



## Human Resources... Employee Focused... For the Children

### **Genetic Information Nondiscrimination Act (GINA)**

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by GINA. Accordingly, we are asking that you not provide any genetic information when responding to a request for medical information. "Genetic information" includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services. An exception to the prohibition outlined in this paragraph is family medical history for situations in which the employee is asking for leave to care for a family member with a serious health condition (e.g., under the Family and Medical Leave Act).

### **Equal Opportunity**

It is the policy of the District that persons seeking employment with the District shall not be discriminated against in employment by reason of their age, race, creed, color, religion, handicap or disability, pregnancy, marital or parental status, sex, citizenship, national origin, ancestry, sexual orientation, arrest record, conviction record, military service, membership in the National Guard, state defense or reserves, political affiliation, use or nonuse of lawful products off the employer's premises during nonworking hours, declining to attend a meeting or to participate in any communication about religious matters or political matters, the authorized use of family or medical leave or worker's compensation benefits, genetic information, physical, mental, emotional or learning disability, or any other factor protected by local, state or federal law in all employment practices including terms, conditions and privileges of employment.

Reasonable accommodations shall be made for qualified individuals with a disability, unless such accommodations would impose an undue hardship on the District. A reasonable accommodation is a change or adjustment to job duties or work environment that permits a qualified applicant or employee with a disability to perform the essential functions of a position or enjoy the benefits and privileges of employment compared to those enjoyed by employees without disabilities.

Requests from current employees for accommodations under the Americans with Disabilities Act or under the Wisconsin Fair Employment Act must be made in writing using forms obtained from Human Resources. Individuals unable to submit this form in writing or needing help in completing this form can contact the Human Resources Department for assistance.

### **Harassment and Bullying**

The District is committed to providing fair and equal employment opportunities and to providing a professional work environment free of all forms of harassment and bullying. The District shall not tolerate harassment based on any personal characteristic as described above in Equal Opportunity Employment. Harassment and other unacceptable activities that could alter conditions of employment, or form a basis for personnel decisions, or interfere with an employee's work performance are specifically prohibited. Sexual harassment, whether committed by supervisory or non-supervisory personnel, is unlawful and also specifically prohibited. In addition, the District shall not tolerate acts of non-employees (volunteers, vendors, visitors, etc.) that have the effect of harassing District employees in the workplace. Harassment can occur as a result of a single incident or a pattern of behavior where the purpose or effect of such behavior is to create an intimidating, hostile or offensive working environment. Harassment encompasses a broad range of physical and verbal behavior. For additional clarification, please reference the employee handbook. All employees are responsible for ensuring that harassment and bullying do not occur. It is the intent of the District to comply with both the letter and spirit of the law in making certain that harassment and bullying do not exist in its policies, regulations and operations.

Anyone who believes that he or she has been the subject of harassment or bullying or has knowledge of violations of this policy shall report the matter to their immediate supervisor or Human Resources. Reports of harassment shall be made as soon as possible after the alleged acts. A failure to promptly report alleged harassment may impair the District's ability to investigate and address the harassment.



## Human Resources... Employee Focused... For the Children

All reports regarding employee harassment or bullying shall be taken seriously, treated fairly and promptly and be thoroughly investigated. Individual privacy shall be protected to the greatest extent possible. There shall be no retaliation against any person who files a complaint under this policy. The District shall take appropriate and necessary action to eliminate employee harassment and bullying. Actions that are determined to be harassment or bullying shall be subject to disciplinary action, up to and including dismissal.

All employees have a duty to report incidents of alleged harassment or bullying to their supervisor or Human Resources. If the supervisor is the subject of a complaint, the employee should report the complaint directly to Human Resources. Employees who fail to report incidents of alleged harassment or bullying may be subject to disciplinary action, up to and including dismissal. In addition, supervisory employees who fail to respond to harassment or bullying complaints or to act on their knowledge of violation of this policy will likewise be subject to disciplinary action, up to and including dismissal.

Upon receipt of a report of harassment or bullying, a supervisor shall immediately notify Human Resources.

Retaliation against an employee alleged to have experienced harassment, a witness, or another person who makes a report or participates in an investigation is strictly prohibited. A person who makes a good faith report of prohibited harassment shall not suffer retaliation for making the report. A person who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding prohibited harassment is subject to appropriate discipline.

### Drug, Alcohol, and Tobacco-Free Workplace

The District seeks to provide a safe drug-free workplace for all of its employees. Consumption of drugs or alcohol while acting within the scope of the employee's job function(s), and/or while the employee is responsible for the supervision of students (i.e. coaching, field trips, etc.) is prohibited.

- A. **Prohibited Acts - Drugs and Alcohol:** The manufacture, distribution, dispensation, possession, use of or presence under the influence of alcohol, inhalants, controlled substances or substances represented to be such, or unauthorized prescription medication, is prohibited on school premises or at school activities. In addition, the District will not condone the involvement of any employee with illicit drugs, even where the employee is not on District premises. Employees of the school system shall not possess, use, or distribute any illicit drug or alcoholic beverage as defined in Wisconsin Statutes while on school premises or while responsible for chaperoning students on school-sponsored trips. Any employee who possesses, uses, or distributes any illicit drug or alcoholic beverage on school premises, or while responsible for chaperoning students on a school-sponsored trip may be disciplined, up to and including dismissal. All school employees shall cooperate with District Administration and law enforcement agencies in investigations concerning any violation of this provision.
- B. **Tobacco Products:** Employees shall not use tobacco products on District premises, in District vehicles, or in the presence of students at school or school-related activities. This includes all District premises whether indoors or outdoors. Employees who violate this policy will be subject to disciplinary action, up to and including termination from employment. § 120.12(20), Wis. Stats.
- C. **Drug-Free Awareness Program:** The District shall make available on its website drug-free awareness information to employees regarding the dangers of drug abuse in the workplace, the District's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, employee assistance abuse programs, and the penalties that may be imposed upon employees for drug abuse violations. (See Board Policy Drug-Free Workplace and 41 U.S.C. § 702(a) (1)).
- D. **Reasonable Suspicion Testing:** All employees shall be required to undergo alcohol and drug testing at any time the District has reasonable suspicion to believe that the employee has violated the District's policy concerning alcohol and/or drugs. Alcohol or drug testing may be conducted when there is reasonable suspicion to believe that the employee has used or is using drugs or alcohol prior to reporting for duty, or while on duty, while supervising students, or prior to or while attending any District function on or off District property. Refusal to consent to testing will result in disciplinary action, up to and including dismissal.



## Human Resources... Employee Focused... For the Children

- E. Additional Testing and Requirements: Employees moving to another position may be required to undergo additional physical examinations/tests or alcohol/drug testing, depending on the classification of their new position. During the pre-employment physical, a drug screening may be required according to District hiring practices.
- Employees required to possess a commercial driver's license may be required to undergo additional drug testing in accordance with relevant law, Board policy, and administrative procedures.
- F. Consequence for Violation: Employees who violate the District's policies and rules regarding alcohol or drug use shall be subject to discipline. Such discipline may include referral to drug and alcohol counseling or rehabilitation programs or employee assistance programs, discipline or termination from employment with the District, and referral to appropriate law enforcement officials for prosecution. Compliance with the District's policies and procedures is mandatory and is a condition of employment.
- G. Notification of Conviction: As a further condition of employment, an employee who is engaged in the performance of a federal grant shall notify the District Administrator of any criminal drug statute conviction for a violation occurring in the workplace no later than three (3) days after such conviction. Within ten (10) days of receiving such notice – from the employee or any other source – the District shall notify the federal granting agency of the conviction. 41 U.S.C. 702(a) (1) (D). After receiving notice from an employee of a conviction for any drug statute violation occurring in the workplace, the District shall either (1) take appropriate personnel action against the employee, up to and including dismissal, or (2) require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health agency, law enforcement agency, or other appropriate agency. 41 U.S.C. 703. This notice complies with notice requirements imposed by the federal Drug-Free Workplace Act (41 U.S.C. 702).