



DIGITAL PROSPECTORS CORP. UNLAWFUL HARASSMENT POLICY

Employment discrimination and harassment based on an individual's sex, race, color, national origin, age, disability, veteran status, genetic information, and religion are against federal law. Certain states also prohibit discrimination and harassment in the workplace based on sexual orientation, ancestry, marital status, and other protected statuses. It is the policy of Digital Prospectors Corp. (DPC) to abide by the federal and state laws which prohibit such discrimination and harassment, and to maintain an employment atmosphere free of unlawful harassment, intimidation or coercion.

Unlawful harassment of any independent contractor, employee or employee applicant, by any other employee, independent contractor or by a third party in contact with the employee through their duties of employment, will not be tolerated. If investigation of a complaint of unlawful harassment indicates that such harassment has occurred, appropriate disciplinary action will be taken, up to and including termination of employment or cancellation of an independent contract.

Sexual Harassment

One of the most notable forms of unlawful discrimination is sexual harassment. "Sexual harassment" means unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature when:

1. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or independent contract services; or
2. Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or independent contract services; or
3. That conduct or communication has the purpose or effect of unreasonably interfering with an individual's employment or independent contract services or of creating an intimidating, hostile, or offensive employment environment.

The following are some examples of conduct which may be legally actionable sexual harassment:

1. Use of offensive or demeaning language which has a sexual connotation.
2. Objectionable physical closeness or physical contact.
3. Unwelcome requests for dates or questions about others' sexual activities.
4. Any suggestion, whether direct or indirect, that an employee's job security, job assignment, conditions of employment, or opportunities for advancement or independent contract services are



in any way dependent on the employee or independent contractor granting sexual favors to any other employee, supervisor, or manager.

5. Any action relating to an employee's job status which is, in fact, affected by whether the employee granted or refused to grant sexual favors to another employee, or affected by how the employee responded to sexual advances, comments, or jokes.
6. The creation of an atmosphere of sexual harassment or intimidation, regardless of whether or not the people whose actions created that atmosphere intended to do so.
7. The deliberate or careless making of jokes or remarks of a sexual nature to or in the presence of employees or independent contractors who may find such jokes or remarks offensive.
8. The deliberate or careless distribution, posting or display of materials including over email or internet (such as cartoons, articles, pictures, etc.) which have a sexual content and which are not necessary for the work of the company, to employees or independent contractors who may find such materials offensive.

All employees and independent contractors should be careful to treat their co-workers, subordinates, and supervisors with respect at all times.

Although a female is often the victim of sexual harassment, both males and females can be harassed by members of either sex. Although a person in a superior position is often the offender, people in equal or subordinate positions may also be the offenders.

Retaliation against an individual for reporting or complaining of sexual harassment or for cooperating in an investigation of a sexual harassment complaint is likewise prohibited by DPC.

Other Prohibited Harassment

DPC also prohibits harassment of any employee, independent contractor, or employee applicant by any other employee, independent contractor or third party (who is in contact with an employee through their duties of employment) for any reason including, but not limited to: veteran status, race, color, religion, sex (including pregnancy-related conditions), national origin, age, physical or mental disability, genetic information, and any other status protected by applicable state or federal anti-discrimination laws. Harassment of third parties by our employees and independent contractors is also prohibited.

Harassment prohibited by this policy includes, without limitation:

1. Unwelcome conduct or communication based on a protected status when submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or contract services, or is used as a factor in decisions affecting the individual's employment or contract services; or



2. Conduct or communication that has the purpose or effect of unreasonably interfering with an individual's employment or of creating an intimidating, hostile, or offensive employment environment.

Examples of such harassment include, but are not limited to: slurs, epithets, threats, derogatory comments or visual depictions, unwelcome jokes and teasing. For example, a hostile work environment created by unwelcome racial, ethnic, or religious remarks or animosity does not belong in the workplace and will not be tolerated.

Retaliation against an individual for reporting or complaining about unlawful harassment or for cooperating in an investigation of such harassment complaint is likewise prohibited by DPC.

Procedures

Any employee or independent contractor who feels that he or she is being or has been subjected to unlawful harassment in any form, or who believes he or she has witnessed unlawful harassment, should contact Jessica Catino at (603) 627-5020 x205, or Chris Roos at (603) 627-5020 x201 available Monday through Friday from 9:00a-5:00p.

All complaints will be taken seriously, and DPC will respond in a timely and appropriate manner. When a complaint involves conduct at a client's worksite, DPC will attempt to work with the client to pursue an investigation, when authorized and permitted by the client. Complaints that involve DPC's workplace will be investigated promptly. DPC will treat complaints, reports, and investigations of potential harassment as confidential to the extent consistent with the obligation to look into and remedy any harassment situation. Management personnel needed for participation in the investigation, the alleged harasser, and potential witnesses may be interviewed and thereby learn of the complaint. DPC will not authorize any person to discuss the complaint or the investigation, except to the extent necessary to conduct the investigation, make a decision, and/or enforce this policy, or as otherwise required by law. When the investigation indicates that a violation of this policy has occurred, prompt and responsive action will be taken.

Please note that DPC also reserves the authority to discipline or take corrective action for workplace conduct we deem unacceptable, regardless of whether that conduct satisfies the definition of unlawful harassment.



DIGITAL PROSPECTORS CORP. GUIDELINES ON PREVENTING UNLAWFUL HARASSMENT

The following are some general guidelines and precautions you should follow to help prevent unlawful harassment and promote diversity in the workplace. This is by no means a complete list of guidelines, and it is not meant to address every situation. Whether or not conduct is unlawful harassment can vary from situation to situation. Not every human interaction can be anticipated. However, the universal theme is: use common sense. It is possible to make a point, provide an example, discuss what you do outside of work, or add humor to the day without offending or embarrassing another person.

- ❖ Avoid comments or jokes about sex, or other protected statuses (such as race, religion, national origin, age, disability, etc.). Teasing about an employee's sexual orientation, or ancestry also is not considered appropriate.
- ❖ Avoid derogatory comments. It may be appropriate to complain about a co-worker or explain what another worker is doing wrong, but it is unnecessary and actually less effective to use personal, derogatory references about the person. "Gossipy" comments can also create legal problems.
- ❖ You can compliment other workers, but be careful not to make a sexual comment disguised as a compliment.
- ❖ Avoid physical contact with individuals in the workplace. Even gestures or touches that are intended to be friendly can make others uncomfortable. If you must train an employee on a particular procedure, demonstrate yourself how to do it and then have the employee copy you, or talk the person through the procedure. If work areas are very narrow, causing employees to bump into each other, or rub by each other, look for ways to widen the area.
- ❖ While you are not required to, you have the right to communicate to another worker or supervisor that his/her behavior is unwelcome or offensive to you. If this would not be appropriate, or if the behavior does not stop, review DPC's policy on unlawful harassment and follow its provisions for reporting concerns. Be as complete and accurate as you can when reporting unwelcome behaviors.
- ❖ Cooperate in any investigations of complaints of harassment, and never retaliate against anyone who complains or who assists in an investigation.
- ❖ Support and maintain professional workplace behavior through your own conduct and behavior. Be respectful to one another.
- ❖ Be conscious that well-intended actions may be misinterpreted and that personal limits on appropriate behavior vary considerably. It is the *impact* of your behavior on others, not your intent, that is important.
- ❖ If you are unsure of how to behave, ask yourself if you would be embarrassed to see your remarks or behavior described in the newspaper or described to any member of your family? Would you want your spouse, child, parent or sibling treated the same way by their co-workers and supervisors?



**DIGITAL PROSPECTORS CORP.
RECEIPT AND ACKNOWLEDGEMENT OF
POLICY AND GUIDELINES ON UNLAWFUL HARASSMENT**

I have read and I understand the Company's Unlawful Harassment Policy and its Guidelines on Preventing Unlawful Harassment. I understand that it is a condition of my employment or independent contract services, as the case may be, to abide by this policy and the guidelines.

Dated this ____ day of _____, 20__

Employee/Contractor (please print name)

Employee/Contractor (please sign name)