

# NOTICE

## SEXUAL HARASSMENT IS ILLEGAL

and is prohibited by **THE VERMONT FAIR EMPLOYMENT PRACTICES ACT (VFEPA)** (Title 21, Chapter 5, Subchapter 6 of the Vermont Statutes) **AND TITLE VII OF THE CIVIL RIGHTS ACT OF 1964** (42 United State Code Section 2000e *et seq.*)

**VERMONT LAW NOW PROTECTS ALL WORKERS, NOT JUST EMPLOYEES.** EFFECTIVE JULY 1, 2018, VERMONT'S PROTECTIONS AGAINST SEXUAL HARASSMENT EXTEND TO ALL INDIVIDUALS ENGAGED "TO PERFORM WORK OR SERVICES" — EVEN IF THEY ARE NOT "EMPLOYEES" UNDER STATE OR FEDERAL LAW. REFERENCES TO "EMPLOYER," "EMPLOYEE," AND "EMPLOYMENT" BELOW SHOULD THUS BE UNDERSTOOD TO APPLY TO WORK AGREEMENTS BEYOND THE TRADITIONAL EMPLOYER-EMPLOYEE RELATIONSHIP.

**"SEXUAL HARASSMENT"** IS A FORM OF SEX DISCRIMINATION AND MEANS UNWELCOME SEXUAL ADVANCES, REQUESTS FOR SEXUAL FAVORS, AND OTHER VERBAL OR PHYSICAL CONDUCT OF A SEXUAL NATURE WHEN:

- (A) SUBMISSION TO THAT CONDUCT IS MADE EITHER EXPLICITLY OR IMPLICITLY A TERM OR CONDITION OF WORK; OR
- (B) SUBMISSION TO OR REJECTION OF SUCH CONDUCT BY AN INDIVIDUAL IS USED AS A COMPONENT OF THE BASIS FOR WORK-RELATED DECISIONS AFFECTING THAT INDIVIDUAL; OR
- (C) THE CONDUCT HAS THE PURPOSE OR EFFECT OF SUBSTANTIALLY INTERFERING WITH THE INDIVIDUAL'S WORK PERFORMANCE OR CREATING AN INTIMIDATING, HOSTILE OR OFFENSIVE WORK ENVIRONMENT.

IT IS UNLAWFUL TO RETALIATE AGAINST AN INDIVIDUAL PERFORMING WORK OR SERVICES FOR FILING A COMPLAINT OF SEXUAL HARASSMENT OR FOR COOPERATING IN AN INVESTIGATION OF SEXUAL HARASSMENT.

IT IS THE POLICY OF THIS EMPLOYER TO ENSURE A WORKPLACE FREE OF SEXUAL HARASSMENT FOR ALL INDIVIDUALS PERFORMING WORK OR SERVICES. EVERY SUPERVISOR IS RESPONSIBLE FOR PROMPTLY RESPONDING TO OR REPORTING ANY COMPLAINT OR SUSPECTED ACTS OF SEXUAL HARASSMENT.

### Examples of **SEXUAL HARASSMENT** include:

UNWELCOME SEXUAL ADVANCES • SUGGESTIVE OR LEWD REMARKS • UNWANTED HUGS, TOUCHES, KISSES • REQUESTS FOR SEXUAL FAVORS • PORNOGRAPHIC POSTERS, CARTOONS OR DRAWINGS • UNWELCOME SEXUAL JOKES AND BANTER

### Consequences for **COMMITTING SEXUAL HARASSMENT** may include:

DISCIPLINARY ACTION, FROM A VERBAL WARNING TO DISMISSAL • DAMAGES AND OTHER RELIEF FOR THE VICTIM  
CIVIL PENALTIES OF UP TO \$10,000 PER VIOLATION • CRIMINAL PENALTIES

EMPLOYEES OR INDIVIDUALS ENGAGED TO PERFORM WORK OR SERVICES who believe that they have been sexually harassed or retaliated against for complaining of sexual harassment are encouraged to report the situation as soon as possible to:

(a) his or her supervisor, and/or

(b) Samer Khouli (the head of this organization), and/or

(c) this person, who is designated to receive such complaints and reports:

Name and Title: Compliance Department

Address and Telephone Number 858-810-3000 3545 Aero Ct. San Diego CA 92123

The above-named individuals can also provide copies of this employer's written sexual harassment policy.

### **THIS EMPLOYER WILL PROMPTLY INVESTIGATE AND RESPOND TO ALL REPORTS AND KNOWLEDGE OF SEXUAL HARASSMENT**

You also may contact the STATE OF VERMONT ATTORNEY GENERAL'S OFFICE, 109 State Street, Montpelier, VT 05609-1001 (888-745-9195 (Toll Free VT) or 802-828-3657; ago.civilrights@vermont.gov); and/or, if you work for an employer with at least 15 employees, the EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203 (617-565-3196 or 1-800-669-4000); or, if you work for a Vermont State agency, the Human Rights Commission, 14-16 Baldwin Street, Montpelier, VT 05633-6301 (800-416-2010 (Toll Free VT) or 802-828-2480; human.rights@vermont.gov).

### **Equal Opportunity is the Law**

The State of Vermont is an Equal Opportunity/Affirmative Action Employer. Applications from women, individuals with disabilities, and people from diverse cultural backgrounds are encouraged. Auxiliary aids and services are available upon request to individuals with disabilities. 711 (TTY/Relay Service) or 800-650-4152 TDD (Vermont Department of Labor).

**Effective Sept. 2018**