

## **WICKED LLC HARASSMENT POLICY**

### **Harassment Policy Overview**

Wicked (the "Company") is an equal opportunity employer, committed to providing its employees a working environment that is free of unlawful discrimination. To that end, the Company does not tolerate any form of harassment of its employees, applicants, service providers or guests. The scope of our policy includes the conduct of officers, managers, supervisors and non-supervisory employees, as well as suppliers and other outsiders (including any venue and Araca Merchandise personnel) who may have business with the Company and/or its personnel.

### **Sexual Harassment Defined**

Sexual harassment is a form of discrimination prohibited by federal, state and local law. The Equal Employment Opportunity Commission has issued the guidelines below under Title VII of the Civil Rights Act of 1964 concerning sexual harassment. The guidelines define sexual harassment as unwelcome sexual advances, requests for favors and other verbal or physical conduct of a sexual nature when:

- 1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
- 2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- 3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or of creating an intimidating, hostile or offensive work environment.

Sexual harassment includes, but is not limited to:

1. Verbal harassment (epithets, derogatory statements, sexually suggestive jokes, threats, slurs, sexually degrading comments, comments about an individual's body or appearance);
2. Physical harassment (touching, leering, pinching, assault, making sexual gestures, physical interference with normal work or movements);
3. Visual harassment (posters, cartoons, calendars, pictures, drawings, sexually suggestive objects, internet materials);
4. Written harassment (composing or transmitting inappropriate written material, such as sexually suggestive jokes, drawings, letters or notes, whether by hand, computer or otherwise);
5. Sexual innuendo and demands for sexual favors (unwelcome sexual statements or advances), especially conditioning an employment decision; and
6. Conduct of a sexual nature while on Company business or at Company-sponsored events or in Company facilities; please be aware that your conduct, which may not bother the person with whom you are in direct contact, may be bothersome to those around you.

Note that sexual harassment refers not only to physical conduct, but also to verbal requests, demands or comments, whether they occur face-to-face, in writing, on the telephone, by electronic mail, text messaging or over the Internet.

Sexual harassment can involve individuals of the same or different genders; it is prohibited regardless of the gender(s) of the person involved and regardless of whether the targeted individual accepts or rejects the advances or other behavior.

### **Other Unlawful Harassment**

In addition to sexual harassment, the Company's policy against harassment equally prohibits harassment based upon membership in other protected categories under federal, state or local law: for example, harassment on the basis of race, color, religion, national origin, sexual orientation, age, marital status and/or disability.

Harassment on other unlawful bases, as with sexual harassment, includes verbal harassment, physical harassment and visual harassment. The Company fully complies with all government requirements for all protected groups.

### **Complaint Procedure**

Individuals who believe that they have experienced conduct that may violate this policy should report it immediately. We also encourage any employee who has information about harassment of another individual to bring it to the Company's attention. Immediate reporting allows the Company to quickly and effectively investigate the situation. Investigations of workplace harassment will be treated with the confidentiality appropriate to the circumstances.

Any individual who believes that they are being harassed or wishes to report information of harassment of a co-worker should promptly discuss the matter with one of the following persons:

1. Department Head
2. Company Manager

In the event that the alleged harasser is the employee's supervisor, or the employee is uncomfortable notifying their supervisor, they should notify:

Nina Essman, General Manager

### **Disciplinary Procedure**

The Company considers harassment of any sort, including harassment of outsiders by our employees, to be a significant breach of policy. The Company will not tolerate retaliation against any individual who expresses an objection to harassment, makes a complaint or assists in an investigation. The Company will take immediate and appropriate corrective action, up to and including termination of employment as provided by the various collective bargaining agreements with the unions where applicable, against any Company employee who engages in harassment or other unlawful discrimination or retaliates against any individual who objects to harassment, makes a complaint or participates in an investigation.