
Hire Up Staffing & Healthcare Services
(A Kirkman Beck, LLC Company)
Policies Agreement • OCTOBER 8, 2025 REVISION

Comprehensive Policy Prohibiting Sexual Harassment

1. Policy Statement and Scope

We are firmly committed to maintaining a working environment free from all forms of sexual harassment and retaliation. This policy adheres to and often exceeds the standards required by state (FEHA) and federal (Title VII) law.

This policy applies to all individuals in the workplace, including, but not limited to, employees, applicants, supervisors, managers, independent contractors, volunteers, and unpaid interns.

It prohibits unlawful sexual harassment by:

- Any employee, supervisor, or manager.
- Third parties such as clients, customers, vendors, and business visitors.

A. Protected Statuses

Sexual harassment is a form of discrimination based on sex, gender, gender identity (including transgender status), gender expression, or sexual orientation. This protection applies to individuals of any gender, and the conduct does not need to be motivated by sexual desire.

2. Definition of Unlawful Sexual Harassment

Unlawful sexual harassment falls into two categories: Quid Pro Quo and Hostile Work Environment.

A. Quid Pro Quo (This for That) - Quid Pro Quo harassment occurs when a supervisor or manager makes submission to or rejection of unwelcome sexual conduct a condition of an individual's employment, promotion, compensation, training, job assignment, or any other term or privilege of employment.
Example: Offering a job benefit (e.g., a raise) in exchange for a date or sexual favors, or threatening a job loss for refusing a sexual advance.

B. Hostile Work Environment - Hostile work environment harassment occurs when unwelcome conduct based on sex is so severe or pervasive that it unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

C. Critical California Standard - Under FEHA, a single incident of harassing conduct, if sufficiently severe, may be enough to create a hostile work environment and support a claim of harassment.

D. Examples of Prohibited Conduct

Prohibited conduct includes, but is not limited to:

Verbal Conduct

Epithets, derogatory comments, or slurs based on sex or gender.
Making or repeating offensive jokes, comments, or rumors about sex, gender, or sexual orientation.
Graphic verbal commentary about an individual's body or appearance.

Physical Conduct

Unwanted touching, assault, or impeding movement.
Blocking or cornering an individual in a workspace.
Leering or making unwelcomed sexual gestures.

Visual/Digital Conduct

Displaying sexually suggestive objects, pictures, cartoons, or posters.
Sending unwanted sexually explicit or suggestive emails, texts, or sharing material digitally.
Offensive remarks about a person's gender identity or gender expression.

3. Prohibition Against Retaliation

Retaliation is strictly prohibited. It is illegal to discipline, discharge, or otherwise discriminate against any individual for:

- Filing a good-faith complaint of sexual harassment.
- Assisting in a harassment investigation.
- Opposing any practice that the individual reasonably believes to be unlawful sexual harassment.
- Any employee who engages in retaliation will be subject to immediate disciplinary action, up to and including termination.

4. Complaint and Investigation Procedure

Hire Up will conduct a fair, thorough, and prompt investigation into all complaints.

A. Reporting a Concern

If you believe you have been subjected to, or have witnessed, conduct that violates this policy, you must report it immediately. You are not required to report to your direct supervisor. To ensure a safe and confidential reporting path, you may report your concern to any of the following:

- Your immediate supervisor or another manager.
- Hire Up Staffing's Human Resources Department (559-579-1332).
- Rebecca Kirkman, Company President.

B. External Reporting (Statute of Limitations)

You may file a complaint with an external government agency at either the state or Federal level:

Agency

California Civil Rights Department (CRD) (formerly DFEH)

Texas Workforce Commission (TWC) – Civil Rights Division

U.S. Equal Employment Opportunity Commission (EEOC)

Filing Deadline (Statute of Limitations)

You have three (3) years from the date of the last alleged act of harassment to file a complaint.

You have 300 days from the date of the last alleged act to file a complaint.

You have 300 days from the date of the last alleged act to file a complaint.

Hire Up strongly encourages prompt internal reporting to allow for immediate corrective action, but taking advantage of our internal process is not required before contacting an external agency.

C. Investigation and Corrective Action

- All complaints will be followed by a prompt, fair, and impartial investigation by qualified personnel.
- Confidentiality will be maintained to the extent possible, consistent with conducting a thorough investigation and taking necessary corrective action.
- If misconduct is confirmed, the Company will take **immediate and appropriate corrective action** to stop the misconduct, prevent its recurrence, and remedy the effects on the victim. Corrective action may include mandatory training, suspension, demotion, or termination.

5. Mandatory Training and Employer Obligations

As an employer in California, we have an affirmative duty to take all reasonable steps necessary to prevent harassment and discrimination from occurring. This includes providing mandatory training as follows:

- Training Requirement: All employers with five or more employees must provide sexual harassment and abusive conduct prevention training to all employees in California.
- Training Duration and Frequency:
 - Supervisors must receive two (2) hours of training.
 - Non-supervisory employees must receive one (1) hour of training.
 - This training must be completed within six months of hire or promotion, and every two years thereafter.
- All employees must be paid for the time spent completing this mandatory training.