



# Harassment & Discrimination Policy

## Unlawful Workplace Discrimination and Harassment and Retaliation Policy

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LightRiver (the "Company") is committed to having and maintaining a work environment free from unlawful discrimination, harassment, or retaliation. In summary, we prohibit and will not tolerate any such actions in our workplace. This policy applies to all employees, both management and non-management, as well as to actions by our clients, contractors, and vendors. As stated in more detail below, any violation of this policy may subject a team member to disciplinary action, up to and including immediate termination from employment.

The Company has adopted this Unlawful Workplace Discrimination and Harassment and Retaliation Policy to provide a work environment in which all employees are treated with courtesy, dignity and respect. This includes an environment free of harassment of any kind on the basis of race, color, creed, sex, religion, age, national origin, sexual orientation, gender identity, political affiliation, physical or mental disability, handicap, pregnancy, personal appearance, marital or family status, citizenship, past, current, or prospective service in the uniformed services, genetic information, natural hair styles, or other status as protected by State and Federal laws.

### **Definitions**

#### **Harassment.**

Harassment is conduct in the form of comments, gestures or behavior that are:

- Repetitive
- Are hostile (aggressive, threatening) or unwelcome
- Adversely affect the person's dignity or integrity
- Make the workplace harmful.

Harassment is a form of misconduct that undermines the integrity of the employment relationship, in which:

Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive work environment and demeans all parties. Harassment in any form, including but not limited to verbal, physical, online, psychological or sexual harassment, is prohibited. Some examples of unlawful harassment are:

- Verbal conduct such as epithets, derogatory comments, slurs or unwanted sexual comments, advances, or invitations.
- Visual conduct such as derogatory posters, photography, cartoons, drawings or gestures.
- Physical conduct directed at an employee such as assault, unwanted touching, blocking normal movement patterns or interfering with work directed at an employee because of any protected characteristic.
- Threats and demands including warnings of physical harm or demands to submit to requests for sexual favors in order to keep one's job, advance in position or to avoid loss or offers of job benefits.
- Derogatory or sexually suggestive postings on any social media platform including Facebook, Twitter, Instagram, Snapchat, etc.

- Retaliation, revenge or retribution for having reported or threatening to report harassment, as set forth in the Retaliation Policy.

This list is illustrative only, and not exhaustive. Any conduct that substantially interferes with an employee's ability to work creates an intimidating, hostile, and/or offensive work environment is considered harassment and will be subject to discipline, up to and including termination.

Discriminatory harassment is also considered psychological or sexual harassment if it is based on any of the following:

- Race, color, ethnic or national origin
- Age, language, sex, pregnancy, civil status
- Gender identity or expression, sexual orientation
- Religion, social condition, political conventions
- A handicap, disability or use of any mean to palliate a handicap or disability.

**Sexual Harassment.** Although sexual harassment is described under unlawful harassment, it warrants additional clarification. The Company takes a strong position against sexual harassment. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, visual, written or physical conduct of a sexual nature, where such conduct is either an explicit or implicit term or condition of employment or is used as the basis for employment decisions.

In general terms, sexual harassment is conduct such as deliberate, repeated, unsolicited or unwelcome verbal comments; sexual jokes or ridicule; physical gestures or actions of a sexual nature; leering or staring; solicitations for sexual favors; or creating a hostile work environment through the practice of such actions. Sexual harassment can also take the form of suggestive comments, demands for sex, dirty jokes, and physical touching or horseplay. Any unwelcome verbal, written, visual, or physical conduct of a sexual or gender-specific nature constitutes sexual harassment, and any employee, officer, manager, or co-worker found to have violated this policy is subject to disciplinary action, up to and including termination or cancelation of contract. Employees should also report any harassment by The Company's vendors or consultants to his or her supervisor, manager, or Human Resources.

Employees are protected from retaliation for reporting sexual harassment under this policy. All reported complaints of sexual harassment will be handled in accordance with the Discrimination, Harassment, or Retaliation Complaint Procedure outlined below.

**All employees should also understand the importance of informing an individual whenever that person's behavior is unwelcome, offensive, in poor taste, or otherwise inappropriate. Individuals so informed should comply immediately with such requests to stop the behavior. Any employee who experiences or who believes they have experienced a violation of this policy must report their complaint or concern to an appropriate member of management using the following procedure.**

**Retaliation.** Employees are protected against retaliation, discipline, reprisal, or intimidation for good faith reports or complaints of incidents of discrimination or harassment of any kind, for pursuing any discrimination or harassment claim, for requesting a reasonable accommodation, or for cooperating in related investigations. If employees feel that they or someone else may have been subjected to conduct that violates this policy, they should report it immediately. Reported complaints of retaliation will be handled in accordance with the Discrimination, Harassment, or Retaliation Complaint Procedure outlined below.

### **Application**

The Company's Unlawful Harassment Policy applies to all employees, officers, managers, co-workers, vendors, and consultants. Any employee found to have violated this policy is subject to disciplinary action, up to and including termination or cancelation of contract. All reported complaints of harassment will be handled in accordance with the Discrimination, Harassment, or Retaliation Complaint Procedure outlined below.

### **Reporting Procedure and Investigation**

If an employee feels he or she has been subject to unlawful discrimination or harassment of any kind, he or she should immediately report the conduct to his or her supervisor, manager, or Human Resources as soon as possible after the incident occurs. You may also report the matter to our HR Consulting Partners, Insperity at (866)715-3552.

All such complaints will be investigated promptly and thoroughly, and recommendations for resolution will be coordinated in cooperation with other employees where appropriate.

The Company is committed to maintaining a workplace that is free from discrimination and harassment. Complaints of harassment will be responded to promptly and investigated thoroughly, with appropriate confidentiality. All employees are expected to be truthful and to cooperate in any investigation of a possible violation of The Company's non-discrimination and anti-harassment policies. No employee will be subject to any form of retaliation for lodging a harassment complaint, for expressing a concern that The Company's non-discrimination and anti-harassment policies have been violated, or for cooperating in an investigation of any such violations.

Any employee who is found, after appropriate investigation, to have engaged in unlawful discrimination, harassment, or retaliation of any kind, may be subject to disciplinary action, up to and including termination of employment.

### **Consequences of allowing such behavior in the workplace**

Any manager, or person in a place to receive such complaints, and permits harassment to occur, fails to report harassment, or fails to implement measures outlined in this anti-discrimination, harassment, and retaliation policy to remedy harassment may be appropriately disciplined, up to and including termination, or demotion, and that a record of such discipline will be placed permanently in his or her personnel file

### **Discipline**

Any employee found to have violated this policy may be subject to appropriate disciplinary action such as written discipline, termination, or suspension pending the findings of the complaint investigation. If an investigation reveals that harassment, discrimination, or retaliation has occurred, the perpetrator may also be held legally liable for his or her actions under state or federal anti-discrimination laws or in separate legal actions.

If you believe you are experiencing prohibited harassment or discrimination, you should do something about the situation as soon as possible. If you are able, clearly explain to the person causing the harassment or discrimination that you are uncomfortable with his or her behavior and ask that it cease immediately. You should also report the situation to your manager through the reporting procedure described above. All cases of reported harassment are held in strict confidence, to the fullest extent possible. The Company will conduct a thorough and timely

investigation of all complaints of harassment and discrimination. Any employee who is found to have wrongfully harassed or discriminated against or retaliated against another shall be subject to discipline up to and including termination.

**Amendments and Waivers**

The Company reserves the right to interpret, administer, change, modify, or rescind this policy at any time, with or without notice, to the maximum extent permitted by law. No statement or representation by a supervisor or manager or any other employee, whether oral or written, can supplement or modify this policy. Changes will only be valid if approved in writing by the Company's CEO or other official to whom such authority has been delegated in writing. No delay or failure by the Company to enforce any work policy or rule will constitute a waiver of the Company's right to do so in the future.

**Administration of this Policy**

The Chief Financial Officer is responsible for the administration of this Policy. All employees are responsible for consulting and complying with the most current version of this Policy. If you have any questions regarding this Policy or concerning the scope or delegation of authority, please contact HR.

Please sign, date and return this Unlawful Workplace Discrimination and Harassment and Retaliation Policy to HR or your direct manager confirming your receipt of this policy and confirming your agreement to abide by this policy.

I understand that this form, or a copy of this form, will be retained in my personnel file.

Name (please print): \_\_\_\_\_ Date: \_\_\_\_\_

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