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## Anti-discrimination and anti-harassment policy

### Anti-Discrimination

It is Sterling Solutions' policy not to discriminate against qualified individuals with disabilities regarding application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of work experience.

Additionally, the Americans with Disabilities Act (ADA) require employers to reasonably accommodate qualified individuals with disabilities. It is the policy of the Sterling Solutions to comply with all federal, state, and local laws concerning the provision of training and work experience to persons with disabilities. Sterling Solutions requires WEX sites to reasonably accommodate qualified individuals with a disability so they can perform the essential activities of peer support work experience.

An individual, who can be reasonably accommodated for training and work experience, without undue hardship, will be given the same consideration as any other participant.

### Anti-harassment

#### SEXUAL AND/OR OTHER UNLAWFUL HARASSMENT POLICY:

Sexual Harassment or any other form of unlawful harassment by any Sterling Solutions employee, subcontractor, or program participant is prohibited.

Sterling Solutions is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes, or comments based on an individual's gender, race, ethnic or national origin, age, religion, or any other legally protected characteristic will not be tolerated. Sexual harassment (both overt and subtle) is a form of misconduct that is demeaning to another person, undermines the integrity of the organization and is strictly prohibited.

Sexual Harassment specifically exists when:

- An act, including "unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature," is made either an explicit or implicit term or condition of employment;
- Submission to or rejection of the conduct is used as a basis for an employment decision affecting the person rejecting or submitting to the conduct;
- The conduct has the purpose or effect of substantially interfering with an affected person's work performance or creating an intimidating, hostile, or offensive work environment; or verbal abuse or "kidding" that is sex-oriented and considered unacceptable by another individual. This includes commenting about an individual's body or appearance where such comments go beyond mere courtesy; telling "dirty" jokes that are clearly unwanted and considered offensive by others; or any other tasteless, sexually-orientated comments, innuendoes or actions that offend others.

Incidents of sexual or other unlawful harassment should be promptly reported to the BeHOPE team or WEX supervisor. If the supervisor is unavailable or the participant may immediately contact the career counselor. Any subcontractor or participant is found to have been engaged in an act of sexual or any other unlawful form of harassment will be subject to disciplinary action as follows:

**First complaint of harassment** - Verbal warning

**Second complaint of harassment** - Written warning

**Third complaint of harassment** - Termination from project.

*Attempted rape, sexual assault, or sexual battery will result in immediate termination and notification of law enforcement.*

Sterling Solutions recognizes that the determination of appropriate discipline will depend upon the facts and circumstances of the situation.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment should promptly advise BeHOPE staff who will handle the matter in a timely and confidential manner.

### **Investigation Process**

The Program Administrator's will conduct complaint investigation procedures as follows:

1. Provide equitable and prompt resolution of complaints and uphold the Non-Discrimination Policy. At any time, the Program Administrator may appoint a designee to fulfill some or all of their duties as set forth in these Procedures.
2. The Program Administrator may enlist other BeHOPE staff to assist in the review, investigation, and/or resolution of the complaint. Members of this team include the Board members, Program Director or others staff members that are not the subject of the investigation/complaint. At any point during the process, from initial intake through the final resolution, the Program Administrator and the Investigative Team may consult with appropriate experts or with outside legal counsel.
3. The first step is an initial meeting between the Complainant and the Program Administrator or a member of the Program Administrator's Team. The purpose of the meeting is to gain a basic understanding of the nature and circumstances of the complaint; it is not intended to be a full investigation interview. At this meeting, the Complainant will be provided with information about resources and procedural options (including informal resolution/mediation options, if appropriate).
4. While a complaint is being investigated it may be necessary to take interim measures in response to an allegation to protect an individual's rights or those of the broader BeHOPE Program learning community, or if determined to be necessary to ensure the integrity of the investigation or adjudication process.
5. Determinations regarding interim measures are made by the Program Administrator or, when appropriate, the designated Program Administrator's Team member, on a case-by-case basis. Such measures include, but are not limited to, an interim suspension (immediate, temporary suspension pending the outcome of investigation and/or disciplinary process), a "no contact" letter (an order that an individual refrain from direct or indirect contact with another person or persons), restrictions on access to online training or work experience site locations.
6. Interim measures assume no determination of responsibility. Both parties will receive a document setting forth the interim measures that have been deemed appropriate. The Program Administrator may increase, reduce, or otherwise adjust interim measures as appropriate based on feedback from Complainants and Respondents.
7. Failure by any individual to adhere to the parameters of any interim measure is a violation of BeHOPE Program policy and may lead to disciplinary action including denial of further program participation. Individuals are encouraged to report such failures by another party to the Program Administrator. Depending on timing and other circumstances, allegations that an individual has violated any interim measure may be investigated and/or adjudicated (where appropriate) separately from or as part of an ongoing matter.

## Conclusion of the Initial Review

At the completion of the Initial Review, the Program Administrator will determine whether to refer the complaint for further investigation. The Complainant may choose not to go forward with an investigation; however, the Investigation Team has the discretion to take any measures that ensure that any discrimination or harassment is remedied.

The Program Administrator or a member of the Program Administrator's Team will discuss the determination by phone or by email with the Complainant and provide information to assist in understanding available resources and procedural options, which will be communicated to the Complainant in writing.

The Program Administrator will separately inform the Complainant and the Respondent by email that retaliation is prohibited by law under (e.g., Fair Employment and Housing Act), California law as well as BeHOPE Program policy.