

SAMPLE DISCRIMINATION AND HARASSMENT POLICY

[COMPANY NAME] (hereinafter referred to as “Company”) is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, Company expects that all relationships among persons in the office be businesslike and free of bias, prejudice and harassment.

Discrimination and Harassment

It is the policy of Company to ensure equal employment opportunity without discrimination or harassment on the basis of any protected activity or any characteristic protected by law, including sex (with or without sexual conduct), race, color, religion, national origin, age and disability. Company prohibits any such discrimination or harassment by anyone in the workplace—supervisors, co-workers or non-employees.

Retaliation

Company encourages the reporting of all incidents of discrimination or harassment. It is the policy of Company to investigate such reports. Company prohibits retaliation against any individual who reports discrimination or harassment or who provides information related to such complaints.

Individuals and Conduct Covered

These prohibitions apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to Company (e.g., an outside vendor, consultant, or customer). Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings, and business-related social events.

Definitions of Harassment

Sexual harassment is a form of discrimination that is strictly prohibited. For the purposes of this policy, sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- 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.

Harassment of an individual because of his or her gender is unlawful, regardless of whether the harassment is sexual in nature. Sexual harassment can be committed by men and women and may involve individuals of the same or different gender, gender identity or sexual orientation. Depending upon the circumstances, sexual harassment may include, but are not limited to:

- unwanted sexual advances or requests for sexual favors;
- sexual jokes and innuendo;
- verbal abuse of a sexual nature;
- commentary about an individual's body, sexual prowess, or sexual deficiencies;
- leering, whistling, or touching;

- insulting or obscene comments or gestures;
- displaying in the workplace sexually suggestive objects or pictures; and
- other physical, verbal, or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Harassment includes verbal or physical conduct that denigrates or shows hostility or aversion toward an individual on the basis of any protected activity or characteristic protected by law, and that:

- has the purpose or effect of creating an intimidating, hostile, or offensive work environment;
- has the purpose or effect of unreasonably interfering with an individual's work performance; or
- otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace.

Complaint Procedure

Company encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Individuals who believe they have been the victim of or witness to conduct prohibited by this policy have an affirmative obligation to discuss their concerns, either verbally or in writing, with:

- their immediate supervisor, or
- any other supervisor or Human Resources representative with whom the individual feels comfortable submitting a complaint. Employees are not expected to report harassment to the person they believe is harassing them.

Company encourages individuals who believe they are being subjected to such conduct to advise the offender immediately that his or her behavior is unwelcome and to request that it be discontinued. While no fixed reporting period has been established by Company, early reporting and intervention have proven to be the most effective methods of resolving actual or perceived incidents of harassment.

Supervisor Responsibility

Supervisors are responsible for ensuring that all employees and new hires receive a copy of Company's Discrimination and Harassment Policy and sign the acknowledgement that they have received and read the policy. Supervisors are also responsible for immediately reporting any complaints, observations, or concerns of unlawful harassment to **[SPECIFY]**.

Confidentiality

The confidentiality of any and all allegations of discrimination or harassment will be protected to the fullest extent possible. Company cannot guarantee complete confidentiality since it cannot conduct an effective investigation without revealing certain information to the alleged harasser and potential witnesses. However, Company will make an effort to share such information with only those individuals who need to know. Anyone involved in a complaint will be instructed not to discuss the subject outside the investigation. Employees who violate confidentiality are subject to

immediate discipline.

Investigation of Complaints

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly, thoroughly, and impartially. The investigation may include individual interviews with the parties involved and, when necessary, with individuals who may have observed the alleged conduct or who may have other relevant knowledge.

Appropriate Corrective Action

Violations of Company's Discrimination and Harassment Policy will be dealt with appropriately. Responsive disciplinary action may include, but is not limited to: oral or written warning or reprimand; transfer or reassignment; demotion; suspension; discharge; training or counseling of harasser; and monitoring of harasser to ensure the harassment stops. The type of action taken will be based on what Company considers appropriate under the circumstances.

If, after an investigation is conducted, it is determined that harassment occurred, and it is determined that an employee failed to fulfill his/her obligation to report such conduct, such a failure may be grounds for discipline.

Retaliation is a serious violation of this policy and, like harassment or discrimination itself, will be subject to appropriate disciplinary action.

False and malicious complaints of harassment, discrimination, or retaliation (as opposed to complaints which, even if erroneous, are made in good faith), will be the subject of appropriate disciplinary action.

Conclusion

Any employee who has any questions or concerns about these policies should talk with one of the designated Human Resources representatives.

Employee Acknowledgement

I HEREBY acknowledge that I received, read and understand Company's Discrimination and Harassment Policy ("Policy"). I understand that Company may modify this Policy at any time and that I will continue to be subject to the conditions of any modified Policy. I further understand that this Employee Acknowledgement will become a part of my employee file and that any failure to comply with the requirements of the Policy, including my refusal to sign this Employee Acknowledgement, may be grounds for dismissal.

Print Name: _____

Signature: _____

Date: _____

