

CNY CLEANING SOLUTIONS NON-DISCRIMINATION AND SEXUAL HARASSMENT POLICY

It is the policy of CNY Cleaning Solutions to affirmatively seek to provide and maintain a work place free of sexual and/or other harassment, discrimination and intimidation of any employee, job applicant, intern, contractors and persons conducting business with CNY Cleaning Solutions. We do not accept or condone actions of harassment or discrimination based on: race, color, creed, age, sex, sexual orientation, gender identity, national origin, disability, marital status, military status, religion, genetic predisposition, or carrier status, arrest and criminal convictions records, or any other protected status identified by federal, state or local law, by our management or employees of CNY Cleaning Solutions.

Harassing conduct (based on protected categories like race, creed, national origin, religion, gender, sexual orientation etc.) includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail, IM, texts, Internet or computer usage).

SEXUAL HARASSMENT POLICY:

CNY Cleaning Solutions is committed to maintaining a workplace free from Sexual Harassment, or harassment of any kind. Employees have a right to a workplace free from sexual harassment or harassment of any kind and employees can enforce this right by filing a complaint internally with CNY Cleaning Solutions or with a government agency or in court.

Sexual harassment is:

- A form of sex discrimination that violates Federal Laws including Title VII and/or New York State Laws, including NYS Human Rights Law and applicable local laws.
- Any harassment based on someone's sex or gender.
- Sexual Harassment is any unwelcome conduct of a sexual nature, requests for sexual favors and any other conduct of a verbal or physical nature, especially where submission (either explicitly or implicitly) is a term or condition of employment, or the rejection of such conduct is used as a basis for decisions affecting a person's employment.
- Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Such behavior may include, but is not limited to: unwanted sexual advances; requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering; catcalls; touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail, IM, texts, Internet or computer usage); and other physical, verbal or visual conduct of a sexual nature.
- Sexual Harassment also includes conduct that has the purpose or effect of creating an intimidating, hostile or offensive working environment. This can include comments, jokes, and innuendoes, nonverbal gestures of a sexual nature, or graphic visuals or cartoons.
- Harassment that does not include sexual activity or language may also constitute

discrimination if it is directed at employees because of their gender.

- Sex stereotyping is a form of discrimination and 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.

EXAMPLES OF HARASSING CONDUCT:

Sexual harassment comes in many forms and is not limited to physical actions. Harassment also includes verbal or non-verbal conduct that rises to the level of being "severe or pervasive."

Examples of sexual harassment include:

- Physical actions, such as:
 - Touching or brushing against an individual's clothing, body, or hair.
 - Initiating unwanted sexual activity, such as kissing, touching, or hugging.
 - Rubbing or touching anyone sexually in the presence of another.
 - Exposing oneself.
- Verbal actions, such as:
 - Repeating requests for a date with someone who has not returned an interest.
 - Telling unwelcome jokes or stories, often with sexual innuendo.
 - Initiating unwelcome flirtations.
 - Making or using derogatory comments, epithets, slurs, and jokes.
 - Making graphic verbal commentaries about an individual's body or using sexually degrading words to describe an individual.
 - Using expressions that can be belittling such as "honey," "dear," "sweetheart," or "lady supervisor."
- Non-verbal actions, such as:
 - Staring or looking someone up and down.
 - Blocking or impeding an individual's movement.
 - Following someone inappropriately.
 - Giving unwelcome gifts.
 - Making sexual gestures.
 - Displaying sexually suggestive objects, pictures, cartoons, books, or magazines.
 - Winking, blowing kisses, or licking lips.
 - Standing or sitting too close to someone.
- 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.

Sexual Harassment can occur inside the workplace and outside the workplace at annual meetings, business trips, sporting events, holiday parties. Call, emails and social media usage by employees can constitute unlawful workplace harassment even if the calls, emails and social media usage occurs during non-work hours or away from the workplace.

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

Harassment in any form is misconduct, is prohibited and will not be tolerated. Any employee or individual covered by this policy who engages in any form of harassment will be subject to discipline up to and including discharge.

REPORTING SEXUAL HARASSMENT OR DISCRIMINATION OF ANY KIND:

You have the right to make a complaint if you feel you have experienced harassment or discrimination of any kind. Reports may be made verbally or in writing. A form for submission of a written complaint is attached to this policy. Employees are encouraged to use this complaint form. To file a complaint, you should notify William Hanlon of CNY Cleaning Solutions. If you believe that it would be inappropriate or you are not comfortable reporting to William Hanlon of CNY Cleaning Solutions you should report the conduct to _____.

All supervisors or managers who receive a complaint about alleged discrimination or harassment, observe conduct that may be discriminatory or harassing or suspect sexual harassment is occurring has an absolute duty to investigate such suspected conduct. Failure by a supervisor or manager to initiate an investigation will be subject to discipline up to and including discharge.

All complaints about suspected harassment will be investigated immediately whether reported verbally or in writing and corrective action taken where warranted. A fair and impartial investigation will be conducted and completed within 30 days. To the extent possible, the investigation will be conducted in a confidential manner that protects the identity of both the person filing the complaint and the person accused.

Investigations will be done in accordance with the following steps:

- a. Upon receipt of the complaint, William Hanlon and/or _____ (hereinafter "Investigator") will conduct an immediate review of the complaint. The Investigator will interview the complainant within three business days of the complaint being made. The Investigator may take any interim action the Investigator feels necessary while the complaint is being thoroughly investigated.
- b. If there are documents relevant to the allegations the Investigator will take steps necessary to obtain and preserve the documents.

- c. The Investigator will interview all parties, including any relevant witnesses.
- d. The Investigator will create and keep a written record of the investigation which contains a list of all documents reviewed and a summary of the relevant documents, a list of names of those interviewed and a summary of the interviews, a timeline of events, a summary of any prior related events, incidents discovered during the investigation whether reported or not reported and the final resolution of the investigation.
- e. The Investigator will note any corrective actions to be taken.

This written report will be kept on file. The Investigator will notify the complainant and the alleged perpetrator of the outcome of the investigation, as well as any corrective action that will be taken. If corrective action is needed the Investigator will implement the corrective action.

The Investigator will also inform the individual who filed the complaint of their right to file a complaint or charge externally.

AVAILABLE EXTERNAL FORUMS FOR ADJUDICATING HARASSMENT AND DISCRIMINATION COMPLAINTS:

NYS Division of Human Rights (“DHR”):

- An employee may also file a complaint with the New York Division of Human Rights. To file a complaint go to the Division’s website at www.DHR.NY.Gov and download and complete the complaint form, have the form notarized and return the form to either the nearest regional office, or email it to complaints@dhr.ny.gov or fax it to 718-741-8322. The nearest regional office is at 333 E. Washington St., Rm 543, Syracuse, NY 13202.
- A complaint for sexual harassment with the Division of Human Rights must be filed within three years of the most recent act of discrimination. You do not need an attorney to file a complaint with the DHR.

United States Equal Employment Opportunity Commission (EEOC)

- Employees can also make a charge (“complaint”) with the U.S. Equal Employment Opportunity Commission (EEOC) by going to www.eeoc.gov, or in person at the an EEOC field office or by mail. The closest field office to Syracuse is at 300 Pearl St., Suite 450, Buffalo, NY 14202. An employee may also call the EEOC at 1-800-669-4000 or email at info@eeoc.gov.
- A charge of discrimination with the EEOC must be filed within 180 calendar days from the day the discrimination took place. This time frame is extended to 300 days if a state or local agency enforces a law that prohibits employment discrimination on the same basis. If the harassment is ongoing it is from the day of the last act of harassment.

Court Action:

- An employee may also file a lawsuit in State Court or Federal Court.
- If an employee is bringing an action that alleges violations of Title VII (Federal Law) than the employee must first file a charge with the EEOC. Once the EEOC closes their investigation they will give you a Notice of Right to Sue. You must file your lawsuit within 90 days of receipt of the Notice of Right to Sue.
- An employee that wants to bring a State Court action just alleging violations of NYS or NYC harassment laws does not need to first file a charge with the EEOC.
- An employee has the choice to either file a claim with the Division of Human Rights or file a State Court action. If an employee does not file a Division of Human Rights complaints than the individual can sue directly in State Court within three years of the alleged harassment or discrimination.

Local Protections:

- Many municipalities have their own laws and regulations protecting individuals from harassment or discrimination. An employee should check with County, City, or Town in which they live or work to see if such laws exist.

If the harassment involves physical contact, coerced sex acts or confinement the conduct may be a crime and the employee should contact law enforcement.

RETALIATION:

CNY Cleaning Solutions prohibits any form of retaliation against any employee who files a bona fide complaint or assists in the investigation into a complaint of discrimination or harassment of any form, including sexual harassment. It is unlawful for an employer, or agent of an employer to retaliate against an employee who in good faith has:

- Complained of sexual harassment, or discrimination in any form.
- Filed a written complaint of sexual harassment or discrimination in any form.
- Testified or assisted in proceedings involving sexual harassment or discrimination in any form.
- Opposed sexual harassment or any type of discrimination by a verbal or informal complaint to management or informing a supervisor of harassment.
- Informed a supervisor or management that another employee is being sexually harassed or discriminated against in any form.
- Encouraged a fellow employee to report harassment.

Retaliation consists of an adverse action taken against an employee by an employer.

- It is any act by an employer or agent of an employer, that is more than trivial, that would have the effect of dissuading a reasonable worker from making or supporting a charge of harassment.
- Retaliation can come from direct actions such as demotions or termination or subtle actions such as an increased workload or transfer of locations.
- Examples:
 - An employee makes an informal complaint about sexual harassment. After words the employee's hours are cut with no other reasonable explanation.
 - A former employee who testified for a co-worker against the employer in a sexual harassment proceeding is given an unwarranted negative reference.

I, _____, hereby acknowledge that I have received a copy of
 (Name of employee)

CNY Cleaning Solutions Contractor Inc.'s Non-Discrimination and Sexual Harassment Policy.

Date: _____

Signature: _____

Print Name: _____