

## **ANTI-HARASSMENT AND DISCRIMINATION POLICY**

Crown Consulting, Inc. will not tolerate conduct by an employee that harasses, disrupts, or illegally interferes with another employee's work performance or which creates an intimidating, offensive, or hostile environment. Crown strives to maintain working environment free from all forms of harassment, whether based upon race, color, age, religion, sex, sexual orientation, national origin, marital status, changes in marital status, pregnancy, parenthood, creed, veteran's status, veteran's disability, physical or mental disability, on-the-job injuries, or any legally protected characteristic or status.

### **Objective**

The purpose of the policy is to ensure that all employees understand the Crown policy on anti-harassment including its many forms and definitions and to provide procedures to implement the policy.

### **Responsibility**

- Department managers and supervisors shall ensure that their department staff follows the procedures set forth in this policy.
- Compliance with this policy is the responsibility of each employee, manager, supervisor, and director and others whose duties are related to any employee personnel actions at Crown.
- Human Resources shall maintain this policy and provide training as required.

### **Policy**

It is the policy of Crown to maintain a work environment that is free of harassment. Harassment is defined as a behavior that is unwelcome and offensive to a reasonable person, and consists of objectionable verbal, written or physical conduct that demeans, belittles, intimidates or humiliates another person. Harassment includes but is not limited to any verbal, written, or physical conduct relating to race, color, age, religion, sex, sexual orientation, national origin, marital status, changes in marital status, pregnancy, parenthood, creed, veteran's status, veteran's disability, physical or mental disability that is sufficiently severe, pervasive or persistent that it substantially interferes with or limits an individual's work environment.

Examples of prohibited behavior that Crown does not tolerate include but are not limited to:

- Telling ethnic jokes
- Making religious slurs
- Using offensive "slurs" or other derogatory terms denoting a person's race, age, national origin, or disability
- Mimicking an individual's speech, accent or disability
- Sexual harassment

## **Sexual Harassment – Specifically**

Unwelcome sexual advances, requests for sexual favors and other inappropriate verbal, written or physical conduct of a sexual nature when made by a Crown employee to another employee or when involving a third party constitutes sexual harassment when:

- Submission to such conduct is made explicitly or implicitly, a term or condition of an individual's employment, or
- Submission to or rejection of such conduct by an individual is used as a basis for an employment decision affecting that individual, or
- Such conduct has the purpose or effect of substantially interfering with an employee's work performance or creating an intimidating, hostile, or otherwise offensive environment,
- Examples of sexual harassment as defined above may include but are not limited to the following unwelcome conduct:
  - Physical conduct, such as unwelcome, unwanted physical contact, including but not limited to, touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling; forced sexual intercourse or assault or attempted assault
  - Verbal or written harassment or abuse including sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); verbal abuse or "kidding" which is oriented towards a prohibitive form of harassment, including that which is sex oriented and considered unwelcome
  - Non-verbal - The distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive, or shows hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, that is sexual in nature

Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. It refers to behavior that is unwelcome, that is personally offensive that lowers morale and therefore interferes with work effectiveness. Sexual harassment may take different forms.

Normal, courteous, mutually respectful, pleasant, non-coercive interactions between employees, including men and women, that are acceptable to and welcomed by both parties, are not considered to be harassment, including sexual harassment.

There are basically two types of sexual harassment:

- "Quid pro quo" harassment, where submission to anti-harassment is used as the basis for employment decisions.

Employee benefits such as raises, promotions, better working hours, etc., are directly linked to compliance with sexual advances. Therefore, only someone in a supervisory capacity (with the

authority to grant such benefits) can engage in quid pro quo anti-harassment. Example: A supervisor promising an employee a raise if she goes on a date with him; A manager telling an employee she will fire him if he does not have sex with her.

- "Hostile work environment," where the harassment creates an offensive and unpleasant working environment.

Hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees, or clients and vendors. Hostile environment harassment consists of verbiage of a sexual nature, unwelcome sexual materials, or unwelcome physical contact as a regular part of the work environment. Cartoons or posters of a sexual nature, vulgar or lewd comments or jokes, or unwanted touching or fondling all fall into this category.

Sexual harassment can be physical and/or psychological in nature. Sexual harassment can involve males or females being harassed by members of either sex. Although sexual harassment typically involves a person in a greater position of authority as the harasser, individuals in positions of lesser or equal authority also can be found responsible for engaging in prohibited anti-harassment.

Sexual harassment may include non-sexual conduct that is discriminatory based on the person's gender. Example: If one person routinely mistreats persons of one gender, but not the other.

All Crown employees or independent contractors involved in a consensual sexually or romantic relationship with another Crown employee or independent contractor must contact the Human Resources Department to disclose the relationship.

### **Racial Harassment - Specifically**

This policy specifically prohibits racial harassment.

Racially based conduct that consists of different treatment of a Crown employee by another employee or when involving a third party constitutes racial harassment when the employee is subject to conduct based on race, color, or national origin or when such conduct has the purpose or the effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

*Racial harassment, as defined above, may include, but is not limited to the following:*

- Verbal or written racial slurs, epithets, jokes, comments or words
- Remarks to a person that contain racial, derogatory or demeaning implication
- Sabotage of work or projects when associated with other forms of racial harassment
- Racially oriented graffiti
- Verbal, written, or physical expressions of hatred due to race
- Display or distribution of racially oppressive or demeaning objects, pictures, literature, magazines, cartoons, posters or images
- Harassment involving objects or items historically or stereotyping associated with race
- Unwelcome physical contact, close physical proximity or looks when associated with other forms of racial harassment.

While a single incident of offensive conduct, remarks or display will generally not create a hostile environment unless it is severe, such behavior is inappropriate and may subject the employee to counseling and/or discipline.

Crown employees have the responsibility to immediately report any conduct by a supervisor, co-worker, vendor or other individual, that they believe to be unwelcome harassment. Employees should report the incident to their manager/supervisor, or to the next level of management (if the complaint involves their direct supervisor or manager), the EEO Officer, or the Human Resources department.

Employees and independent contractors are prohibited from harassing other employees, independent contractors, clients or vendors whether or not the incidents of harassment occur on Crown premises and whether or not the incidents occur during working hours.

### **Complaint Procedure**

Harassment committed by a Crown employee against another Crown employee(s), clients of Crown services, vendors or customers constitutes misconduct. Harassment committed by clients of Crown services, vendors, or customers against Crown employees constitutes misconduct. The intentional fabrication of a harassment complaint constitutes misconduct.

Directors, managers, and supervisors are responsible for taking appropriate and effective action when they know, or reasonably should have known, that an individual under their supervision is subject to harassment.

Filing a complaint: Any Crown employee who believes that he or she has been subjected to harassment shall report such conduct promptly. The report may be verbal or written.

The employee may report to his or her immediate supervisor, their Director, the Human Resources Manager, or the Equal Employment Opportunity (EEO) officer. The Crown Human Resources department, or a designated person, will conduct a prompt and impartial investigation. Employees are obligated to cooperate in the investigation.

### **Alternative Legal Remedies**

Nothing in this policy shall prevent the complainant or the respondent from pursuing formal legal remedies or resolution through state or federal agencies or the courts.

