



## **HARASSMENT/DISCRIMINATION/RETALIATION-FREE AND RESPECTFUL WORKPLACE POLICY**

January 2024

FSG, Inc. ("FSG") is committed to treating all employees with dignity and respect and does not tolerate discrimination or harassment of our job applicants, employees, contractors, or interns by another employee, supervisor, vendor, customer or other third party. This includes harassment or discrimination that occurs on FSG premises, off-premises, or on electronic or social media. FSG prohibits any form of discipline or retaliation for reporting perceived violations of this Policy, encouraging another individual to do the same, pursuing any such claim, cooperating in any way in the investigation of such claims, or testifying in any proceeding under the law.

Any form of harassment or discrimination on the basis of race, ethnicity, color, religion, sex, sexual orientation, gender identity and expression, pregnancy, childbirth, national origin, ancestry, age, marital status, physical or mental disability, military or veteran status, genetic information, or any other class protected by applicable local, state, or federal law is unlawful, strictly prohibited, and a violation of this Policy. FSG has zero tolerance for unlawful harassment or discrimination and is committed to a workplace without such misconduct.

Furthermore, FSG prohibits inappropriate relationships (i.e., romantic and/or sexual) between persons in inherently unequal positions where one party has real or perceived authority, influence, or power over the other's employment or career progression conditions, including formal and informal supervisory relationships.

While this Policy sets forth FSG's goals of promoting a workplace that is free of sexual and other forms of unlawful harassment and discrimination, the Policy is not intended or designed to limit our authority to discipline or take remedial action, up to and including termination of employment, for workplace conduct that FSG deems unacceptable, regardless of whether that conduct satisfies the legal definition of sexual or other form of harassment. Fostering a safe work environment free of harassment and discrimination, where everyone is able to do their best work is the responsibility of everyone in the FSG community.

This Harassment/Discrimination/Retaliation Free and Respectful Workplace Policy ("the Policy") applies to all FSG offices and employees located within the United States. Local laws may vary for the Asia IU, though the philosophy of this Policy applies worldwide. For specific HR matters for the Asia IU, please contact Dipti Mandpe.

### **DEFINITIONS.**

#### **Discrimination Defined.**

Discrimination as defined in this Policy is treating someone differently, or less favorably, with respect to recruitment, hiring, placement, compensation, benefits, advancement, promotion, evaluation, disciplinary action, termination or any other term, condition, or privilege of employment because of a protected characteristic. Discrimination also includes making employment decisions based on stereotypes (unfair or untrue beliefs) about abilities and traits associated with a protected characteristic.

**Harassment Defined.**

Harassment as defined in this Policy is unwelcome verbal, visual, or physical conduct on the basis of race, color, religion, sex, sexual orientation, gender identity and expression, pregnancy, childbirth, national origin, ancestry, age, marital status, physical or mental disability, military or veteran status, genetic information or any other class protected by local, state, or federal law which interferes with work performance or creates an intimidating, offensive, or hostile work environment. Harassment can be verbal (including slurs, jokes, insults, epithets, gestures, or teasing), graphic (including offensive posters, symbols, cartoons, drawings, computer displays, social media posts, or e-mails) or physical conduct (including touching, pinching, or assault) that denigrates or shows hostility or aversion towards an individual because of any protected characteristic.

**Sexual Harassment Defined.**

Sexual harassment is defined as any unwelcome sexual advances, requests for sexual favors, and other verbal, physical, or graphic conduct of a sexual nature, between individuals of the same or different genders, where:

- Submission to or rejection of such advances, requests or conduct is made a term or condition of employment, either expressly or by implication;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment is a form of prohibited employee conduct. Sexual harassment may involve hostile actions taken against an individual because of their sex, sexual orientation, gender identity, or the status of being transgender, or sex stereotyping, which occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look. Sexual harassment may involve individuals of the same or different gender and is prohibited whether directed toward any male, female, gender nonconforming, genderqueer, transgender, non-binary or other individuals and regardless of whether the targeted person accepts or rejects the advances or other offensive behavior. A pattern of incidents can constitute sexual harassment even if one of the incidents considered on its own would not be harassing. Inappropriate behavior will not be excused or justified by claiming that it was unintentional or humorous or because it occurred under the influence of alcohol or other substances.

While it is not possible to list all of the circumstances which would constitute harassment, including sexual harassment, the following are some examples of behavior that could constitute harassment, including sexual harassment:

- Verbal: Epithets; derogatory comments, slurs, or name-calling; sexually explicit, suggestive, or degrading words to describe an individual; sexually explicit jokes, comments, noises, or remarks; racial or ethnic slurs; asking for sexual favors; repeated requests for dates; threats, propositions, unwelcome and unwanted correspondence, phone calls and gifts, or other unwelcome attention.
- Physical: Assault, impeding or blocking movement, any physical interference with normal work or movement when directed at an individual; unwanted and unwarranted physical contact, such as kissing, hugging, touching, pinching, patting, grabbing, brushing against, or poking another employee's body.
- Visual: Derogatory or offensive posters, cartoons, or drawings; displaying sexual pictures, writings or objects; obscene letters or invitations; staring at or directing attention to an employee's anatomy; leering; sexually oriented or suggestive gestures.
- Cyber: Using electronic communication, such as e-mail, instant messaging (IM), chat, or messages posted to a website, blog, social media platform (e.g., TikTok, Instagram, etc.) or discussion group or any other form of electronic communication that may be used to engage in visual or verbal harassment of another employee.

The examples listed above are not meant to be a comprehensive list of prohibited behavior. By paying attention to others' reactions and stated requests and preferences, respecting others' wishes, and treating others in a professional manner, regardless of gender, race, nationality, or any other protected characteristic, we can all help to create a work environment free from harassment.

Discrimination, sexual, and other forms of unlawful harassment are unacceptable in the workplace and in any work-related settings, such as an off-site business meeting, at a Company-sponsored event, or in a virtual setting. Discrimination and harassment can occur in one-on-one interactions or in group settings. Discrimination and harassment can be committed by a supervisor, a subordinate, a coworker, or anyone in the workplace including a contractor, vendor, client, or visitor.

#### **Inappropriate Relationships Defined.**

Inappropriate relationships are relationships (i.e., romantic and/or sexual) between persons in inherently unequal positions where one party has real or perceived authority, influence, or power over the other's conditions of employment or could potentially impact the other's career progression, which includes formal and informal supervisory relationships. Such relationships are **prohibited** in FSG's workplace.

Efforts by anyone to initiate or engage in these relationships is inappropriate. This applies to all individuals in the FSG community, including employees, contractors, vendors, trainees, and includes anyone who holds a position of authority or perceived authority over another individual. Even if consensual, these relationships may ultimately result in conflict or difficulties in FSG's workplace. If such a relationship exists or develops, it must be immediately disclosed to the People Team to discuss next steps, including but not limited to new assignment options if available, ending the relationship, or exiting from FSG.

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This excludes relationships where one party **does not** have real or perceived authority or influence over the other's conditions of employment or the ability to directly impact the other's career progression.

FSG does not intend to conflate consensual relationships with sexual harassment or become unnecessarily involved in consensual relationships between individuals not in inherently unequal positions.

### **REPORTING PROCEDURES.**

FSG is committed to resolving possible instances of discrimination and harassment as quickly and as effectively as possible, while ensuring due process for everyone involved and maintaining confidentiality to the extent possible. However, we cannot resolve possible instances unless we are aware of the situation. If you believe a co-worker, supervisor, vendor, contractor, customer, visitor or other agent of FSG is discriminating against or harassing you, or if you witness or become aware of such discrimination or harassment of another individual(s), we strongly encourage you to speak up.

First, if, and only if you are comfortable doing so, tell the person you believe is discriminating against or harassing you or someone else that their behavior or actions are inappropriate or unwelcome and to stop. The individual may not realize that their behavior is offensive, and a simple communication may effectively end the behavior. **This step is optional; it is not required.**

If you choose to skip this step, or if your communication does not resolve the issue, FSG strongly encourages you to immediately report the conduct to a supervisor or to the People Team. Complaints may be made verbally and/or in writing, including by using the Complaint Form appended to this Policy.

### **"Supervisor"<sup>1</sup> Reporting Responsibility.**

Any supervisor who witnesses or otherwise becomes aware of any employee's concern about conduct in violation of this Policy, whether in a formal complaint or through informal channels, **is considered "on notice" and must immediately** report the issues to the People Team. Supervisory personnel who fail to report such conduct will be subject to disciplinary action, up to and including termination.

### **CONTACT INFORMATION:**

**Kristen Baron**  
Associate Director, People & Culture  
FSG, Inc.  
179 Lincoln St. <sup>3rd</sup> Fl.  
Boston, MA 02111  
Kristen.Baron@fsg.org

**Bobbi Silten**  
Chief of People & Culture and Managing Director, USC  
FSG, Inc.  
179 Lincoln St. <sup>3rd</sup> Fl.  
Boston, MA 02111  
Bobbi.Silten@fsg.org

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<sup>1</sup> The term "supervisor" is used throughout this Policy to refer to any individual with direct reports (e.g., Senior Leader, MD/D, IU lead, PDL, CTL or department manager).

Kristen is available to receive a complaint of sexual or other harassment, to discuss any concerns you may have or to provide information to you about this Policy and FSG's complaint process. For any related concerns for staff within the Asia Impact Unit, please contact Divya Sherin:

**Divya Sherin**  
**Coordinator, People & Culture**  
**FSG, Inc.**  
**158, CST Road, Kalina, Santacruz (E)**  
**Mumbai 400 098**  
**Divya.Sherin@fsg.org**

**Investigation Procedures.**

FSG will promptly investigate the facts and circumstances of any report of discrimination or harassment in a timely, fair, and thorough manner and FSG expects all employees to cooperate fully in any investigation. FSG will investigate complaints of discrimination and harassment as quickly, discreetly, and confidentially as possible while ensuring due process for everyone involved. This may include taking any necessary interim actions (e.g., instructing the person about whom the report was made to cease communicating with the reporting employee), reviewing relevant documents and interviewing the complainant, the person subject to the complaint, and any other witness that we determine may assist the investigation. At the conclusion of the investigation, FSG will follow up with the individual who made the complaint and the individual about whom the complaint was made.

FSG does not tolerate discrimination and harassment, including sexual harassment, in the workplace, which means that upon completion of the investigation, FSG will take corrective and appropriate action against any person, regardless of title or position, who FSG determines has engaged in conduct in violation of this Policy or, in the case of an employee with managerial or supervisory responsibilities, has knowingly allowed such conduct to occur and/or failed to report such conduct. These measures may include, but are not limited to, warnings, counseling, suspension, or other disciplinary actions up to and including termination. Additional information regarding investigation procedures is set forth in [FSG's Guidelines for Investigation of Complaints of Harassment, Discrimination or Retaliation](#).

**No Retaliation.**

Retaliation can be any work or non-work-related adverse action that would discourage an employee from coming forward to make or support a claim of discrimination or harassment or from encouraging another individual to do the same. FSG prohibits any form of discipline or retaliation for reporting perceived violations of this Policy, for encouraging another individual to do the same, for pursuing any such claim, for failing to cooperate in any way in the investigation of such claims, or for failing to testify in any proceeding under the law. This Policy, and its protections, applies to anyone who makes a good faith report of misconduct, a potential Policy violation, or other related issues, regardless of the outcome of the underlying complaint.

If you believe you have experienced or witnessed retaliation, you should immediately report the conduct to your supervisor or to the People Team. Supervisors who have witnessed or otherwise become aware

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of such conduct **must immediately** report the conduct to the People Team. FSG will investigate complaints of retaliation consistent with the investigation procedures above.

FSG will not tolerate retaliation in the workplace, which means that if we find that any employee has engaged in retaliation, and in the case of an employee with supervisory responsibilities, if they knowingly allowed such conduct to occur and/or failed to report such conduct, we will take disciplinary action against such individual, up to and including termination of employment.

Further, FSG recognizes that false accusations may have serious effects on innocent persons. Please note therefore, that while the protection against retaliation will apply where an employee makes a good faith complaint of discrimination and harassment (even if the conduct complained of does not ultimately rise to the level which violates the law or a Policy violation), the protection against retaliation does *not* apply where, after the investigation, it is clear that a person intentionally made a false accusation. If FSG determines that an employee made an intentionally false claim, FSG will subject the employee to appropriate disciplinary action, up to and including termination of employment.

### **Additional Assistance.**

FSG encourages any person who believes they have been subjected to sexual or other forms of unlawful harassment or discrimination to address their concerns by following FSG's internal procedures. In addition to the above, employees may choose to file a formal complaint with either the US Equal Employment Opportunity Commission ("EEOC") or a state Fair Employment Agency. Formal complaints must be filed within 180 days from the day the discrimination took place. The address and phone number for the EEOC or Fair Employment Agency within other states may be found in the State government section of the local phone directory. Bringing your complaint to FSG's attention internally does not prohibit you from filing a complaint with these agencies. Legal remedies for victims of harassment, discrimination and retaliation may include reinstatement, compensatory and punitive damages, costs and attorneys' fees. You may also be able to pursue relief through judicial forums such as the courts in your state.

To file a charge with the EEOC, you can call them at 800-669-4000 (or 800-669-6820 (TTY)), visit their website at [www.eeoc.gov](http://www.eeoc.gov), or email them at [info@eeoc.gov](mailto:info@eeoc.gov).

To file a complaint with the California Department of Fair Employment and Housing, you can call them at 800-884-1684 (or 800-700-2320 (TTY) or California's Relay Service at 711, visit their website at <https://www.dfeh.ca.gov/>, or email them at [contact.center@dfef.ca.gov](mailto:contact.center@dfef.ca.gov).

To file a complaint with the Massachusetts Commission Against Discrimination (MCAD), you can call them at 617-727-3990 (or TTY [617-994-6196](tel:617-994-6196)), visit their website at <https://www.mass.gov/orgs/massachusetts-commission-against-discrimination> or email them at [mcad@mass.gov](mailto:mcad@mass.gov).

To file a complaint with the Washington State Human Rights Commission (WSHRC), you can call them at 360-753-6770 or at 800-233-3247, visit their website at <https://www.hum.wa.gov/> or email them at [frontdesk@hum.wa.gov](mailto:frontdesk@hum.wa.gov)

Equal Employment Opportunity Commission (EEOC)

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Seattle Field Office  
909 First Avenue  
Suite 400  
Seattle, WA 98104  
800-669-4000

District of Columbia, Office of Human Rights (DCOHR)  
441 4th St. NW Suite 970N  
Washington, DC 20001  
202-727-4559

Equal Employment Opportunity Commission (EEOC)  
District of Columbia Field Office  
131 M Street, NE  
Fourth Floor, Suite 4NWO2F  
Washington DC, 20507-0100  
800-669-4000

[signature page follows]

**HARASSMENT/DISCRIMINATION/RETALIATION FREE AND RESPECTFUL WORKPLACE POLICY**

I acknowledge that I have received, read, and understand FSG's Harassment/Discrimination/Retaliation Free and Respectful Workplace Policy.

*Signature*

*Date*

*Name (print)*



**HARASSMENT, DISCRIMINATION, AND RETALIATION COMPLAINT FORM**

FSG is committed to maintaining a workplace that is free of discrimination, harassment, and retaliation. If you believe that you or another individual has been subjected to discrimination, harassment (including sexual harassment), or retaliation, you are encouraged to complete this form and submit it to the People Team.

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

Department: \_\_\_\_\_

Preferred Contact Information: \_\_\_\_\_

Name and Title of Your [Manager or Supervisor]: \_\_\_\_\_

Name of the employee(s) or other individual(s) (e.g., employee, contractor, vendor, customer, agent or visitor of the company) about whom you are complaining and his or her or their relationship to you and to the company: \_\_\_\_\_

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

Please describe the conduct or incident(s) that is the basis of this complaint and your reasons for concluding that the conduct comprises discrimination, harassment (including sexual harassment) and/or retaliation. Please confirm whether you are complaining on behalf of yourself and/or another individual and use additional sheets of paper if necessary and attach any relevant documents or evidence.

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

Date(s) of Conduct (including whether it's continuing): \_\_\_\_\_

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

Have you previously complained or provided information (verbal or written) about the conduct or incident? If yes, when and to whom did you complain or provide information? \_\_\_\_\_

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

Please list the names and contact information of any witnesses or individuals who may have information relating to your complaint: \_\_\_\_\_

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

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*Please sign and return to the People Team*