



***Applies to:***  
*ALL Corporate, Field, and  
Temporary Applicants  
and Employees*

# ANTI-HARASSMENT POLICY OREGON

## Purpose

The purpose of this document is to inform employees of Kelly Services ("Kelly") Anti-Harassment Policy. As required by state specific law, employers must provide a harassment policy to all employees.

## Persons Affected

- All U.S. 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 prohibits unlawful discrimination and harassment. This policy defines these terms and provides a complaint procedure for employees who believe they have been the victims of prohibited conduct. This policy applies to all matters related to hiring, firing, transfer, promotion, benefits, compensation, and other terms and conditions of employment. Further, Kelly is committed to maintaining a work environment that is free from harassment or unlawful discrimination.

Kelly prohibits any conduct at work that a reasonable person in the individual's circumstances would consider unwelcome, intimidating, hostile, threatening, violent, abusive, or offensive. It also prohibits employment actions, including hiring, promotion, termination, and compensation decisions, to be taken based on a protected characteristic. This policy also prohibits any form of retaliatory action toward an employee for filing a complaint of discrimination or harassment, or for participation in an investigation of a complaint.

Kelly will not tolerate harassment of or by its employees. All employees are expected to help ensure the work environment remains free of harassment. Upon learning of a situation that may violate this policy, Kelly will conduct a prompt and thorough investigation. Kelly will keep all information regarding the alleged harassment as confidential, as permitted by the investigation process or local, state, or federal law.

If it is determined that a violation of this policy has occurred, Kelly will take appropriate remedial action to stop any prohibited discrimination, harassment and to prevent future harassment and/or discrimination. This may include disciplinary action up to and including termination of employment. Kelly will not tolerate retaliation against any employee for raising a good faith concern, for providing information related to a concern, or for otherwise cooperating in an investigation of a reported violation of this policy. Any employee who retaliates against anyone involved in an investigation is subject to disciplinary action, up to and including dismissal.

## Definitions

The term "harassment" is used in this policy to refer to both sexual and other forms of harassment. Below are definitions of sexual and other forms of harassment, as well as examples of conduct that may constitute harassment. Sexual harassment is illegal in the workplace in Oregon (These lists are examples only; they are not all-inclusive.)

- A. Sexual Harassment** – Sexual harassment is unwelcome sexual advances, requests for sexual favors, or other verbal or physical 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 by an individual is used as the basis for an employment decision, or
  - c) Such conduct has the purpose or effect of unreasonably interfering with an individual's ability to perform their job duties or otherwise creating an intimidating, hostile or offensive working environment.

The following are examples of conduct that may constitute sexual harassment:

- Unwanted physical touching

- Unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat, or intimidation
- Nonverbal harassment, including but not limited to suggestive or insulting sounds, obscene gestures, leering or whistling
- Telling sexually explicit jokes or stories
- Making lewd or offensive comments or gestures
- Displaying sexually suggestive objects, cartoons, or pictures
- Sending sexually explicit messages by letters, notes, electronic mail, or telephone
- Making offensive comments about an employee's body, physical appearance, or clothing
- Using terms of endearment (e.g., "dear" or "sweetheart") when referring to employees of one sex
- Repeatedly asking a co-worker for a date or meetings outside of working hours after they have indicated an unwillingness to go

**B. Other Forms of Harassment** – Other forms of prohibited harassment include offensive comments or conduct pertaining to a person's race, ethnicity, religion, creed, ancestry, national origin, age, physical or mental disability, sexual orientation, gender, gender identity, gender expression, marital status, or veteran status, or any other characteristic protected by local, state or federal law.

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
- Verbal harassment, including but not limited to disparaging or disrespectful comments, jokes, slurs, innuendoes, teasing, and other sexual talk such as jokes, personal inquiries, persistent unwanted courting and derogatory insults
- 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

**C. Scope of Anti-Harassment Prohibition** – Harassment in violation of this policy can take place anywhere or anytime. Harassment prohibited by this policy is not just harassment that occurs within the four walls of the building in which Kelly employees physically work. For example, in person interactions, calls, texts, emails and social media posts can constitute harassment, even if they occur outside the physical workplace or outside of work hours, or on personal devices.

## Responsibilities

All Kelly employees are expected to help ensure the work environment remains free of unlawful discrimination and harassment. Any employee who believes they are being subjected to harassment or discrimination by a Kelly employee or non-employee, or who have witnessed harassment 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" section of this policy. Upon learning of any alleged harassment, Kelly management will promptly investigate the matter and take appropriate steps, which may include disciplinary action up to and including termination of employment.

## Reporting Incidents of Harassment or 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 or discriminated by a Kelly employee or non-employee, or who have witnessed harassment of or by another Kelly employee or non-employee, should report the alleged harassment 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 harassment
- A **Kelly Human Resources representative** at the Kelly HR Knowledge Center 1-877-301-8460 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.

Pursuant to state law, it is unlawful to retaliate against an employee for filing a complaint of harassment, or for cooperating in an investigation of a complaint of harassment.

## **Time Limitations**

Nothing in this policy precludes any person from filing a complaint with the Bureau of Labor and Industries' Civil Rights Division or the Equal Employment Opportunity Commission. Note that Oregon state law requires that any legal action taken on alleged discriminatory conduct (specifically that prohibited by ORS 659A.030, 659A.082 or 659A.112) commence **no later than five years** after the occurrence of the violation. Other applicable laws may have a shorter time limitation on filing.

## **Nondisclosure or Nondisparagement Agreements**

Under this policy, a nondisclosure agreement is any agreement by which one or more parties agree not to discuss or disclose information regarding any complaint of work-related harassment, discrimination, or sexual assault.

A nondisparagement agreement is any agreement by which one or more parties agree not to discredit or make negative or disparaging written or oral statements about any other party or the company.

A no-rehire provision is an agreement that prohibits an employee from seeking reemployment with the company and allows a company to not rehire that individual in the future.

The company will not require an employee to enter into any agreement if the purpose or effect of the agreement prevents the employee from disclosing or discussing conduct constituting discrimination, harassment, or sexual assault.

An employee claiming to be aggrieved by discrimination, harassment, or sexual assault may, however, voluntarily request to enter into a settlement, separation, or severance agreement which contains a nondisclosure, nondisparagement, or no-rehire provision and will have at least seven days to revoke any such agreement.