



SUBJECT

Policy Against Sexual Harassment & Other Workplace Harassment

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POLICY:

It is the policy of Driscoll Foods that sexual and other workplace harassment, in any form, is strictly prohibited and will not be tolerated in the workplace.

DEFINITIONS:

For purposes of this Policy, the following definitions apply:

(1) Sexual Harassment:

Sexual harassment includes any action or conduct that threatens or insinuates, either explicitly or implicitly, that an associate's refusal to submit to sexual advances will adversely affect the associate's continued employment, compensation, performance evaluations, advancement, assigned duties, or any other term or condition of employment. In addition, sexual harassment includes unwelcome verbal, visual, or physical conduct of a sexual nature that demeans the dignity of an associate through insulting, intimidating, or degrading sexual remarks or conduct, or which has the effect of unreasonably interfering with an individual's work performance or otherwise creates an intimidating, hostile, or offensive work environment.

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: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, leering, catcalls or touching; obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail or other electronic or mobile devices); and other verbal, visual, or physical conduct of a sexual nature.

(2) Other Workplace Harassment:

Other workplace harassment includes, but is not limited to, any unwelcome verbal, visual or physical conduct which denigrates or shows hostility or aversion toward an individual because of an individual's race, color, religion, national origin, age, sex, gender, pregnancy, disability, sexual orientation, gender identity, genetic information, military status, veteran status or other personal characteristic protected by applicable federal, state or local law, and that has the purpose or effect of creating an intimidating, hostile or offensive work environment, has the purpose or effect of unreasonably interfering with an individual's work performance, or otherwise adversely affects an individual's employment opportunities.

Harassing conduct 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 or other electronic or mobile devices).



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INDIVIDUALS AND CONDUCT COVERED:

This Policy applies to all Driscoll Foods associates and applicants for employment, and prohibits harassment whether engaged in by managers, supervisors, co-workers, or non-Driscoll Foods associates, such as customers or suppliers.

Conduct prohibited by this Policy is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings, and company-sponsored social events.

COMPLAINT PROCEDURE:

ANY ASSOCIATE WHO FEELS THAT HE OR SHE HAS BEEN A VICTIM OF HARASSMENT OR HAS WITNESSED ANY CONDUCT THAT MAY BE INCONSISTENT WITH THIS POLICY MUST REPORT THE INCIDENT IMMEDIATELY TO HIS OR HER SUPERVISOR. IF THIS IS NOT APPROPRIATE, THE INCIDENT MUST BE REPORTED TO THE NEXT LEVEL OF MANAGEMENT OR, IN THE ALTERNATIVE, TO YOUR HUMAN RESOURCES PROFESSIONAL.

Any supervisor, manager, or Human Resources professional receiving a complaint of harassment must immediately contact his/her immediate supervisor and/or next level HR professional. Failure to do so may result in disciplinary action, up to and including dismissal.

RESPONSIVE ACTION:

All complaints will be handled in a timely manner. Confidentiality will be maintained throughout the investigation to the extent permissible by law and to the extent this does not interfere with Driscoll Foods' ability to investigate or to take appropriate corrective action.

Any supervisor, manager, or Human Resources professional who becomes aware of harassment or any complaint of harassment under this Policy and fails to notify the proper parties or take corrective action pursuant to this Policy will be subject to disciplinary action, up to and including dismissal.

Any associate who is found, after an investigation, to have violated this Policy will be subject to appropriate disciplinary action, up to and including dismissal.

RETALIATION:

Intimidation, coercion, threats, retaliation or discrimination against any associate (or other person) for making a complaint under this Policy, assisting in an investigation, or reporting an incident of harassment, is prohibited. Anyone engaging in retaliation, like harassment itself, will be subject to disciplinary action, up to and including dismissal.



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CERTIFICATION

(to be signed by ALL associates)

By signing below, I hereby certify that I have received, read and understand Driscoll Foods' Policy Against Sexual Harassment & Other Workplace Harassment and that I understand that compliance with the terms of the Policy is a condition of my employment.

Print Associate Name

Associate Signature Date

A copy of this Certification will be maintained in the associate's personnel file.

