

SEXUAL AND OTHER UNLAWFUL HARASSMENT SAMPLE POLICY

The Company is committed to a work environment in which all individuals are treated with respect, compassion and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. The Company will not, under any circumstances, condone or tolerate conduct which may constitute sexual harassment or any other form of illegal harassment on the part of its management, supervisors or non-management personnel. It is our policy that all employees have the right to work in an environment free from any type of illegal discrimination, including sexual harassment. It is our policy to ensure equal employment opportunity without discrimination or harassment on the basis of race, creed, color, religion, gender, sexual orientation, gender identity, national origin, ancestry, age, disability, genetic information, marital status, arrest or conviction record, or veteran status. Any employee found to have engaged in harassment or discrimination in any form will be subject to discipline up to and including discharge.

Sexual harassment is defined as:

1. Making submission to unwelcome sexual advances or requests for sexual favors, a term or condition of employment.
2. Basing an employment decision on submission or rejection by an employee of unwelcome sexual advances, requests for sexual favors or verbal or physical contact of a sexual nature.
3. Creating an intimidating, hostile or offensive working environment or atmosphere that interferes with an employee's work performance through, for example, 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; display in the workplace of sexually suggestive objects or pictures; calling employees by terms of endearment; using vulgar, kidding or demeaning language; and other physical, verbal or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is oral, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, creed, color, religion, gender, sexual orientation, gender identity, national origin, ancestry, age, disability, marital status, veteran status, citizenship, genetic information, arrest or criminal record, or any other characteristic protected by law or that of his/her relatives, or close friends or associates, and that a) has the purpose or effect of creating an intimidating, hostile or offensive work environment; b) has the purpose or effect of unreasonably interfering with an individual's work performance; or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes unwelcome 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, on company time or using company equipment via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means.

We, at the Company, do encourage healthy fraternization among our employees; however, employees, especially management and supervisory employees, must be sensitive to acts or conduct which may be considered offensive by fellow employees and must refrain from engaging in such conduct.

It is, also, expressly prohibited for an employee to retaliate against employees who bring sexual harassment or other illegal harassment charges or assist in investigating charges. Retaliation is a violation of this policy and may result in discipline, up to and including termination. No employee will be discriminated against, or discharged, because of bringing or assisting in the investigation of a complaint of sexual harassment or other unlawful harassment in good faith.

Complaint Procedure

Individuals who believe they have been the victims of conduct prohibited by this policy statement or who believe they have witnessed such conduct should discuss their concerns with [NAME], the Human Resources Director or a manager [or name other individuals].

When possible, the Company encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. The Company recognizes, however, that an individual may prefer to pursue the matter through complaint procedures by contacting [NAME] or [OTHER NAME or another manager].

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties 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.

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. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

We strongly encourage employees to file a complaint of harassment, discrimination or retaliation using our organization's complaint procedure. However, using our internal complaint process does not prohibit you from contacting one of the following agencies:

Massachusetts Commission Against Discrimination Boston Office: One Ashburton Place, Room 601, Boston, MA 02108-1518, (617) 994-6000 (voice), (617) 994-6196 (TTY). Springfield Office: 436 Dwight Street, Room 220, Springfield, MA 01103, (413) 739-2145.

Worcester Office: 484 Main Street, Room 320, Worcester, MA 01608. (508) 453-9630.

New Bedford Office: 800 Purchase St., Rm 501, New Bedford, MA 02740. (508) 990-2390.

Equal Employment Opportunity Commission, John F. Kennedy Federal Building, Government Center, 4th Floor, Room 475, Boston, MA 02203, (617) 565-3200 (voice), (617) 565-3204 (TTY). Complaints must be filed within 300 days of the adverse action.