

DISTRICT REGULATIONS

DISCRIMINATION AND HARASSMENT FREE WORKPLACE

We consider our employees our most important asset and expect all employees to observe the highest standards of conduct. In keeping with those values, the Temple City Unified School District is committed to maintaining a work environment that is free of discrimination, including harassment, on the basis of race, color, age, gender, disability, ancestry, religion, national origin, medical condition, marital status, veteran status, sexual orientation or any other characteristic protected by state or federal law. Accordingly, the Temple City Unified School District will not tolerate any form of discrimination or harassment against any employee by anyone, including non-supervisory personnel, supervisors, managers and administrators.

Our policy prohibits all such **discrimination or harassment**, whether verbal, physical, or visual. The conduct prohibited by this policy specifically includes, but is not limited to: (a) **epithets, slurs, jokes, negative stereotyping, or intimidating acts** referencing or based on a person's race, color, gender, disability, ancestry, religion, national origin, medical condition, marital status, veteran status or sexual orientation; (b) **written or graphic material** circulated or posted within the workplace that demonstrates hostility toward an individual based on his or her race, color, gender, age, disability, ancestry, religion, national origin, medical condition, marital status, veteran status or sexual orientation; and/or (c) **employment decisions**, including promotion, discipline, evaluation or termination, based on an employee's race, color, age, gender, disability, ancestry, religion, national origin, medical condition, marital status, veteran status, sexual orientation or any other characteristic protected by state or federal law.

The policy prohibits, among other things, sexual harassment. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors or other verbal or physical acts of a sexual nature.

Sexual harassment is not limited to explicit demands for sexual favors. It may also include such actions as: (1) **sexual kidding, teasing or jokes**; (2) **repeated 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) **physical contact such as patting, hugging, pinching, kissing or brushing against another body**. These are only examples of some of the types of sexual harassment.

Any employee who experiences or witnesses conduct they feel may be inconsistent with this policy should notify one of the following persons immediately: your immediate supervisor, the principal of your site, the Assistant Superintendent of Personnel (X5004) or the Director of Student Services (X5101). Please take every step possible to make sure we know of your concern. Complaints of discrimination and/or harassment will be

accepted in writing or orally. Complaints may be made anonymously. We take all complaints of discrimination and/or harassment seriously.

All complaints will be investigated promptly and thoroughly. If a complaint is found to have merit, disciplinary action may be warranted for the harasser/discriminator, up to and including dismissal from employment. Discipline may be imposed even for conduct which is not a violation of law. The type and extent of discipline will depend upon the severity of the conduct.

Any employee who makes a good faith complaint of discrimination or harassment or participates in the investigation of such a complaint will be protected from retaliatory action. It is unlawful to retaliate against any employee who has articulated a good faith concern about discrimination and/or harassment.

All employees who believe they have been subjected to or observed unlawful discrimination, harassment or retaliation are entitled to report such conduct directly to the California Department of Fair Employment and Housing or the Equal Employment Opportunity Commission. For More information, contact the DFEH at (800) 884-1684, (213) 439-6799 or (916) 445-5523 or the EEOC at (213) 894-1000.



Department of Fair Employment and Housing



Discrimination and Harassment in Employment are Prohibited by Law

Laws enforced by the Department of Fair Employment and Housing (DFEH) protect you from illegal discrimination and harassment in employment based on

- Race
- Color
- Religion
- Sex (pregnancy or gender)
- Sexual orientation
- Marital status
- National origin (including language use restrictions)
- Ancestry
- Disability (mental and physical, including HIV and AIDS)
- Medical condition (cancer/genetic characteristics)
- Age (40 and above)
- Denial of family and medical care leave
- Denial of pregnancy disability leave or reasonable accommodation

The California Fair Employment and Housing Act (Part 2.8 commencing with Section 12900 of Division 3 of Title 2 of the Government Code) and the Regulations of the Fair Employment and Housing Commission (California Code of Regulations, Title 2, Division 4, Sections 7285.0 through 8504):

- Prohibit harassment of employees, applicants, and independent contractors by any persons and require employers to take all reasonable steps to prevent harassment. This includes a prohibition against sexual harassment, gender harassment, and harassment based on pregnancy, childbirth, or related medical conditions.
- Prohibit employers from limiting or prohibiting the use of any language in any workplace unless justified by business necessity. The employer must notify employees of the language restriction and consequences for violation.
- Require that all employers provide information to each of their employees on the nature, illegality, and legal remedies that apply to sexual harassment. Employers may either develop their own publications, which must meet standards as set forth in California Government Code Section 12950, or use a brochure from the DFEH.
- Require employers with 50 or more employees and all public entities to provide sexual harassment prevention training for all supervisors.
- Require employers to reasonably accommodate an em-

ployee or job applicant's religious beliefs and practices.

- Require employers to reasonably accommodate employees or job applicants with a disability in order to enable them to perform the essential functions of a job.
- Permit job applicants and employees to file complaints with the DFEH against an employer, employment agency, or labor union that fails to grant equal employment as required by law.
- Prohibit discrimination against any job applicant or employee in hiring, promotions, assignments, termination, or any term, condition, or privilege of employment.
- Require employers, employment agencies, and unions to preserve applications, personnel records, and employment referral records for a minimum of two years.
- Require employers to provide leaves of up to four months to employees disabled because of pregnancy, childbirth, or a related medical condition.
- Require an employer to provide reasonable accommodations requested by an employee, on the advice of her health care provider, related to her pregnancy, childbirth, or related medical conditions.
- Require employers of 50 or more persons to allow eligible employees to take up to 12 weeks leave in a 12-month period for the birth of a child; the placement of a child for adoption or foster care; for an employee's own serious health condition; or to care for a parent, spouse, or child with a serious health condition. (Employers are required to post a notice informing employees of their family and medical leave rights.)
- Require employment agencies to serve all applicants equally, refuse discriminatory job orders, and prohibit employers and employment agencies from making discriminatory pre-hiring inquiries or publishing help-wanted advertising that expresses a discriminatory hiring preference.
- Require unions not to discriminate in member admissions or dispatching to jobs.
- Prohibit retaliation against a person who opposes, reports, or assists another person in opposing unlawful discrimination.

The law provides for administrative fines and remedies for individuals, including the following: hiring, front pay, back pay, promotion, reinstatement, cease-and-desist order, expert witness fees, reasonable attorney's fees and costs, punitive damages, and damages for emotional distress.

Job applicants and employees: If you believe you have experienced discrimination, you may file a complaint with DFEH.

Independent contractors: If you believe you have been harassed, you may file a complaint with DFEH.

Complaints must be filed within **one year** of the last act of discrimination/harassment, or, for victims who are under the age of 18, not later than one year of that person's eighteenth birthday.

For more information, contact DFEH toll free at (800) 884-1684, Sacramento area & out-of-state at (916) 478-7251, TTY number at (800) 700-2320, or visit our web site at www.dfeh.ca.gov

Government Code Section 12940 and Title 2 California Code of Regulations Section 7287 require all employers to post this document. It must be conspicuously posted in hiring offices, on employee bulletin boards, in employment agency waiting rooms, union halls, and other places employees gather.

In accordance with the California Government Code and ADA requirements, this publication can be made available in Braille, large print, computer disk, or tape cassette as a disability-related reasonable accommodation for an individual with a disability. To discuss how to receive a copy of this publication in an alternative format, please contact the DFEH at the numbers above.