties with appropriate due process and reach reasonable conclusions based on the evidence collected. Investigations will be documented to show reasonable progress, and will be closed in a timely manner.

Prompt remedial action may include investigations, disciplinary actions or appropriate restoration of job benefits. Discretion will be used during the investigation in order to maintain as much confidentiality as possible while still being able to effectively complete the investigation. To the extent possible, the complainant and the accused will be advised of the findings and the conclusion. To provide confidentiality and to protect all persons, including witnesses, the company may not disclose all information in its possession.

Remedial action will be taken if misconduct is found. Action taken will be designed to ensure that the victim is restored to his/her position and that the misconduct will not be repeated. Action taken for misconduct could include job discipline, termination of employment, termination of a contract or other measure depending on the circumstances of the situation and the person's relationship with the organization.

If you believe you have been the victim of unlawful discrimination or harassment or suffered retaliation you may also contact the California Department of Fair Employment and Housing or the federal Equal Employment Opportunity Commission. These agencies may investigate or assist you in resolving any dispute. The DFEH and EEOC, if they prosecute the case, can obtain various remedies for a person including imposing fines or damages for emotional distress against the employer or persons who violated the law; order the employer to hire or reinstate you; order back pay or a promotion; order the employer to change or modify its workplace practices.

While it is not required that you exhaust the resolution process before contacting a governmental agency, we hope that you will take advantage of the company's process for resolving workplace concerns and complaints. We believe that prompt reporting of concerns will allow us to work in an environment that allows everyone to perform his/her job in a positive manner.

\_\_\_\_\_  
Employee Print Name

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date Signed