



Workplace Harassment Policy

Workplace Harassment Prohibited

The Phalen Leadership Academy Network (PLA, National and Summer Advantage), hereinafter referred to as the “Network”, expects the workplace environment to be productive, respectful, and free of unlawful harassment. Employees shall not engage in harassment or abusive conduct on the basis of an individual’s race, religion, national origin, sex, sexual orientation, age, citizenship status, disability, or any other protected status.

Sexual Harassment Prohibited

The Network shall provide a workplace environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct, or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law.

Network employees shall not make unwelcome sexual advances or request sexual favors or engage in any unwelcome 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 substantially interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment prohibited by this policy includes verbal, physical conduct, gifts or other forms of communication. The terms intimidating, hostile, or offensive include, but are not limited to, conduct that has the effect of humiliation, embarrassment, or discomfort. Sexual harassment will be evaluated in light of all the circumstances.

Making a Complaint: Enforcement

A violation of this policy may result in discipline, up to and including discharge. Any person making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action, up to and including discharge. An employee’s employment, compensation, or work assignment shall not be adversely affected by complaining or providing information about harassment. Retaliation against employees for bringing bona fide complaints or providing information about harassment is prohibited. Aggrieved persons, who feel comfortable doing so, should directly inform the person engaging in harassing conduct or communication that such conduct or communication is offensive and must stop.

Employees may choose to report to a person of the employee’s same sex. There are no express time limits for initiating complaints and grievances under this policy; however, every effort should be made to file such complaints as soon as possible, while facts are known and potential witnesses are available.

Whom to Contact with a Report or Complaint

Employees should report claims of harassment to their supervisor, building leader or Human Resources Network Manager.

Cathy Kendrick, HR Manager - ckendrick@phalenacademies.org

The Network shall use reasonable measures to inform staff members of this policy.



Equal Employment Opportunity Policy

Equal Employment Opportunity

PLA provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran in accordance with applicable federal, state and local laws. PLA complies with applicable state and local laws governing nondiscrimination in employment in every location in which the company has facilities. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, and leaves of absence, compensation and training.

PLA expressly prohibits any form of unlawful employee harassment based on race, color, religion, gender, sexual orientation, national origin, age, genetic information, disability, or veteran status. Any interference with the ability of PLA employees to perform their expected job duties is absolutely not tolerated. Furthermore, PLA may not exclude from participation in, deny the benefits of, or otherwise subject any employee or applicant to, discrimination in any program or activity for which the PLA Board is responsible or for which it receives financial assistance from the U.S. Department of Education. PLA values diversity and the benefits of different perspectives and backgrounds.



Drug and Alcohol-Free Workplace Policy

PLA is committed to providing a safe and productive environment for scholars and employees. While on PLA premises and while conducting PLA business-related activities off PLA premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy outlines PLA's process and procedures for identifying employees suspected of being under the influence of drugs and/or alcohol, and the repercussions of being under the influence while at the workplace.

The use of illegal drugs by employees will not be tolerated. No employee shall use, possess, dispense, distribute or be under the influence of illegal drugs. Additionally, no employee shall report to work, or remain at work, while having any measurable amount of alcohol in his/her system (which for enforcement purposes is defined as .02 blood alcohol content).

Reasonable Suspicion

PLA will conduct drug and alcohol testing upon reasonable suspicion (i.e. the observations of a supervisor/manager of apparent workplace use, possession or impairment) that any employee is under the influence of alcohol or an illegal controlled substance. Reasonable suspicion may include the following but is not limited to changes in behavior and job performance, another person smelling or seeing physiological signs of substance abuse (e.g. blood shot eyes, impaired gait etc.).

Testing Requirements

The employee must submit to the test within 24 hours of the request. PLA management will provide the employee with the name and location of the testing lab. The employee must comply with the testing requirements of the lab. The lab will provide the results to Human Resources. Employees will be paid for time spent in alcohol/drug testing and then suspended pending the results of the investigation and the drug/alcohol test. After the results of the test are received, a date/time will be scheduled to discuss the results of the test; this meeting will include a member of management and Human Resources. Should the results prove to be negative; the employee will receive pay for the times/days of suspension.

Discipline and Last Chance Agreements

Working under the influence of drugs or alcohol is a violation of this policy and shall subject the employee to disciplinary action up to and including dismissal. Depending on the circumstances and the employee's work history/record, PLA may offer an employee the opportunity to return to work on a last-chance basis pursuant to mutually agreeable terms, which could include follow-up drug testing at times and frequencies for a minimum of one (1) year but not more than two (2) years. If the employee either does not complete his/her rehabilitation program or tests positive after completing the rehabilitation program, he/she will be subject to immediate discharge from employment.

Prescription Medication

This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely and promptly disclose any work restrictions to their supervisor. Employees should not, however, disclose underlying medical conditions unless directed to do so. Moreover, the legal use of prescribed drugs is permitted on the job only if it does not impair an

employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger scholars or other individuals in the workplace.

Confidentiality

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided to PLA shall be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files.

Inspections

PLA reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees and contract employees may be asked to cooperate in inspections of their company work areas and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline up to and including discharge.

Crimes Involving Drugs

PLA prohibits all employees from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on company premises or while conducting company business. Employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs. Law enforcement personnel shall be notified, as appropriate, when criminal activity is suspected.

Note: Any employee who has a reasonable suspicion that a violation of this policy has occurred shall report the suspected violation to the Principal.



Employee Complaint Resolution Process Policy

Purpose

PLA believes in clear and open communication, and encourages all staff members to communicate directly with their supervisor and colleagues when trying to resolve a conflict.

If after a discussion the employee or supervisor feels the issue is still not resolved, staff members may request a meeting with the next level supervisor and/or Human Resources Manager. In the event that the employee prefers an individual meeting with the next level supervisor, or any other senior management staff, the immediate supervisor will be notified.

Complaint Resolution Procedure

PLA will ensure that all individuals, whether part of the general staff or management, are treated with fairness and respect. All employees are encouraged to bring forward any complaints or recommendations without fear of retaliation.

Any disputes, controversies or suggestions must first be handled between the employee and their immediate supervisor, unless they are serious enough to warrant intervention by the next level supervisor or other member of the senior management team.

An employee who has not obtained a solution within five business days of the circumstances that gave rise to the situation has the right to bring the matter to the attention of the Network's Human Resources Manager. Complaints should be in writing and include all relevant circumstances. The employee and supervisor will receive a solution or a written reply from the Network's HR Manager within five more business days.

The Network prohibits retaliation against a staff member that initiates a complaint or participates in the complaint process. An employee who engages in retaliatory conduct is subject to appropriate corrective action.



Whistleblower Policy

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If any employee reasonably believes that some policy, practice, or activity of Phalen Leadership Academy (“PLA”) is in violation of law, the employee must file a written complaint with the School Administrator or the Board President.

It is the intent of PLA 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 to achieving compliance with various laws and regulations. An employee is protected from retaliation only if the employee brings the alleged unlawful activity, policy, or practice to the attention of PLA and provides PLA with a reasonable opportunity to investigate and correct the alleged unlawful activity. The protection described below is only available to employees that comply with this requirement.

PLA will not retaliate against an employee who in good faith, has made a protest or raised a complaint against some practice of PLA, or of another individual or entity with whom PLA 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.

PLA will not retaliate against employees who disclose or threaten to disclose to a supervisor or a public body, any activity, policy, or practice of PLA 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.