



## **EQUAL EMPLOYMENT OPPORTUNITY (EEO) POLICY**

ABRAZAR, INC. (ABRAZAR) is committed to equal opportunity for all persons without regard to sex, race, age, religion, color, national origin, ancestry, physical disability, mental disability, medical condition (associated with cancer, a history of cancer, or genetic characteristics), HIV/AIDS status, genetic information, marital status, sexual orientation, gender, gender identity, gender expression, military and veteran status, or other protected category under the law. It is the policy of ABRAZAR to comply with all federal, state and local laws and regulations regarding equal opportunity. In keeping with that policy, ABRAZAR is committed to maintaining a work environment that is free of unlawful discrimination and harassment. Accordingly, ABRAZAR will not tolerate unlawful discrimination against or harassment of any of our employees or others present at our facilities by anyone, including any supervisor, co-worker, vendor, client, or customer of ABRAZAR.

### **Unlawful Discrimination and Harassment Prohibited:**

Unlawful discrimination includes treating someone less well in opportunities for work, promotions, shifts, overtime or other conditions of employment because of his or her sex, race, age, religion, color, national origin, ancestry, physical disability, mental disability, medical condition (associated with cancer, a history of cancer, or genetic characteristics), HIV/AIDS status, genetic information, marital status, sexual orientation, gender, gender identity, gender expression, military and veteran status, or other protected category under the law. Harassment consists of unwelcome or unwanted conduct, whether verbal, physical or visual, that is based upon a person's protected status. Examples of unlawful harassment include words, gestures, stories, jokes or nicknames that are derogatory, demeaning or insulting to a person based upon his or her race, national origin, sex, disability, age, religion or other protected attribute.

### **Sexual harassment Prohibited:**

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, or offensive work environment.

State law defines sexual harassment as unwanted sexual advances or verbal, visual, or physical conduct of either a sexual nature, or other conduct based on sex. Examples of sexual harassment may include, but are not limited to the following conduct by any employee, whether male or female:

Unwanted sexual advances or propositions, offering employment benefits in exchange for sexual favors, making or threatening reprisals after a negative response to sexual advances, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing," jokes about gender-specific traits, making sexual gestures or comments, displaying sexually suggestive



objects, pictures, cartoons or postures, impeding or blocking another's movement, physical contact, such as patting, pinching, or brushing against another's body, and continued requests for a date after a rejection.

### **Retaliation Prohibited**

Retaliation against an individual who reports, files a complaint of, or otherwise opposes conduct he or she reasonably believes to be unlawful discrimination, harassment, or retaliation, or assists in the investigation of a complaint, is also prohibited.

### **Responsibility for Responding to and Reporting Discrimination, Harassment, and Retaliation**

All employees are encouraged to report discriminatory, harassing, or retaliatory behavior, whether directed at themselves or at co-workers.

Supervisory employees are required to take corrective action if employees are subjected to discrimination, harassment, or retaliation on the basis of a protected category. If a complaint is made to a supervisor, or if a supervisor becomes aware of potential discrimination, harassment, or retaliation, the supervisor must immediately report it to the Title VI Compliance Officer (TVICO) or Human Resources (HR) personnel. Any supervisor who receives a complaint of discrimination, harassment, or retaliation and fails to report it may be subject to disciplinary action.

Departments must report all complaints of discrimination, harassment, and retaliation to the HR Director within five days of becoming aware of such complaints. Departments are responsible for ensuring that all employees know of and are trained periodically regarding this policy.

### **Complaint Procedures**

Any employee or applicant who believes he or she has been discriminated against, harassed, or retaliated against in violation of this policy should promptly report the incident and the individuals involved. Complaints must be filed within 180 calendar days of the date of the alleged discriminatory action, harassment, or retaliatory action, or the date the individual should have first become aware of a violation. For information or to file a complaint, contact any of the following:

- Araceli Solorzano, Title VI Compliance Officer (714) 278-4670
  - [a.solorzano@abrazarinc.com](mailto:a.solorzano@abrazarinc.com)
- Khanh Nguyen, HR Director (714) 278-4677
  - [k.nguyen@abrazarinc.com](mailto:k.nguyen@abrazarinc.com)
- Mario Ortega, COO (714) 278-4672
  - [m.ortega@abrazarinc.com](mailto:m.ortega@abrazarinc.com)
- Gloria O. Reyes, CEO (714) 702-1281
  - [g.reyes@abrazarinc.com](mailto:g.reyes@abrazarinc.com)
- the employee's supervisor or any other supervisor or manager;

The Title VI Compliance Officer and the HR Director are responsible for the investigation and resolution of all discrimination, harassment, and retaliation complaints. All complaints are kept confidential (to the extent possible); responded to timely; investigated (if necessary) by qualified



personnel in a timely and impartial manner; and documented and tracked. If the TVICO or HR Director determines that discrimination, harassment, or retaliation occurred, Abrazar will take appropriate remedial action.

The U.S. Equal Employment Opportunity Commission (EEOC) and the California Department of Fair Employment and Housing (DFEH) also investigate and prosecute employment discrimination, harassment, and retaliation complaints. Employees who believe that they have been discriminated against, harassed, or retaliated against may file a complaint with either of these agencies using the following contact information:

- EEOC: (800) 669-4000 or TTY (800) 669-6820; or online at [www.eeoc.gov](http://www.eeoc.gov)
- DFEH: (800) 884-1684 or TTY (800) 700-2320; or online at [www.dfeh.ca.gov](http://www.dfeh.ca.gov)

Remedies available through these agencies include hiring or reinstatement, back pay or promotion, fines or damages for emotional distress, and changes in the policies or practices of the employer.

### **Discipline**

Any employee, supervisor, or agent of Abrazar found to have engaged in conduct in violation of this policy may be subject to disciplinary action, up to and including termination. An employee may be subject to discipline for engaging in harassing conduct that does not meet the definition of harassment under the law, but that, if repeated or allowed to continue, might meet that definition.

Para mayor información sobre el hostigamiento en el trabajo: (714) 278-4670.



## **ABRAZAR NONDISCRIMINATION COMPLAINT PROCEDURES**

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964, relating to any program or activity administered by ABRAZAR or its sub-recipients, consultants and/or contractors. Intimidation or retaliation of any kind is prohibited by law.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies, or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the Title VI Compliance Manager may be utilized for resolution, at any stage of the process. The Title VI Compliance Manager will make every effort to pursue a resolution of the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities.

### **Procedures.**

1. Any individual, group of individuals, or entity that believes they have been subjected to discrimination prohibited by title VI nondiscrimination provisions may file a written complaint within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant. The complaint must meet the following requirements:
  - a. Complaint shall be in writing and signed by the complainant(s).
  - b. Include the date of the alleged act of discrimination (date when the complainant(s) became aware of the alleged discrimination; or the date on which that conduct was discontinued or the latest instance of the conduct.
  - c. Present a detailed description of the issues, including names and job titles of those individual perceived as parties in the complained-of incident.
  - d. Allegations received by fax or e-mail will be acknowledged and processed, once the identity (ies) of the complainant(s) and the intent to proceed with the complaint have been established. The complainant is required to mail a signed, original copy of the fax or email transmittal for ABRAZAR to be able to process it.
  - e. Allegations received by telephone will be reduced to writing and provided to complainant for confirmation or revision before processing. A complaint form will be forwarded to the complainant for him/her to complete, sign, and return to ABRAZAR for processing.
2. Upon receipt of the complaint, the Title VI Compliance Manager will determine its jurisdiction, acceptability, and need for additional information, as well as investigate



the merit of the complaint. In cases where the complaint is against one of ABRAZAR sub-recipients of Federal funds, ABRAZAR will assume jurisdiction and will investigate and adjudicate the case. Complaints against ABRAZAR will be referred to the Office of Civil Rights, for proper disposition pursuant to their procedures.

3. In order to be accepted, a complaint must meet the following criteria:
  - a. The complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant.
  - b. The allegation(s) must involve a covered basis such as race, color, or national origin.
  - c. The allegation(s) must involve a program or activity of a Federal-aid recipient, sub-recipient, or contractor.
4. A complaint may be dismissed for the following reasons:
  - a. The complainant requests the withdrawal of the complaint.
5. The complainant fails to respond to requests for additional information needed to process the complaint. The complainant cannot be located after reasonable attempts. Once ABRAZAR decides to accept the complaint for investigation, the complainant and the respondent will be notified in writing of such determination within seven (7) calendar days. The complaint will receive a case number and will then be logged into ABRAZAR' records identifying its basis and alleged hard.
6. In cases where ABRAZAR assumes the investigation of the complaint, ABRAZAR will provide the respondent with the opportunity to respond to the allegation(s) in writing. The respondent will have ten (10) calendar days from the date of ABRAZAR' written notification of acceptance of the complaint to furnish his/her response to the allegation(s).
7. ABRAZAR' final investigative report and a copy of the complaint will be forwarded to the Office of Civil Rights, and affected parties within sixty (60) calendar days of the acceptance of the complaint.
8. ABRAZAR will notify the parties of its final decision.
9. If complainant is not satisfied with the results of the investigation of the alleged discrimination and practices the complainant will be advised of the right to appeal to the Office of Civil Rights.



**Title VI Complaint Form**

Note: The following information is needed to assist in processing your complaint.

Complainant's Information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone Number (Home): \_\_\_\_\_

Telephone Number (Work): \_\_\_\_\_

Person Discriminated Against (someone other than complainant):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone Number (Home): \_\_\_\_\_

Telephone Number (Work): \_\_\_\_\_

Which of the following best describes the reason you believe the discrimination took place:

Race/Color (Specify): \_\_\_\_\_

National Origin (Specify): \_\_\_\_\_

On what date(s) did the alleged discrimination take place? \_\_\_\_\_

Describe the alleged discrimination. Explain what happened and who you believe was responsible (if additional space is needed, add a sheet of paper): List names and contact information of persons who may have knowledge of the alleged discrimination: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_