



Policy against Unlawful Discrimination and Harassment

Kimco Staffing Services, Inc., Advantex Professional Services, and MediQuest Staffing are committed to providing a work environment which is free of discrimination, harassment, and retaliation. In furtherance of this commitment, the Company strictly prohibits all forms of discrimination and harassment, including: discrimination and harassment on the basis of sex (including childbirth, breastfeeding, and related medical conditions); pregnancy; gender; gender identity; gender expression; sexual orientation; religion; national origin; ancestry; ethnicity; race (including traits historically associated with race, such as hair texture and protective hairstyles, including braids, locks, and twists); color; citizenship status; uniform service member and veteran status; marital status; age; protected medical condition; genetic information; physical or mental disability; or any other category protected by applicable state or federal law.

This policy applies to all Associates, **including supervisors and managers**. This policy also applies to all clients, vendors, and independent contractors, as well as to all unpaid interns and volunteers (all of whom this policy designates as "Business Associates"). The Company prohibits managers, supervisors, and Associates from discriminating against or harassing subordinates or coworkers, as well as the Company's Business Associates. Kimco Staffing Services, Inc., Advantex Professional Services, and MediQuest Staffing likewise prohibit its Business Associates from discriminating against or harassing Associates.

Discrimination

Employment discrimination occurs when an employer treats applicants or employees less favorably than others because of their protected classification. Examples of employment discrimination include making decisions regarding hiring, firing, advancement, wages, discipline, or promotion, based on a protected class such as race, religion, national origin or gender. Employment discrimination can also occur when an employer adopts a neutral job policy which disproportionately affects members of a protected class and is not job related or a business necessity.

Harassment

Harassment includes unwelcome verbal, written, physical, visual or other conduct that creates an intimidating, offensive, or hostile working environment, or that interferes with an employee's work performance.

The Company strictly prohibits harassment concerning race, color, religion, national origin, age, or other protected characteristic. By way of illustration only, and not limitation, prohibited harassment includes:

- Racial or ethnic slurs, insults, and any other offensive remarks based on a protected characteristic;
- Jokes, whether written, verbal, or electronic, which are based on a protected characteristic;
- Mocking or ridiculing another's religious or cultural beliefs, practices, or manner of dress;
- Threats, intimidation, horseplay, and other menacing behavior based on a protected characteristic;
- Inappropriate verbal, graphic, or physical conduct, including practical jokes based on a protected characteristic;
- Electronically sending or posting harassing text messages, videos, or images; and
- Other harassing conduct based on one or more of the protected categories identified in this policy.

Sexual Harassment

Sexual harassment is a form of gender discrimination, and includes a broad spectrum of conduct, including harassment based on sex, gender, gender transition, gender identity, gender expression, and sexual orientation, regardless of whether the conduct was motivated by sexual desire. By way of illustration only, and not limitation, some examples of unlawful and prohibited behavior include:

- Unwanted sexual advances, or reprisals or threats following a negative response to unwanted sexual advances;



Policy against Unlawful Discrimination and Harassment

- Offering an employment benefit (such as a raise, promotion, or assistance with career advancement) in exchange for sexual favors, or threatening an adverse action (such as termination, demotion, or disciplinary action) for an Associate's failure to engage in sexual activity;
- Visual conduct, such as leering, making sexual gestures, and displaying or posting sexually suggestive objects or images;
- Verbal sexual advances, propositions, requests, or comments;
- Electronically sending or posting sexually related text messages, videos, or images;
- Verbal abuse of a sexual nature, graphic verbal comments about an individual's appearance, sexually degrading words used to describe an individual, and suggestive or obscene letters, notes, or invitations;
- Physical conduct, such as touching, kissing, groping, assault, and blocking movement;
- Physical or verbal abuse concerning an individual's actual or perceived sex, gender, gender transition, gender identity, or gender expression; and
- Verbal abuse concerning a person's characteristics, such as vocal pitch, facial hair, or the size or shape of a person's body, including remarks that a male is too feminine or a woman is too masculine.

Retaliation

Retaliation involves taking action against an employee, or close associate, for reporting or opposing discrimination or harassment, or who in good faith uses the internal complaint procedure or any external complaint procedure, for assisting in the investigation of a complaint or for otherwise assisting in a complaint.

Kimco Staffing Services, Inc., Advantex Professional Services, and MediQuest Staffing are committed to prohibiting retaliation against those who themselves, or whose family members, report, oppose, or participate in an investigation of alleged harassment, discrimination, or other wrongdoing in the workplace. By way of example only, participating in an investigation includes, but is not limited to:

- Filing a complaint with a federal or state enforcement or administrative agency;
- Participating in, or cooperating with, a federal or state enforcement agency conducting an investigation of the Company regarding alleged unlawful activity;
- Testifying as a party, witness, or accused regarding alleged unlawful activity;
- Making or filing an internal complaint with the Company regarding alleged discrimination, harassment, or retaliation;
- Providing notice to the Company regarding alleged discrimination, harassment, and retaliation; and
- Assisting another Associate who is engaged in any of these activities.

The Company is further committed to prohibiting retaliation against qualified Associates who request a reasonable accommodation for any known physical or mental disability, and Associates who request reasonable accommodation of their religious beliefs and practices. In addition, the Company will not penalize or retaliate against an Associate who is a victim of domestic violence, sexual assault, or stalking for requesting leave time or accommodations in the workplace to ensure the Associate's safety and well-being.



Policy against Unlawful Discrimination and Harassment

Procedure for Making Complaints of Discrimination, Harassment, or Retaliation

An Associate who feels discriminated against, harassed, or retaliated against in violation of this policy, by another Associate, supervisor, manager, or Business Associate, should immediately report that to any recruiter, manager, or Human Resources representative. In addition, the Company encourages an Associate who observed harassment by another Associate, supervisor, manager, or Business Associate to report the incident immediately to any recruiter, manager, or Human Resources representative. Human Resources can be reached at 949-331-1164 or by email at HR@kimco.com. You can also call and report any violations of this policy to our hotline number, available 24/7 at 1-855-220-9650. All calls received at this hotline are responded to within 24 hours. Please note that you are never required to confront the person whom you believe is subjecting you to discrimination, harassment, or retaliation.

An Associate's notification of such a problem is essential; Kimco Staffing Services, Inc., Advantex Professional Services, and MediQuest Staffing can only help resolve a known harassment problem. Therefore, every Associate is responsible for bringing concerns and/or problems to the attention of upper management or Human Resources, so that the Company can take appropriate steps to address the situation. Kimco Staffing Services, Inc., Advantex Professional Services, and MediQuest Staffing take all such complaints seriously, and will not penalize or retaliate against an Associate in any way for reporting a harassment problem in good faith.

Associates also have the option to file a complaint with the Equal Employment Opportunity Commission (EEOC) or the California Department of Fair Employment and Housing (DFEH). The EEOC can be reached at (800) 669-4000 and DFEH can be reached at (800) 884-1684.

Recruiters, Supervisors and HR Representative who learn of any complaint of discrimination, harassment, or retaliation must promptly report, within 48 hours, such complaint to both the Company's Human Resources Department as well as the HR Department of the Business Associate. Failure to do so is grounds for disciplinary action, up to and including immediate discharge.

Investigation of Complaints

An impartial and qualified person will investigate all complaints of harassment reported to upper management or Human Resource as promptly as possible. Investigations will include interviews of relevant individuals, review or relevant evidence, and creation of investigation reports documenting investigation steps, findings, and conclusions. Upon conclusion of such investigation, the Company will take appropriate corrective action where warranted. Kimco Staffing Services, Inc., Advantex Professional Services, and MediQuest Staffing prohibit Associates from hindering or refusing to cooperate with internal investigations and the internal complaint procedure.

The Company will treat all complaints of harassment reported to upper management or Human Resources with as much confidentiality as possible, consistent with the Company's need to conduct an adequate investigation.

The Company will track and collect all complaints of discrimination, harassment, and retaliation, and will strive to resolve all such complaints in a timely and effective manner. Additionally, the Company will review any determination made by a Business Associate regarding discrimination complaints made by Company Associates.

Following the investigation, the Company will follow up with the Associate to evaluate the effectiveness of any remedial or corrective measure implemented.



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Policy Violations

Anyone found to have violated this policy is subject to disciplinary action, up to and including immediate termination of employment. Moreover, any supervisor or manager who condones or ignores potential violations of this policy is subject to appropriate disciplinary action, up to and including termination of employment.

Additionally, under California law, individuals may be held personally liable for harassing conduct which violates the California Fair Employment and Housing Act.

Questions

If you have any questions about this policy, please reach out to management or Human Resources.