



## **LLOYD STAFFING, INC.**

### **Fair Workplace Statement**

Lloyd is an equal opportunity employer and complies with all applicable federal, state, and local fair employment practices laws. Lloyd strictly prohibits and does not tolerate discrimination against or from employees, applicants, or any other covered persons (including applicable third parties) because of race, color, religion, creed, national origin or ancestry, ethnicity, sex, sexual orientation, gender (including gender identity and expression, and pregnancy, childbirth, breastfeeding or related medical conditions), marital or familial status, age, physical or mental disability, perceived disability, medical condition, citizenship status, service in the uniformed services, genetic information, reproductive health decisions (including the decision to use or access a particular drug, device, or medical service), or any other characteristic protected under applicable federal, state, or local law. All employment decisions are based on the individual's qualifications and job-related factors such as ability, work quality, experience, and potential. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, recruiting, selection, training, assignments, placements, promotion, discipline, compensation, benefits, and termination of employment.

In addition, Lloyd does not discriminate against any temporary employee or applicant in making assignments, does not invite or honor discriminatory job orders or requests by clients, and does not code applications or other documents to record the protected status of any applicant or employee.

### **Anti-Harassment Policy**

Lloyd strictly prohibits and does not tolerate unlawful harassment against or from employees, applicants, or any other covered persons (including applicable third parties) because of race, color, religion, creed, national origin or ancestry, ethnicity, sex, sexual orientation, gender (including gender identity and expression, and pregnancy, childbirth, breastfeeding or related medical conditions), marital or familial status, age, physical or mental disability, perceived disability, medical condition, citizenship status, service in the uniformed services, genetic information, reproductive health decisions (including the decision to use or access a particular drug, device, or medical service), or any other characteristic protected under applicable federal, state, or local law. Harassment is unwelcome or offensive conduct based on a protected characteristic or status (as listed above).

Although all forms of harassment are strictly prohibited, Lloyd wishes to specifically address the issue of harassment in the workplace. Harassment is a form of discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment based on sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender. All employees of Lloyd, including supervisory and non-supervisory personnel, and other workers (including contractors), and stakeholders (including vendors, clients, and visitors) are prohibited from harassing employees or other covered persons based on that individual's sex or gender, regardless of the harasser's sex or gender. Sexual harassment includes harassment that is not sexual in nature (for example, offensive remarks about an individual's sex or gender), as well as any unwelcome sexual advances or requests for sexual favors or any other conduct of a sexual nature when: (a) submission to



such conduct is made either explicitly or implicitly a term or condition of employment; (b) submission to or rejection of such conduct is used as a basis for employment decisions; or (c) such

conduct has the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, or offensive work environment, even if the reporting individual is not the intended target of the conduct.

Lloyd will not tolerate any form of sexual harassment, regardless of whether it is:

- Verbal (for example, epithets, derogatory statements, slurs, sexually related or degrading comments, jokes, or noises, graphic or suggestive comments about an individual's dress or body, comments about a person's sexuality or sexual experience, unwelcome sexual advances or requests for sexual favors, whether subtle or obvious).
- Physical (for example, assault, touching, staring, grabbing, kissing, hugging, brushing against another's body, inappropriate physical contact, or attempts to commit inappropriate or unlawful physical acts).
- Visual (for example, displaying nude or sexually suggestive posters, pictures, calendars, cartoons, drawings, objects, reading or promotional materials, or other materials that are sexually demeaning or pornographic, sending inappropriate adult-themed gifts, leering, or making sexual gestures).

Other examples of conduct that may be unlawful sexual harassment and that are strictly prohibited include (without limitation):

- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or transgender status, such as: interfering with, destroying, or damaging a person's workstation or equipment, or otherwise interfering with the individual's ability to perform the job; sabotaging an individual's work; or bullying.
- Sex stereotyping, which occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.

The conduct prohibited by this policy includes conduct in any form, including, but not limited to email, voice mail, chat rooms, social media interaction or communications, internet use or history, text messages, pictures, images, writings, words, or gestures, and is not limited to the physical workplace – for example, it can occur when traveling for business or at business-related events. This list is illustrative only and not exhaustive. No form of sexual harassment will be tolerated.

Employees engaging in sexual harassment, and supervisory and managerial personnel who knowingly allow such behavior to continue, will face disciplinary action, up to and including termination of employment.



While sexual harassment is unlawful and a form of employee misconduct, this policy against harassment also applies to improper conduct toward Lloyd's employees by clients, contractors, vendors, and other non-employees. If you inform Lloyd that you have been subjected to sexual or other harassment in the workplace by a non-employee, that individual or a responsible person will be informed of Lloyd's anti-harassment policy and appropriate corrective action and preventative steps will be taken. Illegal harassment of non-employees/third parties (*e.g.*, contractors, subcontractors, vendors, consultants, etc.) will also not be tolerated.

Lloyd provides annual interactive sexual harassment training for all employees, including supervisory and managerial employees, as required by applicable law. Your participation in such trainings is required.

### **Complaint Procedure**

Lloyd is committed to enforcing its policy against all forms of harassment and discrimination. However, the effectiveness of our efforts depends largely on employees telling us about inappropriate workplace conduct. If employees feel that they or another employee may have been subjected to harassment, discrimination, or retaliation, they should report it immediately. If employees do not report harassing, discriminatory, or retaliatory conduct, Lloyd may not become aware of a possible violation of its policies and may not be able to take appropriate corrective action.

Therefore, if you are subjected to or become aware of any conduct that you believe violates this policy, you must promptly speak to, write, or otherwise contact your supervisor or the Sr. Vice President (currently Susan King at: 631-370-7424 or SKing@LloydStaffing.com). However, complaints may alternatively be brought to the President (currently Keith Banks at: KBanks@LloydStaffing.com) if the matter is especially sensitive or personal or for other similar reasons. If you have not received a satisfactory response after reporting any incident of what you perceive to be discriminatory or retaliatory conduct, please immediately contact the President. A form for submission of a written complaint is attached to this policy and can also be obtained from Human Resources, and all employees are encouraged to use this complaint form. Your complaint should be as detailed as possible, including the names of all individuals involved and any witnesses (among other things). (Completed Forms can be Emailed to: Susan King at: SKing@LloydStaffing.com or Keith Banks at: KBanks@LloydStaffing.com)

Any manager or supervisor who is informed of or observes harassing or discriminatory conduct is required to immediately report the conduct to the Sr. Vice President, so that an investigation can be made, and corrective action taken, if appropriate. In addition to being subject to discipline if they engage in harassing, discriminatory, or retaliatory conduct themselves, supervisors and managers will be subject to discipline for failing to report such conduct, or otherwise knowingly allowing such conduct to continue. Supervisors and managers will also be subject to discipline for engaging in any retaliation.

Upon receiving a good faith complaint, Lloyd will ensure that a prompt and impartial investigation is conducted by qualified personnel. Lloyd will thoroughly investigate the facts and circumstances of all claims of perceived harassment, discrimination, or retaliation and will take prompt corrective action, as appropriate. Lloyd understands that complaints can be extremely sensitive and as far as practicable, will keep such complaints and all communications concerning them confidential to the extent possible.



While the process may vary from case to case, the general procedure for an investigation will be as follows:

- Upon receipt of a complaint, Lloyd will conduct a prompt review of the allegations, and take any interim actions, as appropriate.
- Lloyd will take steps to obtain and review key relevant documents, communications, records, etc.
- Interview key parties involved, including relevant witnesses.
- Create a written documentation or report of the investigation.
- Promptly notify the complainant and the accused of the outcome of the investigation and implement any corrective actions.

Any employee may be required to cooperate as needed in an investigation of suspected harassment, discrimination, or retaliation and will be provided due process. As discussed in more detail below, retaliation against individuals who complain of harassment or discrimination or who testify or assist in any investigation or proceeding under the law is unlawful and strictly prohibited by Lloyd. If Lloyd determines that any employee violates our policy regarding harassment, discrimination, or retaliation, that person will be disciplined accordingly, which may include termination. False and malicious complaints of discrimination, harassment, or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be the subject of appropriate disciplinary action.

Employees may also choose to pursue legal remedies with governmental entities.

The California Department of Fair Employment and Housing investigates and prosecutes complaints of prohibited harassment in employment. If you think you have been harassed or that you have been retaliated against for resisting or complaining, you may file a complaint with the appropriate agency.

The nearest office is listed in the telephone book or can be found by visiting the agency websites at [www.dfeh.ca.gov](http://www.dfeh.ca.gov) and [www.eeoc.gov](http://www.eeoc.gov) or at the addresses listed below:

**California Department of Fair Employment and Housing**

2218 Kausen Drive, Suite 100

Elk Grove, CA 95758

Phone: 800-884-1684 (voice), 800-700-2320 (TTY) or California's Relay Service at 711

[contact.center@dfeh.ca.gov](mailto:contact.center@dfeh.ca.gov)

<https://www.dfeh.ca.gov>

**U.S. Equal Employment Opportunity Commission**

450 Golden Gate Avenue 5 West,

P.O Box 36025

San Francisco, CA 94102-3661

1-800-669-4000 or 510-735-8909 (Deaf/hard-of-hearing callers only)

<http://www.eeoc.gov/employees>

### **NY State Human Rights Law (HRL)**

The Human Rights Law (HRL) codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time within one year (three years beginning Aug. 12, 2020) of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to [Employer Name] does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: [www.dhr.ny.gov](http://www.dhr.ny.gov).

Contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized, and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

### **Civil Rights Act of 1964**

The United States Equal Employment Opportunity Commission (EEOC) enforces federal antidiscrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.



### **Local Protections**

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade Street, 1st Floor, New York, New York; call 311 or (212) 306-7450; or visit [www.nyc.gov/html/cchr/html/home/home.shtml](http://www.nyc.gov/html/cchr/html/home/home.shtml).

### **Contact the Local Police Department**

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

This is an important topic, and we encourage you to discuss any questions you may have concerning any part of this policy with us.

### **Unlawful Retaliation Prohibited**

All forms of unlawful retaliation are prohibited, including any form of discipline, reprisal, intimidation, or other form of retaliation for participating in any activity protected by law. Examples of protected activities include (without limitation):

- Lodging a good faith internal complaint with the Vice President of Human Resources or the President specifically opposing unlawful discrimination or harassment (for example, if an employee believes they have been sexually harassed or subject to an adverse employment action because of their reproductive health decisions).
- Filing a good faith complaint of unlawful discrimination or harassment.
- Participating in Lloyd's internal investigation into allegations of sexual harassment.
- Requesting a reasonable accommodation arising out of a disability, pregnancy, or sincerely held religious belief.

The examples above are illustrative only, and not exhaustive. No form of retaliation for any protected activity will be tolerated by any person, including co-workers, contractors, supervisors, or any other third party. If you believe you are being retaliated against for engaging in protected activity, please immediately notify the Vice President of Human Resources or the President.

### **Violations of this Policy**

Any employee, regardless of position or title, who Lloyd determines has subjected an individual to harassment, discrimination, or retaliation in violation of this policy will be subject to discipline, up to and including immediate termination of employment. If Lloyd determines that any such violation of its policies has occurred, appropriate corrective action will be taken as warranted by the circumstance



**HARASSMENT COMPLAINT FORM**

**Complainant Information**

Complainant Name: \_\_\_\_\_ Title: \_\_\_\_\_

Work Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Work Address: \_\_\_\_\_

Name of individual subjected to reported behavior (if different than above): \_\_\_\_\_

\_\_\_\_\_

**Complaint Information**

Complaint is made against: \_\_\_\_\_ Title: \_\_\_\_\_

Relationship to you: \_\_\_\_\_

Description of incident(s) including dates, individuals involved, and whether conduct is on-going, and how it has affected your work. **Please use additional paper as necessary and attach any relevant documents or evidence, including emails, photos or texts:** \_\_\_\_\_

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Identify potential witnesses (names and contact information): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Identify documents or communications reflecting or concerning the reported behavior (if not attached):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Have you previously complained or provided information (verbal or written) about related incidents? If yes, when and to whom did you complain or provide information? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*You may submit this form itself or use the format of this form and submit via email.*