The university is committed to complying with all laws and governmental regulations which prohibit discrimination or harassment, or that mandate that special consideration be given on the basis of race, religion, national origin, gender, age, veteran status, disability or any other characteristic which may be specified by law. These characteristics are sometimes referred to as “protected classes.” Sexual harassment and sexual assault are also prohibited, as is retaliation for reporting any prohibited conduct.

Because all members of the university community—including faculty, staff, and students—should be able to pursue their work and education in an environment free of prohibited conduct, it is important that you understand your responsibilities in relation to these topics.

What is a protected class?
USC policy covers the following as protected classes:

- race
- color
- national origin
- ancestry
- religion
- sex
- gender, gender identity, gender expression
- sexual orientation
- age
- disability
- medical condition
- marital status
- pregnancy
- veteran status
- genetic information
- any other characteristic which may be specified in laws and regulations

What is harassment or discrimination?

**Discrimination**
Unfair treatment of a person or group because of that person’s or group’s protected class status.

**Harassment**
Unwelcome or offensive conduct or communication directed toward a person or group because of that person’s or group’s protected class status.

**Sexual harassment**
Unwelcome sexual advances, repeated requests for sexual favors, or any other unwelcome or offensive conduct or communication of a sexual nature, when the conduct or communication has the effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working (or for students, academic) environment. Other examples of sexual harassment:

- Suggestive notes or letters
- Sexual emails
- Intentionally blocking someone’s movement
- Sexual jokes, or comments of a sexual nature
- Sexist remarks
- Repeated and unwelcome requests for a date
- Discussing your own sex life or desires
- Lewd or sexual discussions in the workplace; even if the two people having the conversation have consented to the conversation, those who can overhear may not be comfortable
- Derogatory comments, slurs, jokes
- Asking about someone’s sexuality or sex life
- Requests for sexual favors
- Sexual gestures
- Whistling at someone in a provocative manner, leering, staring
- Sexual misuse or abuse of power or authority
- Display of sexually explicit objects, drawings, posters, or cartoons

Additional information about sexual harassment is available at the Equity and Diversity website at: equity.usc.edu.

**Sexual assault**
Any physical sexual act (including but not limited to actual or attempted intercourse, sexual touching, fondling, and groping) perpetrated upon a person without that person’s meaningful consent. If you or anyone you know has been sexually assaulted, the first step is to get to a safe place and contact local law enforcement or, if on campus, DPS.

**Retaliation**
The law, university policy and the Student Conduct Code all prohibit threatened, attempted, or actual retaliation against anyone who in good faith (1) brings a complaint of protected-class discrimination or harassment as they are defined by university policy, (2) participates in a discrimination or harassment investigation, or (3) protests the alleged discrimination, harassment or retaliation. If you have filed a complaint of protected-class harassment or discrimination or participated in an investigation and have reason to believe that anyone in the university community is retaliating against you, please contact the Equity and Diversity right away.

**If you believe a prohibited behavior has taken place**
You must report it to Equity and Diversity, which investigates complaints by faculty, staff, students and applicants (for both employment and student admissions) who believe themselves to be harmed by a prohibited behavior. To file a complaint or inquire about one made against you, contact Equity and Diversity. You are expected to fully cooperate with any investigation concerning prohibited behaviors. While complaints cannot be kept completely confidential, privacy will be protected as much as possible.

Equity and Diversity is reachable by phone or email:
(213) 740-5086 (UPC)
(323) 442-2020 (HSC)
oed@usc.edu

**Resources**
To review USC’s policies on discrimination, harassment, and other prohibited behaviors, visit http://policy.usc.edu/employment.

In addition, please review the USC Code of Ethics at http://policy.usc.edu/ethics/.

To review policies for students on harassment and discrimination or sexual assault, visit the student policy on Sexual, Interpersonal and Protected Class Misconduct at https://policy.usc.edu/student-misconduct/.

You may find additional information about external resources at the Department of Fair Employment and Housing (https://www.dfeh.ca.gov/) or Equal Employment Opportunity Commission (http://eeoc.gov) websites.

Also, please be aware that sexual harassment of a person under age 18 may be considered a form of child abuse. To review USC’s Protecting Minors policy, visit http://policy.usc.edu/protecting-minors.
IMPORTANT INFORMATION

Sexual Assault
Gender-Based Violence
Stalking
Domestic or Dating Violence
Protecting Minors

USC Office of Equity and Diversity
SEXUAL ASSAULT OR GENDER-BASED VIOLENCE

What to do if you have been the victim of a sexual assault:

• Go to a safe location.
• Get medical care as soon as possible. If you wish to get help from a rape treatment center, contact the Santa Monica Rape Treatment Center or the USC Violence Intervention Program. More information about both centers is at sarc.usc.edu.
• Preserve all physical evidence of the assault, even if you are unsure whether you want to report the crime. Do not shower, bathe, douche, eat, drink, wash your hands or brush your teeth until after you have had a medical examination. Save all clothing that you were wearing at the time of the assault and bring it and any other potential evidence to the medical exam. Place each item of clothing in a separate paper bag. Do not use plastic bags. Do not clean or disturb the area of your body where the assault occurred. A forensic examination is one way to preserve evidence, but it is not the only way.
• Preserve other evidence. You can easily take some important steps to preserve evidence by saving all text messages, emails, social media postings (taking screenshots can be helpful) or anything else that might relate to the assault, or that might be helpful later in reconstructing a timeline of events. Write down the names of people who might have seen you immediately before or after, as it’s easy to forget names or locations. Even if you do not want to participate in the investigative process now, you might later change your mind, so it’s helpful to preserve as much information as possible.
• Support. Call a trusted friend, family member or someone else who can provide emotional support. The Center for Work and Family Life can provide confidential support and information, 24/7, at (213) 821-0800.
• Report. Any victim of a sexual assault is encouraged to make a report to the Department of Public Safety and to local law enforcement, but is not required to do so. Note that any information given to DPS will be shared with LAPD if DPS determines that there is evidence of criminal conduct.
• Contact the Title IX Coordinator in the Office of Equity and Diversity at (213) 740-5086 to get additional information about options and next steps.

What to do if someone tells you about a sexual assault:

• Listen to what you’re told. Sometimes assault victims need to talk about the attack. Don’t interrogate.
• Don’t blame—this is not the time to question decisions.
• Allow your friend or the student making the disclosure the freedom to choose when, where and how to talk about the experience.
• Be sensitive. Understand that the victim is in distress, and will be dealing with a wide array of strong and sometimes overwhelming feelings.
• Respect your friend’s confidentiality and don’t share information about the experience with other friends.
• Be patient. Recovery from sexual assault can be slow. Your friend sets the pace.
• Realize that you may also have strong feelings about the trauma. If needed, seek support for yourself. The USC Center for Work and Family Life (www.usc.edu/programs/cwfl) offers one-on-one counseling and discussion groups for friends.
• USC’s Relationship and Sexual Violence Prevention Services provides help on what to say when someone discloses a sexual assault at https://engemannshc.usc.edu/rsvp/how-to-help-a-friend/.
• Remember that whatever your friend did to survive an attack was exactly what he or she needed to do. Your friend did not cause the attack and is not at fault.
• If you are USC staff or faculty, contact the Title IX Coordinator to ensure that proper support is offered to the victim, and for information about options, rights, and responsibilities. Sharing information with the Title IX Coordinator does not mean the student or employee who is sharing information about a sexual assault will have to disclose names or details. The Title IX Coordinator can be reached at titleix@usc.edu, or (213) 740-5086.

If the victim of a sexual assault is a student, you may also wish to walk him or her over to Relationship and Sexual Violence Prevention and Services or Student Counseling Center in Engemann Student Health Center, or help the student to contact them. Both resources are available 24 hours a day, 7 days a week. It’s never too late to seek emotional support.

STALKING

What to do if you are being, or have been, stalked:

• Stalking is a non-consensual course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others, or suffer substantial emotional distress. “Course of conduct” means behavior composed of two or more acts, including,
but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, engages in any of the following: monitoring, following, observing, threatening, surveilling, or communicating to or about a person, or interfering with a person’s property.

- If you feel you are in danger, immediately call the USC Department of Public Safety (DPS) at (213) 740-4321. If you are off campus, contact local law enforcement.
- Contact support services, such as the USC Center for Work and Family Life at (213) 821-0800. Staff there can help develop a safety plan, provide advice on seeking a temporary restraining order or other no-contact orders, and provide counseling.
- Try to retain documentation of the stalking incidents such as messages, texts, and/or other items.
- Keep a log of the dates and ways that the other person contacted you or attempted to contact you.
- Stalking is also a crime in California. You may also wish to contact local law enforcement.

**DOMESTIC VIOLENCE AND DATING OR INTIMATE PARTNER VIOLENCE**

- Domestic violence, or dating or intimate partner violence, can happen to anyone. It affects people of all genders, races, and socioeconomic levels. If you or a friend or colleague is a victim of domestic violence, know that help is available. For staff and faculty, the Center for Work and Family Life can help a victim with a safety plan and other important steps. They can also direct victims to shelters and community-based assistance. For students, the Relationship and Sexual Violence Prevention and Services provides this support.
- Domestic violence, or intimate partner violence, is also a crime in California. You may also wish to contact local law enforcement.
- Forms of domestic violence may include physical, sexual, psychological, emotional, or economic harm.

**PROTECTING MINORS**

More information and links to policy can be found at: equity.usc.edu/protection-minors-in-the-workplace/

Remember: For purposes of these rules, anyone under age 18 is considered a minor, even if the individual is enrolled as a USC student.

If a minor reports child abuse or sexual misconduct by a member of the USC community (student, staff, faculty, donor, etc.) or conduct that occurred on USC property:

- Is the minor in a safe place? Safety comes first.
- Does minor need immediate medical care? If so, call DPS or transport to USC+LAC Violence Intervention Program.
- Offer support services, including confidential resources (see sarc.usc.edu).
- Consult with supervisor to determine whether parents should be notified.

**TOP 10 BYSTANDER TIPS**

If you see that a member of our community is becoming too aggressive, or is vulnerable to a sexual assault, you can help:

1. First, stay safe—only intervene if it feels safe to do so.
2. Watch out for your friends who might be in an unsafe situation.
3. Watch out for your friends who are making bad choices, like hitting on someone who’s too drunk.
4. If you aren’t comfortable intervening, ask someone else for help. Sometimes a group intervention is most effective. Or their friends might help, if you don’t know the person too well.
5. Say something to distract: Do you have the time? Do you know if there are other parties near here? Hey, can I talk to you? This party is dead, don’t you think—let’s go somewhere else.
6. If you say something, remember—you do not have to be aggressive, and do not use violence.
7. You can intervene: “Sorry, she’s with me,” or “I promised to get him home before midnight so, sorry, he has to go now.”
8. Disapprove: “I wouldn’t do that if I were you.”
9. If you don’t want to say anything, can you simply let your presence be helpful?
10. Call DPS for help.

REMINDEERS

If you become aware that a student or employee (faculty or staff member) has been the victim of sexual or gender-based violence, including sexual assault, or stalking, domestic violence, or intimate partner violence—here are a few key points to remember:

1. First—get the student or employee to a safe location, and get medical care.
2. Students and employees are encouraged to make a report to DPS and/or local law enforcement, but no one is required to do so. Also, information shared with DPS about possible violent crimes will be forwarded to LAPD. 
3. To get help accessing resources, or to have CONFIDENTIAL conversations, the following are confidential resources:
   For faculty and staff: Center for Work and Family Life
   For students: Relationship and Sexual Violence Prevention and Services, or Student Counseling Center
   Off-campus: Santa Monica Rape Treatment Center, or USC Violence Intervention Program
4. Contact the Office of the Title IX Coordinator to discuss the information you received, and get advice as to next steps. The Title IX Coordinator will contact the complainant or victim to discuss possible interim remedial actions (changes to schedules, changes to housing, academic support for students, avoidance of contact letters) and options for participating in an investigation, and will also be able to explain the investigative process.

PLEASE NOTE

It is important that all employees understand that certain policy violations, including sexual assault, rape, domestic or dating violence, and stalking may also be a crime under California law. For California’s legal definitions of rape, sexual assault, stalking, or domestic or dating violence, please see sarc.usc.edu/definitions-under-california-law/

CONFIDENTIAL Off-Campus Resources

• The Santa Monica Rape Treatment Center is nationally recognized for its comprehensive, free treatment for sexual assault victims, including 24-hour emergency medical care. The Rape Treatment Center offers 24-hour help at (310) 319-4000.
• Sex Assault Center within the VIP Urgent Care Center at the LAC+USC Medical Center, 2010 Zonal Avenue, Los Angeles (Health Sciences Campus). Includes 24-hour care. (323) 226-3961. Also provides comprehensive, free treatment for sexual assault victims under the direction of the national experts.

CONFIDENTIAL On-Campus Resources

• USC’s Relationship and Sexual Violence Prevention and Services (“RSVP”). RSVP offers confidential 24-hour crisis counseling during business hours at (213) 740-4900. For crisis help after hours, call (213) 740-4900 and press one, “0”, to speak with an on-call counselor.
• USC Engemann Student Health Center offers medical services, pregnancy testing and emergency contraception. Student Counseling Services (213) 740-7711.

NON-CONFIDENTIAL On-Campus Resources

USC Department of Public Safety (DPS)
University Park Campus
Emergency . . . . . . . . . . . . . . . . . . (213) 740-4321
Non-Emergency . (213) 740-6000
Health Sciences Campus
Emergency . . . . . . . . . . . . . . . . . . (323) 442-1000
Non-Emergency . (323) 442-1200
Office of the Title IX Coordinator
3720 S. Flower Street, 2nd Floor
(213) 740-5086
titleix@usc.edu
If you have any questions or would like more information, contact the Office of the Title IX Coordinator, Office of Equity and Diversity.
CALIFORNIA LAW PROHIBITS WORKPLACE DISCRIMINATION AND HARASSMENT

THE CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING (DFEH) ENFORCES LAWS THAT PROTECT YOU FROM ILLEGAL DISCRIMINATION AND HARASSMENT IN EMPLOYMENT BASED ON YOUR ACTUAL OR PERCEIVED:

- ANCESTRY
- AGE (40 and above)
- COLOR
- DISABILITY (physical and mental, including HIV and AIDS)
- GENETIC INFORMATION
- GENDER IDENTITY, GENDER EXPRESSION
- MARITAL STATUS
- MEDICAL CONDITION (genetic characteristics, cancer or a record or history of cancer)
- MILITARY OR VETERAN STATUS
- NATIONAL ORIGIN (includes language use and possession of a driver’s license issued to persons unable to prove their presence in the United States is authorized under federal law)
- RACE
- RELIGION (includes religious dress and grooming practices)
- SEX/GENDER (includes pregnancy, childbirth, breastfeeding and/or related medical conditions)
- SEXUAL ORIENTATION

THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT (GOVERNMENT CODE SECTIONS 12900 THROUGH 12996) AND ITS IMPLEMENTING REGULATIONS (CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTIONS 11000 THROUGH 11141):

1. Prohibit harassment of employees, applicants, unpaid interns, volunteers, and independent contractors by any persons and require employers to take all reasonable steps to prevent harassment. This includes a prohibition against sexual harassment, gender harassment, harassment based on pregnancy, childbirth, breastfeeding and/or related medical conditions, as well as harassment based on all other characteristics listed above.

2. Require that all employers provide information to each of their employees on the nature, illegality, and legal remedies that apply to sexual harassment. Employers may either develop their own publications, which must meet standards set forth in California Government Code section 12950, or use a brochure from DFEH.

3. Require employers with 50 or more employees and all public entities to provide sexual harassment and abusive conduct prevention training for all supervisors.

4. Prohibit employers from limiting or prohibiting the use of any language in any workplace unless justified by business necessity. The employer must notify employees of the language restriction and consequences for violation. Also prohibits employers from discriminating against an applicant or employee because they possess a driver’s license issued to a person who is unable to prove that their presence in the United States is authorized under federal law.

5. Require employers to reasonably accommodate an employee, unpaid intern, or job applicant’s religious beliefs and practices, including the wearing or carrying of religious clothing, jewelry or artifacts, and hair styles, facial hair, or body hair, which are part of an individual’s observance of their religious beliefs.

6. Require employers to reasonably accommodate employees or job applicants with disabilities to enable them to perform the essential functions of a job.
Permit job applicants, unpaid interns, volunteers, and employees to file complaints with DFEH against an employer, employment agency, or labor union that fails to grant equal employment as required by law.

Prohibit discrimination against any job applicant, unpaid intern, or employee in hiring, promotions, assignments, termination, or any term, condition, or privilege of employment.

Require employers, employment agencies, and unions to preserve applications, personnel records, and employment referral records for a minimum of two years.

Require employers to provide leaves of up to four months to employees disabled because of pregnancy, childbirth, or a related medical condition.

Require an employer to provide reasonable accommodations requested by an employee, on the advice of their health care provider, related to their pregnancy, childbirth, or a related medical condition.

Require employers of 50 or more persons to allow eligible employees to take up to 12 weeks leave in a 12-month period for the birth of a child; the placement of a child for adoption or foster care; for an employee’s own serious health condition; or to care for a parent, spouse, or child with a serious health condition. The law also requires employers to post a notice informing employees of their family and medical leave rights.

Require employment agencies to serve all applicants equally, refuse discriminatory job orders, and prohibit employers and employment agencies from making discriminatory pre-hiring inquiries or publishing help-wanted advertisements that express a discriminatory hiring preference.

Prohibit unions from discriminating in member admissions or dispatching members to jobs.

Prohibit retaliation against a person who opposes, reports, or assists another person to oppose unlawful discrimination.

### FILING A COMPLAINT

The law provides for remedies for individuals who experience prohibited discrimination or harassment in the workplace. These remedies include hiring, front pay, back pay, promotion, reinstatement, cease-and-desist orders, expert witness fees, reasonable attorney’s fees and costs, punitive damages, and emotional distress damages.

Job applicants, unpaid interns, and employees: If you believe you have experienced discrimination or harassment you may file a complaint with DFEH. Independent contractors and volunteers: If you believe you have been harassed, you may file a complaint with DFEH.

Complaints must be filed within one year of the last act of discrimination/harassment or, for victims who are under the age of 18, not later than one year after the victim’s eighteenth birthday.

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If you have a disability that prevents you from submitting a written pre-complaint form on-line, by mail, or email, DFEH can assist you by scribing your pre-complaint by phone or, for individuals who are Deaf or Hard of Hearing or have speech disabilities, through the California Relay Service (711), or call us through your VRS at (800) 884-1684 (voice).

To schedule an appointment, contact the Communication Center at (800) 884-1684 (voice or via relay operator 711) or (800) 700-2320 (TTY) or by email at contact.center@dfeh.ca.gov.

DFEH is committed to providing access to our materials in an alternative format as a reasonable accommodation for people with disabilities when requested.

Contact DFEH at (800) 884-1684 (voice or via relay operator 711), TTY (800) 700-2320, or contact.center@dfeh.ca.gov to discuss your preferred format to access our materials or webpages.

DFEH-E07P-ENG / May 2017

Government Code section 12950 and California Code of Regulations, title 2, section 11013, require all employers to post this document. It must be conspicuously posted in hiring offices, on employee bulletin boards, in employment agency waiting rooms, union halls, and other places employees gather. Any employer whose workforce at any facility or establishment consists of more than 10% of non-English speaking persons must also post this notice in the appropriate language or languages.

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For more information:

Department of Fair Employment and Housing
Toll Free: (800) 884-1684
TTY: (800) 700-2320
Online: www.dfeh.ca.gov

Also find us on:
THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

THE MISSION OF THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING IS TO PROTECT THE PEOPLE OF CALIFORNIA FROM UNLAWFUL DISCRIMINATION IN EMPLOYMENT, HOUSING AND PUBLIC ACCOMMODATIONS, AND FROM THE PERPETRATION OF ACTS OF HATE VIOLENCE AND HUMAN TRAFFICKING.

SEXUAL HARASSMENT

THE FACTS

Sexual harassment is a form of discrimination based on sex/gender (including pregnancy, childbirth, or related medical conditions), gender identity, gender expression, or sexual orientation. Individuals of any gender can be the target of sexual harassment. Unlawful sexual harassment does not have to be motivated by sexual desire. Sexual harassment may involve harassment of a person of the same gender as the harasser, regardless of either person’s sexual orientation or gender identity.

THERE ARE TWO TYPES OF SEXUAL HARASSMENT

1. “Quid pro quo” (Latin for “this for that”) sexual harassment is when someone conditions a job, promotion, or other work benefit on your submission to sexual advances or other conduct based on sex.

2. “Hostile work environment” sexual harassment occurs when unwelcome comments or conduct based on sex unreasonably interfere with your work performance or create an intimidating, hostile, or offensive work environment. You may experience sexual harassment even if the offensive conduct was not aimed directly at you.

The harassment must be severe or pervasive to be unlawful. That means that it alters the conditions of your employment and creates an abusive work environment. A single act of harassment may be sufficiently severe to be unlawful.

BEHAVIORS THAT MAY BE SEXUAL HARASSMENT:

1. Unwanted sexual advances
2. Offering employment benefits in exchange for sexual favors
3. Leering; gestures; or displaying sexually suggestive objects, pictures, cartoons, or posters
4. Derogatory comments, epithets, slurs, or jokes
5. Graphic comments, sexually degrading words, or suggestive or obscene messages or invitations
6. Physical touching or assault, as well as impeding or blocking movements

Actual or threatened retaliation for rejecting advances or complaining about harassment is also unlawful.

Employees or job applicants who believe that they have been sexually harassed or retaliated against may file a complaint of discrimination with DFEH within one year of the last act of harassment or retaliation. DFEH serves as a neutral fact-finder and attempts to help the parties voluntarily resolve disputes. If DFEH finds sufficient evidence to establish that discrimination occurred and settlement efforts fail, the Department may file a civil complaint in state or federal court to address the causes of the discrimination and on behalf of the complaining party. DFEH may seek court orders changing the employer’s policies and practices, punitive damages, and attorney’s fees and costs if it prevails in litigation. Employees can also pursue the matter through a private lawsuit in civil court after a complaint has been filed with DFEH and a Right-to-Sue Notice has been issued.

If you have a disability that prevents you from submitting a written pre-complaint form on-line, by mail, or email, the DFEH can assist you by scribing your pre-complaint by phone or, for individuals who are Deaf or Hard of Hearing or have speech disabilities, through the California Relay Service (711), or call us through your VRS at (800) 884-1684 (voice).

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FOR MORE INFORMATION
Department of Fair Employment and Housing
Toll Free: (800) 884-1684
TTY: (800) 700-2320
Online: www.dfeh.ca.gov

Also find us on:

DFEH-18SP-ENG / April 2017
EMPLOYER RESPONSIBILITY & LIABILITY

All employers, regardless of the number of employees, are covered by the harassment provisions of California law. Employers are liable for harassment by their supervisors or agents. All harassers, including both supervisory and non-supervisory personnel, may be held personally liable for harassment or for aiding and abetting harassment. The law requires employers to take reasonable steps to prevent harassment. If an employer fails to take such steps, that employer can be held liable for the harassment. In addition, an employer may be liable for the harassment by a non-employee (for example, a client or customer) of an employee, applicant, or person providing services for the employer. An employer will only be liable for this form of harassment if it knew or should have known of the harassment, and failed to take immediate and appropriate corrective action.

Employers have an affirmative duty to take reasonable steps to prevent and promptly correct discriminatory and harassing conduct, and to create a workplace free of harassment.

A program to eliminate sexual harassment from the workplace is not only required by law, but it is the most practical way for an employer to avoid or limit liability if harassment occurs.

ALL EMPLOYERS MUST TAKE THE FOLLOWING ACTIONS TO PREVENT HARASSMENT AND CORRECT IT WHEN IT OCCURS:

1. Distribute copies of this brochure or an alternative writing that complies with Government Code 12950. This pamphlet may be duplicated in any quantity.

2. Post a copy of the Department’s employment poster entitled “California Law Prohibits Workplace Discrimination and Harassment.”

3. Develop a harassment, discrimination, and retaliation prevention policy in accordance with 2 CCR 11023. The policy must:
   - Be in writing.
   - List all protected groups under the FEHA.
   - Indicate that the law prohibits coworkers and third parties, as well as supervisors and managers with whom the employee comes into contact, from engaging in prohibited harassment.
   - Create a complaint process that ensures confidentiality to the extent possible; a timely response; an impartial and timely investigation by qualified personnel; documentation and tracking for reasonable progress; appropriate options for remedial actions and resolutions; and timely closures.
   - Provide a complaint mechanism that does not require an employee to complain directly to their immediate supervisor. That complaint mechanism must include, but is not limited to including: provisions for direct communication, either orally or in writing, with a designated company representative; and/or a complaint hotline; and/or access to an ombudsperson; and/or or identification of DF EH and the United States Equal Employment Opportunity Commission as additional avenues for employees to lodge complaints.
   - Instruct supervisors to report any complaints of misconduct to a designated company representative, such as a human resources manager, so that the company can try to resolve the claim internally. Employers with 50 or more employees are required to include this as a topic in mandated sexual harassment prevention training (see 2 CCR 11024).
   - Indicate that when the employer receives allegations of misconduct, it will conduct a fair, timely, and thorough investigation that provides all parties appropriate due process and reaches reasonable conclusions based on the evidence collected.
   - Make clear that employees shall not be retaliated against as a result of making a complaint or participating in an investigation.

4. Distribute its harassment, discrimination, and retaliation prevention policy by doing one or more of the following:
   - Printing the policy and providing a copy to employees with an acknowledgement form for employees to sign and return.
   - Sending the policy via email with an acknowledgment return form.
   - Posting the current version of the policy on a company intranet with a tracking system to ensure all employees have read and acknowledged receipt of the policy.
   - Discussing policies upon hire and/or during a new hire orientation session.
   - Using any other method that ensures employees received and understand the policy.

5. If the employer’s workforce at any facility or establishment contains ten percent or more of persons who speak a language other than English as their spoken language, that employer shall translate the harassment, discrimination, and retaliation policy into every language spoken by at least ten percent of the workforce.

6. In addition, employers who do business in California and employ 50 or more part-time or full-time employees must provide at least two hours of sexual harassment training every two years to each supervisory employee and to all new supervisory employees within six months of their assumption of a supervisory position.

CIVIL REMEDIES

1. Damages for emotional distress from each employer or person in violation of the law
2. Hiring or reinstatement
3. Back pay or promotion
4. Changes in the policies or practices of the employer