

## FOR CALIFORNIA ONLY

### Policy Against Harassment and Discrimination

TriNet ("TriNet") and the Company are committed to creating a respectful, courteous work environment free of unlawful discrimination and harassment of any kind, and we are committed to taking all reasonable steps to prevent it and address it. We prohibit discrimination and harassment against employees, applicants for employment, individuals providing services in the workplace pursuant to a contract, interns, volunteers based on their actual or perceived race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, Civil Air Patrol status, military and veteran status, and any other consideration protected by federal, state or local law, by any employee, contractor, vendor, customer, or visitor. In addition to any disciplinary action we may take, up to and including termination of employment, offenders may also be personally liable, in the event of litigation, for damages and attorney's fees and other costs of litigation.

For purposes of this policy, discrimination on the basis of "national origin" also includes discrimination against an individual because that person holds or presents the California driver's license issued to those who cannot document their lawful presence in the United States. An employee's or applicant for employment's immigration status will not be considered for any employment purpose except as necessary to comply with federal, state or local law. Our commitment to equal employment opportunity applies to all persons involved in our operations and prohibits unlawful discrimination and harassment by any employee (including supervisors and co-workers), agent, client, customer, or vendor.

Except where otherwise indicated, the term "harassment," as used in this policy, refers to behavior that is related to any characteristic protected under applicable law and that is personally offensive, intimidating, or hostile, or interferes with work performance, regardless of whether it rises to the level of violating the law. In other words, this policy is stricter than the law, in that this policy defines harassment more broadly than does the law.

This policy applies to all persons involved in our operations, including coworkers, supervisors, managers, temporary or seasonal workers, agents, clients, vendors, customers, or any other third party interacting with the Company ("third parties") and prohibits proscribed harassing conduct by any employee or third party of the Company, including nonsupervisory employees, supervisors and managers. If such harassment occurs on the Company's premises or is directed toward an employee or a third party interacting with the Company, the procedures in this policy should be followed.

### What is Sexual Harassment?

Under various state and federal laws, sexual harassment includes, but is not limited to, making unwanted sexual advances and requests for sexual favors where:

- Submission to such conduct or communication is either explicitly or implicitly made a term or condition of an individual's employment; or

- Submission to or rejection of such conduct or communication by an individual is used as a basis for employment decisions affecting such individual; or
- Such conduct or communication has the purpose or effect of unreasonably interfering with an individual's work performance or creates and/or perpetuates an intimidating, hostile, or offensive work environment.
- As defined by law, sexual harassment can also take the form of other unwelcome conduct or communication that has the purpose or effect of unreasonably interfering with an individual's work performance or creates and/or perpetuates an intimidating, hostile, or offensive work environment. Such other conduct or communication sometimes takes the form of verbal abuse of a sexual nature, unwanted touching, leering, sexual gestures, a display of sexually suggestive objects or images, sexually explicit or offensive jokes, stories, cartoons, nicknames, slurs, epithets, and other communications of a sexual nature.

### What Are Other Kinds of Harassment?

In addition to sexual harassment, TriNet and the Company prohibit all other harassment based on race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, gender, gender identity, gender expression, age, sexual orientation, Civil Air Patrol status, military and veteran status, or any other characteristic protected by federal, state, or local law.

### Forms of Harassment

Harassment may take many forms, including:

- Verbal. Epithets; derogatory comments, slurs, or name-calling; inappropriate jokes, emails or any other form of written communication, comments, noises, or remarks; repeated requests for dates, threats, propositions, unwelcome and unwanted correspondence, phone calls, and gifts; or other unwelcome attention.
- Physical. Assault; impeding or blocking movement; physical interference with normal work or movement; unwanted and unwarranted physical contact, such as touching, pinching, patting, grabbing, brushing against, or poking another employee's body.
- Visual. Inappropriate images (whether in photographs, posters, cartoons, drawings, paintings or other forms of imagery); displaying inappropriate images, writings or objects; staring at or directing attention to an employee's anatomy; leering; sexually oriented or suggestive gestures.
- Cyberstalking. Harassment using electronic communication, such as e-mail or instant messaging (IM), or messages posted to a website, blog, or discussion group.

These kinds of behavior can occur in one-on-one interactions or in group settings and can involve a co-worker, manager, vendor, customer, visitor, or agent of the Company. Sexual harassment can also occur in the context of a relationship that was once consensual but has

changed so that the behavior is no longer welcome by one party. It is impossible to specify every action or all words that could be interpreted as harassment. The examples listed above are not meant to be a complete list of objectionable behavior. Make a point of paying attention to others' reactions and stated requests and preferences, respecting their wishes, and treating them in a professional manner, regardless of gender, race, religion, nationality, age, sexual orientation, sexual identity or expression, or other protected characteristic.

An employee may be liable for harassment based on sex even if the alleged harassing conduct was not motivated by sexual desire. An employee who engages in unlawful harassment may be personally liable for harassment even if the Company had no knowledge of such conduct.

### **Abusive Conduct Prevention**

It is expected that persons in the workplace perform their jobs productively as assigned, and in a manner that meets all of managements' expectations, during working times, and that they refrain from any malicious, patently offensive or abusive conduct including but not limited to conduct that a reasonable person would find offensive based on any of the protected characteristics described above. Examples of abusive conduct include repeated infliction of verbal abuse, such as the use of malicious, derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the intentional sabotage or undermining of a person's work performance.

### **Reporting and Investigating Harassment**

If you believe anyone is harassing you or another individual in the workplace, we encourage you, if comfortable doing so, to tell the harasser in clear language that the behaviors or advances are unwelcome or unwanted and must stop. The individual may not realize the behavior is offensive and a simple communication may effectively end the behavior. However, if you are not comfortable engaging in such communication or the behavior does not stop following such communication, you should immediately report your concern to your manager, any other Company manager or official, your TriNet HR Representative or the TriNet Employee Solution Center. Report the facts of the incident, including what happened, when, where, how often, and the names of the accused and any witnesses. Supervisors and Managers should immediately report any suspected incidents of harassment of others, including any complaint of harassment made by another employee, to a TriNet HR Representative.

All harassment claims will be investigated in a fair, timely, objective, and thorough manner that provides all parties due process and reaches reasonable conclusions based on the evidence collected. Such investigations will be conducted as confidentially as possible. All employees are expected to cooperate fully in any investigation. Upon completion of the investigation, the Company will communicate its conclusion as soon as practicable. If it is determined that prohibited harassment has occurred, the appropriate corrective action, up to and including termination of employment of the offending employee, will be taken along with any additional steps necessary to prevent further violations of this policy.

The federal Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) will accept and investigate charges of unlawful discrimination or harassment at no charge to the complaining party. Information may be located by visiting the agency website at [www.eeoc.gov](http://www.eeoc.gov) or [www.dfeh.ca.gov](http://www.dfeh.ca.gov).

### **Protection Against Retaliation**

TriNet, the Company, and the law do not tolerate any form of retaliation against any employee who opposes discrimination or prohibited harassment, makes a complaint, or participates in any manner in an internal investigation or an investigation, proceeding, or hearing conducted by a state or federal agency or court. If you believe that you have experienced or witnessed retaliation, you should immediately report your concern to your manager, any other manager or officer, a TriNet HR Representative or the TriNet Employee Solution Center. Any employee who engages in retaliation will be subject to disciplinary action, up to and including termination of employment, as well as possible legal consequences.