

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

### Scope of Policies

These policies prohibiting discrimination and 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 discrimination, sexual harassment or other harassment of any nature, including the conduct described below. Furthermore, no employee will be required to suffer discrimination, sexual harassment or other form of harassment by any Sojourner Truth PCS employee or contractor. Any unwelcome sexual overtures or other forms of sexual or other harassment should be reported immediately to the immediate supervisor and the Executive Director or the Board of Trustees.

### Equal Employment Opportunity

Sojourner Truth PCS is committed to equal employment opportunity. We do not discriminate based upon any of the following: race, color, ethnicity, ancestry, 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, physical or mental disability, matriculation, political affiliation, military and/or veteran status, credit history or any other classification protected by applicable local, state, or federal law. This policy governs all aspects of employment at Sojourner Truth PCS including but not limited to, hiring, assignments, training, promotions, compensation, employee benefits, employee discipline, discharges and all other terms and conditions of employment. Sojourner Truth PCS strictly prohibits any form of discrimination prohibited by law.

### Discrimination and Other Unlawful Harassment

It is Sojourner Truth PCS's goal that you feel safe and welcome at work. Discrimination against employees and applicants for employment on the basis of race, color, ethnicity, ancestry, 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, physical or mental disability, matriculation, political affiliation, credit history or military or veteran status (or any other classification defined and protected by applicable law) is unacceptable and will not be tolerated at Sojourner Truth PCS.

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 Sojourner Truth PCS'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.

Generally, sexual harassment does not refer to occasional compliments of a socially acceptable nature or consensual personal and social relationships without a discriminatory employment effect or impact on the work environment. It refers to behavior that a reasonable person would find unwelcome and that is personally intimidating, hostile, or offensive. However, any employee who feels uncomfortable with such conduct should report such conduct immediately using the procedures described below.

As with Sojourner Truth PCS's rules on discrimination, it is Sojourner Truth PCS'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 his or her appearance; (5) the display of sexually suggestive objects or pictures; (6) subtle pressure for sexual activity; and (7) inappropriate physical contact.

### **Discrimination and Harassment Complaint Procedure**

**Reporting:** Sojourner Truth PCS strongly encourages reporting of all incidents of discrimination or sexual or other unlawful harassment, regardless of the identity of the offender. If you feel that you are or have been the victim of discrimination or sexual or other unlawful harassment in violation of our policy, you should immediately notify the immediate supervisor and the Executive Director or the Board of Trustees. If your concern involves your immediate supervisor, you should notify the Executive Director.

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:** Sojourner Truth PCS 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 Sojourner Truth PCS who has been found to have violated this policy shall be subject to appropriate disciplinary action, up to and including discharge.

**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. Any employee who violates this policy against retaliation will be subject to disciplinary action up to and including termination.

### **Smoke-Free Environment**

Sojourner Truth PCS offers a smoke-free environment to all employees and students. Smoking, including all tobacco products, electronic cigarettes, and/or drugs, is strictly forbidden in all Truth facilities and within 200 feet of all school grounds.

### **Drug, Alcohol, and Substance Abuse**

Sojourner Truth PCS 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, Sojourner Truth PCS 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 Sojourner Truth PCS grounds and facilities (including the parking lot and adjacent areas).
- Possession or use of alcohol during the school's operational hours in Sojourner Truth PCS facilities, apart from at approved staff events.

- Reporting to work or being present at work while intoxicated or impaired by alcohol or drugs or smelling like 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.

Sojourner Truth PCS recognizes that alcoholic beverages may be served and consumed by employees, on occasion, at Sojourner Truth PCS functions. Employees who consume alcoholic beverages while representing Sojourner Truth PCS must always exercise good judgment with respect to alcohol consumption, refrain from inappropriate behavior, and act in a professional manner, including when alcohol consumption takes place off site.

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

### **Employee Complaints and Concerns**

Many times, employees' concerns in the workplace come about because of 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, where possible please discuss it first with the person of concern, then with your immediate supervisor. If you are not comfortable raising the concern with your supervisor, or you feel that your supervisor has not properly addressed your complaint or concern, you may bring it to *their* supervisor or to any member of the administration. If you feel your concern has still not been properly addressed, you may discuss it with the Executive Director. If your direct supervisor is the Executive Director, you may bring the concern to the Board Chair.

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. Retaliation against any employee who makes a complaint or assists with the investigation of a complaint is strictly prohibited and any employee who engages in any act of retaliation will be subject to disciplinary action up to and including termination.

## **Whistleblower Policy**

Sojourner Truth PCS 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 Sojourner Truth PCS's business operations and does not relate to private acts of an individual not connected to the business of Sojourner Truth PCS.

If you have a reasonable belief that an employee of Sojourner Truth PCS (or any employee) 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 Executive Director. If circumstances prevent you from reporting the information to the Executive Director, 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, Sojourner Truth PCS will strive to keep your identity confidential while conducting an adequate review and investigation.

Nothing in this policy prohibits you from making any good faith report to any federal, state or local agency.

Sojourner Truth PCS will not retaliate against you in the terms and conditions of your employment because you: (1) report to a supervisor, Executive Director, Board of Trustees, 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.

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

In addition, Sojourner Truth PCS 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 Sojourner Truth PCS or any of its employees of a violation of any applicable law or regulation.