



## Anti-Harassment, Discrimination and Retaliation Policy

All of Unger Construction Co.'s employees, applicants, unpaid interns, volunteers and contractors ("workers") must be treated with respect and dignity. We are committed to providing an atmosphere free of harassment and discrimination based on race, color, sex/gender (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender identity or expression, transgender (including whether or not you are transitioning, have transitioned, or may be perceived to be in transition), religious creed, marital status, registered domestic partner status, age, national origin or ancestry, physical or mental disability, medical condition (including genetic characteristics or information, cancer or record or history of cancer, or AIDS/HIV status), sexual orientation, military or veteran status, or any other characteristic made unlawful by applicable federal, state, or local laws, regulations or ordinances.

Harassment and discrimination are against the law. We strongly disapprove of and will not tolerate harassment or discrimination of our workers by managers, supervisors, co-workers, or third parties such as contractors or members of the public. Similarly, we will not tolerate harassment or discrimination by our workers against others with whom we have a business, service, or professional relationship. Because it is difficult to determine whether the conduct is unlawful, we strive to eliminate any inappropriate and/or disrespectful conduct based on the characteristics identified above, even if such conduct may not violate the law.

**Harassment Defined:** "Harassment" as used in this policy includes disrespectful or unprofessional conduct based on any of the protected characteristics listed above. Harassment can be verbal (such as slurs, jokes, insults, epithets, gestures, or teasing), visual (such as offensive posters, symbols, cartoons, drawings, computer displays, or e-mails) or physical conduct (such as physically threatening another person, blocking someone's way, etc.). Verbal, physical, and visual conduct that creates an intimidating, offensive, or uncomfortable working environment or interferes with work performance violates this policy, even if it is not unlawful. Employees are expected to behave at all times in a professional and respectful manner.

**Sexual Harassment Defined:** "Sexual harassment" as used in this policy includes all of the above actions as well as making any unwelcome advances and/or verbal, physical, or visual conduct of a sexual nature, offering employment benefits in exchange for sexual favors, or threatening reprisals after a negative response to a sexual advance. It includes many forms of offensive behavior, such as gender-based harassment of a person of the same sex as the harasser. Some examples of conduct that may violate this policy include demeaning sexual remarks, leering, making sexual gestures, displaying sexually suggestive objects or pictures, making or using derogatory sexual comments, epithets, slurs, or jokes, comments about an individual's body, touching, impeding, or blocking movements. Sexual harassment does not have to be motivated by a sexual desire in order to be considered in violation. Conduct or comments consistently targeted at only one gender, even if the content is not sexual or teasing or other conduct directed toward a person because of that person's gender, is also considered a violation of this policy.

Harassment such as that defined above is unacceptable in the workplace and in any work-related settings, such as trips and business-related social functions, regardless of who is engaged in the conduct.

**Complaint Procedure:** If you believe you have been subjected to or witnessed conduct that violates this policy, please immediately report such conduct to your manager or Human Resources. If you are not comfortable reporting to either of those individuals, report the conduct to an owner. Your complaint should be specific and include the names of the individuals involved and the names of any witnesses.

Supervisors and managers are responsible for reporting any complaints of a violation of this policy to any of the persons above as soon as possible.

**Investigation:** We will promptly conduct a fair, timely and thorough investigation by qualified personnel providing all parties appropriate due process to reach reasonable conclusions based on the evidence collected. Documentation and tracking of the complaint process will be maintained to ensure reasonable progress. A timely response to each complaint will be rendered at the completion of the investigation. Every complaint will be taken seriously and investigated thoroughly. If suspected violations of this policy are not reported, they cannot be investigated. Workers are expected to participate in internal investigations and may not interfere with the complaint procedure. Everyone's cooperation is crucial.

To the extent possible, we will endeavor to keep the complaint and investigation confidential.

**Remedial Action:** If we determine this policy has been violated, we will take appropriate and effective remedial action to address the situation and deter any future inappropriate conduct; this may include disciplinary action, up to and including termination.

**No Retaliation:** We will not retaliate against you for bringing a good faith complaint under this policy, or for reporting such misconduct or cooperating in an investigation, and will not knowingly permit retaliation against you. If you believe someone has violated this no-retaliation provision, you should immediately notify any of the persons named above.

**State and Federal Resources:** In addition to these internal policies and procedures, the State of California Department of Fair Employment and Housing (DFEH) and the U.S. Equal Employment Opportunity Commission (EEOC) provide additional information regarding the legal remedies and complaint processes available through the government agencies. If you believe you have been unlawfully harassed, discriminated or retaliated against, you may file a complaint or obtain additional information from the DFEH or EEOC. The phone number for the local DFEH office is located at [www.dfeh.ca.gov](http://www.dfeh.ca.gov) and the EEOC office is at [www.eeoc.gov](http://www.eeoc.gov).

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*I have read and understand this policy. I understand my responsibility to follow it. If I have any questions regarding the policy I may contact any of the persons named above.*

Employee's signature \_\_\_\_\_

Employee's printed name \_\_\_\_\_

Date \_\_\_\_\_

*Please sign and date this page. It will be placed in your personnel file.  
You may find a copy of this policy in Unger Construction Co.'s Employee Handbook.*