

# **PLAYFAIRE PRODUCTIONS EMPLOYMENT STANDARDS, NON-DISCRIMINATION, HARASSMENT AND RETALIATION POLICY**

PLAYFAIRE PRODUCTIONS is committed to providing a work environment that is professional, free of discrimination, harassment, retaliation, bullying and any other unlawful, or unprofessional conduct. PLAYFAIRE PRODUCTIONS expects its team to behave in a professional manner at all times, treating other staff and contractors with respect and courtesy. Inappropriate public displays of emotion, abusive language or behavior will not be tolerated.

PLAYFAIRE PRODUCTIONS prohibits conduct that is discriminatory, harassing, retaliatory, or bullying based on sex (including pregnancy, childbirth, breastfeeding or related medical conditions), race, religion (including religious dress and grooming practices), color, gender (including gender identity and gender expression), national origin or ancestry, physical or mental disability, medical condition, genetic information, marital status, registered domestic partner status, age, sexual orientation, military and veteran status or any other basis protected by federal, state, local law, ordinance or regulation. The policy also prohibits discrimination, harassment, retaliation, or bullying based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics.

**All such conduct violates PLAYFAIRE PRODUCTIONS's policy against discrimination, harassment, retaliation and bullying.**

PLAYFAIRE PRODUCTIONS's Non-Discrimination, Harassment and Retaliation Policy applies to all persons involved in the business operations of PLAYFAIRE PRODUCTIONS. The policy prohibits discrimination, harassment, retaliation, and bullying conduct by any employee of PLAYFAIRE PRODUCTIONS, including board members, managers, supervisors, and staff members, as well as vendors, independent contractors and any other persons associated with the business operations of PLAYFAIRE PRODUCTIONS.

Prohibited discriminatory, harassing, retaliatory, and bullying conduct includes, but is not limited to, the following behavior:

- Verbal conduct such as derogatory or inappropriate epithets, jokes, sarcasm, slurs, or comments which target or impact a person because of the respondent's protected status;
- Unwanted sexual advances, invitations or comments;
- Derogatory or inappropriate visual displays such as sexually-oriented posters, photographs, cartoons, drawings, written messages, emails, text messages, or social media posts which target or impact a person because of the respondent's protected status;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement, or interfering with an individual's work because of that individual's protected status;
- Any form of bullying which targets or impacts a person because of the respondent's protected status;
- Threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss or offers of employment benefits in return for sexual favors;
- Retaliation for reporting or threatening to report discrimination, harassment or bullying; and,
- Communication via electronic media of any type that includes a statement, comment or picture prohibited by federal, state or local law, or by PLAYFAIRE PRODUCTIONS policy.

**The types of conduct prohibited by this policy also include, but are not limited to, the use of profanity, yelling, shouting, negative stereotyping, intimidating acts, physical contact (such as patting, grabbing, pinching, pushing, blocking or impeding someone's physical movement, assaulting an individual, or any other type of action that results in a harassing, offensive or unwelcome physical contact) threatening an individual, or circulating or posting written or graphic materials that show harassment or hostility towards an individual because of his or her protected status. All of the above types of conduct are prohibited by PLAYFAIRE PRODUCTIONS.**

**This list of prohibited conduct is not intended to be exclusive; any type of discriminatory, harassing, retaliatory, bullying, unprofessional, offensive or unwelcome conduct directed against anyone in, or associated with, the workplace is prohibited by PLAYFAIRE PRODUCTIONS.**

### **Sexual Harassment**

California and federal law defines sexual harassment as unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when: (1) submission to the conduct is made a term or condition of employment; or (2) submission to or rejection of the conduct is used as the basis for employment decisions affecting the individual; or (3) the conduct has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile, or offensive working environment. This definition includes many forms of offensive behavior. The following is a partial list:

- Unwanted sexual advances;
- Offering employment benefits in exchange for sexual favors;
- Making or threatening reprisals after a negative response to sexual advances;
- Visual conduct such as leering, making sexual gestures, or displaying sexually suggestive objects, images, pictures, cartoons, or posters;
- Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually explicit jokes, or comments about an individual's body or dress;
- Verbal sexual advances or propositions;
- Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, or suggestive or obscene letters, notes, or invitations;
- Physical conduct such as touching, assault, or impeding or blocking movements;
- Threats and demands to submit to sexual requests in order to keep the employee's job or avoid some other loss, and offers of job benefits in return for sexual favors; and,
- Retaliation for reporting harassment, threatening to report harassment, or participating in an investigation.

It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females. Sexual harassment on the job is unlawful whether it involves coworker harassment, harassment by a manager, or harassment by persons doing business with or for PLAYFAIRE PRODUCTIONS.

It is important to note that sexual harassment does not need to be motivated by sexual desire to be unlawful or to violate this policy. Therefore, hostile acts towards an individual because of the respondent's gender can amount to sexual harassment, regardless of whether the treatment is motivated by any sexual desire.

### **Other Types of Workplace Harassment**

Prohibited harassment in any form, including verbal, physical and visual conduct, threats, demands, intimidation, bullying, and retaliation directed against anyone in, or associated with, the workplace, will not be tolerated. Harassment because of race, religious creed, religious dress, religious grooming practices, color, national origin, ancestry, physical or mental disability, medical condition, sex, gender, pregnancy, pregnancy-related medical condition, marital status or registered domestic partner status, age, sexual orientation, gender identity or any other protected basis may include one or more of the following, but is not limited to:

- Verbal conduct such as epithets, derogatory comments, slurs, invitations, or comments;
- Visual conduct such as derogatory posters, photography, cartoons, drawings, or gestures;
- Physical conduct such as unwanted touching, blocking normal movement, or interfering with work directed at an employee because of any protected basis;
- Any type of bullying;
- Retaliation for having reported or threatened to report prohibited harassment.

Prohibited harassment that impairs an employee's working ability or emotional well-being at work violates this policy and will not be tolerated.

### **Retaliation**

PLAYFAIRE PRODUCTIONS prohibits retaliation against any employee for cooperating in an investigation, for making a complaint of a violation of this policy in good faith, or for opposing perceived violations of this policy, even if the allegations are not substantiated by PLAYFAIRE PRODUCTIONS's investigation. Any employee who feels he/she/they has experienced or witnessed any conduct that he/she/they believes to be retaliatory in nature, must follow the reporting procedures described below.

### **Employee Responsibilities Including Reporting Complaints of Discrimination, Harassment, Retaliation or Bullying**

Everyone at PLAYFAIRE PRODUCTIONS can help ensure that the PLAYFAIRE PRODUCTIONS workplace is free from prohibited discrimination, harassment, retaliation, bullying or unprofessional conduct by avoiding any behavior or conduct that could reasonably be interpreted as prohibited discriminatory, harassing, retaliatory, bullying, disrespectful or unprofessional. No employee, not even the highest ranking employee at PLAYFAIRE PRODUCTIONS, is exempt from the requirements of this policy. PLAYFAIRE PRODUCTIONS will not tolerate discriminatory, harassing, retaliatory, bullying, or unprofessional conduct against any of its employees, customers, affiliates and/or outside vendors.

### ***Complaint Process***

If an employee believes that he or she has been the subject of discriminatory, harassing, retaliatory, bullying, or unprofessional conduct, or if an employee witnesses or is aware of such conduct against anyone in the workplace, the employee must comply with the following complaint procedures:

1. The employee must immediately report the incident (within twenty-four (24) hours of the incident, or as soon thereafter as possible) to any PLAYFAIRE PRODUCTIONS manager or supervisor or an HR reporter.

Whether an employee complains to his/her/their manager, supervisor, any other supervisor/manager, or an HR reporter is the employee's choice, although all such conduct must also be reported to PLAYFAIRE PRODUCTIONS's HR Manager, within twenty-four (24) hours of an incident, or as soon thereafter as possible. Employees should report their complaints to whomever they feel most comfortable making the report, in addition to PLAYFAIRE PRODUCTIONS's HR Manager, PLAYFAIRE PRODUCTIONS's Production Manager or PLAYFAIRE PRODUCTIONS's General Manager.

2. As soon as possible after reporting what an employee believes to be a violation of this policy, the employee will be asked to provide a written complaint to PLAYFAIRE PRODUCTIONS's HR Manager, PLAYFAIRE PRODUCTIONS's Production Manager or PLAYFAIRE PRODUCTIONS's General Manager. The complaint should include a description of the prohibited conduct; frequency of the conduct; location and dates on which the conduct occurred; name/s of the offending party/ies involved; name/s of all witness/es to the conduct; and, the employee's response to the conduct.
3. Any manager/supervisor who is aware of conduct that may be a violation of this policy or who receives a report of conduct that may be a violation of this policy is required to report it immediately (within twenty-four (24) hours, or as soon thereafter as possible) to PLAYFAIRE PRODUCTIONS's HR Manager, PLAYFAIRE PRODUCTIONS's Production Manager and PLAYFAIRE PRODUCTIONS's General Manager, for investigation, determination, and resolution.
4. Managers, assistant managers and supervisors will refer all complaints involving discrimination, harassment, retaliation, bullying or other prohibited PLAYFAIRE conduct to PLAYFAIRE PRODUCTIONS's HR Manager, PLAYFAIRE PRODUCTIONS's Production Manager and PLAYFAIRE PRODUCTIONS's General Manager.
5. PLAYFAIRE PRODUCTIONS will immediately undertake an effective, thorough and objective investigation of the allegations.
6. Every reported incident will be thoroughly investigated in a timely manner and, to the extent possible, will be conducted in a confidential manner. While the investigation proceeds, PLAYFAIRE PRODUCTIONS may put reasonable interim measures in place, including but not limited to, a change of shift or transfer.
7. The failure or refusal of any employee to cooperate in an PLAYFAIRE PRODUCTIONS investigation of alleged wrongful conduct may subject the employee to disciplinary action, up to and including, immediate termination of employment or contract.
8. Once reports of alleged violations of this policy are thoroughly investigated, PLAYFAIRE PRODUCTIONS will take appropriate action. PLAYFAIRE PRODUCTIONS may conclude that a violation has occurred. PLAYFAIRE PRODUCTIONS might also conclude, depending on the circumstances, either that no violation of policy occurred or that PLAYFAIRE PRODUCTIONS cannot conclude whether or not a violation occurred.
9. If PLAYFAIRE PRODUCTIONS determines there has been a violation of this policy or other inappropriate conduct has occurred, effective remedial action will be taken, appropriate to the totality of the circumstances, including disciplinary action, up to and including termination. PLAYFAIRE PRODUCTIONS may discipline an employee for any inappropriate conduct discovered while investigating alleged violations of this policy, even if the conduct does not amount to a violation of the law. If the person who engaged in the conduct is not employed by PLAYFAIRE PRODUCTIONS, then PLAYFAIRE PRODUCTIONS will take whatever corrective action is reasonable and appropriate under the circumstances. Following the conclusions of PLAYFAIRE PRODUCTIONS's investigation, a representative from PLAYFAIRE PRODUCTIONS will advise the principal parties concerned of the results of the investigation.

Employees also should be aware that the federal Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) investigate and prosecute complaints of prohibited discrimination, harassment and retaliation in employment. If an employee believes that they have been discriminated against, or harassed, retaliated, bullied or threatened for resisting or complaining, the employee may also file a complaint with the appropriate state or federal agency.

All PLAYFAIRE PRODUCTIONS employees have a personal responsibility to conduct themselves in compliance with this Non-Discrimination, Harassment and Retaliation Policy and to report any observations of conduct inconsistent with this policy. For questions concerning this policy, please contact PLAYFAIRE PRODUCTIONS's HR Manager.

**Acceptance of this Policy**

**By signing below I acknowledge that I have received my copy of PlayFaire Production's Non-Discrimination, Harassment and Retaliation Policy. I also acknowledge that I have read, understand, and will comply with the policies and procedures contained in the policy. I understand that if I have questions regarding any provision in this policy, I may contact PLAYFAIRE PRODUCTIONS's HR Manager.**