



***Applies to:***  
*ALL Corporate, Field, and  
Temporary Applicants and  
Employees*

## **ANTI-HARASSMENT POLICY MASSACHUSETTS**

### **Purpose**

The purpose of this document is to inform employees of Kelly Services ("Kelly") of Kelly's Anti-Harassment Policy. As required by state specific law, employers must provide a harassment policy to all employees.

### **Persons Affected**

- All U.S. Kelly employees, customers, and suppliers
- Any other persons or third parties with whom Kelly employees have contact through their employment, including applicants and independent contractors

### **Policy**

Kelly is committed to maintaining a work environment that is free from harassment. Kelly will not tolerate harassment of or by its employees. All employees are expected to help ensure the work environment remains free of harassment. Upon learning of a situation that may violate this policy, Kelly will conduct a prompt and thorough investigation. Kelly will keep all information regarding the alleged harassment as confidential, as permitted by the investigation process or local, state, or federal law.

If it is determined that a violation of this policy has occurred, Kelly will take appropriate remedial action to stop any prohibited harassment and to prevent future harassment. This may include disciplinary action up to and including termination of employment. Kelly will not tolerate retaliation against anyone who has expressed a good faith concern about harassment or who has participated or cooperated in an investigation.

### **Definitions**

The term "harassment" is used in this policy to refer to both sexual and other forms of harassment. Below are definitions of sexual and other forms of harassment, as well as examples of conduct that may constitute harassment. Sexual harassment is illegal in the workplace in Massachusetts. (These lists are examples only; they are not all-inclusive.)

**A. Sexual Harassment** –Sexual harassment is unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment,
- b) Submission to or rejection of such conduct by an individual is used as the basis for an employment decision, or
- c) Such conduct has the purpose or effect of unreasonably interfering with an individual's ability to perform their job duties or otherwise creating an intimidating, hostile or offensive working environment.

The following are examples of conduct that may constitute sexual harassment:

- Unwanted physical touching
- Telling sexually explicit jokes or stories
- Making lewd or offensive comments or gestures
- Displaying sexually suggestive objects, cartoons, or pictures
- Sending sexually explicit messages by letters, notes, electronic mail, or telephone
- Making offensive comments about an employee's body, physical appearance, or clothing
- Using terms of endearment (e.g., "dear" or "sweetheart") when referring to employees of one sex
- Repeatedly asking a co-worker for a date or meetings outside of working hours after they have indicated an unwillingness to go

**B. Other Forms of Harassment** – Other forms of prohibited harassment include offensive comments or conduct pertaining to a person’s race, ethnicity, religion, creed, ancestry, national origin, age, physical or mental disability, sexual orientation, gender, gender identity, marital status, or veteran status, or any other characteristic protected by local, state or federal law.

Such conduct may include, but is not limited to:

- Making gestures, threats, derogatory comments, or slurs that may be offensive to individuals in a particular group
- Bullying Behavior that is threatening, intimidating, verbally abusive or results in other disruptive actions in the workplace
- Sending messages by letters, notes, electronic mail, or telephone that may be offensive to individuals in a particular group displaying derogatory objects, photographs, cartoons, calendars, or posters

**C. Scope of Anti-Harassment Prohibition** - Harassment in violation of this policy can take place anywhere or anytime. Harassment prohibited by this policy is not just harassment that occurs within the four walls of the building in which Kelly employees physically work. For example, in person interactions, calls, texts, emails and social media posts can constitute harassment, even if they occur outside the physical workplace or outside of work hours, or on personal devices.

## Responsibilities

All Kelly employees are expected to help ensure the work environment remains free of harassment. Any employee who believes they are being subjected to harassment by a Kelly employee or non-employee, or who have witnessed harassment of or by another Kelly employee or non-employee, has a responsibility to promptly report the matter through one of the means identified in the "Reporting Incidents of Harassment" section of this policy. Upon learning of any alleged harassment, Kelly management will promptly investigate the matter and take appropriate steps, which may include disciplinary action up to and including termination of employment.

## Reporting Incidents of Harassment

Any Kelly employee (i.e., full-time, part-time, leased, managed service, or on assignment with a Kelly customer) who believes that they have been harassed by a Kelly employee or non-employee, or who have witnessed harassment of or by another Kelly employee or non-employee, should report the alleged harassment to one of the following:

- The **immediate Kelly manager** (i.e., an officer, director, supervisor, or Kelly Representative) of the employee who is reporting the alleged harassment
- Contact Kelly’s [HR Knowledge Center](#) via e-mail or by calling 1-877-301-8460
- The **Kelly Services’ Business Conduct & Ethics Reporting Program at 1-877-978-0049** or <https://secure.ethicspoint.com/domain/media/en/gui/82243/index.html>. This program is administered by a third party.

Pursuant to state law, it is unlawful to retaliate against an employee for filing a complaint of harassment, or for cooperating in an investigation of a complaint of harassment.

## Additional Resources

The Equal Employment Opportunity Commission and the Massachusetts Commission Against Discrimination accept and investigate complaints of unlawful harassment and discrimination in the workplace. Using the internal reporting methods does not prohibit you from filing a complaint with the agency’s below, which allow a claim to be filed within 300 days of the alleged harassing conduct:

- Equal Employment Opportunity Commission (EEOC): [www.eeoc.gov](http://www.eeoc.gov)
  - The EEOC may be contacted by consulting the government agency listings in your local phone book or by contacting the regional office: Equal Employment Opportunity Commission, 475 Government Center, Boston, Massachusetts, 02203. 1-800-669-6820
- Massachusetts Commission Against Discrimination(MCAD): [www.mass.gov/mcad](http://www.mass.gov/mcad)
  - The MCAD staff is available to talk with you by telephone or in-person away from the work location. All information will be handled in an appropriate manner. You can contact a local MCAD office or the main office: 1 Ashburton Place, Room 601, Boston, Massachusetts, 02108. (617) 994-6000