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## Policy Against Discrimination and Workplace Harassment

XXX believes in respecting the dignity of each employee and expects every employee to show respect for all co-workers, customers, and vendors. Respectful, professional conduct furthers XXX's mission, promotes productivity, minimizes disputes, and enhances our reputation. Accordingly, this policy prohibits discrimination or harassment that is based on an individual's race, color, national origin, ancestry, sex, gender identity, transgender status, sexual orientation, age, religion, creed, physical or mental disability, medical condition, genetic information, pregnancy, childbirth or related medical condition, marital status, veteran status, or any other characteristic protected by federal, state or local laws. XXX is committed to providing a work environment that is free of unlawful discrimination, including harassment that is based on any legally protected characteristic.

### Coverage

These policies prohibit employees, supervisors, managers, officers, directors, vendors, independent contractors or consultants, agents or customers of XXX from engaging in discrimination or harassment of any XXX employee or applicant.

### Prohibited Conduct

The conduct prohibited by this policy, includes any discriminatory employment action or unwelcome conduct, whether **verbal, written, physical, or visual** that adversely affects someone based on protected characteristics which:

- affects tangible job benefits;
- unreasonably interferes with work performance; or
- creates an intimidating, hostile or offensive work environment.

Among the types of unwelcome conduct prohibited by this policy include, but are not limited to: epithets, slurs, stereotyping, intimidating acts, and the circulation or posting of written or graphic materials that show hostility toward individuals because of their protected characteristics. Even where the conduct is not sufficiently severe or pervasive to constitute a violation of the law, XXX prohibits any such conduct in the workplace. In addition, conduct prohibited by this policy is unacceptable in any work-related setting outside of the workplace, such as during business-related trips, meetings or social events. Employees engaging in such conduct in violation of this policy will be subject to disciplinary action, up to and including termination of employment.

## Policy Against Sexual Harassment

XXX policies prohibit employees, supervisors, managers, officers, directors, vendors, independent contractors or consultants, agents, or customers of XXX from engaging in sexual harassment. Sexual harassment generally consists of unwelcome sexual advances, requests for sexual favors, or other **verbal, written, physical or visual** conduct of a sexual nature when:

- submission to such conduct becomes an implicit or explicit term or condition of employment;
- submission to or rejection of the conduct is used as the basis for any employment decision; or
- it creates an intimidating, hostile or offensive work environment.

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## Policy Against Sexual Harassment (continued)

Examples of sexual harassment prohibited by this policy include, but are not limited to:

- 1) **Verbal harassment:** requests for sexual favors, unwelcome sexual advances, graphic or degrading conversation containing sexual comments, derogatory comments or slurs about someone's body;
- 2) **Written harassment:** sending sexually suggestive, obscene or offensive memos, letters, notes, e-mails, or cards;
- 3) **Physical harassment:** offensive physical contact, including grabbing, pinching, patting, or brushing up against another person's body; or
- 4) **Visual harassment:** leering, making sexual gestures, displaying or distributing sexually suggestive cartoons, drawings, pictures, posters, or websites on the Internet.

### **Complaint Procedures, Investigation and Corrective Action**

Employees at XXX can help assure that our workplace is free from discrimination and harassment. Employees are expected to avoid any behavior or conduct that could reasonably be perceived as offensive or harassing.

Employees who feel that they are a victim of discrimination or harassment should report the matter immediately to:

- Their supervisor or manager; or
- the Human Resources Department; or
- the Chief Operating Officer.

These are the individuals who are authorized by this policy to receive and act upon complaints of discrimination and/or harassment on behalf of XXX.

XXX maintains posters on bulletin boards that provide information about your right to a workplace free of discrimination and harassment. These posters also identify governmental agencies such as the California Department of Fair Employment and Housing (DFEH) and the federal Equal Employment Opportunity Commission (EEOC), either of which an employee may contact directly for information on how and when to file a complaint.

Consistent with applicable law, all supervisors and managers will be required to attend regular training on how to address and prevent sexual harassment in the workplace. Any supervisor or manager who witnesses or becomes aware of discrimination and/or harassment and who fails to take immediate action may be subject to disciplinary action, up to and including termination of employment.

XXX will promptly and confidentially investigate any reports of inappropriate conduct and will take prompt and remedial action. To the extent possible, the employee's privacy, and that of any witnesses, as well as of the alleged harasser, will be protected against disclosure, except as necessary to conduct the investigation and take appropriate disciplinary action.

In some circumstances, a violation of this policy may occur and disciplinary action may be imposed, even when the conduct does not rise to a violation of the law.

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