

EQUAL EMPLOYMENT AND ANTI-HARASSMENT/DISCRIMINATION

Equal Employment Opportunity

Stafkings is an equal opportunity employer, and does not discriminate on the basis of race (including traits historically associated with race), color, religion, sex, disability (including pregnancy-related conditions), genetic information, reproductive health decision making (including the decision to use or access a particular drug, device, or medical service), predisposition or carrier status, national origin, citizenship, ancestry, age, marital status, familial status, sexual orientation, gender identity or expression, the status of being transgender, military status, the status of being a victim of domestic violence, known relationship or association with any member of a protected class, or any other class or status protected by applicable law (hereafter "Protected Status").

This policy applies to all terms and conditions of employment including, but not limited to hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation training, educational opportunities, benefits, social and recreational programs, and retirement.

Discrimination based on an employee's Protected Status is strictly prohibited. Any employee who engages in such conduct is subject to appropriate disciplinary action up to and including immediate termination.

All employees are responsible for immediately bringing any perceived violation of this policy to the attention of a supervisor, a manager, Corporate Management (607-772-8080) or Human Resources (315-432-5636) who will respond to your concern quickly and in as discreet a manner as is possible.

Reproductive Health Decision Making

Stafkings will not access an employee's personal information regarding the employee's or the employee's dependent's reproductive health decision making, discriminate or take any retaliatory action against any employee with respect to compensation, terms, conditions, or privileges of employment because of or on the basis of the employee's or their dependent's reproductive health decision making, or require an employee to sign a waiver or other document which purports to deny an employee the right to make their own reproductive health care decisions. For purposes of this policy "reproductive health decision making" includes, but is not limited to, a decision to use or access a particular drug, device, or medical service. In addition to reporting any alleged violations of this policy to Stafkings, employees may also choose to pursue legal remedies by initiating a civil action in court for damages, injunctive relief, reinstatement, and/or liquidated damages.

No employee will be subject to retaliation or discipline by Stafkings as a result of making or threatening to make a complaint to Stafkings, a co-worker, or a public body, that rights guaranteed under applicable law have been violated; causing to be instituted any proceeding alleging violations of applicable law; or providing information to, or testifying before, any public body conducting an investigation, hearing, or inquiry into any alleged violation by Stafkings of applicable law, rule, or regulation.

Any employee who believes that he or she has been subject to discriminatory or retaliatory behavior in violation of this policy should report it immediately to Human Resources.

Prohibition of Discrimination, Sexual and Other Workplace Harassment, and Retaliation Policy and Reporting Procedure

Stafkings is committed to a work environment in which all individuals are treated with respect and dignity. Each employee has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, the Company expects that all relationships among employees throughout the Company will be business-like and free of bias, prejudice and harassment and the Company takes a firm stance to prohibit workplace harassment, discrimination, and retaliation.

Stafkings' policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business with Stafkings. In the remainder of this document, the term "individuals" refers to this covered collective group. This policy includes any behavior that affects the work environment, including conduct that occurs in the workplace, at work sponsored events and outside of the workplace.

Harassment consists of unwelcome conduct, whether verbal, written, visual or physical, that demonstrates hostility, intimidation, ridicule or insult towards an individual on the basis of the individual's actual or perceived race (including traits historically associated with race), creed, color, religion, sex, sexual orientation, gender identity, transgender status, reproductive health decision-making of an individual or an individual's dependents, national origin, ancestry, age, physical or mental disability (including pregnancy-related conditions), genetic information, predisposition or carrier status, marital or familial status, domestic violence victim status, military or veteran status, criminal conviction history, known relationship or association with any member of a protected class, or any other characteristic protected under applicable law. Harassment based on these characteristics is a form of unlawful discrimination prohibited by federal, state and local laws and will not be tolerated.

This policy prohibits not only behavior that constitutes unlawful harassment, but also other inappropriate or unprofessional behavior that may reasonably be considered offensive or otherwise objectionable.

Any employee found to have engaged in conduct that violates this policy will be subject to disciplinary action, up to and including termination.

In furtherance of its commitment to maintain a harassment free workplace, the Company will provide ongoing access to this policy for all employees.

Sexual Harassment

Sexual harassment is a form of sex discrimination and includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender. Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Such conduct has the purpose or effect of subjecting an individual to inferior terms, conditions or privileges of employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- Such conduct is not a "petty slight" or "trivial inconvenience" and has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment.

A sexually harassing hostile work environment consists of words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, or which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to:

- Physical assaults of a sexual nature, such as:
 - Touching, pinching, patting, grabbing, brushing against another employee's body or poking another employees' body;
 - Rape, sexual battery, molestation or attempts to commit these assaults.

- Unwanted sexual advances or requests for sexual favors;
 - 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.
- Sex stereotyping which occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- 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 or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, name-calling.
- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which create a hostile work environment.

Who Can be a Target of Sexual Harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. New York Law protects employees and all covered individuals described earlier in the policy. **Harassers can be anyone in the workplace.** A supervisor, a supervisee, or a coworker can all be harassers. Anyone else in the workplace can also be harassers including an independent contractor, contract worker, vendor, client, customer, patient, constituent, or visitor.

Individuals bring personal history with them to the workplace that might impact how they interact with certain behavior. It is especially important for all employees to be aware of how words or actions might impact someone with a different experience than their own in the interest of creating a safe and equitable workplace.

Other Types of Prohibited Harassment

Harassment on the basis of actual or perceived race (including traits historically associated with race), creed, color, religion, reproductive health decision-making of an individual or an individual's dependents, national origin, ancestry, age, physical or mental disability (including pregnancy-related conditions), genetic information, predisposition or carrier status, marital or familial status, domestic violence victim status, military or veteran status, criminal conviction history, known relationship or association with any member of a protected class, or any other characteristic protected under applicable law is also strictly prohibited. This includes behavior similar to sexual harassment, such as: threatening letters or correspondence (including e-mails, text messages and social media posts); threats, epithets, derogatory comments, or slurs; derogatory posters, photographs, cartoons, drawings, or gestures; assault, unwanted touching, or blocking normal movement; and conduct via electronic media such as email, text messages or social media.

Any individual who feels harassed should report such harassing conduct so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

As mentioned, unlawful harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business, working remotely or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises or not during work hours. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

Retaliation Prohibition

Retaliation is unlawful and strictly prohibited under this policy. Staffings prohibits retaliation against any individual who, in good faith, reports harassment, opposes a discriminatory practice, encourages another individual to report discrimination, harassment, or retaliation, or participates in an investigation of such reports. Retaliation against an individual for engaging in any such protected activity is a serious violation of this policy and, like harassment itself, the individual retaliating will be subject to disciplinary action, up to and including termination.

Reporting an incident of Harassment, Discrimination, or Retaliation

Staffings cannot prevent or remedy harassment, discrimination, or retaliation unless it knows about it. Staffings strongly urges the reporting of all incidents of harassment, discrimination, and retaliation, regardless of the offender's identity or position. Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment, discrimination, or retaliation. Therefore, Staffings strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. Preventing harassment, discrimination, and retaliation is everyone's responsibility. Any individual who believes they have been subject to harassment, discrimination, or retaliation, or witnesses otherwise becomes aware of such behavior, should inform **a supervisor, a manager, Corporate Management (607-772-8080) or Human Resources (315-432-5636)**. No adverse employment action will be taken for any employee making a good faith report of alleged discrimination, harassment or retaliation. Please note that this does not protect individuals making reports of harassment that the individual knows to be false.

Employees should not feel obligated to file their concerns or complaints with their immediate supervisor first, before bringing the matter to the attention of a manager, Corporate Manager, or Human Resources. This is particularly true if an individual feels that their supervisor has not appropriately responded to the harassment complaint or is involved in the harassment.

All employees are encouraged to report any sexual harassment or behaviors that violate this policy. Reports of sexual harassment may be made verbally or in writing. Staffings provides individuals with a complaint form that can be found in the Appendix.

Supervisors are **required** to report any complaint that they receive, or any sexual harassment that they observe or become aware of, to **Corporate Management (607-772-8080) or Human Resources (315-432-5636)**. Supervisors are also required to take appropriate responsive action. Appropriate responsive action includes intervening to stop harassment, in addition to communicating all reports or incidents of suspected harassment to **Corporate Management (607-772-8080) or Human Resources (315-432-5636)**. In addition to being subject to discipline if they engaged in harassing or discriminatory conduct themselves, supervisors will be subject to discipline for failing to report suspected harassment or discrimination, or otherwise knowingly allowing harassment or discrimination to continue. Supervisors will also be subject to discipline for engaging in any retaliation.

Bystander Intervention

Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is required to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help.

1. A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
2. A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;
3. A bystander can record or take notes on the harassment incident to benefit a future investigation;

4. A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok; and
5. If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace.

Investigation of Reports of Harassment, Discrimination, or Retaliation

Stafkings will conduct a prompt and thorough investigation that ensures integrity and respect for all individuals involved in the incident. Stafkings will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. Individuals, including supervisors and leadership, are required to cooperate with an internal investigation of harassment, discrimination, or retaliation. Non-compliance in an internal investigation may result in disciplinary action, up to and including termination.

All reports, complaints or other information about suspected harassment, discrimination, or retaliation will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely and thorough manner commensurate with the nature of the complaint and will be confidential to the extent possible.

Although each investigation may differ in light of the circumstances involved, in conducting a fair and impartial investigation, Stafkings will at a minimum always: (i) provide appropriate notice of the allegations to anyone who is the subject of a harassment complaint; (ii) provide an opportunity to respond to the allegations; and (iii) provide complainants and witnesses an appropriate opportunity to present relevant information, including documents and other evidence relevant to the investigation. Stafkings reserves the right to adapt and modify its investigatory procedure(s), in its discretion, based on the nature of the report and the alleged conduct at issue. This policy in no way alters the at-will nature of employment with Stafkings.

All employees and other individuals covered under this policy are required to cooperate, as needed, in an investigation of suspected harassment, discrimination, or retaliation. Employees and other individuals who participate in any investigation are protected from retaliation.

All persons involved in the reporting and investigation of harassment, discrimination, or retaliation are obligated to keep the information pertaining to the investigation confidential to the maximum extent possible, to protect the privacy of those involved in the investigation and to allow Stafkings to conduct an objective and fair investigation.

If Stafkings determines that this policy has been violated, it will take effective remedial action commensurate with the circumstances. Any employee who has been found by Stafkings to have violated this policy will be subject to corrective action, up to and including discharge where appropriate. If it is concluded that a non-employee has violated this policy, prompt and effective action will be taken to stop the harassment and deter any future harassment. **Please Note: The Company reserves the right to discipline individuals for conduct that it deems inappropriate or unprofessional, even if the behavior does not rise to the level necessary to violate the law.**

Stafkings will notify the individual who was subject to the reported conduct and the person who filed the complaint, if different, of the conclusion of its investigation, and will follow up with that individual as appropriate under the circumstances.

The availability of the reporting procedure does not preclude individuals who believe they are being subjected to discriminating, harassing or retaliating conduct from promptly advising the offender that their behavior is unwelcome and requesting that it be discontinued.

Harassment, discrimination and retaliation are prohibited by Stafkings, and by state, federal, and, where applicable, local law. Aside from the internal process at Stafkings, individuals may choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by Stafkings but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Stafkings, employees may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

State Human Rights Law (HRL)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court. Complaints with DHR may be filed any time within (3) three years for complaints of unlawful discrimination and within 3 years for complaints of sexual harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within (3) three years of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court. Complaining internally to Stafkings does not extend your time to file with DHR or in court. The three years is counted from date of the most recent incident of harassment. You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR. DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines. DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov. Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized, and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State. DHR also maintains a confidential hotline to provide individuals with complaints of workplace sexual harassment counsel and assistance. That number is 1-800-HARASS-3 (1-800-427-2773).

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court. The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC. An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov. If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists.