

Taken from the ESAH Employee Handbook 11-13-2017

HARASSMENT

European Service At Home, Inc., Inc. will not tolerate any form of harassment based on race, color, national origin, age, sex, religion, veteran status, disability, or any other protected group, by or against any of its employees. This policy applies equally to all Company employees as well as, vendors, patients and independent contractors.

Some examples of Harassment include:

1. Verbal Harassment: Making jokes or comments that refer to a certain ethnic group, race, sex, nationality, age, disability, sexual preference, religion or belief, epithets, derogatory comments, vulgar or profane words and expressions or slurs.
2. Visual Forms: derogatory e-mails, posters, cartoons or drawings.
3. Physical Harassment: unwelcome touching, assaulting, blocking, or otherwise physically interfering with an individual's normal movement.

SEXUAL HARASSMENT

The company is committed to providing a workplace that is free from all forms of discrimination, including sexual harassment. Any employee's behavior that fits the definition of sexual harassment is a form of misconduct which may result in disciplinary action up to and including dismissal. Sexual harassment could also subject this company and, in some cases, an individual to substantial civil penalties. Sexual harassment is illegal.

The company's policy on sexual harassment is part of its overall affirmative action efforts pursuant to federal and state laws prohibiting discrimination based on age, race, color, religion, national origin, and citizenship status, unfavorable discharge from the military, marital status, disability and gender. Specifically, sexual harassment is prohibited by Title VII of the Civil Rights Act of 1964 and the Illinois Human Rights Act. Each employee of this company must refrain from sexual harassment in the workplace. Furthermore, it is the responsibility of all supervisors and managers to make sure that the work environment is free from sexual harassment. All forms of discrimination and conduct which can be considered harassing, coercive or disruptive, or which create a hostile or offensive environment must be eliminated. Instances of sexual harassment must be investigated in a prompt and effective manner.

All employees of this company, particularly those in a supervisory or management capacity, are expected to become familiar with the contents of this policy and to abide by the requirements it establishes.

European Service At Home ("ESAH") believes that you should be afforded the opportunity to work in an environment free of sexual harassment. Sexual harassment is a form of misconduct that undermines the employment relationship. No employee, either male or female, should be subjected verbally or physically to unsolicited and unwelcome sexual overtures or conduct. Sexual harassment refers to behavior that is not welcome, that is

personally offensive, and that debilitates morale and, therefore, interferes with work effectiveness. Definition what is Sexual Harassment. ESAH has adopted, and its policy is based on, the definition of sexual harassment set forth by the Equal Employment Opportunity Commission (EEOC). The EEOC defines sexual harassment as unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is either an explicit or implicit term or condition of employment (e.g.: promotion, training, timekeeping or overtime assignments)
- Submission to or rejection of the conduct is used as a basis for making employment decisions (e.g.: hiring, promotion, termination)
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment

Sexual harassment includes, but is not limited to, the following:

- Telling dirty jokes
- Remarks concerning an employee's breasts or other such sexual comments.
- Commenting inappropriately on an employee's outfit
- Continually asking out an employee who is not interested
- Suggesting that the way to advance in the company is to sleep with the supervisor
- Posting or circulating nude or explicitly sexual pictures, cartoons or drawings.
- Keeping pornographic Web sites on a computer terminal within view of coworkers
- Unwelcome touching, pinching or other physical contact

What is not sexual harassment? Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, that is personally offensive, that debilitates morale, and that, therefore, interferes with work effectiveness. Employer's Responsibility ESAH wants you to have a work environment free of sexual harassment by management personnel, by your coworkers and by others with whom you must interact in the course of your work as an ESAH employee. Sexual harassment is specifically prohibited as unlawful and as a violation of ESAH's policy. ESAH is responsible for preventing sexual harassment in the workplace, for taking immediate corrective action to stop sexual harassment in the workplace and for promptly investigating any allegation of work-related sexual harassment.

Complaint Procedure: If you experience or witness sexual harassment in the workplace, report it immediately to the Manager of ESAH. You may also report any harassment to any other member of ESAH's management or ownership, including your supervisor. If your supervisor or any manager is the source of the harassing conduct, report the behavior directly to the Human Resources Manager. It is preferable to make a complaint in writing, if possible. In the event of a written complaint, you can accompany or follow up your written complaint with a verbal complaint. All allegations of sexual harassment will be quickly investigated. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of that investigation. ESAH shall make all reasonable efforts to investigate all complaints of sexual harassment within two (2) weeks of the initial complaint.

Resolution Outside the Company:

The purpose of this policy is to establish prompt, thorough and effective procedures for responding to every complaint and incident so that problems can be identified and remedied internally. However, an employee has the right to contact the Illinois Department of Human Rights (IDHR) or the Equal Employment Opportunity Commission (EEOC) about filing a formal complaint. An IDHR complaint must be filed within 180 days of the alleged incident(s) unless it is a continuing offense. A complaint with the EEOC must be filed within 300 days. In addition, an appeal process is available through the Illinois Human Rights Commission, (IHRC) after IDHR has completed its investigation of the complaint. Where the employing entity has an effective sexual harassment policy in place and the complaining employee fails to take advantage of that policy and allow the employer an opportunity to address the problem, such an employee may, in certain cases, lose the right to further pursue the claim against the employer.

ADMINISTRATIVE CONTACTS

Illinois Department of Human Rights (IDHR)

Chicago: 312-814-6200 or 800-662-3942

Chicago TTY: 866-740-3953

Springfield: 217-785-5100

Springfield TTY: 866-740-3953

Marion: 618-993-7463

Marion TTY: 866-740-3953

Illinois Human Rights Commission (IHRC)

Chicago: 312-814-6269

Chicago TTY: 312-814-4760

Springfield: 217-785-4350

Springfield TTY: 217-557-1500

Retaliation Prohibited. ESAH will not permit any employment-based retaliation against anyone who brings a complaint of sexual harassment or who speaks as a witness in the investigation of a complaint of sexual harassment.

An employee, who is suddenly transferred to a lower paying job or passed over for promotion after filing a complaint with IDHR or EEOC, may file a retaliation charge, also due within 180 days (IDHR) or 300 days (EEOC) of the alleged retaliation. An employee who has been physically harassed or threatened while on the job may also have grounds for criminal charges, such as assault or battery.

FALSE AND FRIVOLOUS COMPLAINTS

False and frivolous charges refer to cases where the accuser is using a sexual harassment complaint to accomplish some end other than stopping sexual harassment. It does not refer to charges made in good faith which cannot be proven. Given the seriousness of the consequences for the accused, a false and frivolous charge is a severe offense that can itself result in disciplinary action.

Written Policy: You will receive a copy of ESAH's sexual harassment policy when you begin working for ESAH. If at any time you would like another copy of that policy, please contact any manager of ESAH or your supervisor. If ESAH should amend or modify its sexual harassment policy, you will receive an individual copy of the amended or modified policy.

Penalties: Sexual harassment will not be tolerated at ESAH. If an investigation of any allegation of sexual harassment shows that harassing behavior has taken place, the harasser will be subject to disciplinary action, up to and including dismissal.

Unwelcome sexual advances, requests for sexual favors and/or other verbal or physical conduct of a sexual nature can be considered harassment when the following conditions are met:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
2. When submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or
3. Such conduct has the purpose or effect of interfering unreasonably with an individual's work performance or is creating an intimidating, hostile or offensive working environment.