

MCCALL STAFFING SERVICES NON-HARASSMENT POLICY

McCall Staffing Services takes seriously its commitment to provide a work environment free from unlawful discrimination. We maintain a strict policy prohibiting sexual harassment, and harassment based on pregnancy, childbirth or related medical conditions, race, religious creed, color, national origin or ancestry, physical or mental disability, medical condition, marital status, age (40 and older), sexual orientation or any other basis protected by federal, state or local law, ordinance or regulation. **All such harassment is unlawful.** McCall's policy prohibits all employees from engaging in harassment whether directed toward other employees or non-employees with whom McCall has a business, service or professional relationship. Similarly, all non-employees are prohibited from engaging in harassment at the company.

Prohibited unlawful harassment includes, but is not limited to, the following behavior(s):

- a. Inappropriate verbal, written or email conduct such as suggestive, insulting or derogatory comments, epithets, innuendoes, sounds, jokes, teasing or slurs based on any of the above categories, and sexual propositions, advances or threats;
- b. Visual harassment such as derogatory and/or sexually oriented posters, suggestive objects, photography, cartoons or drawings, and also such actions as leering, whistling or obscene gestures based on any of the above categories;
- c. Physical conduct such as assault, impeding or blocking movement, or any unwanted physical contact or interference with normal work or movement, including touching, pinching, brushing the body, contact or assault directed at an individual for any reason;
- d. Unwanted sexual advances, threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss, and offers of employment benefits in return for sexual favors; and
- e. Retaliation for having reported or threatened to report harassment.

In particular, sexual harassment is defined as any unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature that (1) have been made either explicitly or implicitly a term or condition of an individual's employment or other contract relationship), (2) is used as a basis for employment (or other contract) decisions such as promotions and benefits affecting such individual, or (3) substantially interferes with an individual's work (or contract) performance or creates an intimidating, hostile, or offensive working environment.

In addition, conduct based on any of the categories listed above, or any other characteristic protected by law, is not appropriate for the workplace and is prohibited, regardless of whether an individual makes a claim of harassment.

Any employee who believes s/he has been unlawfully harassed or discriminated against should immediately report the facts of the incident or incidents, the names of the individuals involved, and the names of any witnesses to your McCall supervisor immediately so that we can investigate and resolve the matter as quickly

as possible. Alternatively, you may report your complaint to McCall's HR Manager, at (510) 420-3747. No employee need fear any reprisal for reporting harassment.

After any complaint is received, McCall will immediately undertake an internal investigation. If we determine that a violation of this policy has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any supervisor, agent or other employee who has been found in violation of this policy after the investigation will be subject to disciplinary action. This action may range from a warning up to and including termination of employment.

Whatever action is taken to correct the situation will be made known to the complaining individual. McCall will not retaliate against you for making a complaint and will not tolerate or permit retaliation by management or co-workers. McCall encourages all employees to report any incidents of harassment **immediately** so that complaints can be resolved quickly and fairly.

If our investigation does not remedy the illegal harassment to the employee's satisfaction, the employee may file a harassment charge with the local office of the Department of Fair Employment and Housing (DFEH), the Equal Employment Opportunity Commission (EEOC), or notify the Fair Employment and Housing Commission (FEHC). The addresses and phone numbers of the Bay Area FEHC and the local DFEH are listed in the white pages of the phone book. Remedies available include back pay and reinstatement, as well as civil penalties. The law prohibits any employer from retaliating against any employee for filing a charge with the DFEH or EEOC, or for cooperating in any manner with the DFEH, EEOC or FEHC in its investigation of the charge.

If you have any questions concerning this policy, contact your McCall supervisor or HR Manager.