

SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY

The St. Lawrence-Lewis BOCES, in recognition of its educational mission, its social concern, its responsibility for the personal development of individuals, and its concern for the rights of the individual, does hereby express and establish this BOCES Policy of Equal Employment Opportunity.

It is the policy of the St. Lawrence-Lewis BOCES to provide equal opportunity in employment for all qualified persons and to promote the full realization of equal employment opportunity through a positive, continuing program for the St. Lawrence-Lewis BOCES as a whole and for each constituent division of this BOCES.

In recruiting, hiring, training, promoting, or discharging, the BOCES shall not discriminate against an individual on the basis of actual or perceived race, color, national origin, disability, age, religion, sex, sexual orientation, marital status, political affiliation, military or veteran status, predisposing genetic characteristics, use of a recognized guide dog, hearing dog, or service dog, or domestic violence victim status.

Also, the BOCES will post, in a place accessible to employees and in a visually conspicuous manner, a copy of Article 23-A of the New York State Correction Law and any regulations promulgated under that statute. Article 23-A addresses the licensure and employment of persons previously convicted of one or more criminal offenses.

All newly hired employees will be required to complete the Employment Eligibility Verification Form (Form I-9) and present documents that establish their identity and eligibility to work in the United States.

Established BOCES grievance procedures provide for the prompt and equitable resolution of complaints alleging discrimination. Those intending to file a grievance due to alleged discrimination must follow the grievance procedure established by the St. Lawrence-Lewis BOCES. Further, the BOCES prohibits any retaliatory behavior directed against 'whistle blowers', complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination. Follow-up inquiries shall be made to ensure that discrimination has not resumed and that all those involved in the investigation of the discrimination complaint have not suffered retaliation.

Effective July 6, 2009, the New York State Human Rights Law (Executive Law 290) was amended to provide for civil fines and penalties, payable to the State, of up to \$50,000 for unlawful acts of employment discrimination, and up to \$100,000 for willful, wanton, or malicious discrimination. With the enactment of the new law, these penalties may now be assessed in all cases of employment discrimination.

The new civil fines do not replace or limit other relief under New York State Human Rights Law that may be awarded to a prevailing complainant which includes, but is not limited to, affirmative relief from the employer (e.g., an order that the individual be hired, promoted or reinstated by the employer), back pay and other compensatory damages (e.g., emotional distress damages). Punitive damages and attorneys' fees are not currently payable to a prevailing complainant. These remedies, however, may be available to a prevailing plaintiff in a court action.

Title VII of the Civil Rights Act of 1964,
42 United States Code Section 2002-e et seq.
Prohibits discrimination on the basis of race, color,
religion, sex or national origin.

Title VI of the Civil Rights Act of 1964,
42 United States Code Section 2002-d et seq.
Prohibits discrimination on the
basis of race, color or national origin.

Section 504 of the Rehabilitation Act of 1973
29 United States Code Section 794 et seq.
The Americans with Disabilities Act, 42 United
States Code Section 1210 et seq.
Prohibits discrimination on the basis of disability.

Title IX of the Education Amendments of 1972,
20 United States Code Section 1681 et seq.
Prohibits discrimination on the basis of sex.

New York State Executive Law Section 290 et seq.
Prohibits discrimination on the basis of age, race,
creed, color, national origin, sex, sexual orientation,
disability, marital status. predisposing genetic
characteristics, use of a recognized guide dog,
hearing dog or service dog, or domestic violence
victim status.

SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY (Cont'd.)

Age Discrimination in Employment Act,
29 United States Code Section 621.
Prohibits discrimination on the basis of age.

New York State Military Law Sections 242 and 243.
Uniformed Services Employment and
Reemployment Rights Act of 1994, 38 United
States Code Sections 4301-4333
Prohibit discrimination on the basis of military or
veteran status.

New York State Civil Service Law Section 107
Prohibits discrimination on the basis of political
affiliation.

New York State Correction Law Article 23-A
Addresses employment of convicted criminals

New York State Labor Law Section 201-f
Mandates posting of Article 23-A of New York State
Correction Law

Genetic Information Nondiscrimination Act of 2008
(GINA) Public Law 110-233
Prohibits discrimination in the workplace based
upon genetic information.

NOTE: Refer also to Policies [#1440 -- Non-Discrimination](#) and [#2160 -- Principles of Diversity](#).

Adopted: 7-10-2002

Revised: 10-09-2008, 6-4-2009, 1-14-2010