

**** SAMPLE ****

DISCRIMINATION, HARASSMENT AND RETALIATION POLICY

_____ (“Company”) is committed to maintaining a professional and respectful work environment free from unlawful discrimination, harassment and retaliation. The purpose of this Discrimination, Harassment and Retaliation Policy (“Policy”) is to promote equal employment opportunities, encourage professional and respectful conduct and prevent unlawful workplace discrimination, harassment and retaliation. Company needs, expects and requires all employees to share in this responsibility and do their part to achieve this goal.

Scope of Policy

This Policy applies to all applicants and employees. It also applies to non-employees (contractors, vendors, volunteers, customers, etc.) who are in the workplace or are otherwise interacting with Company personnel for work-related purposes. This Policy extends to work-related conduct and activities away from the workplace (business trips, work-related social functions, etc.).

Discrimination Prohibited

Company prohibits discrimination on the basis of any protected activity or any characteristic protected by applicable law (“Protected Characteristic”), including, but not limited to: race, color, religion, sex (including pregnancy, childbirth, breastfeeding or related medical conditions), sexual orientation, gender identity (transgender status), national origin, genetic information, disability¹ and any other characteristic or status protected by applicable law. Company prohibits any such discrimination by anyone in the workplace—supervisors, co-workers and non-employees. As used in this Policy, discrimination means the unequal treatment of an individual, including employees and applicants, in any aspect of employment, including discrimination based solely or in part on the basis of an individual’s Protected Characteristic.

Harassment Prohibited

Company prohibits sexual harassment and harassment on the basis of any other Protected Characteristic by anyone in the workplace—supervisors, co-workers and non-employees.

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 prohibited, regardless of whether the harassment is sexual in nature. Sexual harassment can be committed by men and women regardless of gender or sexual orientation. Depending upon the circumstances, sexual harassment may include, but is not limited to:

- unwanted sexual advances or requests for sexual favors;
- sexual jokes and innuendo;

¹ Include additional protected characteristics or status required by applicable federal, state or local law, if necessary.

- 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 non-verbal conduct of a sexual nature.

Harassment on the basis of any other Protected Characteristic includes verbal or physical conduct that denigrates or shows hostility or aversion toward an individual on the basis of any protected activity or Protected Characteristic, 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; written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is displayed or circulated in the workplace.

Retaliation Prohibited

Company prohibits retaliation against a person who engages in activities protected under this Policy. Reporting, or assisting in reporting, suspected violations of this Policy and cooperating in investigations or proceedings arising out of a violation of this Policy are protected activities under this Policy.

Reporting 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 complaints to the person they believe is discriminating or harassing them.

Managers and supervisors are also responsible for immediately reporting any complaints, observations or concerns regarding this Policy to _____.

Reports 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 additional relevant information. False, malicious or bad faith complaints of harassment, discrimination or retaliation shall be considered a violation of this Policy.

Confidentiality

The confidentiality of any and all allegations of discrimination or harassment will be protected to the extent reasonably possible. Company cannot guarantee complete confidentiality; however,

Company will make a reasonable 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 may be subject to immediate discipline.

Disciplinary Action

Anyone who violates this Policy, or any amendments thereto, may be subject to corrective or disciplinary action, up to and including termination, at Company’s discretion.

Employee Acknowledgement

I HEREBY acknowledge that I received, read and understand Company's Discrimination, Harassment and Retaliation 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 disciplinary action, up to and including termination.

Print Name: _____

Signature: _____

Date: _____