



CALIFORNIA ANTI-HARASSMENT AND DISCRIMINATION POLICY

Purpose

The purpose of this document is to inform employees of Kelly Services ("Kelly") of Kelly's California Anti-Harassment and Discrimination Policy.

Persons Affected

- All Kelly employees, customers, and suppliers
- Any other persons or third parties with whom Kelly employees have contact through their employment, including applicants and independent contractors

Policy

Kelly is committed to maintaining a work environment that is free from unlawful harassment and discrimination because of an individual's race, religion, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (including pregnancy, childbirth, and medical conditions related to pregnancy, childbirth, or breastfeeding), sex stereotyping (including assumptions about a person's appearance or behavior, gender roles, gender expression, or gender identity), gender, gender identity, gender expression, age for individuals over 40 years of age, military and veteran status, and sexual orientation, or for any other basis protected by federal, state, or local law. We interpret these protected statuses broadly to include both the individual's actual status and also any perceptions and assumptions made regarding these statuses, as well as the status of the individual or that individual's associates or relatives. All such unlawful harassment and discrimination is prohibited and will not be tolerated. This policy also prohibits offensive conduct that does not rise to a violation of law. All employees are expected to help ensure the work environment remains free of harassment, discrimination and retaliation. Upon learning of a situation that may violate this policy, Kelly will conduct a timely, impartial, prompt and thorough investigation. All information regarding the alleged misconduct will be documented, tracked and kept confidential, as permitted by the investigation process or state or federal law. It is Kelly's intent to provide due process to all parties and to reach reasonable conclusions based on the information gathered. If it is determined that a violation of this policy has occurred, Kelly will close the investigation in a timely fashion and take appropriate remedial action intended to stop any prohibited misconduct and prevent future misconduct. This may include disciplinary action up to and including termination of employment.

Kelly prohibits unlawful discriminatory, harassing and retaliatory conduct against any employee by another employee, supervisor or manager for using this complaint procedure or participating in an investigation by Kelly, or for filing, testifying, assisting, or participating in any manner in any investigation, proceeding, or hearing conducted by a governmental enforcement agency. Kelly will not knowingly permit or tolerate any retaliation resulting from the exercise of protected activity, such as cooperating in an investigation or making a good faith complaint of harassment or discrimination.

Definitions

The term "harassment" is used in this policy to refer to both sexual and other forms of harassment. Kelly's policy and the law prohibits harassment whether it involves coworker harassment, harassment by Supervisors and Managers, or harassment by other third parties (such as customers, clients, or vendors). Sexual harassment is defined as unwanted sexual advances, or visual, verbal or physical conduct of a sexual nature when submission to such conduct: a) is made a term or condition of employment, b) is made the basis for employment decisions, or c) unreasonably interferes with an individual's ability to perform their job duties or otherwise creates an offensive or hostile working environment.

This definition includes many forms of offensive behavior. It is prohibited for males to sexually harass females or other males, and for females to sexually harass males or other females. The following is a partial, non-exhaustive, list of conduct which violates this policy:

- Unwanted sexual advances
- Offering employment benefits in exchange for sexual favors
- Making or threatening reprisals after a negative response to sexual advances
- Visual conduct: leering, making sexual gestures, displaying of suggestive objects or pictures, cartoon or posters
- Verbal conduct: making or using derogatory comments, epithets, slurs, and jokes
- Verbal sexual advances or propositions
- Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations
- Physical conduct: touching, assault, impeding or blocking movements

Other forms of prohibited harassment include offensive comments or conduct pertaining to a person's membership in or association with a person in a protected category as outlined above.

Such conduct may include, but is not limited to:

- Making gestures, threats, derogatory comments, or slurs that may be offensive to individuals in a particular group
- Abusive conduct or bullying behavior that is threatening, intimidating, verbally abusive, or results in other disruptive actions in the workplace
- Sending messages by letters, notes, electronic mail, or telephone that may be offensive to individuals in a particular group
- Displaying derogatory objects, photographs, cartoons, calendars, or posters

The term "discrimination" includes taking an employment action against an individual because of the person's inclusion in a protected category. These actions include, but are not limited to, refusing to hire or employ a person, refusing training, terminating employment, or any other action relating to the terms, conditions, or privileges of employment.

Responsibilities

All Kelly employees are expected to help ensure the work environment remains free of harassment and discrimination. Any employee who believes they are being subjected to harassment or discrimination by a Kelly employee or non-employee, or who have witnessed such misconduct of or by another Kelly employee or non-employee, has a responsibility to promptly report the matter through one of the means identified in the "Reporting Incidents of Harassment and Discrimination" section of this policy. Managers and supervisors are required to report incidents or complaints of harassment and discrimination to their Human Resource manager. Upon learning of any alleged misconduct, Kelly will have qualified personnel fairly, promptly and thoroughly investigate the matter and take appropriate remedial steps, which may include disciplinary action up to and including termination of employment. Kelly will attempt to keep complaints confidential, as possible, but cannot guarantee confidentiality.

Reporting Incidents of Harassment and Discrimination

Any Kelly employee (i.e., full-time, part-time, leased, managed service, or on assignment with a Kelly customer) who believes that they have been harassed by a Kelly employee or non-employee, subjected to discrimination or retaliation, or who have witnessed harassment of or by another Kelly employee or non-employee, or witnessed discrimination or retaliation, should report the alleged misconduct to one of the following:

- The **immediate Kelly manager** (i.e., an officer, director, supervisor, or Kelly Representative) of the employee who is reporting the alleged misconduct. However, this policy does **not** require reporting discrimination, harassment, or retaliation directly to an employee's immediate supervisor or to any individual who is creating the harassment, discrimination, or retaliation.
- The Kelly Human Resource Knowledge Center at 1-877-301-8469 or HRknowledgecenter@kellyservices.com.
- The **Kelly Services' Business Conduct & Ethics Reporting Program at 1-877-978-0049** or <https://secure.ethicspoint.com/domain/media/en/gui/82243/index.html>. This program is administered by a third party.

Additional Resources

The Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing accept and investigate complaints of unlawful harassment and discrimination in the workplace.

- Equal Employment Opportunity Commission (EEOC): www.eeoc.gov
 - The EEOC may be contacted by consulting the government agency listings in your local phone book
- California Department of Fair Employment and Housing (DFEH): www.dfeh.ca.gov

The California DFEH staff is available to talk with you by telephone or in-person away from the work location. All information will be handled in an appropriate manner. You can contact a local DFEH office or the main office:

1-916-445-9918
2000 "O" St. #120
Sacramento, CA 95814-5212

Filing a Complaint: Employees or job applicants who believe that they have been sexually harassed may file a complaint of discrimination with DFEH within **one year** of the alleged behavior.

DFEH serves as a neutral fact-finder and attempts to help the parties voluntarily resolve disputes. If DFEH finds sufficient evidence to establish that discrimination occurred and settlement efforts fail, the Department may file a formal accusation. The accusation will lead to either a public hearing before the Fair Employment and Housing Commission or a lawsuit filed by DFEH on behalf of the complaining party. If the Commission finds that discrimination has occurred, it can order remedies including:

- Fines or damages for emotional distress from each employer or person found to have violated the law
- Hiring or reinstatement
- Back pay or promotion
- Changes in the policies or practices of the involved employer

Employees can also pursue the matter through a private lawsuit in civil court after a complaint has been filed with DFEH and a Right-to-Sue Notice has been issued.

For more information, see publication DFEH – 159 "Guide for Complainants and Respondents." For more information, contact DFEH toll free at 1-800-884-1684 or website at www.dfeh.ca.gov.