



Employee Policies 2021-2022

1.1 Equal Opportunity Statement

SCGW is committed to providing equal employment opportunity in all of our employment programs and decisions. Discrimination in employment on the basis of any classification protected under federal, state or local law is a violation of our policy and is illegal. All employees, applicants, students, vendors and SCGW visitors will be treated without regard to race, ancestry, citizenship, religion, color, sex (including pregnancy, gender identity, and sexual orientation), marital status, parental status, national origin, age, disability, family medical history or genetic information, political affiliation, military service or any other factor protected by local, state or federal law. This policy applies to all terms and conditions of employment, including, but not limited to, recruitment, hiring, training, transfer, promotion and demotion, compensation and benefits, evaluation, discipline and termination.

As part of its policy to comply with all applicable EEO laws, SCGW not only prohibits discrimination in employment against otherwise qualified applicants/candidates and employees on account of a physical or mental disability, but also prohibits discrimination based on a record or perception of such a disability, or association with a person with such a disability. You should contact the Director of Human Resources or the Chief Operating Officer if you have any questions or concerns regarding this policy or you believe this policy may have been violated. If, at any time, an employee feels it would be unreasonable to use this procedure to report discrimination because of unusual or unique circumstances, the SCGW encourages the employee to discuss his/her concerns with a member of the management team. SCGW prohibits retaliation against employees who report or allege violations of this policy. Any employee found to be engaging in any type of unlawful discrimination and/or retaliation may be subject to disciplinary action up to, and including termination.

SCGW will:

- Investigate employee complaints;
- Take appropriate corrective action to stop discrimination;
- Protect employees from retaliation for reporting or participating in an investigation;
- Act with discretion to protect employee privacy, to the extent that this is possible and consistent with SCGW's commitment to a workplace free of illegal discrimination.

1.2 Anti-Harassment Policy

SCGW is committed to providing a work environment in which all individuals are treated with respect and dignity. Inappropriate workplace behavior and harassment create conditions that are wholly inconsistent with this commitment. The purpose of the policy set forth below is not to regulate the personal morality of employees, but rather to create a work environment that is free from all forms of harassment, whether that harassment is because of race, ancestry, citizenship, religion, color, sex (including pregnancy, gender identity, and sexual orientation), marital status, parental status, national origin, age, disability, family medical history or genetic information,



political affiliation, military service or any other factor protected by local, state or federal law.

Discriminatory harassment, including sexual harassment, will not be tolerated by SCGW. This policy applies to all harassment occurring in the work environment whether or not on work premises, or at a SCGW-sponsored event, and applies regardless of the gender of the individuals involved. This policy covers all employees of SCGW, as well as applicants for employment and third parties over whom SCGW has control, such as contractors, vendors, suppliers and visitors. This prohibition on harassment also extends to interaction with students and adult participants.

1.2.1 Sexual Harassment Defined.

For purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting the individual; or
- Such conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

Some examples of what constitutes sexual harassment include: threatening to take or taking employment actions—such as discharge, demotion, or reassignment—if sexual favors are not granted; demands for sexual favors in exchange for favorable or preferential treatment; unwelcome and repeated flirtations, propositions or advances; unwelcome physical contact; whistling; leering; improper gestures; tricks; horseplay; use of stereotypes; offensive, insulting, derogatory or degrading remarks; unwelcome comments about appearance; sexual jokes or use of sexually explicit or offensive language; gender or sex-based pranks; and the display in the workplace of sexually suggestive objects or pictures, including through e-mail.

The above list of examples is not intended to be all-inclusive. Sexual harassment can happen between same-sex individuals as well as between opposite sex individuals. Employees should take care in informal business situations, including SCGW's functions and business trips.

1.2.2 Other Harassment Defined.

For purposes of this policy, other harassment is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual based on any characteristic protected by law, that:

- Creates an intimidating, hostile, or offensive work environment; or
- Unreasonably interferes with an individual's work performance.

Some examples of such harassment are: using epithets or slurs; mocking, ridiculing or mimicking another's culture, accent, appearance or customs; threatening, intimidating or engaging in hostile or offensive acts that focus on an individual's race, ancestry, citizenship, religion, color, sex (including pregnancy, gender identity, and sexual orientation), marital status,



parental status, national origin, age, disability, family medical history or genetic information, political affiliation, military service or any other factor protected by local, state or federal law, including jokes or pranks; the display on walls, bulletin boards or elsewhere on work premises, or circulating in the workplace (including via e-mail or social media) of written or graphic material that denigrates or shows hostility or aversion toward a person or group because of a protected characteristic.

The above list of examples is not intended to be all-inclusive.

1.2.3 **Complaint Procedure**

SCGW strongly encourages reporting of all incidents of sexual or other harassment, regardless of the identity of the offender. While SCGW requests that individuals who believe they are being harassed firmly and promptly notify the offender that his or her behavior is unwelcome, SCGW also recognizes that power and status disparities between the offender and the recipient of the offensive conduct may make such a confrontation difficult. Consequently, such direct communication is not a requirement or prerequisite to filing a complaint.

Any employee who believes that he or she is or has been the victim of illegal discrimination or harassment or observes conduct in violation of this policy should immediately notify the Director of Human Resources or Chief Operating Officer. (Any supervisor who is notified shall immediately report the incident to the Director of Human Resources). SCGW, through the Director of Human Resources or designated agent, shall fully investigate all complaints. SGCW will seek to maintain confidentiality throughout the investigative process to the extent practicable and consistent with SGCW's need to undertake a full investigation.. SCGW will consult with the aggrieved employee and interview all relevant identified witnesses or other parties.

Upon completion of the investigation, SGCW will take appropriate remedial action if it is necessary and supported by the facts. An employee who is found to have engaged in illegal discrimination or harassment may be subject to appropriate disciplinary action, up to and including termination.

An employee who reports an incident that the employee, in good faith, believes to be a violation of this policy, or who is involved in the investigation of harassment, will not be subject to reprisal or retaliation. Retaliation is a serious violation of this policy and should be reported immediately. The report and investigation of allegations of retaliation will follow the procedures set forth in this policy. Any person found to have retaliated against an individual for reporting discriminatory harassment or participating in an investigation of allegations of such conduct will be subject to appropriate disciplinary action, up to and including termination.

SCGW is strongly committed to maintaining a workplace free of harassment or intimidation, including sexual harassment. All complaints are taken seriously and fully investigated. If you have any questions about this policy you should contact the Director of Human Resources.

1.3 **Commitment To A Drug And Alcohol Free Workplace**

SCGW is steadfast in its commitment to maintain a safe, secure, drug-free environment. The special needs of SCGW's student and adult population makes it paramount that the environment be free of any and all intoxicating or mind-altering substances. To that end, SCGW adheres to and enforces the terms, mandates and principles of the Drug-Free Workplace Act of 1988. In addition, SCGW abides by the following as a matter of policy:



- Drug abuse is a danger in the workplace. It is unlawful to manufacture, distribute, dispense, possess or use illegal drugs in the workplace.
- Any and all drug abuse violations in the workplace will result in immediate discipline, up to and including termination.
- SCGW will make available a list of rehabilitation agencies that provide counseling, information on rehabilitation and assistance to employees with drug-related problems. All inquiries regarding rehabilitation will be kept confidential.
- As a condition of employment, each employee must sign a statement acknowledging that he or she read the Drug-Free Workplace policy and agrees to abide by the terms of the policy.

1.3.1 Definitions

Illegal Drugs – includes all chemical substances or drugs listed in any controlled substances act or regulations applicable under any federal, state or local laws which are illegal, may be legally obtainable but have not been legally obtained or were legally obtained but are not being used for prescribed purposes. SCGW reserves the right to modify and change the list of illegal drugs covered by this Policy.

Medications – includes any controlled substance, over-the-counter-medication or drug legally prescribed for an employee by a licensed physician for the treatment of the employee that is used solely for the purpose for which they were prescribed or manufactured.

Alcohol – refers to the intoxicating agent in beverage alcohol, ethyl alcohol or other low weight molecular weight alcohols, including, but not limited to, beer, wine, wine coolers, blended or distilled spirits, fermented ales, etc.

On the Job – An employee is on the job whenever he or she is:

- On SCGW’s property, including parking lots, and other SCGW locations, at any time
- Driving or riding as a passenger in an SCGW vehicle
- Conducting SCGW business
- At an SCGW or SCGW-sponsored function or event

Under the Influence – If an employee has any measurable alcohol, illegal drugs or medications in his or her system and/or his or her normal physical or mental abilities or faculties or ability to perform the essential functions of his or her job duties have been affected by such substances, the employee is “under the influence.”

Essential Functions – The fundamental job duties of the position held by an employee.

1.3.2 Prohibitions

Except as provided herein, employees may not:

- use, possess, distribute, dispense, sell or purchase illegal drugs on SCGW property or while conducting SCGW business



- use or consume illegal drugs within four (4) hours prior to reporting to work or performing service
- report for work or perform services under the influence of any amount of alcohol or illegal drugs (subject to the provision regarding consuming alcohol at certain functions noted below)
- manufacture, distribute, dispense, possess, sell or purchase alcohol or illegal drugs while on the job, even if the substance, which is the subject of the sale or purchase, is not actually possessed on the job

SCGW recognizes that the consumption of alcohol in moderate amounts may be permitted at certain authorized SCGW functions and in conjunction with approved business entertainment functions. SCGW employees who choose to consume alcoholic beverages at such events are responsible for their actions and conduct at all times, expected to maintain business decorum and are not to become intoxicated or otherwise impaired at such events. Notwithstanding the consumption of alcohol, employees are expected to act in a professionally appropriate manner at all times. SCGW will reimburse employees for reasonable transportation home from an SCGW event (such as a cab) if they are under the influence of alcohol or cannot safely operate a vehicle. It is the employee's responsibility to recognize that he or she should not be driving and to take advantage of this service.

SCGW recognizes that the proper use of medications may also affect an employee's job performance and seriously impair the employee's ability to perform the essential functions of his or her job safely and effectively. No prescription drug shall be brought into the workplace by any person other than the person for whom the drug is prescribed by a licensed medical practitioner, and such medications shall be used only in the manner so prescribed. Employees may use or consume prescription drugs while on the job when taken pursuant to a valid physician's order, or over-the-counter medication, when directed and taken as appropriate, only when they have provided prior notice to SCGW and there is no possibility that such use may impair the employee's ability to safely perform his or her essential functions or may adversely affect his or her safety, or the safety of others. To ensure the proper safekeeping of medications at the worksite, all prescription drugs must be kept under lock and key during the work day at the program nursing station, or with a designated representative. They must be in a properly labeled container. Prescription drugs are not to be carried or otherwise in the possession of an employee on SCGW property. All prescription drugs are to be administered at the nurse's station. It is the employee's responsibility to be aware of the effects of any medication that he or she is taking and to be alert for any evidence of impairment.

The violation of any of the prohibitions shall be subject to disciplinary action up to and including termination.

1.3.3 **Substance Abuse Testing**

Substance Abuse Testing will be required for the following situations:

- **Post-Offer Job Applicant Screening:** All applicants offered employment with SCGW will be required to pass a drug test as a condition of employment. Job applicants will not be compensated for time spent providing a testing sample.
- **Reasonable Cause:** An employee whose actions or behavior lend themselves to suspicion that an employee may be under the influence of alcohol, illegal drugs or improper use of



medications will be tested. Such reasonable cause will be supported by specific observations concerning the appearance, behavior, speech or body odors of the employee.

- **Random Testing:** Employees will be subject to random drug tests as a condition of continued employment regardless of other tests. Selection of employees for testing will take place at regular intervals during a one-year period. At each such interval, individual employees will be selected for testing using a random selection procedure. No employee will be selected twice during the same one-year period for random testing absent a positive test result. Specific information regarding the selection procedure is available from the Chief Operating Officer upon request.
- **Post-Accident Testing:** An employee involved in a vehicular accident as a driver while performing duties for SCGW, during regular business hours or while on SCGW's premises, will be asked to obtain a drug and/or alcohol test as soon as possible after the accident regardless of responsibility for the accident. Testing will not interfere with medical attention and/or treatment.

Refusal to submit to a drug and/or alcohol test under any of the preceding conditions will constitute a bar to consideration for employment or, if currently an employee, will result in discipline, up to and including termination.

Testing Procedure

Testing procedures, including drugs to be tested, method of collection, chain-of-custody and threshold and confirmation test levels, shall comport with the Mandatory Guidelines for Federal Workplace Drug Testing Programs or Department of Transportation (DOT) test protocols for alcohol, as well as state and local laws and regulations.

Employees and Applicants Who Test Positive

Employees testing positive for the presence of drugs or alcohol in violation of this policy will be subject to disciplinary action, up to and including immediate termination. Such employees may be immediately suspended without pay and removed from SCGW's premises pending an investigation. Subject to the outcome of the investigation, and as a condition precedent to any reinstatement, any such employee must request a second confirmatory test of the initial sample test negative in a second drug test conducted at the employee's expense. Employees terminated for violation of this policy are not eligible for rehire.

For employees in Maryland, if an employee tests positive, SCGW will provide the employee within 30 days of the initial positive test a copy of this Policy; the tests results; notice of the availability of retesting the initial sample at the employee's expense; and the anticipated disciplinary action (up to and including termination) that SCGW intends to take pending completion of its investigation. In the interim, the employee will remain suspended with pay until SCGW completes its investigation.

Applicants for employment who test positive for the presence of drugs or alcohol in violation of this policy will not be hired and will be ineligible for consideration for employment for a period of six (6) months. After six (6) months, the applicant may reapply for employment and be considered, provided that he or she tests negative in a new post-offer job applicant screening pre-employment drug test conducted at the applicant's expense.

Self-Identification Process

SCGW encourages employees who recognize that they have a substance abuse or chemical dependency problem to seek appropriate professional help. Any employee may approach his or her supervisor or the Director of Human Resources for referral to appropriate resources regarding alcohol or drug-related problems. All such inquiries will be kept confidential.



3.8 Whistleblower Policy

A whistleblower as defined by this policy is an employee of SCGW who reports an activity that he/she considers to be illegal or dishonest to one or more of the parties specified in this Policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities.

Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee is to contact his/her immediate supervisor or the Director of Human Resources. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.

Whistleblower protections are provided in two important areas -- confidentiality and against retaliation. As much as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense. SCGW will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the Director of Human Resources immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

All reports of illegal and dishonest activities will be promptly submitted to the Chief Operating Officer who is responsible for investigating and coordinating corrective action

