LYNEER ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY

Objective

Stellar Management Services Limited Liability Company, Infinity Staffing Solutions, LLC dba Lyneer Staffing Solutions, and Staff 4 Jobs, LLC dba Lyneer Staffing Solutions (collectively “Lyneer”) strives to create and maintain a work environment in which people are treated with dignity, decency, and respect. The environment of the company should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. Employees should be able to work and learn in a safe, yet stimulating atmosphere. The accomplishment of this goal is essential to the mission of the company. For that reason, Lyneer will not tolerate unlawful discrimination or harassment of any kind. Through enforcement of this policy and by education of employees, the company will seek to prevent, correct and discipline behavior that violates this policy.

All employees, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension or termination of employment.

Prohibited Conduct Under This Policy

Lyneer, in compliance with all applicable federal, state and local anti-discrimination and harassment laws and regulations, enforces this policy in accordance with the following definitions and guidelines:

Discrimination

It is a violation of Lyneer’s policy to discriminate in the provision of employment opportunities, benefits or privileges, to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person’s race, color, national origin, age, religion, disability status, gender, sexual orientation, gender identity, genetic information or marital status.

Discrimination of this kind may also be strictly prohibited by a variety of federal, state and local laws, including Title VII of the Civil Rights Act 1964, the Age Discrimination Act of 1975, and the Americans with Disabilities Act of 1990. This policy is intended to comply with the prohibitions stated in these anti-discrimination laws.

Discrimination in violation of this policy will be subject to disciplinary measures up to and including termination.

Sexual and Other Unlawful Harassment

Lyneer is committed to providing a work environment free of discrimination and harassment. We will not tolerate any form of harassment from supervisors, fellow employees, or anyone else. Any employee guilty of committing any of the following acts may be disciplined or, where appropriate, discharged without notice. Harassment includes verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, national origin, age, marital status, or disability, or that of his or her relatives, friends, or associates, and that (1) has the purpose or effect of creating an intimidating, hostile, or offensive working environment; or (3) otherwise adversely affects an individual’s employment opportunities.
The following are examples of types of behaviors that are not acceptable (the list is not all inclusive):

- Sexual Harassment: Described below.
- Unreasonable Conduct: Treating individuals as if they are inferior. This behavior includes verbal abuse.
- Discrimination: Discrimination occurs whenever employment decisions are made based upon race, color, religion, sex, creed, national origin, age, marital status, or disability that does not prohibit performance of essential job functions, affectional or sexual orientation, or any other characteristic protected by law. This behavior also constitutes an unlawful employment practice and violates state and/or federal Civil Rights statutes.
- Unwelcome Behavior: Included can be (a) unwanted, or unwelcome verbalism or behaviors that have over-tones related to an individual’s race, color, religion, sex, creed, national origin, age, marital status, disability that does not prohibit performance of essential job functions, affectional or sexual orientation, or any other characteristic protected by law, (b) epithets, slurs, negative stereotypes, or threatening, intimidating or hostile acts that are related to race, color, religion, sex, creed, national origin, age, marital status, or disability that does not prohibit performance of essential job functions, affectional or sexual orientation, or any other characteristic protected by law, (c) verbalism/behavior which an employee regards as offensive; or (d) written or graphic material that demigrates or shows hostility or aversion toward an individual or group because of race, color, religion, sex, creed, national origin, age, marital status, or disability that does not prohibit performance of essential job functions, affectional or sexual orientation, or any other characteristic protected by law, that is placed on walls, bulletin boards, or elsewhere on the workplace premises, or circulated in the workplace.

In the event any of Lyneer’s employees feel there is a violation of the type mentioned herein or any other type of discriminating conduct prohibited by Title VII of the Civil Rights Act or by any local, state or federal anti-discrimination ordinance, law or regulation, he or she should immediately bring it to the attention of his or her immediate supervisor. However, should any person who would normally review complaints or grievances filed pursuant to Lyneer’s work-related problems procedure be the individual accused of engaging in improper discrimination, the employee should bypass the procedure and immediately contact Lyneer’s Human Resources Department. The employee may also report a complaint by telephoning the company’s Human Resources Hotline at 609-489-5410.

Harassment

Lyneer prohibits harassment, including sexual harassment, of any kind, and will take appropriate and immediate action in response to complaints or knowledge of violations of this policy. For purposes of this policy, harassment is any verbal or physical conduct designed to threaten, intimidate or coerce an employee, co-worker or any person working for or on behalf of Lyneer. Verbal taunting (including racial and ethnic slurs) that, in the employee’s opinion, impairs his or her ability to perform his or her job is included in the definition of harassment. The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal harassment includes comments that are offensive or unwelcome regarding a person’s nationality, origin, race, color, religion, gender, sexual orientation, age, body, disability or appearance, including epithets, slurs and negative stereotyping.
- Non-verbal harassment includes distribution, display or discussion of any written or graphic material that ridicules, demigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, sexual identity, marital or other protected status.
Sexual Harassment Awareness Policy

It has always been Lyneer’s policy that all of its employees be able to enjoy a work environment free from all forms of discrimination, including sexual harassment. Additionally, unwelcome activity of a sexual nature is classified as discrimination under the law. Sexual harassment is a form of misconduct, which undermines the integrity of the employment relationship. No one, whether male or female, should be subjected to unsolicited, unwelcome sexual advances or sexually suggestive conduct, either physical or verbal, from another employee. Lyneer will not tolerate sexual discrimination or sexual harassment, and any complaints of sexual harassment will be taken seriously.

Types of Sexual Harassment

Unwelcome sexual conduct constitutes sexual harassment when:

- Acceptance or rejection of the conduct is used to make employment decisions (e.g., hiring, pay raises, etc.) that affect the employee claiming harassment;
- The conduct has the purpose or effect of unreasonably interfering with the employee’s job performance; or
- The conduct creates an intimidating environment.

Quid Pro Quo: (Something for Something): Occurs when an employee is subject to unwelcome sexual advances and submission to them is made the basis for employment decisions.

Hostile Environment: Occurs when unwelcome sexual conduct interferes with an employee’s job performance or creates an intimidating, hostile or offensive workplace.

The foregoing has been provided for example purposes, and is not an exhaustive list.

Reporting Sexual Harassment

If you feel that you have been sexually harassed, report it immediately.

Reporting Procedures

1. Sexual harassment complaints (“Complaint”) should be taken to your immediate supervisor. However, if the supervisor is the person at whom the Complaint is directed, then take your Complaint to Lyneer’s Human Resources Department. You may also report a Complaint of Sexual Harassment by telephoning Lyneer’s Human Resources Hotline at 609-489-5410.
2. Once the Complaint has been filed, Lyneer will undertake a confidential, prompt and thorough investigation to gather and document all relevant information regarding the Complaint.
3. After the investigation has been completed, a determination will be made by Lyneer. If it is found that this policy was violated, Lyneer will take appropriate remedial action against the offending employee.

Confidentiality and Non-Retaliation Policy

Complaints filed will be held in the strictest confidence and this policy expressly prohibits retaliation against an employee who files a Complaint. Further, an employee shall not be discriminated against, adversely affected or terminated for having filed such Complaint.

Records

Any records pertaining to a Complaint or the investigation of a Complaint will be maintained in a confidential file separate from the employee’s personnel file.
Liability For Harassment

Any employee of Lyneer, whether a coworker or manager, who is found to have engaged in prohibited harassment is subject to disciplinary action, up to and including discharge from employment. Any manager or supervisor who knew about harassment and took no action to stop it or failed to report the harassment to the Human Resources Department or Lyneer’s Human Resources Hotline at 609-489-5410 may also be subject to discipline up to and including discharge. Lyneer does not consider conduct in violation of this policy to be within the course and scope of employment or the direct consequence of the discharge of one’s duties. Accordingly, to the extent permitted by law, Lyneer reserves the right not to provide a defense or pay damages assessed against employees for conduct in violation of this policy.

Policies Against Workplace Violence

1. Statement of Policy

The costs of workplace violence can be great, both in human and financial terms. Therefore, Lyneer has adopted this policy regarding workplace violence.

Acts or threats of physical violence, including intimidation, harassment, and/or coercion, that involve or affect Lyneer or that occur on Lyneer property or in the conduct of Lyneer business off Lyneer property, will not be tolerated. This prohibition against threats and acts of violence applies to all persons involved in Lyneer operations, including, but not limited to, Lyneer personnel, contract workers, temporary employees, and anyone else on Lyneer property or conducting Lyneer business off Lyneer property. Violations of this policy, by any individual, may lead to disciplinary action, up to and including discharge, and/or legal action as appropriate.

This policy is intended to bring Lyneer into compliance with existing legal provisions requiring employers to provide a safe workplace; it is not intended to create any obligations beyond those required by existing law.

2. Definitions

Workplace violence is any intentional conduct that is sufficiently severe, offensive, or intimidating to cause an individual to reasonably fear for his or her personal safety or the safety of his or her family, friends, and/or property such that employment conditions are altered or a hostile, abusive, or intimidating work environment is created for one or more Lyneer employees. Workplace violence may involve any threats or acts of violence occurring on Lyneer premises, regardless of the relationship between Lyneer and the parties involved in the incident. It also includes threats or acts of violence that affect the business interests of Lyneer or that may lead to an incident of violence on Lyneer premises. Threats or acts of violence occurring off Lyneer premises that involve employees, agents, or individuals acting as a representative of Lyneer, whether as victims of or active participants in the conduct, may also constitute workplace violence. Specific examples of conduct that may constitute threats or acts of violence under this policy include, but are not limited to, the following:

(a) Threats or acts of physical or aggressive contact directed toward another individual;
(b) Threats or acts of physical harm directed toward an individual or his/her family, friends, associates, or property;
(c) The intentional destruction or threat of destruction of company property or another employee’s property;
(d) Harassing or threatening phone calls;
(e) Surveillance;
(f) Stalking;
(g) Veiled threats of physical harm or similar intimidation;
(h) Any conduct resulting in the conviction under any criminal code provision relating to violence or threats of violence that adversely affect Lyneer’s legitimate business interests. Workplace violence does not refer to occasional comments of a socially acceptable nature. These comments may include references to legitimate sporting activities, popular entertainment, or current events. Rather, it refers to behavior that is personally offensive, threatening or intimidating.

3. Enforcement

Any person who engages in a threat or violent action on Lyneer property may be removed from the premises as quickly as safety permits and may be required, at Lyneer’s discretion, to remain off Lyneer premises pending the outcome of an investigation of the incident.

When threats are made or acts of violence are committed by an employee, a judgment will be made by Lyneer as to what actions are appropriate with respect to that employee, including potential medical evaluation and/or disciplinary action up to and including discharge from employment.

**Important Note:** Lyneer will make the sole determination of whether, and to what extent, Lyneer will act upon threats or acts of violence. In making this determination, Lyneer may undertake a case-by-case analysis in order to ascertain whether there is a reasonable basis to believe that workplace violence has occurred. No provision of this policy alters the at-will nature of employment at Lyneer.

I hereby certify that I have received a copy of, and I have reviewed and understand, this latest version of the Lyneer Anti-Discrimination and Anti-Harassment Policy dated July 1, 2015. I am aware that violations of this Policy may subject me to disciplinary action, up to and including discharge from employment.

Signature: _______________________________ Date: ___________________________