



Eliminating Harassment and Discrimination

I believe that all employees have a right to work in an environment free from any form of illegal discrimination.

What is the Store's Policy on Harassment and Discrimination?

I prohibit harassment of my employees, and discrimination against my employees, in any form. These prohibitions are strictly enforced, and such conduct may result in disciplinary action up to and including immediate dismissal.

We are striving to make our work environment free from harassment, discrimination and intimidation. If you have any questions about my policy, talk to me. I consider this subject important and serious. So should you.

What is Sexual Harassment?

Sexual harassment is unwanted and unwelcome sexual conduct – verbal or physical – that interferes with a person's work or job opportunities. It can include sexual advances, request for sexual favors or repeated and unwelcome sexual suggestions or comments.

Some examples of sexual harassment are:

- Making repeated, unwelcome comments of a sexual nature
- Touching or patting unnecessarily
- Using obscene gestures
- Telling offensive jokes
- Asking for sexual favors
- Distributing obscene pictures or cartoons (including e-mails)
- Making insults about a person's gender

Sexual harassment clearly takes place when a supervisor threatens to deny a promotion or otherwise punish an employee unless sexual favors are granted. But most of the time, sexual harassment is more subtle. How do you know if someone's actions can be considered harassment?

Gestures, actions and language are considered sexual harassment when they:

- Are unwelcome and repeated;
- Create an intimidating, hostile or offensive working environment; or
- Interfere with an individual's work performance.

Although most reported sexual harassment cases involve men harassing women, it can occur in any situation where a man or woman mistreats another person because of the other person's sex. In addition, it can occur between people of any level of responsibility and of any age.

What is Discrimination?

Discrimination happens when someone's job is negatively affected because of their race, color, religion, sex, national origin, age, sexual orientation, or disability. These categories are called "protected classes."

Here are some areas of the job where discrimination sometimes occurs:

- Refusal to hire
- Termination
- Compensation
- Discipline
- Scheduling

Discrimination, like sexual harassment, is sometimes easy to identify. It clearly takes place when someone is demoted, separated, or experiences some other significant negative job consequence because of their race, gender, or some other attribute that makes them a member of a protected class. However, just like harassment, most cases of discrimination are much more subtle.

Some actions which may be evidence of the presence of discrimination may include:

- Use of slurs or inappropriate language
- Telling of offensive jokes
- Making general statements about groups, or types of people

Any of these actions may be evidence of a person's intent to discriminate.

What do I do if I feel I am being harassed or discriminated against?

If you feel that you are able to do so, tell the person that you don't like what he or she is saying or doing. Ask him or her to stop the harassment and/or discrimination. Do not give in to sexual advances or discriminatory actions, even if you are threatened with losing a promotion, a shift, a project or your job. Remember that harassment and discrimination are against my policy, and against the law. If you do not feel comfortable asking the person to stop, let me know your concerns.

Write down when the incident(s) happened so you don't forget. Be prepared to tell exactly what happened, when it happened, and whether there were any witnesses to the incident.

Where should I go for help?

It is important that you report any incidents of sexual harassment or discrimination as soon as possible. Be assured that your complaint will be discreetly and promptly investigated.

What will happen if I complain?

I can answer questions, give you advice, and if harassment or discrimination is taking place, see that action is taken to stop it. If you wish to file a complaint, I will take down a detailed description of your claims. Then I will conduct a discreet investigation based on your complaint.

All information will be treated in a confidential manner. Your complaint will only be discussed with those who have a need to know. Be assured that management will thoroughly investigate your complaint and will take prompt and appropriate action.

How do I stop sexual harassers and people who discriminate?

Penalties for these behaviors range from reprimands to immediate discharge, depending on the severity of the case. Each situation will be looked at individually and decided on its own merits.

Could you be the harasser/discriminator?

My harassment and discrimination policies don't mean you must stop being friendly or sociable in the workplace. They simply mean you must be aware of your behavior and how it may be perceived by other people.

Sometimes people accused of harassment or discrimination are surprised at how their remarks or actions are viewed by others. Take a minute to ask yourself:

- Do you treat men and women equally? How about people from other races or cultures?
- How would you feel if you were the victim of unwanted sexual attention from someone who has control over your career?
- What if you felt someone was making decisions about your job because of your age or because of some disability you might have?
- Could the things you say and do interfere with others' ability to get their work done, even if they haven't told you to stop?
- Do you make sexual comments, stare at or touch people you work with?

With both sexual harassment and discrimination, the important issue is not how the harasser or discriminator perceives his/her words or actions, but how the *recipient* of those words or actions perceives them. It is the recipient's perception that will determine whether or not harassment or discrimination is present. The legal standard can be summed up like this: if a reasonable man/woman would consider conduct to be creating a hostile, offensive, or discriminatory work environment, then sexual harassment or discrimination may be present.

You should always consider how your actions are perceived by others. One measure often cited is to look at how you would feel if a member of your family were experiencing unwelcome sexual behaviors or unjustified discrimination at work. If your actions or words are perceived to offend, stop and rethink what you are doing. Ask me if you need help or guidance about appropriate conduct.

I have read the Franchisee Eliminating Harassment and Discrimination Policy and I fully understand my responsibilities. I further understand that if I do not comply with this policy then I will be subject to disciplinary action up to and including separation.

Franchisee Employee Signature

Franchisee Signature

Franchisee Employee Name (Printed)

Franchisee Name (Printed)

Date

Date