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

Policy Prohibiting Unlawful Discrimination, Harassment, and Retaliation

Hire Up Staffing & Healthcare Services recognizes that temporary employees work at various client sites, which presents unique challenges for training requirements. While Hire Up is the employer of record, the supervising employer is the specific client site where the temporary employee is assigned. Therefore, the client site is responsible for providing site-specific sexual harassment, discrimination, and workplace violence prevention training, and all temporary employees must complete the training required by that site.

1. Policy Statement and Scope

We are committed to maintaining a working environment free from all forms of unlawful discrimination, harassment, and retaliation. This policy applies to all employees, job applicants, interns, volunteers, and independent contractors, and prohibits unlawful conduct by any employee, supervisor, manager, vendor, client, or other third-party.

Hire Up prohibits discrimination or harassment based on any of the following characteristics (Protected Statuses):

- Race, color, ancestry, or national origin.
- Religious creed or observance.
- Age (40 and over).
- Physical or mental disability, or medical condition.
- Genetic information or characteristics.
- Sex (including pregnancy, childbirth, or related medical conditions), gender, gender identity, gender expression, or sexual orientation.
- Marital status.
- Military and veteran status.
- Reproductive health decision making.

Intersectionality: This policy explicitly prohibits discrimination or harassment based on the combination of any two or more of these Protected Statuses (e.g., discrimination based on an individual's combination of race and sex).

Employees are also protected if they are perceived to have any of these characteristics or are associated with a person who has or is perceived to have any of these characteristics, or if they are an employee or applicant who is a victim of a qualifying act of violence or whose family member is a victim of a qualifying act of violence (e.g., domestic violence, sexual assault, or stalking).

2. Definition of Unlawful Conduct

- A. **Discrimination** - Discrimination is an adverse employment action (e.g., hiring, firing, compensation, promotion, training, or job assignments) taken because an individual belongs to a Protected Status. It also includes taking action against an individual who is perceived to have, or is associated with a person who has, a Protected Status.
- B. **Harassment** - Harassment involves unwelcome verbal, physical, or visual conduct based on a Protected Status that is so severe or pervasive that it alters the terms and conditions of employment, creating an offensive or hostile work environment.
- C. **Critical California Standard: Under California law (FEHA)** - a single, isolated act of harassment, if sufficiently severe, can be enough to create a hostile work environment and support a harassment claim. This means all employees and supervisors must treat even one incident of potentially offensive conduct seriously.

D. **Examples** - Harassment may also occur when a managerial employee asks a subordinate for sexual favors in return for a job benefit. This is called "quid pro quo" harassment. Sexually harassing conduct need not be motivated by sexual desire. Examples of prohibited conduct are described below. Behavior such as telling ethnic jokes, making religious slurs, using offensive "slang" or other derogatory terms denoting a person's race, age, national origin, disability or mimicking one's speech, accent or disability, are examples of prohibited conduct and will not be tolerated in our organization. Discrimination or harassment may take many forms.

The following are a few examples of prohibited discrimination or harassment:

- A manager making a promotion or other employment decision based on the worker's gender, race, personal relationship or other protected class;
- Making racial, ethnic or religious epithets, slurs or jokes;
- Directing remarks, jokes or other intimidating behavior towards persons of a specific race, gender, or other protected classification;
- Making comments, jokes or innuendos of a sexual nature, including comments about a person's body;
- Exhibiting nude, profane, or obscene cartoons, drawings or photographs;
- Whistling, staring, leering or making other sexual gestures;
- Inappropriate touching, hugging or kissing, assault, or impeding or blocking movements;
- Making unwelcome sexual advances or requests for sexual favors;
- Making submission to sexual requests a term or condition of employment, job benefit or job opportunity;
- Rejecting a person for employment, or for a job benefit or opportunity because the person has refused to participate in sexual conduct;
- Any other conduct that a person could conclude is intimidating, hostile or offensive behavior and based on a protected classification.

E. **Retaliation** - Retaliation is an adverse action taken against an individual for:

- Filing a complaint of discrimination or harassment.
- Assisting in a complaint investigation.
- Opposing any act or practice made unlawful by FEHA.

Retaliation is strictly prohibited by law, and the Hire Up will take immediate action to prevent it.

3. Specific California Employment Protections

In addition to the general anti-discrimination principles, the following specific practices are prohibited:

Prohibited Practice	FEHA Update Summary
Off-Duty Cannabis Use	The Company will not discriminate against any applicant or employee based on their lawful use of cannabis while off-the-job and away from the workplace. This includes not using drug-screening tests that detect only non-psychoactive cannabis metabolites. On-the-job possession or impairment remains prohibited.
Driver's License Requirement	Job advertisements, postings, and applications may not state that an applicant must possess a valid driver's license, unless driving is a reasonably expected function of the job and alternative transportation methods are not comparable in travel time or cost.
Victim Status Protections	It is unlawful to discriminate or retaliate against an employee who is a victim of a qualifying act of violence (including domestic violence, sexual assault, or stalking), or whose family member is a victim, for taking time off for related services or accommodations.

4. Reporting, Investigation, and Corrective Action

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 you have 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. Investigation and Confidentiality

Upon receiving a complaint, the Company will:

- Conduct a prompt, thorough, and impartial investigation by qualified personnel.
- Maintain confidentiality throughout the process to the extent possible and consistent with conducting a full and fair investigation and taking necessary corrective action.
- Instruct all managers and supervisors to immediately report any complaint or information regarding potential unlawful conduct they receive to the HR Department, regardless of whether they believe the conduct violates the law.

C. Corrective Action

If the investigation confirms that misconduct has occurred, Hire Up will take immediate and appropriate corrective action designed to stop the misconduct, prevent its recurrence, and remedy the effects on the victim.

Action taken for misconduct could include mandatory training, job discipline, termination of employment, or termination of a contract, depending on the severity of the violation and the relationship of the person to the organization.

D. DFEH / EEOC Resources

If you believe you have been the victim of unlawful discrimination or harassment or suffered retaliation, you may also contact the Department of Fair Employment and Housing or the federal Equal Employment Opportunity Commission. These agencies may investigate or assist you in resolving any dispute. The DFEH and EEOC, if they prosecute the case, can obtain various remedies for a person, including imposing fines or damages for emotional distress against the employer or persons who violated the law; order the employer to hire or reinstate you; order back pay or a promotion; or order the employer to change or modify its workplace practices.

While it is not required that you exhaust the resolution process before contacting a governmental agency, we hope that you will take advantage of the company's process for resolving workplace concerns and complaints. We believe that prompt reporting of concerns will allow us to work in an environment that allows everyone to perform his/her job in a positive manner.