

Radio Bilingüe's Harassment Policy

Equal Opportunity Employer

Radio Bilingüe is an equal opportunity employer. When making hiring and employment decisions, Radio Bilingüe does not discriminate on the basis of race, color, national origin, ancestry, religion, sex, gender, gender identity, sexual orientation, marital status, pregnancy, age, military service, physical or mental disability, medical condition as defined under state and federal law, or any other legally protected category. Our management is dedicated to ensuring the fulfillment of this policy with respect to recruitment, hiring, training, placement, transfer, promotion, demotion, layoff, termination, compensation, working conditions, and the general treatment of all employees.

Discrimination, Harassment and Retaliation

Radio Bilingüe is committed to providing a work environment that is free of unlawful discrimination, harassment, and retaliation. Radio Bilingüe's Policy Against Discrimination, Harassment, and Retaliation applies to all Employees of Radio Bilingüe, including, but not limited to, Supervisors and Managers, as well as to non-Employees, including third parties, such as Radio Bilingüe's customers, vendors, suppliers, independent contractors, unpaid interns, volunteers, and others doing business with Radio Bilingüe.

Policy Against Discrimination and Harassment

In furtherance of this commitment, Radio Bilingüe strictly prohibits all forms of unlawful discrimination and harassment, which includes discrimination and harassment on the basis of race, religion or religious creed (including religious dress and grooming practices), color, sex (including pregnancy, perceived pregnancy, childbirth, breastfeeding, and any related medical conditions), gender, gender identity and expression, sexual orientation, transitioning status, national origin, ancestry, citizenship status, uniform service member status, military and veteran status, marital status, pregnancy, age, protected medical condition, genetic information, mental or physical disability, holding or presenting a driver's license issued under Cal. Vehicle Code Section 12801.9, or any other category protected by applicable federal, state, or local law.

Radio Bilingüe prohibits Managers, Supervisors, and Employees from discriminating against or harassing Co-workers as well as non-Employees. In addition, Radio Bilingüe prohibits non-Employees from discriminating against or harassing Radio Bilingüe's Employees.

Violation of this Policy will subject an Employee to disciplinary action, up to and including immediate separation of employment. Additionally, under California law, Employees may be held personally liable for harassing conduct that violates the California Fair Employment and Housing Act.

EXAMPLES OF PROHIBITED SEXUAL HARASSMENT

Sexual harassment is defined as unwanted or unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. This includes a broad spectrum of conduct, including harassment based on sex; gender, transgender, and sexual orientation (meaning one's heterosexuality, homosexuality, or bisexuality); and pregnancy, childbirth, or related medical conditions. Sexually harassing conduct need not be motivated by sexual desire.

By way of illustration only, and not limitation, some examples of unlawful and unacceptable behavior include:

- Unwanted sexual advances;
- Offering an employment benefit (such as a raise or promotion or assistance with one's career) in exchange for sexual favors;
- Conditioning any term or condition, or threatening an employment detriment (such as separation of employment, demotion, or disciplinary action) for an Employee's failure to engage in sexual activity;
- Visual conduct, such as leering, making sexual gestures, or displaying sexually suggestive objects or pictures, cartoons, or posters;
- Verbal sexual advances, propositions, requests, or comments;
- Verbal abuse of a sexual nature; graphic, verbal commentaries about an individual's body; sexually degrading words used to describe an individual; suggestive or obscene letters, notes, or invitations;
- Sending or posting sexually-related text-messages, videos, or messages via e-mail or social media;
- Physical conduct, such as touching, assaulting, impeding, or blocking movement; Physical or verbal abuse concerning an individual's gender; Any, gender identity, or gender expression; and Verbal abuse concerning a person's characteristics, such as vocal pitch, facial hair,
- or the size or shape of a person's body, including remarks that a male is too feminine or a woman is too masculine.

OTHER EXAMPLES OF WHAT CONSTITUTES PROHIBITED HARASSMENT

In addition to the above-listed conduct, Radio Bilingüe strictly prohibits harassment concerning race, color, religion, national origin, age, disability, or other protected characteristic noted above. By way of illustration only, and not limitation, prohibited harassment concerning race, color, religion, national origin, age, disability, or other protected characteristic includes:

- Slurs, epithets, and any other offensive remarks;
- Jokes, whether written, verbal, or electronic;
- Threats, intimidation, and other menacing behavior;
- Other verbal, graphic, or physical conduct;
- Sending or posting harassing messages, videos, or images via text, instant messaging, or social media; and
- Other conduct predicated upon one or more of the protected categories
- identified in this Policy.

Employees with questions about what constitutes harassing behavior should ask their Supervisor or another member of management with whom the Employee feels most comfortable.

Harassment of non-Employees by Radio Bilingüe's Employees is also strictly prohibited. Such harassment includes the types of behavior specified in this Policy, including sexual advances, verbal or physical conduct of a sexual nature, sexual comments, and gender-based insults. Any such harassment will subject an Employee to disciplinary action, up to and including immediate separation of employment.

Personal Behavior Policy

In addition to Radio Bilingüe's Policy Against Discrimination, Harassment, and Retaliation, Radio Bilingüe maintains a Personal Behavior Policy. This Policy is directed toward conduct that may not otherwise fall within the legal definition of harassment or may have been welcomed by all of the parties involved, but which nonetheless projects image problems for Radio Bilingüe and may lead to further problems in the future.

All Employees and non-Employees must conduct themselves in a professional manner. Unprofessional behavior in the workplace, such as sexually related conversations, inappropriate touching (such as, but not limited to, kissing, hugging, massaging, sitting on laps) of another Employee or non-Employee and any other behavior of a sexual nature is prohibited. Furthermore, mimicry, horseplay, and inappropriate joking (including, but not limited to, racial and ethnic jokes) are prohibited by this Policy.

Employees of Radio Bilingüe who violate any of these policies or fail to observe these standards will be subject to disciplinary action, up to and including separation of employment. Non Employees who fail to observe these standards may have their relationship separated.

Policy Against Retaliation

Radio Bilingüe is committed to prohibiting retaliation against those who, in good faith, based upon reasonable belief, report or may report, oppose, or participate in an investigation of alleged wrongdoing in the workplace. By way of example only, participating in an investigation of alleged wrongdoing in the workplace includes, but is not limited to:

- Filing a complaint with a federal, state, or local enforcement or administrative agency;
- Participating in or cooperating with a federal, state, or local enforcement agency that is conducting an investigation of Radio Bilingüe regarding alleged unlawful activity;
- Testifying as a party, witness, or accused regarding alleged unlawful activity;
- Associating with another Employee who is engaged in any of these activities;
- Making or filing an internal complaint with Radio Bilingüe, to a person with authority over the Employee or to a person with authority to investigate, regarding alleged unlawful activity; and
- Providing notice to Radio Bilingüe regarding alleged unlawful activity.

Radio Bilingüe strictly prohibits any adverse action/retaliation against an Employee or non-Employee for participating in an investigation of any alleged wrongdoing in the workplace. Any Employee determined to be responsible for violating this Policy will be subject to appropriate disciplinary action, up to and including separation of employment. Moreover, any Employee,

including any Supervisor or Manager, who condones or ignores potential violations of this Policy will be subject to appropriate disciplinary action, up to and including separation of employment.

What Employees and Non-Employees Are Expected to Do If They Feel They Have Experienced, Witnessed, or Are Aware of Misconduct

Any Employee or non-Employee who believes that another Employee, including any Supervisor or Manager, or non-Employee doing business with Radio Bilingüe, is discriminating, harassing, or retaliating against them, or who observes discrimination, harassment, or retaliation, is expected to immediately report the incident or conduct to the Executive Director or any member of management (unless that management member is the alleged harasser) with whom the Employee or non-Employee feels most comfortable. Supervisors are required to report any complaints of misconduct to the Executive Director, so Radio Bilingüe can try to resolve the claim internally.

Notification to Radio Bilingüe of the problem is essential. Radio Bilingüe cannot help resolve misconduct unless Radio Bilingüe knows about it. Therefore, it is the Employee's and non-Employee's responsibility to bring concerns and/or problems to Radio Bilingüe's attention so that Radio Bilingüe can take whatever steps are necessary to address the situation. Radio Bilingüe takes all complaints of unlawful discrimination, harassment, and retaliation seriously and will not penalize or retaliate against an Employee or non-Employee in any way for reporting misconduct in good faith.

Complaint Process

When Radio Bilingüe receives any allegations of misconduct, qualified personnel will conduct a fair, timely, thorough, and impartial investigation that provides all parties appropriate due process and reaches reasonable conclusions based on the evidence collected. All complaints of unlawful discrimination, harassment, and retaliation reported to management will receive a timely response.

All complaints of unlawful discrimination, harassment, and retaliation reported to management will be treated with as much confidentiality as possible, consistent with the need to conduct an adequate investigation. Complaints will be documented and tracked for reasonable progress, and to ensure timely closures.

Upon completion of an investigation, Radio Bilingüe will assess appropriate options and take appropriate remedial actions and resolutions. The California Department of Fair Employment and Housing (DFEH) may also investigate and process complaints of misconduct. Violators are subject to penalties and remedial measures that may include sanctions, fines, injunctions, reinstatement, back pay, and damages. The address of the local office of the Department of Fair Employment and Housing offices can be found at the following website: <http://www.dfeh.ca.gov/>.

Radio Bilingüe prohibits any Employee or non-Employee from hindering internal investigations and the internal complaint procedure. Prohibited conduct of this nature includes, but is not limited to: making threats against persons being interviewed in an investigation and attempting

to induce persons being interviewed to provide false or misleading information, or to withhold material information.

Employees and non-Employees may be assured that they will not be penalized in any way for reporting misconduct. It is unlawful for an employer to retaliate against employees or non-employees who oppose the practices prohibited by the Fair Employment and Housing Act, or file complaints, or otherwise participate in an investigation, proceeding, or hearing conducted by the DFEH. Similarly, Radio Bilingüe prohibits Employees and non-Employees from hindering its own internal investigations and internal complaint procedure.

If management finds that an Employee or non-Employee has violated Radio Bilingüe's Policy, appropriate remedial measures shall be taken.