

GREATER JOHNSTOWN CAREER & TECHNOLOGY CENTER

SECTION: PROGRAMS

TITLE: NONDISCRIMINATION IN
EMPLOYMENT/CONTRACT
PRACTICES

ADOPTED: October 23, 2007

REVISED:

<p>1. Authority 20 U.S.C. Sec. 1681 et seq 29 U.S.C. Sec. 621 et seq 29 U.S.C. Sec. 701 et seq 42 U.S.C. Sec. 1981 et seq Title VII 42 U.S.C. Sec. 2000e et seq Title IX 42 U.S.C. Sec. 12101 et seq 43 P.S. Sec. 951 et seq</p> <p>2. Delegation of Responsibility</p>	<p>104. NONDISCRIMINATION IN EMPLOYMENT/CONTRACT PRACTICES</p> <p>The Joint Operating Committee declares it to be the policy of the center to provide to all persons equal access to all categories of employment, regardless of race, color, age, creed, religion, gender, sexual orientation, ancestry, national origin or handicap/disability. The center shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with the requirements of federal and state laws and regulations.</p> <p>The Joint Operating Committee encourages employees and third parties who have been subject to discrimination to promptly report such incidents to designated employees.</p> <p>The Joint Operating Committee directs that complaints of discrimination shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the center's legal and investigative obligations.</p> <p>No reprisals nor retaliation shall occur as a result of good faith charges of discrimination.</p> <p>In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Joint Operating Committee designates the Administrative Director as the center's Compliance Coordinator.</p> <p>The Compliance Coordinator shall publish and disseminate this policy and complaint procedure at least annually to students, parents/guardians, employees and the public. Nondiscrimination statements shall include the position, office address and telephone number of the Compliance Coordinator.</p> <p>The Compliance Coordinator is responsible to monitor the implementation of nondiscrimination procedures in the following areas:</p> <p>1. Development of position qualifications, job descriptions and essential job functions.</p>
---	---

<p>3. Guidelines</p>	<ol style="list-style-type: none"> 2. Recruitment materials and practices. 3. Procedures for screening, interviewing and hiring. 4. Promotions. 5. Disciplinary actions, up to and including terminations. <p>The building administrator shall be responsible to complete the following duties when receiving a complaint of discrimination:</p> <ol style="list-style-type: none"> 1. Inform the employee or third party of the right to file a complaint and the complaint procedure. 2. Notify the complainant and the accused of the progress at appropriate stages of the procedure. 3. Refer the complainant to the Compliance Coordinator if the building administrator is the subject of the complaint. <p><u>Complaint Procedure – Employee/Third Party</u></p> <p>Step 1 – Reporting</p> <p>An employee or third party who believes s/he has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the building administrator.</p> <p>If the building administrator is the subject of a complaint, the employee or third party shall report the incident directly to the Compliance Coordinator.</p> <p>The complainant is encouraged to use the report form available from the building administrator, but oral complaints shall be acceptable.</p> <p>Step 2 – Investigation</p> <p>Upon receiving a complaint of discrimination, the building administrator shall immediately notify the Compliance Coordinator. The Compliance Coordinator shall authorize the building administrator to investigate the complaint, unless the building administrator is the subject of the complaint or is unable to conduct the investigation.</p>
----------------------	---

The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation.

The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation of the incident is pending or has been concluded.

Step 3 – Investigative Report

The building administrator shall prepare a written report within fifteen (15) days, unless additional time to complete the investigation is required. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, and a recommended disposition of the complaint.

The findings of the investigation shall be provided to the complainant, the accused, and the Compliance Coordinator.

Step 4 – Action of Center

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the center shall take prompt, corrective action to ensure that such conduct ceases and will not recur.

Disciplinary actions shall be consistent with Joint Operating Committee policies and center procedures, applicable collective bargaining agreements, and state and federal laws.

Appeal Procedure

1. If the complainant is not satisfied with a finding of no violation of the policy or with the corrective action recommended in the investigative report, s/he may submit a written appeal to the Compliance Coordinator within fifteen (15) days.
2. The Compliance Coordinator shall review the investigation and the investigative report and may also conduct a reasonable investigation.
3. The Compliance Coordinator shall prepare a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to the complainant, the accused and the building administrator who conducted the initial investigation.

References:

Pennsylvania Human Relations Act – 43 P.S. Sec. 951 et seq

Age Discrimination In Employment Act – 29 U.S.C. Sec. 621 et seq

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

Federal Anti-Discrimination and Civil Rights Laws –

20 U.S.C. Sec. 1681 et seq (Title IX)

29 U.S.C. Sec. 701 et seq

42 U.S.C. Sec. 1981 et seq

42 U.S.C. Sec. 2000e et seq (Title VII)