

**Transamerican Auto Parts Company, Inc.
ProCompetition Tire and Wheel Company, Inc.
4 Wheel Parts Wholesalers, Inc.
United Web Sales, Inc.**

NO SEXUAL HARASSMENT ALLOWED

To All Employees

As your employer, Four Wheel Parts Wholesalers (FWPW) must take all reasonable steps to prevent discrimination and harassment from occurring. Sexual harassment is prohibited by FWPW and is against the law.

Every employee should be aware of:

- ~ What sexual harassment is
- ~ What steps to take if harassment occurs
- ~ State law prohibiting retaliation for reporting sexual harassment

Please read this memo. If you have any questions or concerns about it, contact your supervisor or your personnel department representative for further information.

What is Sexual Harassment?

Although many people think of sexual harassment as involving a male boss and a female employee, not all sexual harassment is done by males. Sexual harassment often involves co-workers, other employees of the company or other persons doing business with or for the company. It's against the law for females to sexually harass males or other females, and for males to harass other males or females.

Federal Law

Under federal law, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment 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 creating an intimidating, hostile, or offensive working environment.

State Law

California law defines sexual harassment as:

1. Verbal harassment - epithets, derogatory comments or slurs.
Examples: Name-calling, belittling, sexually explicit or degrading words to describe an individual, sexually explicit jokes, comments about an employee's anatomy and/or dress, sexually oriented noises or remarks, questions about a person's sexual practices, use of patronizing terms or remarks, verbal abuse, graphic verbal commentaries about the body.
2. Physical harassment - assault, impeding or blocking movement, or any physical interference with normal work or movement, when directed at an individual.
Examples: Touching, pinching, patting, grabbing, brushing against or poking another employee's body, hazing or initiation that involves a sexual component, requiring an employee to wear sexually suggestive clothing.
3. Visual harassment - derogatory posters, cartoons, or drawings.
Examples: Displaying sexual pictures, writings or objects, obscene letters or invitations, staring at an employee's anatomy, leering, sexually oriented gestures, mooning, unwanted love letters or notes.
4. Sexual favors - unwanted sexual advances which condition an employment benefit upon an exchange of sexual favors.
Examples: Continued requests for dates, any threat of demotion, termination, etc. if requested sexual favors are not given, making or threatening reprisals after a negative response to sexual advances, propositioning an individual.

It is impossible to define every action or all words that could be interpreted as sexual harassment. The examples listed above with the state definition of sexual harassment are not meant to be a complete list of objectionable behavior.

If Sexual Harassment Occurs

1. **When possible, confront the harasser and persuade him/her to stop.**

The harasser may not realize the advances or behaviors are offensive. When it is appropriate and sensible, you may want to tell the harasser the behaviors and advances are unwelcome and must stop. Sometimes a simple confrontation will end the situation.

2. To report sexual harassment, contact your supervisor or your personnel department representative for sexual harassment.

Sexual harassment or retaliation should be reported in writing or verbally. You may report such activities even though you were not the target of the harassment.

3. An investigation will be conducted and appropriate action taken.

The company will investigate, in confidence; all reported incidents of sexual harassment and retaliation.

Sexual Harassment Can Be Costly

If you, as an employee, are found guilty of sexual harassment, you may be personally liable for monetary damages. FWPW will not pay damages assessed against you personally.

In addition, this company will take disciplinary action - termination is one possible action - against any employee who engages in sexual harassment.

Protection Against Retaliation

Company policy and California state law forbid retaliation against any employee who opposes sexual harassment, files a complaint, testifies, assists or participates in any manner in an investigation, proceeding or hearing conducted by the Department of Fair Employment and Housing or the Fair Employment and Housing Commission.

Prohibited retaliation includes but is not limited to:

- ~ Demotion
- ~ Suspension
- ~ Failure to hire or consider for hire
- ~ Failure to give equal consideration in making employment decisions
- ~ Failure to make impartial employment recommendations
- ~ Adversely affecting working conditions or otherwise denying any employment benefit to an individual.

Additional Information

The Department of Fair Employment and Housing (DFEH) is the state agency that resolves complaints of unlawful discrimination, including sexual harassment. After a complaint is filed, the DFEH has one year to investigate the complaint.

The Fair Employment and Housing Commission (FEHC), headquartered in San Francisco, decides cases prosecuted by the DFEH at the state level.

To contact the DFEH, consult your local telephone directory under state Government Offices.

The Equal Employment Opportunity Commission (EEOC) is the federal agency that resolves sexual harassment claims. To contact the commission, consult directory assistance for Washington D.C.

If they find a complaint is justified, state and federal agencies have the power to order, among other actions, that the wronged party be hired, given back pay, promoted, reinstated or granted damages for emotional distress. The agencies also may issue a "cease and desist" order to prevent further unlawful activity and order the violator to pay large fines.

I have read the above and fully understand my rights under the sexual harassment law.

Employee's Name (Please Print)

Date

Employee's Signature