





WELCOME TO MERIT

Welcome to Merit! This guide is meant to help you understand how we do business. It's different from the exhaustive, legalistic "employee manuals" you might have seen at other firms. Rather than describe in excruciating, pedantic detail all of the things YOU can't do, and Merit CAN do (or WON'T do), this will give some guidelines for how we should all work together. This isn't a contract; it's a summary of our current ideas about the best ways to get great stuff done, and we might change or add onto them as Merit changes and grows.

One intention of this manual--which is publicly available--is to live up to our core values: trust, transparency, and intentionality. This is how we define those values:

Trust: "I will do my best and keep my commitments."

Transparency: "I will be direct and honest with you."

Intentionality: "I will do things for a good reason."





EMPLOYEE HANDBOOK

WELCOME TO MERIT

Merit's policies are designed for grownups with integrity and good judgment. We hired you because we believe that you have the intelligence, self-awareness, and common sense to make good decisions about what's best for the company. We assume that you will act with Merit's best interests at heart.

If you're reading this, it's likely that you've been through a very long interview process. One of the reasons we take so long to hire candidates is that we want to make sure they have the character and good sense to work here. Do you know the old saying, "Marry in haste, repent at leisure"? It's always bad--for Merit and the person we hired--if the fit isn't right for whatever reason. That's why we employ the "corporate" corollary adage, "Hire slowly, fire quickly." We're an "at will" employer, meaning anybody can be let go for any reason (just like you can leave if, for whatever reason, you don't feel like Merit is right for you).

That said, we want you to thrive here. Our intention is to trust you to make good decisions within a framework that allows you to do so. We hope this gives you the freedom to focus on doing a great job and enjoy the time you're here.





DRESS CODE + WORKING HOURS

Dress Code

Our dress code is pretty simple: wear what makes you comfortable without making the people you work with uncomfortable. This includes clients: if you're meeting face to face with one of our clients, use your judgment so that what you're wearing doesn't make them uncomfortable about what they're wearing (or uncomfortable about Merit).

Working Hours

Our customers pay our bills, and helping them when they need it is our first priority. Every one of us is responsible for client support whenever it happens. That said, Merit generally works a "regular" shift, with our office open from around 8am Eastern to around 6pm, so your work day should mostly overlap with those hours. That's when our clients are most active and it's a good time for us all to be available to each other. If you get paid hourly and/or work part-time, you should work out a schedule within those times with your manager. Full-time, salaried employees are expected to be productive and manage their own time well. We are not big on face time or punching the clock; we are big on how much, how well, and how quickly you produce first-class work.





MEETINGS

It's not possible to coordinate all decisions without getting the decision-makers in one room sometimes. Those times are rare, though: here at Merit, decisions should be made by the individuals who are responsible for the outcome. In general, if we aren't going to do something different as a result of the meeting, then don't have it. If you do need a meeting to come to a decision, make sure that the decision gets made and that everyone there knows what that decision is and who will carry it out. If the meeting is to inform or update your colleagues about your work, then respect their time by getting to the point and preparing to use their time well.

When you attend a meeting, you're expected to contribute, learn, or both. We have very few private, closed-door meetings so unless you're told otherwise you can likely ask to attend just about any one to which you'll add value (or learn to make yourself a better contributor).





HEALTH INSURANCE + SICK TIME

Health and Dental Insurance

For salaried, full-time employees, Merit currently pays 100% of the premium for you and your family. We pay 100% of an individual premium to hourly employees who work more than 20 hours for more than 6 months. Given that we're a small, growing company, it's possible that these contributions (and the health plan we use) can change as we see opportunities to put better overall benefits packages together.

Sick Time

It's impossible to know when you'll get sick, or how ill you'll be when it happens. If you're too sick to get your work done, let your colleagues know and then stay home (it's not fair to everyone if you simply fail to show up). If your illness is preventing you from working effectively for more than a day or two, we'll figure out whether a leave of absence or state disability benefits are the path to take and may need to confirm with your doctor what kind of shape you're in.





VACATION + PARENTAL LEAVE

Vacation

Vacation time--to spend time with friends or family, visit new or familiar places, or just to recharge your batteries--is important for your mental health and allows you to bring all of your energies to the job. Merit does not specify the number of vacation days you have or must use in a year, so vacation days don't "build up" in some sort of paid-days-off bank. Instead, the amount of time you take off is up to you. Be sure to take vacations! You need it. Once you're up to speed at Merit, that should mean at least 3 weeks of time off per year--and try to make at least one of those weeks an unbroken one. Just be respectful of your colleagues by discussing your plans with them and making sure any work that needs to be covered, is. When taking PTO or planning on being unavailable, i.e., a doctor's appointment - add said event to the shared OOO calendar. When out of the office for a day or more, have an auto responder set up providing email and phone contact information in your absence. If out of office for an extended period of time, forward team member's email to a colleague for management.

Parental Leave

When you become a mom or dad, you may take eight weeks of paid leave (and a further four weeks of unpaid leave). Your benefits will remain current during that time. Rest up and recharge, and enjoy your radically changed life! But please be sure to prepare your work and your colleagues ahead of time so that they can fill in for you when you're gone.





WORKING FROM HOME + HOLIDAYS

Working Remote

Most of us work from World HQ; some of us work remotely. That will have been arranged when you were hired. If you need or want to change where you're working, talk it over with Colin. On a day-to-day basis, sometimes bad weather, waiting for the cable guy, or a sick child means that it's easier for you to work a day from home. If that happens, just make sure that everyone knows you're doing that so we know how to connect with you on whatever we're working on together.

Holidays

Merit recognizes the following paid holidays:

- New Year's Day
- Martin Luther King Day
- Memorial Day
- Independence Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day
- Day after Christmas

Keep in mind that we offer around-the-clock support for some clients, so teams that work with customers should find ways to ensure coverage on these days.





EXPENSING, ENTERTAINMENT, TRAVEL AND GIFTS

When expensing items to the company, asking for entertainment reimbursements, booking business trips, or receiving gifts from vendors or clients, act in Merit's best interests. When you decide to spend money or receive a gift on Merit's behalf, we're trusting you to use good judgment about what is right. You should only ask for reimbursement for things that you are only buying because Merit needs you to do so for a specific job task (for example, a plane ticket to a conference). When you travel, get the best deal you can. You shouldn't be printing hundreds of flyers for your band on company printers, but of course you can print personal documents when you need to.





EMPLOYEE HANDBOOK

COMPANY PROPERTY

Your computer, phones, the paper in the printers--almost all of the stuff you use here--are owned by Merit. For the most part, you can use your computer, phone and the like for personal business if it allows you to be more productive than it costs Merit. For example, it would be silly to leave work in the middle of the day in order to go to a copy shop to fax a health form for your kids' summer camp rather than using Merit's fax machine--the time you spend out of the office costs us a lot more than the value of the fax. However, doing all of your kids' back-to-school shopping by helping yourself to the company supply drawer only saves you from going to the store after work hours and costs Merit real money.





EMPLOYEE HANDBOOK

NEEDLESS TO SAY...

Merit's culture is one of respect for each other, our clients and the people we come into contact with during the course of business. Harassment or discrimination based on race, color, gender, national origin, age, military service eligibility, veteran status, sexual orientation, marital status, disability, or any other protected class is completely unacceptable--it's also unlawful, and we'll treat it that way. If you notice this kind of thing going on you should report it to Colin or to our attorneys at Paul Hastings since it represents a fundamental break with Merit's values and culture. We're also committed to finding a broad range of talented, qualified people from underrepresented groups to enrich our team's experience and perspectives, so always be on the lookout for great candidates like that who can join our team.

Paul Hastings

<https://www.paulhastings.com/professionals/details/christopheraustin>





LOGO M STAR BADGE



The Merit M Star Badge mark is the foundation for the Merit identity and when combined with color, typography, messaging and graphics this is the Merit brand.



PMS 7710 C
CMYK 75 15 30 0
RGB 40 165 177
HEX 28A5B1



PMS 7708 C
CMYK 90 50 40 15
RGB 19 101 121
HEX 126579



PMS 440 C
CMYK 70 60 65 60
RGB 48 52 48
HEX 303430



A white “knockout” M Star Badge is permitted against any solid fill or against any well-contrasted images.





LOGO WORD MARK

Merit™

The Merit word mark is our secondary branding element which is to be used without the M Star Badge.

Merit™

PMS 7710 C
CMYK 75 15 30 0
RGB 40 165 177
HEX 28A5B1

Merit™

PMS 7708 C
CMYK 90 50 40 15
RGB 19 101 121
HEX 126579

Merit™

PMS 440 C
CMYK 70 60 65 60
RGB 48 52 48
HEX 303430



A white "knockout" word mark is permitted against any solid fill or against any well-contracted images.



LOGO
CONSTRUCT







MERIT'S SEXUAL HARASSMENT POLICY

Merit is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of Merit's commitment to a discrimination-free work environment. Sexual harassment is against the law and all employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with Merit. Employees can also file a complaint with a government agency or in court under federal, state or local anti-discrimination laws.

Policy

1. Merit's policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, with Merit. In the remainder of this document, the term "employees" refers to this collective group.

2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).

3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Merit will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of Merit who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, or Colin Mathews or Paul Hastings. All employees, paid or unpaid interns or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.

Adoption of this form does not constitute a conclusive defense to charges of unlawful sexual harassment. Each claim of sexual harassment will be determined in accordance with existing legal standards, with due consideration of the particular facts and circumstances of the claim, including but not limited to the existence of an effective anti-harassment policy and procedure.



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1. Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject Merit to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.

2. Merit will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. Merit will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.

3. All employees are encouraged to report any harassment or behaviors that violate this policy. Merit will provide all employees a complaint form for employees to report harassment and file complaints.

4. Managers and supervisors are required to report any complaint that they receive, or any harassment that they observe or become aware of, to Colin Mathews or Christopher Austin.

5. This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable (for example, in a main office, not an offsite work location) and be provided to employees upon hiring.

1. While this policy specifically addresses sexual harassment, harassment because of and discrimination against persons of all protected classes is prohibited. In New York State, such classes include age, race, creed, color, national origin, sexual orientation, military status, sex, disability, marital status, domestic violence victim status, gender identity and criminal history.

2. A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, "gig" workers and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer.



WHAT IS “SEXUAL HARASSMENT”?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being trans gender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

1. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
2. Such conduct is made either explicitly or implicitly a term or condition of employment; or
3. Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called “quid pro quo” harassment.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

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EXAMPLES OF SEXUAL HARASSMENT

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

1. Physical acts of a sexual nature, such as:

- Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
- Rape, sexual battery, molestation or attempts to commit these assaults.

2. Unwanted sexual advances or propositions, such as:

- Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;
- Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping 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 or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- 3. Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being trans gender, such as:**
- Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, name-calling.



MERIT'S SEXUAL HARASSMENT POLICY

Who can be a target of sexual harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

Where can sexual harassment occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

Retaliation

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- Made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- Testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- Opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- Reported that another employee has been sexually harassed; or
- Encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.



REPORTING SEXUAL HARASSMENT

Preventing sexual harassment is everyone's responsibility.

Merit cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager or Colin Mathews or Christopher Austin. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager or Colin Mathews or Christopher Austin..

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are required to report such suspected sexual harassment to Colin Mathews or Christopher Austin.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue. Supervisors and managers will also be subject to discipline for engaging in any retaliation.



COMPLAINT AND INVESTIGATION OF SEXUAL HARASSMENT

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Merit will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of complaint, Colin Mathews or Christopher Austin will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If complaint is verbal, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the verbal reporting.

- If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:

1. A list of all documents reviewed, along with a detailed summary of relevant documents;
2. A list of names of those interviewed, along with a detailed summary of their statements;
3. A time line of events;
4. A summary of prior relevant incidents, reported or unreported; and
5. The basis for the decision and final resolution of the complaint, together with any corrective action(s).

- Keep the written documentation and associated documents in a secure and confidential location.
- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

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COMPLAINT AND INVESTIGATION OF SEXUAL HARASSMENT

Legal Protections And External Remedies

Sexual harassment is not only prohibited by Merit but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Merit, employees may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.



STATE HUMAN RIGHTS LAW (HRL)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court. Complaints with DHR may be filed any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to Merit does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an

administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New YorkState.

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CIVIL RIGHTS ACT OF 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a “Charge of Discrimination.” The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

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