

AZTEC SHOPS, LTD.
BOARD OF DIRECTORS

POLICY AGAINST UNLAWFUL HARASSMENT/DISCRIMINATION

Policy:

Aztec Shops is committed to providing a work environment that is free of sexual harassment as well as other unlawful employment harassment/discrimination based upon such factors as race, color, religion, national origin, ancestry, age, gender, medical condition (including pregnancy, childbirth and related conditions), marital status, sexual orientation, genetic gender identity, citizenship status, Aids/HIV, political affiliations/activities, status as a victim of domestic violence, assault or stalking, physical or medical disabilities, or veteran status. In keeping with this commitment, Aztec Shops maintains a strict policy prohibiting unlawful harassment of employees by managers, supervisors, or co-workers. The purpose of this policy is to; (1) familiarize Aztec Shops employees with the definition of unlawful employment harassment and the form it can take, (2) confirm that unlawful employment harassment is inconsistent with the standards of conduct expected/outlines in employee performance standards and required of Aztec Shops' employees, and (3) make clear that employees who engage in unlawful employment harassment are subject to possible disciplinary action which may include discharge.

Definition of Harassment:

For the purpose of this policy, unlawful discrimination employment harassment means harassment on the job that is in fact prohibited by provisions of state and federal law application to Aztec Shops at the time the harassment occurs. Subject to this general definition, unlawful employment harassment may include unwelcome verbal, physical or visual conduct that unreasonably interferes with an employee's performance, or that creates an intimidating, offensive or hostile working environment. This may occur when:

1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment.
2. Submission to or rejection of the conduct by the individual is used as the basis of employment decisions affecting the individual.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile or offensive work environment.

Close supervision of an employee including counseling and warning him/her concerning inappropriate behavior or job related performance issues is not considered illegal employment harassment.

Examples of Harassment:

Harassment can take many forms and will vary with the particular circumstances. Examples of unlawful sexual harassment prohibited by this policy, include but are not limited to: unwanted flirtation, advances and/or propositions of a sexual nature; deprecating remarks, insults, humor or jokes and/or anecdotes that belittle or demean an individual's body or clothing; unwelcome and/or offensive displays of sexually suggestive objects or pictures; unwelcome and offensive touching, such as patting, pinching, hugging or repeated brushing against an individual's body; sexual assault; and/or suggestions that submission to or rejection of sexual advances will affect decisions regarding such matter as an individual's work assignments, status, salary, benefits, or other term or conditions of employment.

Reporting and Compliance Procedure:

Any incident of unlawful harassment, by any Aztec Shops employee or any other person, should be reported promptly to the employee's supervisor or manager and to the Director of Management Services (DMS), telephone number (619) 594-7501, who will arrange for an investigation of the matter. Managers who receive complaints or who observe harassing conduct should immediately inform the DMS. An employee is not required to complain first to his or her supervisor. Every reported complaint of unlawful harassment will be investigated. Incidents may also be reported via the Silent Witness Hotline at (619) 594-6419. Keep in mind, anonymous reports may be difficult to investigate and resolve.

No Retaliation Policy:

Retaliation by an Aztec Shops employee against any individual who makes a complaint of unlawful harassment or otherwise invokes this policy is strictly prohibited. Similarly, any person who participates or cooperates in any manner in an investigation or any other aspect of the process described herein shall not be retaliated against. Retaliation is itself a violation of this policy and is a serious offense. Complaints regarding allegations of reprisal should immediately be brought to the attention of the DMS or Human Resources Manager at (619) 594-7600.

Corrective Action:

If unlawful harassment of an Aztec Shops employee is established, Aztec Shops will take action reasonably calculated to stop the harassment. If the person found to have engaged in harassment is an Aztec Shops employee, such action may include disciplinary measures including possible termination.

Aztec Shops distributes the brochure, "Sexual Harassment: The Facts About Sexual Harassment". In addition, Aztec Shops has available at time clock locations, information sheets concerning unlawful harassment/discrimination in the workplace and how to seek additional information. If you have any questions concerning this policy, please feel free to contact the DMS office at (619) 594-7501.