**Ivy Lane Corporation**

**doing business as**

**Valvoline Instant Oil Change**

**Harassment and Discrimination Training**

**For Employees**

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# Training Objectives

1. **To promote a professional, respectful and fun work environment.**
2. **To educate employees about harassment and discrimination.**
3. **To educate employees about workplace behaviors which are considered inappropriate.**
4. **To educate employees about what to do if they feel they are a victim of harassment or discrimination or observe such behaviors.**
5. **To inform employees about their responsibilities and about management’s responsibilities.**

# Introduction

The success of our business depends on our employees creating a wonderful experience for our customers and our organization having a reputation for outstanding service. We cannot achieve our business and service goals if both the employees and management are not committed to having an environment that encourages respect and professionalism and discourages harassment and poor treatment of any person who walks through our door. Whether the person engaging in potentially harassing behavior is a customer, vendor or employee, it is critical to the success of our business that our Management is made aware of these actions and can address them before the situation escalates and damages our reputation, and therefore, potentially your job and your income.

# Definitions of Harassment and Discrimination:

**Unlawful Harassment**

Under our policy, harassment is verbal or physical conduct that demeans, puts down, humiliates, or shows hostility or aversion toward an individual because of their race, color, religion, sex, national origin, age, disability, alienage or citizenship status, marital status, creed, genetic predisposition or carrier status, sexual orientation, gender identity, veteran status, or any other protected class by federal, state, or local laws or that of their relatives, friends or associates, and that:

* has the purpose or effect of creating an intimidating, hostile or offensive work environment;
* has the purpose or effect of unreasonably interfering with an individual's work performance; or
* otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; demeaning jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail).

**Sexual Harassment**

Sexual harassment constitutes discrimination and is illegal under federal and state laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example:

* submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
* submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such 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 may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail); and other physical, verbal or visual conduct of a sexual nature. Gender-based harassment that is, harassment not involving sexual activity or language (e.g., male manager yells only at female employees and not males) may also constitute discrimination if it is severe or pervasive and directed at employees because of their gender.

**Unlawful Discrimination**

Unlawful discrimination is when a member of a protected class is treated intentionally different from others or when rules applied to all employees have a different or more inhibiting effect on a protected class than on the majority. Title VII of the Civil Rights Act of 1964 prohibits discrimination in employment practices on the basis of race, sex, religion, national origin and color. Other regulations prohibit discrimination on the basis of other protected classes, such as age, pregnancy, genetic predisposition, disability, and various other categories in accordance with state or federal regulations.

# Important Facts about Harassment and Discrimination

* Free speech rights do NOT apply in the workplace. Employees do not have the right to say anything they want while at work.
* Harassment or discrimination does not have to be intentional, and often the offender may not be aware that is or her actions are considered offensive or improper by another person. Open, respectful, and honest communication is essential in preventing harassment and discrimination.
* What is offensive is in the “eye of the beholder.”
* Men can be sexually harassed. Men can harass men; women can harass women.
* Harassment does not have to be sexual in nature.
* Harassment does not have to be directed at a particular individual.
* Offenders can be supervisors, co-workers, or non-employees (customers, vendors, or suppliers).
* Employees have the responsibility to report harassing or discriminatory behavior to management when it is experienced or observed.
* Management has the responsibility to promptly and thoroughly investigate all complaints of harassment and discrimination.

# Types of Harassment

***Harassment is not limited to sexual comments or behavior.***

Sexual harassment is just one type of harassment. Discriminatory harassment can occur based on any of several characteristics, including (but not limited to) the following legally protected classes:

* Age
* Race
* Color
* Gender
* Disability
* Religion
* Marital Status
* Veteran Status
* National Origin or Citizenship Status
* Sexual Orientation or Gender Identity
* Genetic predisposition or carrier status

Harassment can occur in many different ways. Below are examples of different types of harassment. These examples are not all-inclusive.

**Physical Harassment**:

* Pinching, patting or pushing
* Unwelcome touching in a sexual OR non-sexual manner
* Invading someone’s personal space or blocking their way to make them uncomfortable

**Verbal Harassment:**

* Jokes of a sexual, racist, or derogatory nature
* Crude or offensive language or comments
* Name Calling
* Whistling, kissing sounds, or making other offensive or suggestive sounds

**Visual Harassment**:

* Pin-up pictures or calendars
* Gestures intended to be sexual or offensive
* magazines, posters
* Email

**Hazing**:

* Exclusion from the group or requiring specific behavior before becoming a member of a group
* Teasing

# Employee Responsibilities

Employees have the responsibility to treat each other with respect and professionalism. We expect the following of each of our employees:

* Be aware of what harassment and discrimination is, how you can avoid engaging in harassing or discriminatory behavior, how you can spot it, and how you should report it.
* Report harassment or discrimination immediately when it is experienced or observed.
* Think **before** you speak or act!
* Be sensitive to others. Watch and listen to their responses and reactions.
* Respect one another’s feelings, beliefs, boundaries and personal space.
* Consider if you would want someone you care for or a family member to be treated in the same way.
* Consider if your behavior would change in the presence of someone you respect.
* Remain calm and professional—do not overreact.
* Address the problem: immediately, directly, politely.

# Reporting Harassment or Discrimination

Ivy Lane Corporation strongly urges the reporting of all incidents of harassment or discrimination regardless of the offender's identity or position. Any Employee who believes he or she has been discriminated against or harassed by a fellow Employee, a Supervisor, any other representative of the Company, or a visitor, or anyone who has a business relationship with the Company, such as a vendor, etc., or who witnesses the discrimination or harassment of another, should immediately report the facts of the incident or incidents to any of the following individuals:  the Employee’s Director of Operations, Executive VP/Chief Operating Officier, a representative of Human Resources, or to the Employee Concerns Hotline. The Employee Concerns Hotline is a toll free telephone number answered by HR Professionals at Merit Resources; the number is (515) 334-6114.    DO NOT TOLERATE THE SITUATION, AND DO NOT ASSUME THAT IVY LANE CORPORATION IS AWARE OF AN INCIDENT.  REPORT ALL INCIDENTS OF DISCRIMINATION AND HARASSMENT.  Individuals should not feel obligated to file their complaints with their immediate supervisor first before bringing the matter to the attention of one of the other Ivy Lane Corporation designated representatives identified above.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, while no fixed reporting period has been established, Ivy Lane Corporation strongly urges the immediate reporting of complaints or concerns so that rapid and constructive action can be taken. The Company will make every effort to stop alleged harassment before it becomes severe or pervasive, but can only do so with the cooperation of its employees.

The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that it be discontinued.

# Management Responsibilities

The Management of Ivy Lane Corporation has the responsibility of ensuring that employees can work in a harassment-free environment, and our responsibilities include:

* Providing an environment free of harassment for our employees and customers.
* Educating employees about harassment and our harassment policy.
* Promptly investigating all harassment complaints.
* Documenting complaints and investigations.
* Taking prompt corrective action, if necessary, after completing an investigation.

# The Investigation

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly, thoroughly and impartially. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

**Harassment and Discrimination Prevention**

Training Acknowledgement

I acknowledge that I have received the Non-Discrimination and Anti-Harassment policy training materials provided by Ivy Lane Corporation dba Valvoline Instant Oil Change (hereafter referred to as the Company). I acknowledge that I have read the materials or have had them presented to me by a member of management. I have been informed of the definition, types, and behaviors, which constitute harassment or discrimination. I understand that the Company will not tolerate harassment or discrimination of any kind. I also understand that any complaints of harassment, discrimination or retaliation should be reported to the Company’s management immediately.

Printed Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Store Number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_