

advances, unwelcome jokes, slurs, etc.), physical harassment (touching or physical interference with normal work), visual harassment (leering, making sexual or inappropriate gestures, displaying sexually suggestive posters, cartoons, or drawings), and innuendo.

## ***Sexual Harassment***

Sexual harassment is prohibited by federal, state and local laws, and applies equally to men, women, and those who identify as non-binary. Federal law defines sexual harassment as unwelcome sexual advances, requests for sexual favor(s), or other verbal or physical conduct of a sexual nature when (1) submission to the conduct is made either explicitly or implicitly a term or condition of an employee's employment; (2) submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; or (3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive working environment.

These behaviors may include, for example: subtle or overt pressure for sexual favors; inappropriate touching; lewd, sexually oriented comments or jokes; foul or obscene language; posting of suggestive or sexually explicit posters, calendars, photographs, graffiti, or cartoons; and repeated requests for dates. School policy further prohibits harassment and discrimination based on sex stereotyping. (Sex stereotyping occurs when one person perceives a man to be unduly effeminate or a woman to be unduly masculine and harasses or discriminates against that person because he or she does not fit the stereotype of being male or female.) SJS encourages reporting of all perceived incidents of sexual harassment, regardless of who the offender may be. Every employee is encouraged to raise any questions or concerns with Human Resources.

### **Supervisors' Responsibilities**

All managers are expected to ensure a work environment free from sexual and other harassment. They are responsible for the application and communication of this policy within their work area. Managers should:

- Encourage employees to report any violations of this policy.
- Make sure the Human Resources Department is made aware of any inappropriate behavior in the workplace.
- Create a work environment where sexual harassment is not permitted.

## ***Procedures for Reporting and Investigating Harassment***

Employees should report incidents of inappropriate behavior or harassment as soon as possible after the occurrence. Employees who believe they have been harassed, regardless of whether the offensive act was committed by a manager, co-worker, vendor, visitor, or client, should promptly notify their immediate supervisor or the Human Resources Department. If the employee's immediate supervisor is involved in the incident, the employee should report the incident to the Human Resources Department. Every claim of sexual harassment will be treated seriously, no matter how trivial it may appear. All complaints of sexual harassment or other inappropriate sexual conduct will be promptly and thoroughly investigated by SJS.

There will be no retaliation for filing or pursuing a harassment claim. To the extent possible, all complaints and related information will remain confidential except to those individuals who need the information to investigate, educate, or take action in response to the complaint.

All employees are expected to cooperate fully with any ongoing investigation regarding a harassment incident. Employees who believe they have been unjustly charged with harassment can defend themselves verbally or in writing at any stage of the investigation.

To protect the privacy of persons involved, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances. Investigations may include interviews with the parties involved, and where necessary, individuals who may have observed the alleged conduct or who may have relevant knowledge.

At the conclusion of a harassment investigation, the complainant and the “alleged harasser” shall be informed of the determination. Where appropriate, the employees may be offered counseling through an employee assistance program (EAP), or mediation.

### ***Penalties for Violation of Harassment Policy***

If it is determined that inappropriate conduct has occurred, SJS will act promptly to eliminate the offending conduct, and take such action as is appropriate under the circumstances. Such action may range from counseling to termination of employment, and may include such other forms of disciplinary action, as SJS deems appropriate under the circumstances and in accordance with applicable law.

### ***Workplace Violence***

All employees, customers, vendors and business associates must be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous to others.

Conduct that threatens, intimidates, or coerces another employee, customer, vendor or business associate will not be tolerated. SJS’s resources may not be used to threaten, stalk or harass anyone at the workplace or outside the workplace. SJS treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to a supervisor, security personnel, Human Resources or any member of senior management. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees should promptly inform the Human Resources department of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regard to intimate partner violence. SJS will not retaliate against employees making good-faith reports. SJS is committed to supporting victims of intimate partner violence by providing referrals to community resources and providing time off for reasons related to intimate partner violence.

SJS will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities related to school business. The identity of the individual making a report will be protected as much as possible. SJS will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities. In order to maintain workplace safety and the integrity of its investigation, SJS may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

## **Part 1 – Getting Started**

### ***Recruitment and Hiring***

The Social Justice School's primary goal when recruiting new employees is to fill vacancies with persons who have the best available skills, abilities or experience needed to perform the work. Decisions regarding the recruitment, selection and placement of employees are made on the basis of job-related criteria.

When positions become available, qualified current employees are encouraged and are welcome to apply for the position. As openings occur, notices relating general information about the position are posted. The manager of the department with the opening will arrange interviews with qualified employees who apply.

We encourage current employees to recruit new talent for our School.

### ***Employment Classifications***

The following terms will be used to describe employment classifications and status:

#### **Non-Exempt Employees**

Most hourly employees are non-exempt employees. Salaried employees who are not administrative, professional, or managerial employees (as defined by the U.S. Department of Labor) are generally not exempt from the Fair Labor Standards Act (FLSA) overtime provisions.

#### **Full-Time Employee**

Full-time employees are those who are regularly scheduled to work at least 40 hours per week.

#### **Part-Time Employee**

Part-time employees are those who are regularly scheduled to work at least 20 but fewer than 40 hours per week. Part-time employees are not eligible for School paid benefits, with the exception of the 401(k) plan. Any employee who works 1,000 hours per year or more may participate in the 401(k) plan.

#### **Temporary Employee**

Employees hired for an interim period of time, usually to fill in for vacations, leaves of absence, or projects of a limited duration. Temporary employees are not eligible for School benefits. Temporary employees include interns and co-op students.

#### **Independent Contractor**

Persons hired by SJS to perform a particular job, typically for a limited time period. These persons may be self-employed or they may work for an outside agency. Independent contractors are not eligible for School benefits and they are not employees of SJS.

### ***Equal Employment Opportunity***

The Social Justice School is an equal opportunity employer. We will extend equal opportunity to all individuals without regard to race, religion, color, sex (including pregnancy, childbirth, lactation, and related medical conditions), creed, national origin, ancestry, physical or mental disability, medical condition, marital status (including registered domestic partnership status),

age, sexual orientation, genetic information, gender (including gender identity and expression), military or veteran status, immigration status (except as necessary to comply with federal, state, or local law), personal appearance, familial responsibilities, political affiliation, matriculation, credit information, status as a victim or family member of a victim of domestic violence, a sexual offense, or stalking, or any other status protected under applicable federal, state or local law. Our policy reflects and affirms SJS's commitment to the principles of fair employment and the elimination of all discriminatory practices. Details of our equal employment opportunity policies are further explained in Part 3 below.

## ***Your Employment Relationship with SJS***

The Social Justice School generally does not offer individual employees a formal employment contract with SJS. Employment is "at-will," meaning that you or SJS may end or change your employment at any time for any lawful reason, with or without cause, and with or without notice.

**This Employee Handbook is not a contract.** It does not create any agreement, express or implied, guaranteeing you any specific terms or conditions of employment. Nothing contained in this Handbook should be construed as creating a contract guaranteeing employment for any specific duration. Neither does it obligate you to continue your employment for a specific period of time. Unless you have entered into an employment agreement that supersedes this document, either you or SJS may terminate or change the employment relationship at any time. Nothing in this Handbook or any oral statement changes the at-will relationship.

No manager or other representative of SJS, other than the Executive Director, has the authority to enter into any agreement guaranteeing employment for any specific period. No such agreement shall be enforceable unless it is in writing and signed by the Executive Director and the employee.

## ***Background Investigations***

SJS will conduct regional and/or national background checks on all employees in compliance with all applicable laws and regulations including SJS Safety Omnibus Act of 2018, and the results of such checks may affect hiring and retention decisions by SJS. SJS will conduct an initial background check, and reserves the right to run additional periodic background checks for employees. The results of any such search will be shared with an employee if requested by the employee, or if the results may contribute to a decision adversely affecting an individual's employment status. SJS also requires that all employees are to be fingerprinted.

In accordance with local, state, and Federal laws and regulations, SJS is prohibited from hiring or employing, under any circumstances, any person convicted of certain classes of crimes. Throughout employment with SJS, employees must report any new felony or misdemeanor convictions, beyond minor traffic violations, to your supervisor or Human Resources Department. Failure to provide this information, or providing incomplete or inaccurate information to SJS regarding the conviction, including while employed by SJS, is subject to disciplinary action, up to and including termination.

## ***Probationary Period***

The first ninety (90) days of employment will be considered a probationary period for new employees. This period is an essential part of the training and evaluation of new employees. Where circumstances warrant, the probationary period may be extended at the discretion of SJS. Further, successful completion of the probationary period is not a guarantee of continued

## ***No Smoking***

In order to provide a safe and comfortable working environment for all employees, and in accordance with DC Law, smoking, including all tobacco products, electronic cigarettes, and/or drugs are strictly prohibited at all times on SJS' property.

## ***Searches***

To safeguard the property of the employees, students, and SJS, and to prevent the possession, sale and use of illegal drugs on School premises, SJS reserves the right to search any employee's office, desk, files, mail boxes and so forth. SJS also reserves the right to question employees and all other people entering and leaving School premises and to inspect any packages, parcels, purses, handbags, briefcases, lunchboxes or any other possessions or articles carried to and from SJS's property. Inspections may be conducted at any time at the discretion of management.

People requesting entrance to the premises who refuse to cooperate in a workplace search/inspection will not be permitted to enter the premises. Employees working on, or entering or leaving the premises who refuse to cooperate in an inspection, as well as those employees who are found to be in possession of stolen property, illegal drugs or other prohibited items, will be subject to discipline, up to and including termination. Local law enforcement may be notified.

## ***Weapon-Free Workplace***

You are not permitted to bring weapons of any kind onto or within 1,000 feet of SJS premises or to School functions. If you are suspected of possessing a weapon, you will be subject to a search at School's discretion. Such searches may include, but not be limited to, your personal effects, desk, and workspace. Any violation of this policy shall subject the offending employees to disciplinary action, up to and including termination. Anyone who violates this policy will be banned from SJS premises.

## ***Drug-Free Workplace***

SJS takes seriously the problem of drug and alcohol abuse, and is committed to providing a substance abuse-free workplace for its employees. Substance abuse of any kind is inconsistent with the behavior expected of our employees, subjects all employees and visitors to our facilities to unacceptable safety risks, and undermines our ability to operate effectively and efficiently. SJS has adopted a formal policy related to substance abuse. A copy of the complete policy is contained in this Handbook.

## ***Substance Abuse***

Substance abuse is a serious problem adversely affecting the lives of millions of Americans, corporate profits, organizational effectiveness, and our nation's ability to compete in the world economy.

SJS recognizes alcohol and drug abuse as potential health, safety and security problems. SJS expects all employees to assist in maintaining a work environment free from the effects of alcohol, drugs or other intoxicating substances. Compliance with this substance abuse policy is made a condition of employment, and violations of the policy may lead to discipline and/or discharge.

All employees are prohibited from engaging in the unlawful manufacture, possession, use, distribution or purchase of illicit drugs, alcohol or other intoxicants, as well as the misuse of prescription drugs on School premises or at any time and any place during working hours. While we cannot control your behavior off the premises on your own time, we certainly encourage you to behave responsibly and appropriately at all times. All employees are required to report to their jobs in appropriate mental and physical condition, ready to work.

If there is reasonable suspicion that an employee is under the influence during the workday, they will be required to undergo an immediate drug and/or alcohol test, at the expense of The Social Justice School. Failure to undergo the requested test will result in the employee being asked to leave The Social Justice School for the day, and will not be allowed to return to work until the drug test is completed. A positive drug or alcohol test or refusal to submit to a drug or alcohol test is grounds for further disciplinary action, up to and including termination from The Social Justice School.

Substance abuse is an illness that can be treated. Employees who have an alcohol or drug abuse problem are encouraged to seek appropriate professional assistance. You may inform the Director of Human Resources for assistance in seeking help to address substance abuse. The Director can also help you determine coverage available under SJS's medical insurance plan.

When work performance is impaired, admission to or use of a treatment or other program does not preclude appropriate action by SJS.

Any violator of this substance abuse policy will be subject to disciplinary action up to and including termination of employment.

### ***Safety and Accident Rules***

Safety is a joint venture at SJS. We provide a clean, hazard-free, healthy, safe environment in which to work and make every effort to comply with all relevant federal, state and local occupational health and safety laws, including the federal Occupational Safety and Health Act. As an employee, you have a duty to comply with the safety rules of SJS, and you are expected to take an active part in maintaining this hazard-free environment. You should observe all posted safety rules, adhere to all safety instructions provided by your supervisor and use safety equipment where required. Your workspace should be kept neat, clean and orderly. You are required to report any accidents or injuries – including any breaches of safety – and to promptly report any unsafe equipment, working condition, process or procedure to a supervisor.

### ***Medical Procedures***

If you become ill or get hurt while at work, you must notify your manager immediately. Failure to do so may result in a loss of benefits under the state workers' compensation law. SJS is concerned about the physical well-being of its staff and encourages all employees to have periodic physical examinations. Check your health plan documents to determine coverage. SJS may also request that a physician examine you whenever conditions make this desirable for your protection or that of SJS. SJS pays for physical examinations administered at the request of SJS.

or without cause, and with or without notice, at any time for any non-discriminatory reason. No supervisor or other representative of the organization has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above. Unused sick or personal time, is not paid upon termination. Final paychecks will be provided to employees on the next business day for an involuntary termination, or within 7 days or the next scheduled pay period, whichever is sooner, for a voluntary termination. The final paycheck will include all required pay for time worked.

SJS asks all employees to participate in an exit interview with a member from the Operations team and an immediate supervisor prior to leaving SJS. This provides an opportunity to return parking passes, keys and other property and tie up any loose ends. You will receive preliminary information at that time regarding COBRA continuation coverage and any other continuation of benefits for which you may be eligible.

If you leave SJS in good standing, you may be considered for reemployment at a later date. However, in the case of rehiring, you may be considered a new employee with respect to vacation time, benefits and seniority.

### ***Dispute Resolution***

In a perfect world, every employment relationship would be smooth and harmonious. However, there are, unfortunately, times when employees and employers disagree. These disagreements often arise in the context of involuntary employment termination, but there may be disagreements regarding the right to a promotion, expense reimbursement, or a parade of other things.

All disputes will be handled by a mediation between SJS's HR and the employee. If the dispute is not resolved at the mediation stage, the parties may elect to have a third-party neutral attempt to resolve the dispute.

Discrimination and harassment against breast-feeding employees is prohibited. Employees who believe that this policy has been or is being violated should immediately notify their Executive Director or the Chief of Staff.

### ***Whistleblower***

This policy is intended to encourage and enable all employees, and others, to raise concerns within SJS prior to seeking resolution outside of SJS. No director, officer, or employee who, in good faith, reports a violation shall experience harassment, retaliation, or adverse employment consequences. An employee who retaliates against someone who reports a violation in good faith, is subject to disciplinary action, up to and including termination.

If you are uncomfortable speaking with an immediate supervisor, or are not satisfied with the supervisor/manager's response, please speak with someone in the Administration with whom you feel comfortable speaking with. Supervisors are required to report suspected violations of the Code of Conduct to the Founder/Director who has specific and exclusive responsibility to investigate all reported violations. For suspected fraud, or when employees are not satisfied or uncomfortable with speaking with any employee of SJS, he/she should contact the Chair of the Board.

Anyone filing a complaint concerning a suspected violation, or a violation of the Code, must be acting in good faith and must have reasonable grounds for believing the disclosed information designates a violation of the Code. Any allegations which are not substantiated, and which prove to have been made with malicious intent or made knowing the accusation is false, will be subject to disciplinary action, up to and including termination.

Violations, or suspected violations, may be confidentially submitted by the employee or may be submitted anonymously. These reports will be kept confidential to the extent possible consistent with the need to investigate the report.

### ***Child Abuse and Neglect***

All employees of SJS must report all incidents of child abuse and neglect in accordance with applicable state and local law, whether it occurs within SJS or outside of SJS. You will be provided training in identifying child abuse and/or neglect.

D.C. Code §16-2301(23) defines the term "abused child" to mean "a child whose parent, guardian, custodian, or caretaker (academic and residential staff) inflicts or fails to make reasonable efforts to prevent the infliction of physical or mental injury upon the child, including excessive corporal punishment, an act of sexual abuse, molestation or exploitation, physical abuse, or an injury that results from exposure to a drug-related activity in the child's environment."

In addition, negligence which leads, or could lead, to physical injuring including non-provision of food, clothing, shelter, medical attention, or reasonable supervision is considered to be abusive. Therefore, it is mandatory that any personnel who are aware of matters concerning this type of negligence are to report such information to the proper authorities and appropriate staff.

Pursuant to D.C. Code § 2-1352, "any person...who knows or has reasonable cause to suspect that a child known to him/her in his/her professional or official capacity has been or is in immediate danger of being a mentally or physically abused or neglected child,...shall immediately report or have a report made of such knowledge or suspicion to either the Metropolitan Police Department...or the Child Protective Services Division of the Department of Human Services."