

Sexual Harassment and Other Forms of Prohibited Harassment

Sexual Harassment:

It is the goal of Litecontrol to promote a workplace that is free of sexual harassment. This policy extends to each and every level of the Company's operations. Accordingly, sexual harassment, whether by a fellow employee, manager, supervisor, or non-employee doing business with the Company, is unlawful and will not be tolerated by this organization. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated. To achieve our goal of providing a workplace free from sexual harassment, the conduct that is described in this policy will not be tolerated. Further, we have included a procedure by which inappropriate conduct will be handled.

Because Litecontrol takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and, where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Definition of Sexual Harassment:

In Massachusetts, the legal definition for sexual harassment is this:

"sexual harassment" means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- a. submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or a basis for employment decisions; or
- b. such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a work place environment that is hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which if unwelcome, may constitute sexual harassment depending on the totality of the circumstances including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances – whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comments on an individual's body, comments about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities.

All employees should take special note that retaliation against an individual who has complained about prohibited sexual harassment or any other form of prohibited harassment, and retaliation against individuals for cooperating with an investigation of a harassment complaint is unlawful and will not be tolerated by this organization.

Other Forms of Prohibited Harassment:

Please note that while this policy sets forth our goals of promoting a workplace that is free of sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether or not that conduct satisfies the definition of sexual harassment. Moreover, as part of the Company's overall nondiscrimination policy, the Company prohibits all forms of harassment of others because of race, color, religious creed, national origin, age, sex, sexual orientation, ancestry, physical or mental disability, veteran status or any other legally protected classification. In particular, an atmosphere of tension created by racial, ethnic, sexual or religious remarks or animosity does not belong in our workplace and will not be tolerated.

Complaints of Sexual Harassment and Other Forms of Prohibited Harassment:

If any of our employees believes that he or she has been subjected to sexual harassment or any other form of illegal harassment, the employee has the right to file a complaint with our organization. This may be done in writing or verbally.

If you would like to file a complaint you may do so by contacting your immediate supervisor, your supervisor's manager, the Human Resources Manager, or any member of senior management with whom you feel comfortable. These persons are also available to discuss any concerns you may have and to provide information to you about our policy on sexual harassment, other prohibited harassment, and our complaint process.

Harassment Investigation:

When we receive a complaint we will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Our investigation will include a private interview with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed the harassment. When we have completed our investigation, we will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of the investigation.

If it is determined that inappropriate conduct has occurred, we **will** act promptly to eliminate the offending conduct, and where it is appropriate, we will also impose disciplinary action.

Disciplinary Action:

If it is determined that inappropriate conduct has been committed by one of our employees, we will take such action as appropriate under the circumstances. Such action may range from counseling to termination of employment, and may include such other forms of disciplinary action as we deem appropriate under the circumstances.

State and Federal Remedies:

Sexual harassment, as well as the other forms of harassment outlined within this policy, are unlawful under both federal and state law. The federal agency which enforces the law is the Equal Employment Opportunity Commission (EEOC). The EEOC's local office is located at: John F. Kennedy Federal Building, 475 Government Ctr., Boston, MA 02203. The telephone number is (617) 565-3200. The state agency which enforces the law is the Massachusetts Commission Against Discrimination (MCAD). The MCAD's office is located at: One Ashburton Place, Room 601, Boston, MA 02108. The telephone number is (617) 994-6000.

Employees who wish to file formal charges of sexual harassment or any other illegal harassment can contact both of these government agencies. However, Litecontrol is committed to responding quickly and effectively to any report of harassment, and hopes that all employees will feel comfortable coming forward and allowing us to pursue a resolution of the matter internally. We believe that we have created a flexible and fair complaint resolution process, and that we will be able to work together to avoid the unnecessary escalation of any situation which has created an offensive work environment for any employee. Using our complaint process does not prohibit you from filing a complaint with either or both, the EEOC or the MCAD. Both agencies have a short time frame for filing a claim of 300 days.

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