

CIVIL RIGHTS DEPARTMENT

DISCRIMINATION, HARASSMENT, AND RETALIATION PREVENTION

COMERI EEO POLICY

SEPTEMBER 2025



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POLICY: DISCRIMINATION, HARASSMENT, AND RETALIATION PREVENTION

POLICY

COMERI is committed to providing a professional work environment free from discrimination, harassment, retaliation. **COMERI** is committed to providing equal employment opportunities to all employees and applicants for employment. Accordingly, we adopt and maintain this Equal Employment Opportunity (EEO) policy to encourage professional and respectful behavior and prevent discriminatory, harassing, or retaliatory conduct in our workplace. We will implement appropriate corrective action(s), up to and including discipline, in response to misconduct – including violations of this policy – even if the violation does not rise to the level of unlawful conduct.

COMERI prohibits discrimination and harassment based on one or a combination of the following characteristics: race (including hair texture and styles), color, caste, religion, religious creed (including religious dress and grooming practices), national origin, ancestry, citizenship, physical or mental disability, medical condition (including cancer and genetic conditions), genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity, gender expression, reproductive health decisionmaking, age (40 years and over), sexual orientation, veteran or military status, domestic violence victim status, political affiliation, and any other characteristic protected by state or federal anti-discrimination law covering employment.¹

COMERI recognizes and supports the obligation to reasonably accommodate employees with disabilities to allow those employees to perform the essential functions of their jobs. For more information, please review **COMERI's** reasonable accommodation policy. **COMERI** also recognizes and supports the obligation to reasonably accommodate an employee's religious belief or observance. If an employee believes they need a reasonable accommodation because of a disability or a religious belief and/or practice, the employee should discuss the matter with their supervisor or the human resources unit.

COMERI prohibits discrimination and harassment based on an employee requesting or taking any type leave from work that is protected by law,

¹ This list of protected characteristics is derived from the Fair Employment and Housing Act (FEHA) (see Cal. Gov. Code §§ 12920, 12940, and 12945.8), its implementing regulations (see Cal. Code Regs., tit. 2, subch. 2), and the Labor Code (see Cal. Lab. Code § 1101). It includes a non-exhaustive list of characteristics that are or may be protected characteristics under California law and model best practices in EEO.

such as family and medical leave, pregnancy disability leave, reproductive loss leave, bereavement leave, time for jury duty, time to appear in court as a witness (including but not limited to as a victim of crime), time off to obtain relief such as a restraining order, or another other leave taken or requested pursuant to state or federal law.²

COMERI prohibits retaliation against a person who engages in activities protected under this policy or state or federal law. Reporting, or assisting in reporting, suspected violations of this policy and cooperating in investigations or proceedings arising out of a violation of this policy are protected activities under this policy.

All **COMERI** employees are expected to assume responsibility for maintaining a work environment that is free from discrimination, harassment, and retaliation. Employees are encouraged to promptly report conduct that they believe violates this policy so that we have an opportunity to address and resolve any concerns. Managers and supervisors are required to promptly report conduct they believe violates this policy. We are committed to responding to alleged violations of this policy in a timely and fair manner and to taking appropriate action aimed at ending the prohibited conduct.

SCOPE OF PROTECTION

This policy applies to applicants for employment at, and employees (co-workers, supervisors, and managers) of **COMERI**. As used in this policy, the term “employee” includes contractors and volunteers in our workplace.

This policy applies to all conduct with a connection to an employee’s work, even when the conduct takes place away from **COMERI** premises, such as in a virtual workspace being used by remote workers, on a business trip, or at a business-related social function.

APPLICANT/EMPLOYEE RIGHTS

Applicants and employees have the right to:

- An application process and/or work environment that is free of discrimination, harassment, and retaliation
- File a complaint of discrimination, harassment, or retaliation
- Report inappropriate conduct
- A full, impartial, and prompt investigation by **COMERI** or its designee into allegations of conduct that would violate this policy
- Be timely informed of appropriate information related to the outcome of an investigation either as a complainant or a respondent in the investigation
- Choose their own representative at each and every stage of the complaint process

² Protected leave includes, but may not be limited to, those provided for by the Fair Employment and Housing Act (see Cal. Gov. Code §§ 12945, 12945.2, 12945.6, 12945.7, and 12945.8).

- Be free from retaliation (negative treatment) after filing a complaint or participating in the complaint process
- File a complaint directly with the California Civil Rights Department, the federal Equal Employment Opportunity Commission or other appropriate state or federal agencies, and to file a civil action in the appropriate court

CONDUCT PROHIBITED BY THIS POLICY / DEFINITIONS

DISCRIMINATION

As used in this policy, “discrimination” means the unequal treatment of an employee or applicant in any aspect of employment and based solely or in part on any protected characteristic listed on **page 3**. Discrimination violates this policy regardless of whether the applicant or employee actually has the protected characteristic or is merely perceived to have it. Discrimination also violates this policy when it’s based on a combination of two or more protected characteristics or the protected characteristic(s) of someone with whom the applicant or employee is associated, such as a family member or friend.

Examples of discrimination include, but are not limited to:

- Allowing the applicant’s or employee’s protected characteristic to be a factor in hiring, promotion, compensation, or other employment related decisions (unless otherwise permitted by applicable law)³
- Refusing to acknowledge an employee’s disability-related accommodation request
- Withholding work-related assistance, cooperation, and/or information to applicants or employees because of their protected characteristic

HARASSMENT

As used in this policy, “harassment” means disrespectful or unprofessional conduct that is not welcomed by the person being harassed and is based solely or in part on any protected characteristic listed above on **page 3**. Harassment violates this policy regardless of whether the applicant or employee actually has the protected characteristic or is merely perceived to have it. Harassment also violates this policy when it’s based on a combination of two or more protected characteristics or the protected characteristic(s) of someone with whom the applicant or employee is associated, such as a family member or friend.

³ For example, Government Code section 18973.1 permits a preference for veterans in state civil service.

Harassment can include, but is not limited to:

- Verbal conduct (such as slurs, jokes, insults, epithets, gestures, or teasing)
- Visual conduct (such as posting or distributing offensive posters, symbols, cartoons, drawings, computer displays, or emails, staring, or leering)
- Physical conduct (such as physically threatening another person, blocking someone's way, or making physical contact in an unwelcome manner)

SEXUAL HARASSMENT

As used in this policy, "sexual harassment" means harassment based on sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity, gender expression, or sexual orientation. It includes all of the actions described above as harassment, as well as other unwelcome sex-based conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, or other verbal or physical conduct of a sexual nature. Sexual harassment does not have to be of a sexual nature and sexual harassment does not need to be motivated by sexual desire. In addition, sexual harassment may include situations that began as a consensual dating or sexual relationship, but that later became a relationship that was not welcomed by one of the people involved. Sexual harassment is generally categorized into two types:

1. *Quid Pro Quo Sexual Harassment ("this for that") includes but is not limited to:*

- Submitting to sexual harassment in order to keep one's job, get a new job, or receive an employment benefit or opportunity
- Making decisions about an employee based on their acceptance or rejection of sexual harassment

2. *Hostile Work Environment Sexual Harassment*

- Unwelcome conduct on the basis of sex, gender, gender identity, gender expression, or sexual orientation by any person in the workplace that unreasonably interferes with an employee's work performance and/or creates an intimidating, hostile, or otherwise offensive working environment. When the conduct is not welcome, severe or pervasive, and based on sex, gender, gender identity, gender expression, or sexual orientation, examples of sexual harassment creating a hostile work environment include, but are not limited to:
 - Sexual advances, flirtation, teasing, sexually suggestive or obscene letters, invitations, notes, emails, voicemails, or gifts
 - Comments, slurs, jokes, remarks, or epithets
 - Leering, obscene, or vulgar gestures
 - Displaying or distributing sexually suggestive or derogatory objects, pictures, graphics, cartoons, videos, images, or posters
 - Impeding or blocking movement, touching, or assaulting others
 - Retaliation or threats after a negative response to sexual advances

- Conduct or comments consistently targeted at one gender, even if the content is not sexual

RETALIATION

As used in this policy, “retaliation” means any adverse employment action taken against an applicant or employee because that person participated in activity protected under this policy or reasonably thought to be protected under this policy. Examples of protected activities include, but are not limited to:

- Reporting or assisting someone in reporting suspected violations of this policy
- Cooperating in investigations or proceedings arising out of a violation of this policy
- Filing a complaint with the California Civil Rights Department, the United States Equal Employment Opportunity Commission, or a local agency that accepts employment discrimination complaints

“Adverse employment action” is conduct or an action that materially affects the terms and conditions of the applicant’s or employee’s employment status or is reasonably likely to discourage the person from engaging in a protected activity. Even actions that do not result in a direct loss of compensation or in termination may be regarded as an adverse employment action when considered in the totality of the circumstances.

When done because an applicant or employee reported a violation of this policy, filed a complaint, or otherwise participated in any activity protected (or reasonably thought to be protected) under this policy, examples of retaliation under this policy include, but are not limited to:

- Demotion, not promoting, or not considering for promotion
- Suspension, reduction in pay or hours, or changing work assignments
- Denial of a merit salary increase
- Failure to hire or consider for hire
- Harassment
- Denying employment opportunities or not talking to an employee when otherwise required by job duties
- Refusing to consider, or denying a disability- or religious practice-related accommodation request without individualized consideration

SEXUAL HARASSMENT TRAINING REQUIREMENTS

California law requires that every two years, all employees receive training to increase their understanding of workplace sexual harassment and provide them with tools to

prevent such harassment.⁴ This training must include information about preventing harassment based on sexual orientation, gender identity, and gender expression, as well as information about employees' role in creating an underlying culture of mutual respect in our workplace. Specific components of the training include how to promptly and effectively respond to sexual harassment when it occurs, the effects of abusive conduct in the workplace, and ways to appropriately intervene if one witnesses behavior that is not aligned with this policy.

REPORTING AND ADDRESSING VIOLATIONS OF THIS POLICY

If they feel comfortable doing so, any employee or applicant who experiences or witnesses behavior they believe violates this policy is encouraged to immediately tell the offending individual to stop and that the behavior is inappropriate. The applicant or employee should also immediately report the alleged violation to their supervisor, manager, the EEO Officer, or a human resources representative. There is no chain of command when contacting the EEO Officer: an employee may contact the EEO Officer directly without first seeking supervisory approval.

If the person accused of violating this policy is the employee's supervisor or manager, the employee should report the conduct to any other supervisor, manager, EEO Officer, or human resources representative.

A complaint may be verbal or in writing. Written complaints may be made using the **COMERI** EEO Complaint Form (attached to this policy).

Supervisors or managers who learn of any potential violation of this policy are required to immediately report the matter to the EEO Officer, and must follow that officer's instructions of how best to proceed.

COMERI will promptly look into the facts and circumstances of any alleged violation, as appropriate. Even in the absence of a written or verbal complaint, **COMERI** may initiate an investigation if it has reason to believe that conduct may have violated this policy. Moreover, even where a complainant conveys a request to withdraw their initial complaint, **COMERI** may continue the investigation to ensure the workplace is free from discrimination, harassment, and retaliation. **COMERI** will also investigate anonymous complaints. The method will depend on the details provided in the anonymous complaint. If the

⁴ Cal. Gov. Code § 12950.1. Employers may utilize the Civil Rights Department's online trainings at www.calcivilrights.ca.gov/shpt/ to satisfy this requirement.

complaint is sufficiently detailed, the investigation may be able to proceed in the same manner as any other complaint. If the information is more general, **COMERI** may need to do an environmental assessment or survey to try to determine if misconduct has occurred. All investigations will be fair, impartial, timely, and completed by qualified personnel.

To the extent possible, **COMERI** will endeavor to keep the reporting of the applicant or employee's concerns confidential; however, complete confidentiality cannot be guaranteed when it interferes with **COMERI's** ability to fulfill its obligations under this policy, applicable law, and any court order. All employees are required to cooperate fully with any investigation. This includes, but is not limited to, maintaining an appropriate level of discretion regarding the investigation and disclosing any and all information that may be pertinent to the investigation.

Upon completion of the investigation, if misconduct is substantiated, **COMERI** will take appropriate corrective and preventive action in order to stop the conduct – up to and including formal discipline where warranted – prevent its recurrence and remedy its effects.

Contact information for COMERI EEO Officer:

Clare Amann: clare.amann@comeri.org

CORRECTIVE ACTION GUIDELINES

COMERI will take appropriate corrective action(s) up to and including formal discipline against any employee(s) when an investigation has found that misconduct occurred. Such corrective action(s) may include, but are not limited to, letters of reprimand, suspension, demotion, or termination. Additionally, depending on the nature of the violation, civil liability could be imposed on the person responsible for the misconduct as well as **COMERI**.

FILING COMPLAINTS WITH STATE AND FEDERAL AGENCIES

Employees and applicants may also file complaints of discrimination, harassment, and/or retaliation with the agencies identified in this section. Contact the agencies directly to learn about their specific complaint processes and time limits.

Some local agencies may also have authority to enforce employment discrimination complaints. Not all cities and counties will have local enforcement agencies.

CALIFORNIA CIVIL RIGHTS DEPARTMENT

- Website: www.calcivilrights.ca.gov
- Complaint information: <https://calcivilrights.ca.gov/complaintprocess/>
- General information: (800) 884-1684 (voice), (800) 700-2320 (TTY), or California's Relay Service at 711
- Email: contact.center@calcivilrights.ca.gov

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

- Website: www.eeoc.gov/employees
- General information: (800) 669-4000, (800) 669-6820 (TTY), or (844) 234-5122 (ASL Video Phone)
- Email: info@eeoc.gov

STATE PERSONNEL BOARD APPEALS DIVISION – FOR STATE EMPLOYEES ONLY

- Website: www.spb.ca.gov
- General information: (916) 653-0799 or (916) 653-1498 (TDD)

COMERI DISCRIMINATION, HARASSMENT, AND RETALIATION PREVENTION POLICY COMPLAINT FORM

COMPLAINANT INFORMATION

NAME:

DIVISION / UNIT:

OFFICE LOCATION:

WORK PHONE:

IMMEDIATE SUPERVISOR:

Please describe the conduct that you believe violates the Discrimination, Harassment and Retaliation Prevention Policy. In your narrative, describe: (1) What happened to you; (2) Why you believe you are experiencing discrimination, harassment, or retaliation, including the reason or evidence you have to support your belief; and (3) When the acts of discrimination, harassment, or retaliation occurred. Attach additional pages if needed. If you require assistance with completing this form as a reasonable accommodation, please contact the EEO officer.

PERSON(S) ALLEGED TO HAVE VIOLATED THE POLICY

Person #1 - Name:

Classification:

Work Location:

Person #2 - Name:

Classification:

Work Location:

Person #3 - Name:

Classification:

Work Location:

PERSON(S) WITH INFORMATION/KNOWLEDGE OF THE ALLEGED INCIDENTS

Witness Name:

Classification:

Work Location:

Witness Name:

Classification:

Work Location:

Witness Name:

Classification:

Work Location:

HAVE YOU COMPLAINED TO ANYONE AT **COMERI** ABOUT THIS MATTER?

If yes, explain the situation. When did you complain, to whom, and what was the result?
(You may attach additional pages if necessary)

*Please submit to the COMERI EEO Officer: **Clare Amann,***

clare.amann@comeri.org