POLICY NAME:	HARASSMENT		POLICY NO:	HR - 15
Department:	Human Resources	☐ New ☒ Revised	Original Approval Date:	09/01/2015
			1st Revision Date:	07/01/2018
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RELATED FORMS:			3rd Revision Date:	

POLICY

1. HomeCentris strives to maintain a work environment that is free of discrimination and harassment of any kind. We will not tolerate harassment of any employee, patient, patients' family member, visitor or vendor, by anyone, including any supervisor, co-worker, supplier, client or customer.

a. HomeCentris prohibits harassment of employees, patients, patients' family members, visitors and vendors on the basis of race, color, religion, sex (including pregnancy, childbirth, lactation, or related medical conditions), ancestry, age (40 or over), national origin, marital status, sexual orientation, gender identity, genetic information, or disability, or any other status protected under applicable federal, state, or local applicable law. All such harassment is prohibited. This policy applies in the workplace, during business trips and work assignments away from the workplace, and at work-related professional, social or recreational functions.

2. This anti-harassment policy applies to all persons involved in our operations and prohibits harassing conduct by any employee of HomeCentris, including nonsupervisory employees, supervisors and managers. This policy also protects employees from prohibited harassment by third parties, such as vendors, clients, or temporary or seasonal workers. If such harassment occurs on the job by someone not employed by HomeCentris, the procedures in this policy should be followed.

PROCEDURES

1. Definition of Sexual Harassment:

   - According to Federal law, sexual harassment is defined as:

     b. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's initial, continued employment or promotion.

     c. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions.

     d. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

   - Under these definitions, direct or implied requests by a manager or supervisor for sexual favors in exchange for actual or promised job benefits such as favorable review, salary increases, bonus, promotions, avoidance of demotion, reassignment, increased benefits, or continued employment constitutes sexual harassment.

   - The legal definition of sexual harassment is broad, dynamic and in addition to the above examples, other conduct of a sexual nature, whether it is intentional or not, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment.

- While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:
    i. Unwelcome sexual advances, whether or not they involve physical touching.
    ii. Sexual epithets, jokes, written and oral references to sexual conduct; gossip regarding one's sex life or the sex life of a co-worker; comments on an individual's body; comments about an individual's sexual activity; deficiencies or prowess.
    iii. Displaying sexually suggestive objects, pictures, cards, cartoons.
    iv. Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments.
    v. Inquiries into one's sexual experiences.
    vi. Discussion of one's sexual activities.
    vii. Any conduct noted above committed by non-HomeCentris personnel such as vendors, temporary agency employees, clients, customers or couriers.
- Although such actions usually must be continued or repeated before they constitute unlawful harassment, HomeCentris considers it inappropriate and a violation of its policy, for an employee to engage in this type of behavior on even one occasion. It is a violation of this policy for males to sexually harass females or other males, and for females to sexually harass males and other females.
- Sexual harassment on the job is unlawful whether it involves co-worker harassment, harassment by a supervisor, or harassment by persons doing business with or for the Company.
- All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint, is unlawful and will not be tolerated by this organization.

2. Other Forms of Harassment:
    - Prohibited harassment on the basis of race, ethnicity, color, sex (including pregnancy, childbirth, lactation, or a related medical condition), sexual orientation, gender identity, ancestry, marital status, familial status, genetic information, domestic or sexual violence victim status, national origin, religion, disability, age (40 or over), and any other status protected by federal, state or local law, includes behavior similar to sexual harassment such as:
        a. Verbal conduct such as threats, epithets, derogatory comments, inappropriate joking, teasing, or slurs.
        b. Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures.
        c. Physical conduct such as assault, unwanted touching or blocking movement.
        e. Retaliation for reporting or threatening to report harassment.
3. Responsibilities:
    - Employees
        a. Any employee who believes that he or she has been harassed, discriminated against or subject to retaliation by a co-worker, supervisor, agent, client, vendor or customer of HomeCentris, in violation of the foregoing policies, or who is aware of such harassment, discrimination of or

retaliation against others, should immediately provide a written or verbal report to his or her supervisor, any other member of management or to Human Resources to report such incidents. If you are not comfortable approaching management or human resources, call the Compliance Hotline at 888-739-0965.

b. Fully cooperate with any investigation conducted by the Company into a complaint of proscribed harassment, discrimination or retaliation, or regarding the alleged violation of any other Company policies. Conduct themselves in a manner that supports HomeCentris' policy that the work environment be free of harassment.

- Managers
  a. Conduct themselves in a manner that supports HomeCentris' policy that the work environment be free of harassment.
  b. Take steps to ensure that the work environment is free of harassment.
  c. Ensure that each employee is aware of and educated about HomeCentris' Harassment policy.
  d. Immediately forward any employee complaint or allegation of harassment to the HR designee.
  e. Enforce any disciplinary actions taken as a result of a violation of this policy.
- Human Resources
  a. Provide an internal system for the fair and objective hearing of harassment complaints.
  b. Conduct investigations into complaints of harassment.
  c. Recommend appropriate disciplinary action, as necessary.
  d. Provide guidance and training to employees and management on preventing harassment.
  e. Ensure consistent application of the policy across HomeCentris.
  f. Act as a resource to managers and employees regarding HR policy questions.

4. Complaints of Sexual Harassment

- If any employee believes that he or she has been subjected to harassment or witnesses such conduct, he or she should promptly report the incident. This may be done by calling, visiting, faxing or sending an e-mail message to any member of management. If you are not comfortable approaching management, call the Compliance Hotline at 888-739-0965.
- This policy applies to all incidents of alleged harassment, including those which occur off-premises, or off-hours, where the alleged offender is a supervisor, coworker, or even a non-employee with whom the employee is involved, directly or indirectly, in a business or potential business relationship.
- If the alleged harassment occurs at a time other than your normal business hours, your complaint should be filed as early as practicable on the first business day following the alleged incident.
- Please understand that HomeCentris takes complaints of discrimination and harassment very seriously. Thus, there is no need to follow any formal chain of command when filing a complaint, or discussing or expressing any issue of concern regarding alleged discrimination or harassment, and employees may bypass anyone in their direct chain of command and file their complaint.
- Please note that HomeCentris does not require an employee to confront the alleged harasser prior to making a formal complaint, or to contact his or her manager or supervisor prior to making a formal complaint. Any employee may and is encouraged to contact Human Resources in the event they believe their manager or supervisor is engaging in conduct inconsistent with this policy.

- An employee's complaint should be as detailed as possible and include:
    a. The name, department, and position of the person(s) allegedly causing the harassment
    b. An incident description, including the date(s), location(s), and presence of any witnesses
    c. The alleged affect of the incident(s) on the complainant's position, salary, benefits, promotional opportunities, or other terms or conditions of employment
    d. The names of other employees who might have been subjected to or similar harassment
    e. The steps the complainant has taken to try to stop the harassment
    f. Any other information the complainant believes is relevant to the complaint.
- Supervisors and managers are responsible for assuring that no employee is subjected to conduct that constitutes harassment. Supervisors and managers who receive notification of a complaint, should immediately contact Corporate HR Department.

5. Sexual Harassment Investigation
    - Upon receiving notification of a complaint, it will be the responsibility of the HR Department, in conjunction with management, to ensure that the offensive behavior stops immediately.
    - The HR Department (or its designee) will conduct a prompt and thorough investigation of the complaint in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. However, the need to adequately investigate and take appropriate corrective action may require the disclosure of the complainant's identity.
    - The investigation may include confidential interviews with any appropriate persons and a private interview with the person filing the complaint.
    - Under no circumstances will the individual named in the complaint be involved in conducting or supervising the investigation. When the investigation is completed, the HR Department will, to the extent appropriate, inform the person filing the complaint and the person alleged to have engaged in the conduct, of the results of the investigation.
    - Supervisors may not accede to requests to keep a complaint "off the record." All incidents of reported harassment must be investigated.
6. Disciplinary Action
    - If it is determined that inappropriate conduct has been engaged in by one or more of HomeCentris' employees, HomeCentris will take action that is appropriate under the circumstances. Actions may range from counseling to termination of employment, and may include such remedies as verbal warning, probation, suspension with or without pay, mandatory training, mandatory counseling, and/or termination of employment.
        - HomeCentris will not tolerate any retaliatory action against an employee who reports harassment or cooperates in the investigation of a complaint or for filing, testifying, assisting, or participating in any manner in any investigation, proceeding or hearing conducted by a governmental enforcement agency.
        - Violations of this policy by non-HomeCentris personnel such as vendors, temporary agency employees, clients, customers, or couriers will result in appropriate measures, up to and including termination of services.