

## **RESPECT IN THE WORKPLACE (Anti-Discrimination and Anti-Harassment)**

SMG is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, SMG expects that all relationships among persons in the workplace will be business-like and free of bias, prejudice, and harassment.

It is SMG's policy to maintain an environment free from behavior in speech or action that would be of a threatening, intimidating, or discriminatory nature. The company believes that every employee has the right to work in an environment totally free of violence and ethnic, racial, or sexual harassment. Such conduct does not advance the purposes of our company.

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 email, written or graphic material that denigrates or shows hostility or aversion toward an individual or group.

It is the policy of the Company that discrimination against or harassment of applicants and employees on the basis of race, religion, color, national origin, ancestry, handicap, medical condition, disability, marital status, age, sexual orientation and sex, gender, including sexual harassment (all as defined and protected by applicable law), or other protected classification, is unacceptable and will not be tolerated.

This policy applies to all employees. It covers harassment by employees of the Company (including supervisor and management), customers, vendors, or other third parties with whom the Company has business dealings.

Sexual harassment has been defined generally as including unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, whenever:

### **RESPECT IN THE WORKPLACE continued**

- Submission to the conduct is either an explicit or implicit term or condition of employment;
- An employee's reaction to the conduct is used as a basis for employment decisions affecting that employee; or
- The conduct has the purpose or effect of interfering with the employee's work performance or creating an intimidating, hostile or offensive working environment.

No employee or applicant should ever be subject to unsolicited and unwelcome sexual overtures. Nor should any employee or applicant be led to believe that an employment opportunity or benefit will in any way depend upon "cooperation" of a sexual nature.

Sexual harassment is not limited to demands for sexual favors. It also may include such actions as:

- Sexually-oriented verbal "kidding", "teasing", or jokes;
- Repeated offensive sexual flirtations, advances, or propositions;
- Continued or repeated verbal abuse of a sexual nature;
- Graphic or degrading comments about an individual or their appearance;

- The display of sexually suggestive objects or pictures;
- Subtle pressure for sexual activity;
- Physical contact or blocking movement;
- Providing, producing, or distributing text or picture messages of a sexual or provocative nature (sexting).

Sexual harassment also refers to unwarranted or wanton text or picture messages sent or received by employees; this type of harassment is referred to as textual harassment. Employees should refrain from sending text or other messages to employees asking for or soliciting dates or other sexual advances. Employees should be aware that all messages sent from company issued computers, business phones, tablets, or other electronic devices are not private and SMG reserves the right to monitor usage at any time.

### **RESPECT IN THE WORKPLACE continued**

Other prohibited forms of harassment include jokes, verbal abuse and epithets, degrading comments, the display of objects and pictures, and other offensive conduct relating to an individual's race, religion, color, national origin, ancestry, handicap, medical condition, disability, marital status, sexual orientation or sex, gender, or age, all as defined and protected by applicable law.

Sexual harassment does not refer to occasional compliments of a socially acceptable nature or consensual personal and social relationships without a discriminatory employment effect. It refers to behavior which is not welcome and which is personally intimidating, hostile, or offensive.

### **Reporting Sexual Harassment**

Any employee, who believes that they are the subject of, or witness to, sexual harassment has the right to have such activity investigated. An allegation of sexual misconduct should be reported as soon as it arises and, when possible, the same day on which the matter arose.

Complaints should be submitted either to the employee's immediate Supervisor, to any department Supervisor, to the facility's Human Resources Designee, to the General Manager, to SMG's Corporate Human Resources Department/Business Conduct Policy Hotline at (800) 964-4SMG, Select option 2. Individuals should not feel obligated to file their complaints with their immediate Supervisor first before bringing the matter to the attention of one of the other SMG designated representatives identified above. Any Supervisor receiving a complaint of harassment should immediately contact the SMG Corporate Human Resources Department.

### **Individuals and Conduct Covered**

All harassment and discrimination policies apply to all applicants and employees, and prohibit harassment, discrimination, and retaliation whether engaged in by fellow employees, by a Supervisor or Manager, or by someone not directly connected to SMG (e.g., an outside vendor, consultant or customer). Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace such as during business trips, business meetings, and business-related social events.

## **RESPECT IN THE WORKPLACE continued**

### **Retaliation Is Prohibited**

SMG prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action.

### **Reporting Threatening, Intimidating or Discriminatory Behavior**

SMG strongly urges the reporting of all incidents of discrimination, harassment or retaliation regardless of the offender's identity or position. Any employee, who believes they are the subject of, or is exposed to, threatening, intimidating or discriminatory behavior, has the right to have such activity reviewed and addressed. When an employee has a complaint, they should report the issue, as soon as it arises, and if possible, the same day on which the matter is raised. Complaints are to be submitted in writing, signed by the complainant, and submitted to either to the employee's immediate Supervisor, employee's facility Human Resources Designee, Director of Finance, General Manager, or to SMG's Corporate Human Resources Department/Business Conduct Policy Hotline at (800) 964-4SMG, Select option 2.

Individuals should not feel obligated to file their complaints with their immediate Supervisor first before bringing the matter to the attention of one of the other SMG designated representatives identified above. Any Supervisor receiving a complaint of harassment should immediately contact the SMG Corporate Human Resources Department.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, while no fixed reporting period has been established, SMG strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. SMG will make every effort to stop alleged harassment before it becomes severe or pervasive, but can only do so with the cooperation of its employees. SMG encourages anyone who believes they are being harassed to advise the alleged offender that their actions are unwelcome. The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the alleged offender the conduct is unwelcome and requesting that it be discontinued.

## **RESPECT IN THE WORKPLACE continued**

### **The Investigation**

Any reported allegations of harassment, discrimination, or retaliation will be investigated promptly, thoroughly, and impartially. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct, or who may have other relevant knowledge. SMG management may, at its discretion, recommend to Human Resources immediate paid leave for the accuser and/or the accused. The Corporate Human Resources Department must approve any such leave.

Confidentiality will be maintained throughout the investigative process to the extent consistent with adequate investigation and appropriate corrective action. Cooperation of all parties involved is required for a fair and impartial investigation. Investigations that include several witnesses or several incidents may take longer to investigate than single incident complaints with minimal witnesses. SMG endeavors to conduct the investigation in a manner that is fair to all parties, including the alleged harasser.

### **Responsive Action**

Should misconduct constituting harassment, discrimination or retaliation be determined, the offender will be disciplined promptly and appropriately. Responsive action may include training, referral to counseling, monitoring of the offender and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reduction of wages, demotion, reassignment, temporary suspension without pay or termination, as SMG believes appropriate under the circumstances.