



# Employee Policies

## 2022-2023

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# **Policies Related to Equal Employment Opportunity, Discrimination, and Harassment**

## **Equal Employment Opportunity**

Lee Montessori is committed to equal employment opportunity. We do not discriminate based upon any of the following: race, color, ethnicity, religion, national origin, sex (including pregnancy, childbirth, related medical conditions, or breastfeeding), age, marital status, personal appearance, sexual orientation or preference, gender identity or expression, family responsibilities, genetic information, disability, matriculation, political affiliation, military and/or veteran status or any other classification protected by applicable local, state, or Federal law. This policy governs all aspects of employment at Lee Montessori including but not limited to, hiring, assignments, training, promotions, compensation, employee benefits, employee discipline, discharges and all other terms and conditions of employment. Lee Montessori strictly prohibits any form of discrimination prohibited by law.

## **Discrimination and Other Unlawful Harassment**

It is Lee Montessori's goal that you feel safe and welcome at work. Discrimination against employees and applicants for employment on the basis of race, color, ethnicity, religion, national origin, sex (including pregnancy, childbirth, related medical conditions or breastfeeding), age, marital status, personal appearance, sexual orientation or preference, gender identity or expression, family responsibilities, genetic information, disability, matriculation, political affiliation, or military or veteran status (all as defined and protected by applicable law) is unacceptable and will not be tolerated at Lee Montessori.

Similarly, harassment of individuals on any of these bases is strictly prohibited. Harassment includes, but is not limited to, jokes, verbal abuse, and epithets, degrading comments, the display of offensive objects and pictures, and other conduct that the individual might reasonably find to be offensive. Any employee who fails to comply with Lee Montessori's non-discrimination and unlawful harassment policy will be subject to disciplinary action up to and including termination.

## **Sexual Harassment**

Sexual harassment is defined generally as including unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature whenever: (1) submission to the conduct is either an explicit or implicit term or condition of employment; (2) an employee's reaction to the conduct is used as a basis for employment decisions affecting that employee; or (3) the conduct has the purpose or effect of interfering with the employee's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment does not refer to occasional compliments of a socially acceptable nature or consensual personal and social relationships without a discriminatory employment effect. It refers to behavior that a reasonable person would find unwelcome and that is personally intimidating, hostile, or offensive.

As with Lee Montessori's rules on discrimination, it is Lee Montessori's goal that you feel safe and welcome at work. No employee or applicant should be subjected to unsolicited and unwelcome sexual overtures, nor should any employee or applicant for employment be led to believe that an employment opportunity or benefit will, in any way, depend upon cooperation of a sexual nature.

Sexual harassment is not limited to demands for sexual favors. It also may include such actions including, but not limited to: (1) sexually-oriented verbal kidding, teasing, or joking; (2) repeated offensive sexual flirtations, advances, or propositions; (3) continued or repeated verbal abuse of a sexual nature; (4) graphic or degrading comments about an individual or their appearance; (5) the display of sexually suggestive objects or pictures; (6) subtle pressure for sexual activity; and (7) inappropriate physical contact.

## **Scope of Policies**

These policies prohibiting harassment, whether sexual or of another nature, are not limited to relationships between and among employees and prospective employees; these policies also extend to interactions with parents (and other family members), clients, vendors, contractors, and others. No employee shall ever subject anyone to sexual harassment of any nature, including that conduct described above. Furthermore, no employee will be required to suffer sexual harassment by any Lee Montessori employee or contractor. Any unwelcome sexual overtures or other forms of sexual harassment should be reported immediately to the immediate supervisor, the Managing Director of Talent & Operations, and the Executive Director or the Board of Directors.

## **Discrimination and Harassment Complaint Procedure**

### Reporting

Lee Montessori encourages reporting of all incidents of discrimination or sexual or other unlawful harassment, regardless of the identity of the offender. Other forms of harassment or discrimination include unsolicited and unwelcome contact or behavior directed at an employee's race, color, religion, disability, age, national origin, marital status or any other legally protected characteristic. If you feel that you are or have been the victim of illegal discrimination or sexual or other unlawful harassment in violation of our policy, you should immediately notify the immediate supervisor and the Managing Director of Talent & Operations, Executive Director or the Board of Directors.

Your complaint does not need to be in writing for us to begin our investigation, but the person to whom you make your complaint may ask you to describe the incident in writing.

### Investigating

Lee Montessori will fully investigate all discrimination and harassment complaints. In our investigation, we will seek to treat the matter as confidentially as possible, but we cannot promise complete confidentiality. The investigation may include individual interviews with the parties involved and, where necessary, with witnesses or others with relevant knowledge. Every report of harassment or discrimination will be investigated promptly and thoroughly. We will advise the reporting employee of the results of the investigation.

### Responsive Action

Any employee or agent of Lee Montessori who has been found to have violated this policy shall be subject to appropriate disciplinary action, up to and including discharge. If your complaint of discrimination is substantiated, Lee Montessori may provide you with appropriate relief.

### No Retaliation

If you report discrimination or harassment or you participate in investigations under this policy, you should not experience any kind of retaliation or reprisal for such participation. If you feel that you have suffered retaliation for reporting harassment or discrimination or for participating in an investigation, please file a complaint using the procedures described above.

## **Employee Complaints and Concerns**

Many times, employees' concerns in the workplace come about due to miscommunication, misunderstandings, and hearsay. Many grievances and personal complaints are best handled between you and the person with whom you have the disagreement. Therefore, if you have a complaint or concern, please discuss it first with the person of concern, then with your immediate supervisor. If you feel that your supervisor has not properly addressed your complaint or concern, you may discuss it with the Human Resources Manager.

Please note: If the complaint or concern pertains in any way to harassment or discrimination, you should follow the complaint procedures set forth in the Handbook's Policy Prohibiting Harassment and Discrimination. Lee Montessori staff shall not retaliate for the filing of any complaint.

The Lee Montessori is committed to providing the best working conditions for its employees, and values discussions and open communication in resolving any concern or grievance. To that end, Lee Montessori will make every effort to address any grievances raised by an employee in a method that preserves good will. Accordingly, the following grievance procedures should be employed to ensure that complaints receive full consideration.

The aim of the Internal Complaint Procedure is to settle grievances fairly and is intended to operate simply and quickly. In the event an employee believes they have been treated unfairly, the employee should discuss the situation with their direct supervisor, Principal, or a member of the human resources team an effort to informally resolve the issue.

#### Informal Procedure

Lee Montessori truly believes that most difficulties can be resolved by communicating any grievance to the school directly. As such, employees are strongly encouraged to discuss their grievance promptly and candidly with their supervisor or Principal first. If the grievance is about a supervisor or Principal, or if an employee is not comfortable discussing it with their supervisor or Principal, the employee may reach out directly to a member of the human resources team. Employees are not required to discuss a grievance with an alleged perpetrator in any manner for any reason prior to initiating a formal grievance.

The School will make every effort to thoroughly investigate and promptly resolve or address any grievance raised by employees. If an employee is unable to resolve a grievance informally, through discussion, and wishes to raise the grievance formally, they may use the procedure outlined below.

#### Formal Procedure

##### **Step 1 - Raise the Grievance in Writing**

If a grievance cannot be resolved informally, through discussion with an employee's direct supervisor, their Principal, or the Director Human Resources and Talent Management, the employee should put the complaint in writing to the Chief Executive Officer as soon as possible, but at least within 30 days of the incident. The employee's grievance should be as detailed as possible, including the names, of all individuals involved, any witnesses, relevant dates and times, and the specific concern or issue that the employee seeks to address. Managers have an affirmative obligation to report any discriminatory or harassing conduct they witness or that is reported to them to their immediate supervisors, the Principal or Managing Director of Talent and Operations.

The Executive Director and/or designee (collectively "ED") may use their discretion to determine what action is appropriate, based on the particulars of the grievance. Employees can, however, expect a written response to their grievance within ten (10) business days following receipt of their written grievance. If the ED determines that any misconduct has occurred, the School will take the appropriate, remedial action.

##### **Step 2 - Appeal the Decision**

If the employee is unsatisfied with the resolution reached by the ED, the employee may appeal the disposition of your grievance within ten (10) days following the receipt of the written responses from the ED to the Board of Directors. The employee should present the written material (their grievance and the ED's response) to the Chair of the Board of Directors within ten (10) business days of receiving the Executive Director's response, and must explain the basis for not accepting the response. The employee must also notify the ED of this action.

##### **Step 3 - Final Decision**

The Board of Directors will issue a decision in writing to the employee and the ED within ten (10) business days after receiving the grievance appeal unless the Board notifies the employee within the ten (10)

business day period that additional time is needed to provide a response. The decision of the Board is final. The total time period for the Board to consider the grievance appeal and provide a written response shall generally be no more than fifteen (15) business days.

Employees are obligated to cooperate in good faith in the investigation and resolution of any grievance raised by them or against them. The School will not take adverse action of any kind against an employee for bringing a grievance under this procedure. The School reserves the right to modify the foregoing procedures in a particular case, with notice to the employees, if the modification is consistent with ensuring the School has sufficient information to respond to the grievance and/or the School's other policies.

The procedures set forth in this Internal Grievance Policy do not apply to perceived incidents of discrimination, harassment or retaliation. All complaints of discrimination, harassment and/or retaliation should be reported in accordance with the EEO Policy and D.C. Human Rights and Sexual Harassment policies and will be investigated in accordance with the School's policies.

## Reasonable Accommodation Requests for Disabilities

Lee Montessori complies with all applicable provisions of the Americans with Disabilities Act (ADA). If you have a disability and require reasonable accommodation, please advise your supervisor or the Managing Director of Talent & Operations of your disability, and please suggest to either your supervisor or the Managing Director of Talent & Operations reasonable ways in which Lee Montessori can accommodate your disability so that you may perform the essential functions of your job. It is our policy to work with you, through an interactive process to try to find a reasonable accommodation for your disability that enables you to perform your job.

So that we may best understand your disability and the accommodation you may need, we may request medical documentation and information about your disability, as well as information about the reasonable accommodation, including the following information:

- Diagnosis and prognosis of your condition;
- Date of onset;
- Expected duration of condition;
- Course of treatment, including dates of medical visits, any procedures performed or recommended, and any regimen of medication or therapy;
- Verification by you and your physician that you are totally unable to perform the essential functions of your job, or, if you are able to perform the essential functions of your job;
- What specific medical restrictions exist, including the nature and duration;
- What accommodation(s), if any, are needed, including the nature and duration; and
- Whether the impairment is permanent or temporary.

The information you provide us will be kept confidential and will not be disclosed except on a need-to-know basis with medical personnel and supervisory management where necessary to structure the accommodation or to address direct threats to safety.

## Other Policies

### Smoke-Free Environment

Lee Montessori offers a smoke-free environment to all employees and students. Smoking is strictly forbidden in all Lee Montessori facilities and within 200 feet of all school grounds.

### Drug, Alcohol, and Substance Abuse

Lee Montessori has a vital interest in maintaining a safe and efficient working environment. Employees who work while under the influence of drugs or alcohol present a safety hazard to children, co-workers, and themselves. Working under the influence of drugs or alcohol limits your ability to perform and provide

required services. Accordingly, Lee Montessori is committed to maintaining a drug-free environment and will strictly enforce anti-substance abuse policies.

The following are strictly prohibited:

- Possession, transfer, sale, distribution, use, or solicitation of illegal drugs on Lee Montessori grounds and facilities (including the parking lot and adjacent areas).
- Possession or use of alcohol during Lee Montessori operational hours in Lee Montessori facilities.
- Reporting to work or being present at work while intoxicated or impaired by alcohol or drugs.
- Abuse of prescription drugs: Prescribed drugs will be allowed only when taken in accordance with an official physician's prescription, and where such use will not adversely affect your ability to properly and safely perform your duties. If you are taking prescription drugs that may affect your ability to perform your assigned tasks properly and safely, including, but not limited to, medically prescribed marijuana, you should inform your Principal or supervisor before or immediately upon return to work. Abuse of prescribed drugs will not be tolerated and will be treated in the same fashion as the use of any illegal drugs.

Failure to adhere to the preceding rules of conduct may result in discipline up to and including termination, even for a first offense.

### **Zero Tolerance for Workplace Violence**

Lee Montessori is committed to preventing workplace violence and to maintaining a safe work environment. Accordingly, Lee Montessori has a zero-tolerance policy concerning threats, coercion, intimidation, and violence of any kind in the workplace either committed by or directed towards our employees.

You are not permitted to bring weapons of any kind onto or within 1,000 feet of Lee Montessori premises (D.C. Code §22-4502.01) or to Lee Montessori functions. If you are suspected of possessing a weapon, you will be subject to a search at Lee Montessori's discretion. Such searches may include, but not be limited to, your personal effects, desk, and workspace.

All threats (or acts) of violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by contractors, customers, vendors, solicitors, or members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should be reported as soon as possible to your supervisor. Do not place yourself or anyone else in danger. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening.

Lee Montessori will promptly and thoroughly investigate all reports of threats (or acts) of violence and of suspicious individuals or activities. If you submit a report, your identity will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, Lee Montessori may place employees on leave, either with or without pay, pending investigation.

Anyone determined to be responsible for threats (or acts) of violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

Lee Montessori encourages you to bring any disputes or differences you may have with other employees to the attention of your supervisor or the Principal before the situation escalates into potential violence. Lee Montessori is ready and willing to assist in the resolution of employee disputes, and it will not discipline you for raising such concerns.

### **Whistleblower Policy**

Lee Montessori is committed to operating in furtherance of its tax-exempt purposes and in compliance with all applicable laws, rules and regulations, including those concerning accounting and auditing, and prohibits fraudulent practices by any of its board members, officers, employees, or volunteers. This policy

outlines a procedure where you may report an action that you reasonably believe violates a law, or regulation or that constitutes fraudulent accounting or other practices. This policy applies to any matter related to Lee Montessori's business operations and does not relate to private acts of an individual not connected to the business of Lee Montessori.

If you have a reasonable belief that an employee of Lee Montessori has engaged in any action that violates any applicable law or regulation, including those concerning accounting and auditing, or constitutes a fraudulent practice, you are expected to immediately report such information to your immediate supervisor. If circumstances prevent you from reporting the information to your supervisor, you are expected to immediately report such information to the Managing Director of Talent & Operations. If circumstances prevent you from reporting the information to the Managing Director of Talent & Operations, you are expected to report the information to the Board Chair.

All reports will be followed up promptly, and an investigation will be conducted. In conducting investigations, Lee Montessori will strive to keep your identity confidential while conducting an adequate review and investigation.

Lee Montessori will not retaliate against you in the terms and conditions of your employment because you: (1) report to a supervisor, Executive Director, Board of Directors, or a federal, state, or local agency what you believe in good faith to be a violation of the law; (2) participate in good faith in any resulting investigation or proceeding; or (3) exercise your rights under any state or federal law(s) or regulation(s) to pursue a claim or take legal action to protect your rights.

Lee Montessori may take disciplinary action (up to and including termination) against an employee who engages in retaliatory conduct in violation of this policy.

In addition, Lee Montessori will not retaliate against any employee who has provided to law enforcement personnel, or in a court of law, truthful information relating to the commission or possible commission by Lee Montessori or any of its employees of a violation of any applicable law or regulation.