



STREETER
ASSOCIATES

SHARP MINDS. SUPERIOR CONSTRUCTION.



SEXUAL HARASSMENT and WORKPLACE VIOLENCE

TAB 17



TAB 17 ~ Table of Contents

I. Sexual Harassment Policy	page 2
Sexual Harassment Policy Statement	page 2
Introduction	page 2
What is Sexual Harassment?	page 3
Examples of Sexual Harassment	page 4
Reporting Sexual Harassment	page 5
Investigating	page 5
Legal Protections and External Remedies	page 6
II. Workplace Violence Policy	page 8
III. Encountering Distraught or Emotionally Disturbed Persons	page 8



SEXUAL HARASSMENT AND WORKPLACE VIOLENCE

I. SEXUAL HARASSMENT POLICY

POLICY STATEMENT

All Employees have a legal right to a workplace free from sexual and other forms of harassment, and Streeter Associates is committed to maintaining a workplace free from Sexual and other forms of harassment. Per NYS Law, Streeter Associates has a sexual harassment prevention policy in place to protect all workers.

Also (per NYS Law), all employees must complete a sexual harassment training session that is valid for one year. New hires that have completed this training session through another employers, union, or other source, within the last year, are not required to participate in the Streeter Associates Sexual Harassment Policy Training Program. However, proof of training completion, with the corresponding training date, is required.

INTRODUCTION

Streeter Associates is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. Streeter Associates has a zero-tolerance policy for any form of sexual harassment, and all employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of our commitment to a discrimination-free work environment.

Sexual harassment is against the law. All employees have a legal right to a workplace free from sexual harassment, and employees can enforce this right by filing a complaint internally with Streeter Associates, or with a government agency or in court under federal, state or local antidiscrimination laws.

1. This policy applies to all Streeter Associates employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business with Streeter Associates.
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action, up to and including termination.
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse employment action including being discharged, disciplined, discriminated against, or otherwise subject to adverse employment action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Streeter Associates has a zero-tolerance policy for such



retaliation against anyone who, in good faith complains or provides information about suspected sexual harassment. Any employee of Streeter Associates who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. Any employee, paid or unpaid intern, or non-employee working in the workplace who believes they have been subject to such retaliation should inform a supervisor, manager, Rob Stanton or John Manning. Any employee, paid or unpaid intern or non-employee who believes they have been a victim of such retaliation may also seek compensation in other available forums, as explained below in the section on Legal Protections.

4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and Streeter Associates to liability for harm to victims of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who knowingly allow such behavior to continue, will be penalized for such misconduct.
5. Streeter Associates will conduct a prompt, thorough and confidential investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.
6. All employees are encouraged to report any harassment or behaviors that violate this policy. Streeter Associates will provide all employees a complaint form for employees to report harassment and file complaints.
7. Managers and supervisors are required to report any complaint that they receive, or any harassment that they observe to Rob Stanton or John Manning.
8. This policy applies to all employees, paid or unpaid interns, and non- employees and all must follow and uphold this policy. This policy must be posted prominently in all work locations and be provided to employees upon hiring.

WHAT IS SEXUAL HARASSMENT?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:



- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the complaining individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment consists of words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment. Any employee who feels harassed should complain so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

EXAMPLES OF SEXUAL HARASSMENT

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical assaults of a sexual nature, such as: Touching, pinching, patting, grabbing, brushing against another employee's body or poking another employees' body; Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as: Requests for sexual favors accompanied by implied or overt threats concerning the victim's job performance evaluation, a promotion or other job benefits or detriments; Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as: Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or



pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.

- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as; Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job; Sabotaging an individual's work; Bullying, yelling, name-calling

REPORTING SEXUAL HARASSMENT

Streeter Associates cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or nonemployee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager, Rob Stanton or John Manning. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager, Rob Stanton or John Manning.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint can be downloaded from our website <https://www.streeterassociates.com/Harassment.html> , and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf. Employees, paid or unpaid interns or non-employees who believe they have been a victim of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

INVESTIGATING

Investigations will be done in accordance with the following steps:

- Upon receipt of complaint, Rob Stanton or John Manning will conduct an immediate review of the allegations, and take any interim actions, as appropriate. If complaint is oral, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the oral reporting.
- If documents, emails or phone records are relevant to the allegations, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses



- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following: A list of all documents reviewed, along with a detailed summary of relevant documents; A list of names of those interviewed, along with a detailed summary of their statements; A timeline of events; A summary of prior relevant incidents, reported or unreported; and The final resolution of the complaint, together with any corrective actions action(s).
- Keep the written documentation and associated documents in the employer's records.
- Promptly notify the individual who complained and the individual(s) who responded of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who complained of their right to file a complaint or charge externally as outlined below

LEGAL PROTECTIONS AND EXTERNAL REMEDIES

Sexual harassment is not only prohibited by Streeter Associates but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Streeter Associates, employees may also choose to pursue legal remedies with the following governmental entities at any time:

- New York State Division of Human Rights (DHR):
 - The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with DHR or in New York State Supreme Court.
 - Complaints with DHR may be filed any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged discrimination. An individual may not file with DHR if they have already filed a HRL complaint in state court.
 - Complaining internally to Streeter Associates does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.
 - You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.
 - DHR will investigate your complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power



- to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.
- DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400, info@dhr.ny.gov, www.dhr.ny.gov
 - Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.
- United States Equal Employment Opportunity Commission (EEOC):
 - The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.
 - The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred.
 - If an employee believes that he/she has been discriminated against at work, he/she can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at www.eeoc.gov or via email at info@eeoc.gov
 - If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.
 - Local Protections:
 - Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml



- Contact the Local Police Department:
 - If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

WORKPLACE VIOLENCE POLICY

All Employees have a legal right to a workplace free from workplace violence, and Streeter Associates is committed to maintaining a healthy and productive environment.

Workplace violence can be classified as any behavior that intentionally threatens, attempts to, or inflicts physical or psychological harm on others, as well as non-contract actions such as, invasion of personal space, menacing, or stalking.

Streeter Associates cannot prevent or remedy workplace violence unless it knows about it. Any employee, paid or unpaid, intern or nonemployee who has been subjected to behavior that may constitute workplace violence is encouraged to report such behavior to a supervisor, manager, Rob Stanton or John Manning. Anyone who witnesses or becomes aware of potential instances of workplace violence should report such behavior to a supervisor, manager, Rob Stanton or John Manning.

ENCOUNTERING DISTRAUGHT OR EMOTIONALLY DISTURBED PERSONS

In the event that an Employee encounters a distraught or emotionally disturbed person, do not engage and notify a supervisor or manager immediately. A supervisor or manager will contact the local law enforcement immediately about the distraught or emotionally disturbed person and local law enforcement will engage with the person.

To prevent unauthorized persons from entering a construction site, there are several lines of defense that can be utilized:

1. Physical Barriers
 - a. Install perimeter fencing and keep all gates locked when the site is unoccupied. Make sure that all fencing is secure to posts and/or a bottom wire.
 - b. Controlling who has access to keys can be an important step in limiting access to the site after hours. Consider changing locks periodically.
 - c. Illuminate the site during off hours to provide visibility for monitoring the site.



2. Electronic Detection Systems

- a. Electronic motion-activated detection systems can help to ward off intruders and unauthorized persons.

3. Materials Management

- a. Material and equipment may be delivered to site well before their intended uses. Plan material deliveries for when they will be needed, if possible, and store them in a secure location.
- b. Establish an end of day closing procedure to document and verify that all security controls are in place prior to leaving the job