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Anti-Harassment, Discrimination and Retaliation

ETS is committed to providing a work environment that is free of discrimination and unlawful harassment, including sexual harassment and harassment based on race, color, religion, creed, sex, sexual orientation/affectional preference, national origin, citizenship, age, disability, handicap, genetic information, marital status, gender identity, ancestry, sexual orientation, pregnancy status, uniformed service, military and veteran status, employment status or any other characteristic protected by law, rule or regulation. This policy applies to all aspects of employment, including but not limited to recruiting, hiring, compensation, training and development, benefits, promotion, demotion, discipline and termination.

Definition of Harassment (General)

Harassment is a form of discrimination that includes unwelcome verbal, non-verbal or physical conduct that denigrates or shows hostility or aversion towards an individual because of race, color, religion, creed, sex, sexual orientation/affectional preference, national origin, citizenship, age, disability, handicap, genetic information, marital status, gender identity, ancestry, sexual orientation, pregnancy status, uniformed service, military and veteran status, employment status or any other characteristic protected by law, rule or regulation, or that of persons with whom the individual associates.

ETS' strict policy is to prohibit behavior based on a person's race, color, religion, creed, sex, sexual orientation/affectional preference, national origin, citizenship, age, disability, handicap, genetic information, marital status, gender identity, ancestry, sexual orientation, pregnancy status, uniformed service, military and veteran status, employment status or any other characteristic protected by law, rule or regulation that: (1) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities. Regardless of whether any single instance of improper behavior constitutes harassment prohibited by law, it is ETS' policy that such behavior is inappropriate and offensive, will not be tolerated, and may be subject to corrective action up to and including termination of employment. Examples of behavior that violate this policy and may constitute harassing conduct include, but are not limited to:

- epithets, slurs, quips, or negative stereotyping that relate to race, color, religion, national origin, ancestry, sex, sexual orientation/affectional preference, age, handicap, disability, or any other category protected by law;
- threatening, intimidating or hostile acts that relate to race, color, religion, national origin, ancestry, sex, sexual orientation/affectional preference, age, handicap, disability, or any other category protected by law;

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- written or graphic material (including graffiti) that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, national origin, ancestry, sexual orientation/affectional preference, age, handicap, disability, or any other category protected by law and that is placed on walls, bulletin boards, or elsewhere on ETS' premises, or circulated (including by e-mail) or displayed in the workplace; or
- "jokes," "pranks," or other forms of "humor" that are demeaning or hostile with regard to race, color, religion, national origin, ancestry, sex, sexual orientation/affectional preference, age, handicap, disability, or any other category protected by law.

Definition of Sexual Harassment

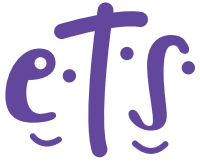
Sexual harassment includes unwelcome or unwanted sex-based conduct when: (1) an employee's submission to or rejection of this conduct either implicitly or explicitly affects decisions regarding hiring, evaluation, compensation, promotion, termination of employment or any other aspect of employment; or (2) such conduct substantially interferes with an individual's employment or creates an intimidating, hostile or offensive work environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different sex. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body or attire, sexual prowess or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including e-mail, calls, texts or social media usage even if they occur away from work premises or not during work hours); and other physical, verbal or visual conduct of a sexual nature.

ETS prohibits any inappropriate or offensive behavior including, but not limited to:

- coerced sexual acts;
- express or implied demands for sexual favors in exchange for employment, favorable reviews, assignments, compensation, promotions, continued employment or promises of continued employment;
- touching or assaulting an individual's body, or staring, in a sexual manner;
- graphic, verbal or written commentary about an individual's body or sexuality;
- unwelcome or offensive sexual jokes, sexual language, sexual epithets, sexual gossip, sexual comments or sexual inquiries;

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- unwelcome flirtations, advances, or propositions;
- sexually suggestive, or obscene comments or gestures;
- the display in the workplace of graphic and sexually suggestive objects, pictures or graffiti;
- negative statements or disparaging remarks targeted at one sex (either men or women), even if the content of the verbal abuse is not sexual in nature; or
- any form of retaliation against an employee for complaining in good faith about the type of behavior described above or supporting the complaint of an alleged victim.

Reporting and Investigating a Complaint

ETS, Inc. expects its employees to report any incident of discrimination, harassment or retaliation to a Human Resources Department Representative, to your immediate manager or any other member of management. We expect prompt reporting of complaints so that rapid and appropriate action may be taken. Supervisors and managers are required to report all conduct they believe may violate this Policy, whether they directly observe the conduct or it is reported to them, directly to a Human Resources Department Representative. Complaints will be accepted in writing or orally. Complaint forms are available from HR and also on ETS employee portal.

ETS also expects individuals to report perceived acts of discrimination or harassment by non-employees, such as clients, vendors, contract personnel, other service providers and any other non-employees. Such reports should also be made to any of the persons listed above.

All allegations of harassment and discrimination will be promptly investigated following our internal policy. The investigation may include individual interviews with the parties involved, individuals who may have observed the alleged conduct or may have other relevant knowledge. If an employee refuses to participate in an ETS inquiry, ETS will base its conclusions on the other information gathered during the inquiry and inferences drawn from all of the credible evidence.

ETS will endeavor to maintain confidentiality throughout the investigatory process to the extent practical and appropriate under the circumstances. Individuals involved in the investigation process are expected to provide their full cooperation and to maintain confidentiality.

At the conclusion of the investigation, ETS will advise any individual who has made a complaint under this Policy that the investigation has concluded and share other information as may be appropriate under the circumstances.

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Our immediate goal is to take prompt remedial action to stop any discriminatory, harassing or offensive conduct. Our second goal is to assure that the violation will not reoccur. Even where a violation is not found, it may be appropriate to discipline individuals regarding their behavior.

External Complaint Process

While ETS believes that effective implementation of this policy will create a healthy work environment free of discrimination, harassment and retaliation, the Company also believes that, should prohibited actions occur, appropriate action will be taken to stop the behavior and deal with the situation.

Employees also have the right to make a complaint to the appropriate government agency, as noted below:

- The state agency that is authorized to handle complaints of sexual or other unlawful harassment, discrimination or retaliation is the New York State Division of Human Rights.
- The federal agency authorized to handle complaints of this nature against New York employers is the Equal Employment Opportunity Commission.
- For more information about these agencies, refer to office postings in the bulletin board areas.

Retaliation is Prohibited

ETS will not retaliate in any way against an individual who makes a report in good faith of perceived discrimination or harassment or who participates in an inquiry of such report, and it is a violation of this Policy for any supervisor or employee to do so. Retaliation is a serious violation of this Policy.

Materially adverse acts or omissions that would be sufficient to discourage a reasonable employee from making or supporting a complaint of discrimination or harassment will be considered retaliation. Anyone who feels they have been subjected to any acts of retaliation should immediately report such conduct according to the complaint procedure above. Any person who retaliates against another individual for reporting a perceived act of discrimination or harassment will be subject to disciplinary action, up to and including termination of employment.

ETS recognizes that false accusations of discrimination, harassment or retaliation can cause serious harm to innocent persons. If an investigation results in a finding that the complainant or witness knowingly falsely accused another person of discrimination or harassment, the complainant or witness will be subject to disciplinary action, up to and including termination of employment. In addition, employees who fail to cooperate with an ETS-sponsored investigation of discrimination, harassment or retaliation may be subject to disciplinary action up to and including termination.

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This Policy is not intended nor does it restrict management's authority regarding disciplinary or employment decisions concerning employee behavior that is deemed unacceptable, regardless of whether the behavior constitutes discrimination, harassment or retaliation.

Date

Signature

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