



Anti-Harassment and Discrimination Policy Complaint Procedure and Investigation

NATIONAL RECRUITING GROUP is an equal opportunity employer, and strives to maintain an environment free from discrimination and harassment. NATIONAL RECRUITING GROUP will not tolerate discrimination and/or harassment in any aspect of the employment relationship, including recruitment, testing, hiring, compensation, benefits, promotion, demotion, transfer, disciplinary action, layoff, termination, return from layoff, training and social, and recreational programs. Discrimination and/or harassment on the basis of a person's gender, ethnicity, race, color, creed, religion, sexual orientation, national origin, age, disability, marital status, military status or any other protected classification will not be tolerated. Additionally, conduct that unreasonably interferes with a person's work performance or creates an intimidating, hostile work environment is prohibited.

If you are subjected to any conduct that you believe violates NATIONAL RECRUITING GROUP Anti-Harassment and Discrimination policy, or witness any such conduct, you should promptly report the conduct to Human Resources at NATIONAL RECRUITING GROUP or any other appropriate member of the NATIONAL RECRUITING GROUP management team, either orally or in writing, as soon as possible following the offending conduct. A Complaint form, annexed hereto, can also be used to report any complaints. You may also speak to, write to, or otherwise contact your direct supervisor or, if the conduct involves your direct supervisor, Human Resources.

NATIONAL RECRUITING GROUP will promptly, impartially and thoroughly investigate the facts and circumstances of all claims of perceived discrimination and will take immediate, proportionate and prompt corrective action, if appropriate. If NATIONAL RECRUITING GROUP discovers behavior which may not be legally actionable "harassment" but which, if left unchecked may lead to same, NATIONAL RECRUITING GROUP will respond appropriately.

NATIONAL RECRUITING GROUP will endeavor to keep investigations regarding complaints discrete, to the extent possible consistent with a thorough and impartial investigation. The identity of individual who submits a report, a witness who provides information regarding a report, the target of the complaint, and any information gathered as part of an investigation will be kept confidential to the extent possible consistent with a thorough and impartial investigation. Depending on the nature of the investigation, complete confidentiality cannot be assured.

Any manager or supervisor who observes discriminatory conduct must report the conduct to the management team so that an investigation can be made and corrective action taken, if appropriate.

Anyone found to have engaged in such wrongful behavior will be subject to appropriate discipline, which may include termination.

No one will be subject to, and NATIONAL RECRUITING GROUP prohibits, any form of discipline, reprisal, intimidation, or retaliation for good faith reports or complaints of incidents of discrimination of any kind, pursuing any discrimination claim, or cooperating in related investigations. Any employee who retaliates against any individual who submits a report or provides information regarding a report will be disciplined appropriately.

Any employee, whom the Company determines has subjected an individual to discrimination or retaliation in violation of this policy, will be subject to discipline, up to and including termination of employment.

SEXUAL HARASSMENT POLICY

Definition of Sexual Harassment

Sexual harassment is defined as any harassment based on someone's actual or perceived sex, sexual orientation, or gender, as described in this policy. It 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 any of the following is true:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
- submission to or rejection of such conduct by an individual is used as the basis for any employment decision affecting the individual,
- such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

All NATIONAL RECRUITING GROUP employees, other workers and representatives (including vendors/customers/clients/ and visitors) are prohibited from harassing employees, non-employees (contractors, subcontractors, vendors, consultants or other persons providing services pursuant to a contract in the workplace or who is an employee of such contractor, subcontractor, vendor, consultant or other person providing services pursuant to a contract in the workplace), and other covered persons based on that individual's sex (including that individual's pregnancy, childbirth, breastfeeding, or medical conditions relating to pregnancy, childbirth or breastfeeding), actual or perceived sexual orientation or gender (including that individual's gender identity and gender expression) and regardless of the harasser's sex or gender.

The following is a non-exhaustive list of some of the types of acts may be unlawful sexual harassment:

- Physical assaults of a sexual nature, such as:
 - Rape, sexual battery, molestation, or attempts to commit these assaults.
 - Intentional or unintentional physical conduct which is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another employee's body, or poking another employees' body.
- Unwanted sexual advances, propositions or other sexual comments, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the victim's job performance evaluation, a promotion, or other job benefits or detriments;
 - Subtle or obvious pressure for unwelcome sexual activities

- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience which are sufficiently severe or pervasive to create a hostile work environment.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning, pornographic.

There are many federal and state laws which prohibit sexual harassment, including Title VII of the Civil Rights Act of 1964, New York Human Rights Law § 296.1, New York City Human Rights Law, and additional applicable local laws.

Complaint Procedure

If you are subjected to any conduct that you believe violates any of the policies above, or witness any such conduct, you should promptly report the conduct to Human Resources at NATIONAL RECRUITING GROUP, either orally or in writing, as soon as possible following the offending conduct. A Complaint form can also be used to report any complaints. You may also speak to, write to, or otherwise contact your direct supervisor at NATIONAL RECRUITING GROUP or, if the conduct involves your direct supervisor, a member of the management team at NATIONAL RECRUITING GROUP. NATIONAL RECRUITING GROUP will promptly, impartially and thoroughly investigate the facts and circumstances of all claims of perceived discrimination and will take immediate, proportionate and prompt corrective action, if appropriate. If NATIONAL RECRUITING GROUP discovers behavior which may not be legally actionable "harassment" but which, if left unchecked may lead to same, NATIONAL RECRUITING GROUP will respond appropriately. Any manager or supervisor who observes discriminatory conduct must report the conduct to Human Resources so that an investigation can be made and corrective action taken, if appropriate.

Employees are also entitled to seek redress for any claims of sexual harassment in federal and state courts, or through administrative agencies, including the Equal Employment Opportunity Commission, the New York State Division of Human Rights, and/or New York City Commission on Human Rights. There may be additional applicable laws concerning sexual harassment, which may be available to employees seeking redress of their sexual harassment claims.

Timeframe of Investigation

After notification of a complaint, NATIONAL RECRUITING GROUP will ensure that a fair, timely, and thorough investigation is conducted by qualified personnel in an impartial manner that provides all parties with appropriate due process and reaches reasonable conclusions based on the evidence collected. NATIONAL RECRUITING GROUP will maintain appropriate documentation and tracking to ensure reasonable progress is made.

The identity of the individual who submits a report, a witness who provides information regarding a report, and the target of the complaint, will be kept confidential to the extent possible consistent with a thorough and impartial investigation. Any information gathered as part of an investigation will be kept confidential to the extent possible consistent with a thorough and impartial investigation.

Supervisor Responsibilities

Supervisors and managers have an obligation to report sexual or other harassment, discrimination, or retaliation of which they become aware. Supervisors and managers who observe such conduct or who

receive any complaints of misconduct must report the conduct or complaint to Human Resources or the management team so that an investigation can be made and corrective action taken, if appropriate. Supervisory and Management personnel who are aware of any prohibited conduct on the part of the employees and knowingly allow such behavior to continue will be subject to sanctions, including discipline up to and including termination.

Penalties

After the investigation has been completed, NATIONAL RECRUITING GROUP will make a determination, regarding the resolution of the case. If warranted, NATIONAL RECRUITING GROUP will take immediate, proportionate and prompt corrective action.

Confidentiality Provision

Allegations of sexual harassment will be promptly investigated giving due regard for the need for business confidentiality. While maintaining secrecy is neither possible nor advisable when allegations of this sort are made, only those individuals who have a legitimate business need to know will be apprised of the allegations/investigation results.

Protection Against Retaliation

It is unlawful for NATIONAL RECRUITING GROUP to retaliate against any individual who reports sexual harassment. It is unlawful for NATIONAL RECRUITING GROUP to retaliate against any individual who testifies and/or assists in any proceeding relating to sexual harassment.

Any employee, regardless of position or title, whom NATIONAL RECRUITING GROUP determines has engaged in retaliation in violation of this policy, will be subject to discipline, up to and including termination of employment.

STOP SEXUAL HARASSMENT ACT FACTSHEET

All employers are required to provide written notice of employees' rights under the Human Rights Law both in the form of a displayed poster **and** as an information sheet distributed to individual employees at the time of hire. This document satisfies the information sheet requirement.

The NYC Human Rights Law

The NYC Human Rights Law, one of the strongest anti-discrimination laws in the nation, protects all individuals against discrimination based on gender, which includes sexual harassment in the workplace, in housing, and in public accommodations like stores and restaurants. Violators can be held accountable with civil penalties of up to \$250,000 in the case of a willful violation. The Commission can also assess emotional distress damages and other remedies to the victim, can require the violator to undergo training, and can mandate other remedies such as community service.

Sexual Harassment Under the Law

Sexual harassment, a form of gender-based discrimination, is unwelcome verbal or physical behavior based on a person's gender.

Some Examples of Sexual Harassment

- unwelcome or inappropriate touching of employees or customers
- threatening or engaging in adverse action after someone refuses a sexual advance
- making lewd or sexual comments about an individual's appearance, body, or style of dress
- conditioning promotions or other opportunities on sexual favors
- displaying pornographic images, cartoons, or graffiti on computers, emails, cell phones, bulletin boards, etc.
- making sexist remarks or derogatory comments based on gender

Retaliation Is Prohibited Under the Law

It is a violation of the law for an employer to take action against you because you oppose or speak

out against sexual harassment in the workplace. The NYC Human Rights Law prohibits employers from retaliating or discriminating "in any manner against any person" because that person opposed an unlawful discriminatory practice. Retaliation can manifest through direct actions, such as demotions or terminations, or more subtle behavior, such as an increased work load or being transferred to a less desirable location. The NYC Human Rights Law protects individuals against retaliation who have a good faith belief that their employer's conduct is illegal, even if it turns out that they were mistaken.

Report Sexual Harassment

If you have witnessed or experienced sexual harassment inform a manager, the equal employment opportunity officer at your workplace, or human resources as soon as possible.

Report sexual harassment to the NYC Commission on Human Rights. Call 718-722-3131 or visit NYC.gov/HumanRights to learn how to file a complaint or report discrimination. You can file a complaint anonymously.

State and Federal Government Resources

Sexual harassment is also unlawful under state and federal law where statutes of limitations vary.

To file a complaint with the New York State Division of Human Rights, please visit the Division's website at www.dhr.ny.gov.

To file a charge with the U.S. Equal Employment Opportunity Commission (EEOC), please visit the EEOC's website at www.eeoc.gov.

    @NYCCHR

NYC.gov/HumanRights

NYC

BILL DE BLASIO
Mayor

**Commission on
Human Rights**

CARMELYN P. MALALIS
Commissioner/Chair



DISCRIMINATION/HARASSMENT/RETALIATION COMPLAINT FORM

Instructions: NATIONAL RECRUITING GROUP is committed to providing a work environment free from discrimination, harassment and retaliation. NATIONAL RECRUITING GROUP’s Anti-Harassment and Discrimination policy prohibits against discrimination, harassment and retaliation. This policy provides mandatory procedures with several options for employees to report prohibited conduct. One option for reporting discrimination, harassment or retaliation is to complete this form and provide it to Human Resources. You are not required to use this form to file a complaint.

Any employee can report discrimination, harassment and retaliation, whether as a victim or a witness. Regardless of your experience with the discrimination, harassment or retaliation, it is important to be as specific as possible in your complaint so that NATIONAL RECRUITING GROUP can fully investigate the conduct and take prompt corrective action, as necessary. Include all known information about the complaint, including the identity of any witnesses with knowledge of the allegations or offenses and any other known evidence related to the complaint. You are not limited to the space provided. NATIONAL RECRUITING GROUP encourages you to attach any additional materials that may assist us in investigating the claim. Although not encouraged because it limits our ability to verify the facts alleged in your complaint, you may submit this complaint anonymously.

To investigate the complaint, NATIONAL RECRUITING GROUP will need to interview you, those subject to the alleged discrimination, harassment or retaliation (if not yourself), the alleged offender(s) and any known witnesses. However, NATIONAL RECRUITING GROUP will notify all individuals involved that the investigation is confidential to the extent possible consistent with a thorough and complete investigation, and will make clear that unauthorized disclosures could result in disciplinary action.

Employee Name: _____
Employee Title: _____
Supervisor or Manager Name: _____
Supervisor or Manager Title: _____
Today's Date: _____
Incident Time (if a single incident): _____

Incident Date/Period of Ongoing Incidents: _____
Incident Location (if a single incident): _____

Identify the individual(s) who participated in discrimination, harassment or retaliation:

Identify the individual(s) subject to the alleged discrimination, harassment or retaliation:

Identify (to the best of your knowledge) when the discrimination, harassment or retaliation occurred. If it occurred over a period of time or continues to occur, identify that period of time:

Identify why you believe the discrimination, harassment, or retaliation occurred:

Describe in detail the facts that form the basis of this complaint (attach additional sheets of paper if necessary):

Has anyone else witnessed the alleged conduct? To the best of your knowledge, please identify those individuals and describe their scope of knowledge of the alleged conduct:

Are you aware of any other evidence of the alleged conduct (for example, documents, emails, videotapes, audiotapes, or other records or materials that substantiate your complaint)? To the best of your knowledge, please identify and describe any and all existing evidence and attach any and all existing evidence in your possession to this complaint:

Did you take any action to try to stop the alleged conduct? If so, please describe the action you took and what resulted:

Have you previously reported or complained about the alleged conduct or any other discrimination, harassment or retaliation while employed at NATIONAL RECRUITING GROUP? If so, please identify the person you reported the conduct to, the date of the report and the resolution:

How would you like to see the situation resolved?

I acknowledge that I have read and understand the above information. I certify that to the best of my knowledge, the information I have provided on this form is accurate. I understand and acknowledge that a copy of this complaint and any attachments may be provided to the alleged offender(s). I also understand that this complaint and any attachments may be viewed by appropriate administrators and other witnesses involved in the investigation of this complaint. I am willing to fully cooperate in this investigation.

Employee Signature

Date

Signature of Supervisor or Manager Reviewing
Complaint

Date