

SACRAMENTO REGIONAL TRANSIT DISTRICT

Harassment, Discrimination and Retaliation Prevention Policy

RT Philosophy

RT is committed to providing:

- A respectful and supportive work environment for all employees
- A diverse and representative workplace that mirrors the region we serve
- A workplace where employees are treated fairly, equitably, and non-judgmentally
- A workplace free from discrimination, harassment and retaliation
- A workplace where supervisors/managers take responsibility for modeling appropriate behavior and assuring respectful behavior towards others.

This Discrimination and Harassment Prevention Policy is designed to achieve these goals and ensure that RT provides a respectful, professional, and productive workplace that fosters an environment where all employees may achieve their full potential while providing superior quality service to our customers.

Policy

RT takes its equal employment opportunity obligations seriously and is committed to providing a workplace free of harassment, discrimination and retaliation for filing a complaint or for requesting a reasonable accommodation. It is also RT's policy and practice to assure equal employment opportunity in all personnel transactions, including recruitment, selection, promotions, discipline, terminations, transfers, layoffs, compensation, training, benefits, and other terms and conditions of employment.

In addition, RT is committed to making reasonable accommodations for qualified individuals with disabilities and for religious practices of applicants and employees where the accommodation will not create an undue hardship.

Every RT employee is expected to conduct him or herself in a civil and non-discriminatory manner when interacting with fellow employees in the workplace or while conducting RT business. Workplace discrimination will not be tolerated. Employees engaging in such conduct will be subject to corrective or disciplinary action up to and including termination from employment and in some instances may be found civilly liable in state or federal court. RT will also take appropriate remedial actions against third parties (including vendors, contractors, consultants, and customers) found to have acted in violation of this policy.

Discrimination

Workplace discrimination is prohibited by RT Policy and under both state and federal law. The California Fair Employment and Housing Act prohibits workplace discrimination on the basis of a person's protected status, including race, religion (including religious dress and grooming practices), color, national origin (including language use restrictions and possession of a driver's license issued under Vehicle Code section 12801.9), ancestry, physical disability, mental disability, medical condition, genetic information, family and medical care leave, marital status, registered domestic partner status, sex (including pregnancy, childbirth, breastfeeding, and related medical conditions), age, or sexual orientation, gender, gender-identity, gender expression, or military or veteran status.

Federal law also prohibits workplace discrimination based on a person's protected status, including race, color, religion, sex (including pregnancy, childbirth and related medical conditions; gender identity; and sexual orientation), disability, age, and national origin, genetic information (such as results of genetic testing or family information), military or veteran status and retaliation.

If and to the extent state or federal law is modified in the future to include additional protected categories, this policy will be deemed to apply to those categories as well.

It is illegal to discriminate on the basis of a person's protected status in any employment action, including: hiring and firing; compensation, assignment, classification of employees; transfer, promotion, discipline, layoff, or recall; job advertisements; recruitment; testing; use of RT facilities; training; fringe benefits; pay, retirement plans, disability leave; or other terms and conditions of employment. It is also illegal to discriminate based on the perception that a person has a protected characteristic or is associated with a person who has or is perceived as having any of those characteristics.

For purposes of this Policy, "discrimination" means any action or inaction, whether intentional or unintentional, that results in disparate treatment of an employee or applicant, or perpetuates the effects of prior discrimination, based on a protected status.

Workplace Harassment

Employee conduct that may create a hostile work environment is not tolerated by RT. Conduct that has the purpose or effect of: (1) unreasonably interfering with an individual's work performance; (2) creating an intimidating, hostile, threatening, or offensive working environment; or (3) adversely affecting the employee's performance, evaluation, assignment duties, or any other condition of employment or career development, and is based upon a protected status or characteristic is prohibited. This harassment policy extends to vendors, customers, independent contractors, unpaid interns, volunteers, persons providing services pursuant to a contract and other persons with whom you come into contact while working.

A hostile work environment claim can arise out of conduct directed at any protected status/characteristic, including race, religion (including religious dress and grooming practices), color, national origin (including language use restrictions and possession of a driver's license issued under Vehicle Code section 12801.9), ancestry, physical disability, mental disability, medical condition, genetic information, family and medical

care leave, marital status, registered domestic partner status, sex (including pregnancy, childbirth, breastfeeding, and related medical conditions), age, or sexual orientation, gender, gender-identity, gender expression, or military or veteran status.

Prohibited harassment can include, but is not limited to, the following behavior:

- Verbal or electronic communication of epithets, derogatory jokes or comments, or slurs
- Visual displays of derogatory or sexually oriented posters, photography, cartoons, drawings, or gestures
- Physical conduct, including assault, unwanted touching, intentionally blocking normal movements or interfering with work because of any protected basis.
- Retaliation for reporting or threatening to report harassment

Sexual Harassment

Sexual harassment is a specific type of harassment that is sexual in nature and/or is gender-based. Sexual harassment can be directed towards males or females by either gender. Sexual harassment does not have to be motivated or based upon sexual desire. Sexual harassment is in violation of federal and state law and is prohibited by this Policy.

Sexual harassment exists when: (1) submission to the conduct is either explicitly or implicitly a term or condition of employment; (2) submission to or rejection of the conduct is used as a basis for an employment decision affecting such individual; or (3) the conduct unreasonably interferes with the individual's job performance or creates a work environment that is intimidating, hostile, or offensive.

Conduct that occurs outside the workplace can form the basis of a sexual harassment complaint, if the conduct affects the work environment in any of the three ways set out above.

Examples of sexual harassment include, but are not limited to the following:

- Off-color, sexually suggestive, sexist or risqué e-mails, stories, jokes, items, songs, personal accounts, or pictures;
- Questions others about personal matters, including the existence or details of relationships with spouses, partners, or lovers, sexual preferences or history;
- Physical touching including rubbing, hugging, stroking, kissing or grabbing any part of someone else's body or personal items on their body without their consent;
- Sexual advances, requests for sexual favors, comments containing sexual language or references with sexual innuendo or implication or obscene gestures.

Responsibilities of Supervisors and Management

Because of their positions of authority, all supervisory and managerial personnel have a responsibility to: (1) set a positive example for employees; (2) ensure that all employees are familiar with and are following the standards of conduct set forth in this Policy; and (3) foster an environment of cooperation and open communication, such that employees feel free to report conduct in violation of this Policy.

RT will evaluate the performance of RT managers and supervisors in implementing this Policy in the same way their performance is assessed regarding other job-related factors. Supervisory and managerial personnel are also reminded that their conduct outside of work with subordinate employees may impact their employment, where it may affect their ability to perform their job responsibilities with RT.

Each supervisor shares responsibility to ensure that the work environment is free of prohibited workplace discrimination and harassment. If an employee alleges to a supervisor or management representative that unlawful discrimination or harassment has occurred, it is the supervisor's or management representative's responsibility to take immediate action by reporting the allegation to RT's EEO Administrator or the General Manager/CEO (GM/CEO).

Reporting Harassment or Discrimination Resulting in a Hostile Work Environment

Any person who feels he or she is being subjected to hostile work environment harassment or discrimination has the right to object to such behavior and should immediately report such conduct to RT's EEO Administrator, unless the EEO Office is the source of the complaint. In such cases, the complaint should be filed with RT's General Manager/CEO. Employees are encouraged to report potential violations of this Policy as soon as possible, so that RT can take the appropriate steps to investigate and remedy the situation.

An employee may also file a formal complaint with the appropriate outside agency or pursue other legal recourse. Employees should be aware that under federal law, a discrimination complaint must be filed with the Equal Employment Opportunity Commission (1-800-669-4000, www.eeoc.gov) within 180 days of the unlawful conduct (unless a state complaint has been filed, in which case the complaint must be filed within 300 days) and that a state complaint must be filed with the California Department of Fair Employment and Housing (1-800-884-1684, TTY 1-800-700-2320, or at www.dfeh.ca.gov) within a year of the unlawful conduct.

Filing and Investigation of Complaints

For all complaints of unlawful workplace discrimination or harassment, RT will conduct a fair, timely, and thorough investigation that provides appropriate due process for affected parties and reaches reasonable conclusions based on the evidence collected. Every investigation will be handled discreetly and reasonable efforts will be made to keep the complaint, the investigation, and the findings confidential and to complete and close the investigation in a timely manner. RT will document and track all investigations. RT will protect individuals who file a complaint or participate in an investigation from retaliation. Employees have an obligation to participate in the investigation process once a complaint has been filed in accordance with Standard Operating Procedure

EEO-SOP-02-001. Employees who fail to cooperate as required may be subject to disciplinary action, up to and including termination from employment.

RT will take appropriate remedial measures if an investigation results in a finding of a violation of any aspect of this Policy, including disciplinary action up to and including termination from employment, if deemed warranted.

Information on the Policy or Administration of the Complaint Process

Additional information on the administration of this Policy or the process to file a discrimination complaint can be obtained by contacting Kim Holman, EEO Administrator at (916) 557-0910, or by email to: kholman@sacrt.com.



Henry Li, GM/CEO
Sacramento Regional Transit District

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Date