

Policy Title: **NON-DISCRIMINATION AND ANTI-HARASSMENT**

SOP # HR-213

COA Standard

Revision Date: 05/01/2016



POLICY:

It is the policy of HomeSafe to ensure equal employment opportunity without discrimination or harassment on the basis of age, gender, sexual orientation, gender identity or expression, color, race, creed, national origin, ancestry, genetic predisposition or carrier status, religious persuasion, marital status, political belief, physical or mental disability, pregnancy, military or veteran status, or any other characteristic protected by law. HomeSafe will not tolerate any such discrimination or harassment.

Every individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. HomeSafe expects that all relationships among persons in the workplace will be business-like and free of bias, prejudice and harassment. This policy applies to all employees and applicants, and prohibits harassment, discrimination and retaliation whether engaged in by fellow employees, by a supervisor or director, or by someone not directly connected to HomeSafe (i.e. vendor, consultant, customer, etc.).

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.

HomeSafe prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action.

PURPOSE:

To establish procedures and communication that emphasize HomeSafe's commitment to providing a work environment that is free of discrimination and unlawful harassment, and in which all individuals are treated with respect and dignity.

DEFINITIONS:

1. **Sexual harassment** constitutes discrimination and is illegal under federal, state and local laws. For purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (iii) 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. Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors 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, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail); and other physical, verbal or visual conduct of a sexual nature.

2. **Harassment based on any other protected characteristic** is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her age, gender, sexual orientation, color, race, creed, national origin, ancestry, genetic predisposition or carrier status, religious persuasion, marital status, political belief, physical or mental disability, pregnancy, military or veteran status, or any other characteristic protected by law and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) 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 display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail) that is severe and pervasive enough to create a hostile working environment.

PROCEDURE

1. **Training:** All employees will be made aware of this policy as part of the general orientation process. Employees will acknowledge review of this policy by signing the HR orientation checklist. Signed checklist will be filed in the employee personnel file.
2. **Complaint Procedure:** HomeSafe strongly urges the reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe they have experienced conduct that they believe is contrary to HomeSafe policy, or who have concerns about such matters should file a complaint with their immediate supervisor, the Director of HR, or any member of the HR Department, if appropriate. An "Employee Discrimination Complaint Form" is available in the HR Department for filing complaints of perceived discrimination.

Individuals should not feel obligated to file their complaints with their immediate supervisor first before bringing the matter to the attention of one of the other HomeSafe designated representatives. Individuals are encouraged to bypass any person in the reporting process who is perceived to be the alleged harasser. The following HR staff is the designated representative:

HR Director – (561)-383-9825

Early reporting and intervention have proven to be the most effective in resolving actual or perceived incidents of harassment. While no fixed reporting period has been established, HomeSafe strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that it be discontinued.

Under no circumstances will an individual's employment be jeopardized because of a report of what he or she perceives to be an incident of harassment. In cases of complaints, the HR Department will be notified immediately. Any supervisor/director who has knowledge of a complaint and fails to notify HR is subject to disciplinary action up to and including termination.

3. **Investigation:** The HR Director will investigate and/or direct the investigation of reports of alleged harassment. Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties

Administration and Operations - HR

HR-213 Non-Discrimination and Anti-Harassment

involved, and where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action. Upon completion of the investigation, the results of the investigation will be communicated to the complaining party.

4. **Responsive Action:** Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include, for example, training; referral to counseling; and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reassignment, suspension without pay, or termination, as deemed appropriate by HomeSafe under the circumstances and results of investigation. If an employee making a complaint does not agree with its resolution, the employee may appeal to the CEO. Allegations of harassment and resulting investigative reports will be reviewed by the HR Board of Directors Committee.