

# LAYC CAREER ACADEMY EMPLOYEE POLICIES OCTOBER 2019

Discrimination complaints should be reported to an employee's immediate supervisor, the Principal, or the Executive Director. If the complaint is about the Executive Director, the complaint should be reported to the Chair of the Board of Directors. Equal employment opportunity notices are posted in appropriate areas as required by law. The notices summarize the rights of employees to equal opportunity in employment and provide the names and addresses of various government agencies that may be contacted in the event any person believes he or she has suffered discrimination.

### **Drugs and Alcohol (Drug Free Workplace Policy)**

Consistent with LAYC Career Academy's obligations under federal law and with LAYC Career Academy's mission, LAYC Career Academy has formulated a policy regarding alcohol, drug, and controlled substance abuse. This policy, set forth below, is applicable to all LAYC Career Academy employees regardless of work location or employment status.

Alcohol, drug, and controlled substance abuse in the workplace reflects a national problem. LAYC Career Academy has a strong commitment to its employees to provide an alcohol, drug, and controlled substance-free work environment. Likewise, LAYC Career Academy is committed to providing this type of environment for the school community.

Alcohol is defined as a beverage that may be legally sold and consumed and that has an alcoholic content in excess of .5% by volume. Drugs are defined as any physical or mind-altering substance or any "controlled substance" or "controlled dangerous substance" as defined by federal, state or local statutes. These include, but are not limited to, any nonprescription drug or narcotic, heroin, cocaine, or marijuana, or a prescribed drug that is abused or not used in accordance with a physician's evaluation.

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the workplace. Any employee found to be unlawfully using, manufacturing, selling, distributing, dispensing, possessing, or trafficking in drugs in the workplace or at any time during his or her employment with LAYC Career Academy will be considered in violation of LAYC Career Academy's drug and alcohol policy. In addition, any employee found to be under the influence of alcohol on LAYC Career Academy property or while performing assigned duties elsewhere will be considered in violation of LAYC Career Academy's drug and alcohol policy. Violators of LAYC Career Academy's drug and alcohol policy may be subject to a full range of disciplinary actions, up to and including termination. Furthermore, any employee who has knowledge of a violation of this drug and alcohol policy has a duty to report such conduct promptly to the Principal or Executive Director.

All potential new hires may be asked, at LAYC Career Academy's discretion, to undergo a drug test prior to their start of employment. Testing positive for substances that are illegal on either the federal, state or local level may result in rescission of an offer of employment. Once employed, an employee may be required to submit to a drug or alcohol test at any time deemed necessary by LAYC Career Academy. LAYC Career Academy reserves the right to request a drug or alcohol test of a single employee, a group of employees, or all employees, at any time, without prior notification of the request. If a test is requested, employees will be expected to submit to testing as soon as immediately practicable. Refusal to submit to a drug or alcohol test at the request of LAYC Career Academy is grounds for immediate termination. A positive test result may result in immediate termination, but LAYC Career Academy reserves the right to recommend treatment for a drug or alcohol problem and make further employment contingent on successful completion of such a program. Employees undergoing counseling or treatment will not be exempt from LAYC Career Academy's rules, policies, procedures, or disciplinary application.

As stated elsewhere in this Manual, LAYC Career Academy reserves the right to search any employee's personal effects brought on LAYC Career Academy property as well as an employee's work area if an employee is suspected of being involved in alcohol, drug, or controlled substance abuse activities. Employees must notify LAYC Career Academy in writing of any criminal drug statute conviction in the workplace within five (5) calendar days of the conviction. A criminal drug conviction may result in immediate termination, but LAYC Career Academy reserves the right to recommend treatment for a drug or alcohol problem and make further employment contingent on successful completion of such a program. Employees undergoing counseling or treatment will not be exempt from LAYC Career Academy's rules, policies, procedures, or disciplinary application.

Employees will be asked to sign an acknowledgement that they received this policy.

## **Dispute Resolution (Staff Complaint Resolution Process)**

LAYC Career Academy recognizes that disputes may call for various forms of resolution.

### **1. Mediation**

LAYC Career Academy encourages the use of mediation when disputes between co-workers and between employees and the Principal or Executive Director cannot be resolved directly by the parties. The Executive Director, his/her designee, or the Principal will secure the services of a mediator when appropriate.

Participation in mediation does not waive an employee's, the Principal's, or Executive Director's right to proceed with the formal complaint process or corrective interview procedure set forth below.

## **2. Filing a Complaint**

In situations in which an employee wishes to bring a complaint to the attention of the Principal or Executive Director, the following procedure is to be utilized:

### If the complaint is against a co-worker:

If an employee feels that an issue requires an action or explanation, the employee should first discuss it with the Principal. The Principal should offer suggestions regarding resolution of the situation. This could include a meeting with the co-worker, a meeting between the co-worker and the Principal, or any other possible measure aimed at resolving the situation.

If the employee does not consider the answer or action to be satisfactory, then the employee should fill out the Employee Complaint Form and present it to the Principal for action. The Principal will, when practicable, respond to the employee's complaint within ten calendar days, in writing. If a complete answer is not possible within the ten-day period, a new date must be established in agreement with the employee.

If the situation remains unresolved for a period of thirty days from the original date of the complaint, the Principal will refer it to the Executive Director. The employee may also request a meeting with the Executive Director. The decision of the Executive Director is final.

Agreements will be kept in the confidential personnel files.

Staff should not be reluctant to make use of this procedure in order to establish a hearing on a situation they believe needs to be resolved.

### If the complaint is against your supervisor:

If the situation involves the Principal and/or the nature of the problem cannot be properly discussed with the Principal, the employee may discuss the situation with the Executive Director.

Follow the same steps as described above.

### If the complaint is against the Executive Director:

Contact the Chair of the Board of Directors.

## **Whistleblower Policy**

If any employee reasonably believes that some policy, practice, or activity of LAYC Career Academy is in violation of law, that employee must file a written complaint with the Executive Director or the Principal. It is the intent of LAYC Career Academy to adhere to all laws and regulations that apply to the organization and the underlying purpose of this policy is to support the organization's goal of legal compliance. The support of all employees is necessary for LAYC Career Academy to achieve compliance with various laws and regulations.

LAYC Career Academy will not retaliate against an employee who, in good faith, has made a protest or raised a complaint against some practice of LAYC Career Academy, or of another individual or entity with whom LAYC Career Academy has a business relationship, on the basis of a reasonable belief that the practice is in violation of law or a clear mandate of public policy. LAYC Career Academy will not retaliate against employees who disclose or threaten to disclose to a supervisor or a public body any activity, policy, or practice of LAYC Career Academy that the employee reasonably believes is in violation of a law, or a rule, or regulation mandated pursuant to law or is in violation of a clear mandate of public policy concerning the health, safety, welfare, or protection of the environment.