

Personnel -- Certified/Non-Certified

Nondiscrimination/Equal Employment Opportunity

It is the policy of the CREC Council to prohibit acts of discrimination in all matters dealing with employees and applicants for positions with CREC and to further the principle of equal employment opportunity in all actions that affect employees and applicants, including but not limited to, recruitment, selection, assignment, classification, compensation, promotion, benefits, leaves, demotion, disciplinary action or termination. As an equal opportunity employer, the CREC Council does not discriminate on the basis of and will assert its leadership within the community to achieve full employment and effective utilization of the capabilities and productivity of all persons without regard to race, color, religious creed, age, marital status, national origin, ancestry, ethnicity, sex, sexual orientation, gender identity or expression, present or past history of mental disorder, intellectual disability, learning disability, physical disability, pregnancy, veteran status, genetic information, status as a survivor of domestic violence, or any other basis prohibited by state or federal law.

The CREC Council recognizes that the effective application of its equal employment opportunity policy may require that certain positive steps be taken; and it will, therefore, undertake a program of affirmative action where necessary to effectuate such policy.

All CREC programs and personnel shall demonstrate a commitment to nondiscriminatory practices and affirmative action.

The Council directs the Executive Director to develop administrative regulations in order to implement this policy. Compliance with this policy is a responsibility of all administrators.

Legal Reference: Connecticut General Statutes
 10-153 Discrimination on the basis of sex, gender identity or
 expression or marital status prohibited.
 46a-60 et seq., Connecticut Fair Employment Practices Act, as
 amended by P.A. 22-82.

4118.11
4218.11

Federal Law

Title VII of the Civil Rights Act 1964, 42 U.S.C. 2000e-2 et seq.

Equal Pay Act, 29 U.S.C. 206 (d).

Age Discrimination in Employment Act, 29 U.S.C. 621 et seq.

Americans With Disabilities Act, 42 U.S.C. 12101 et seq.

Genetic Information Nondiscrimination Act, 42 U.S.C. 2000ff et seq.

Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C. 4301 et seq.

Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b).

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CAPITOL REGION EDUCATION COUNCIL
Hartford, Connecticut

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The Managing Director of Employee Relations is hereby designated as CREC's Civil Rights Compliance Coordinator. The Managing Director will contact programs as necessary to review program materials and to insure that CREC's guidelines are being met. The Managing Director will also hear any discrimination or harassment grievances at the first level, and provide information regarding nondiscrimination/equal employment opportunity policies as requested.

Discrimination Grievance Procedure

The purpose of this grievance procedure is to secure, at the lowest possible administrative level, equitable and speedy resolution of claims of discrimination, including harassment. It shall be utilized by any employee who wishes to make a complaint of discrimination.

The Civil Rights Grievance Form and information on nondiscrimination laws and regulations will be reviewed with all CREC staff. This information will also be included in orientation materials.

Evidence of reprisal against a complainant or witness shall be viewed as a violation of CREC's nondiscrimination policy.

Level I: The complainant will first discuss the alleged discriminatory act or practice with the immediate supervisor. This will normally be a principal/program director, teacher, counselor, department chairperson, division director, head custodian, or cafeteria manager.

Level II: If the complaint cannot be resolved through discussion with the immediate supervisor, the complainant may continue the process by putting the complaint in writing on forms provided, and filing it with the Managing Director of Employee Relations within forty (40) calendar days of the alleged incident. Within five (5) working days of receipt of a complaint the Managing Director of Employee Relations will hold a conference with the complainant. If the complaint is not resolved within five (5) working days following the conference, the Managing Director of Employee Relations will refer the complaint to the Executive Director, and will notify the employee of such referral. These timelines may be extended by mutual agreement.

Level III: The Executive Director will notify the Council of the receipt of a complaint.

Within ten (10) working days after receipt of such complaint, the Executive Director will hold a hearing in order to receive information and address the complaint. Within five (5) working days after the hearing the Executive Director will make a decision, which may: resolve the complaint; negotiate a long-term solution; or refer the complaint to the Council for consideration and resolution. These timelines may be extended by mutual agreement.

Level IV: The Council will address the complaint in accordance with its established operating procedures and will render a decision. The Council's decision will be final.

Upon learning of, or having reason to suspect, the occurrence of discrimination or harassment, supervisors shall notify the Managing Director of Employee Relations in order to ensure that appropriate corrective action is taken, whether or not the affected employee reports the matter.

Employees with disabilities

CREC does not use employment tests or other selection criteria that would screen out disabled persons unless these criteria are demonstrably job-related and unless effective alternatives are not available; nor does it make pre-employment inquiries as to whether the applicant is an individual with a disability.

An employee may request a reasonable accommodation and CREC must make a reasonable effort to determine the appropriate accommodation. Although cases will arise in which the appropriate reasonable accommodation is obvious to both CREC and the employee, in most cases the accommodation will be determined best through a flexible, interactive process that involves both CREC and the employee.

Making a reasonable accommodation determination involves four steps, which will be handled by the Director of Human Resources:

Step 1. Assessment and analysis of the job

This is a three-part process under which CREC 1) analyzes the particular job involved (including the work site and equipment used); 2) determines the purpose or object of the job; and 3) identifies the essential function(s) of the job.

Step 2. Consultation with the employee

In consultation with the employee, CREC assesses the specific job-related limitations presented by the applicant's or employee's disability.

Step 3. Identification of potential accommodation and assessment of its effectiveness

In consultation with the employee, CREC identifies potential accommodations and assesses the effectiveness of each in enabling the employee to perform the essential function(s) of the job.

Step 4. Selection and implementation of a reasonable accommodation

Once reasonable accommodations have been identified, CREC must select and implement the accommodation that is most appropriate for both CREC and the employee, giving primary consideration to the preference of the employee, but retaining discretion to make the final choice. CREC may choose the less expensive accommodation or the accommodation that is easier to provide.

An employee may provide their own accommodation. However, CREC is not relieved of the duty to provide reasonable accommodation in the event the employee is (for any reason) unwilling or unable to continue to provide the accommodation.

CREC is not obligated to provide an accommodation if doing so would result in undue hardship. An accommodation would result in undue hardship if it would be unduly costly, extensive, substantial, disruptive, or if it would fundamentally alter the nature or operation of CREC's business in light of the following factors:

- ❖ the nature and net cost of the accommodation needed, taking into consideration the availability of outside funding;
- ❖ the overall financial resources of the program(s) involved in the provision of the reasonable accommodation, the number of persons employed at such program(s) and the effect on expenses and resources;
- ❖ the overall financial resources of CREC, the overall number of CREC employees and the number, type and location of its programs;
- ❖ the type of operation or operations of CREC, including the composition, structure and functions of its work force, the geographic separateness and administrative or fiscal relationship of the program(s) in question; and
- ❖ the impact of the accommodation upon the operation of the program, including the impact on the ability of other employees to perform their duties and the impact on the program's ability to conduct business.

Unless exigent circumstances exist, a request for a reasonable accommodation must be made at least ten days in advance of the need for such accommodation.

Harassment

CREC strives to provide a safe, positive work environment for its employees. Harassment, in any form, whether by students, staff members, board members, parents, vendors, contracted individuals, volunteers, employees or visitors - on CREC grounds or property or on property within CREC's jurisdiction; on buses operated by or for CREC; while attending or engaged in CREC activities - will not be tolerated.

Harassment consists of verbal, written, graphic, or physical conduct relating to an individual's race, color, religion, sex, national origin/ethnicity, physical attributes, disability, parental or marital status, sexual orientation, gender identity/expression or age when such conduct:

- is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening or abusive work environment;
- has the purpose or effect of substantially or unreasonably interfering with an individual's performance;
- otherwise adversely affects an individual's work opportunities;
- is made either explicitly or implicitly a term or condition of an individual's employment, or participation in district programs or activities; and
- exposure to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual.

Harassment may include, but is not limited to: verbal, physical, or written intimidation or abuse; repeated remarks of a demeaning or condescending nature; repeated demeaning jokes, stories, or activities directed at the individual.

Each staff member shall be responsible for maintaining a workplace free from all forms of harassment. Each student shall be responsible for respecting the rights of all students and staff and refraining from all forms of harassment.

All allegations of harassment shall be investigated thoroughly and addressed appropriately. There shall be no retaliation against the complainant and/or the individual subjected to the alleged harassment.

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