



VOYAGER: A PUBLIC CHARTER SCHOOL

“The Journey of Learning Never Ends”

POLICY NO.	DESCRIPTION	EFFECTIVE DATE
001	PERSONNEL	REVISION 3/12/15

PURPOSE: To establish personnel policies and procedures for Voyager: A Public Charter School employees. In the event there is a conflict between topics covered in this policy and any collective bargaining agreement, personnel services contract, or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, this policy shall prevail.

A. HARASSMENT-FREE WORKPLACE-GENERAL POLICY

Voyager: A Public Charter School (hereinafter referred to as ‘the school’ or ‘Voyager’) supports the State of Hawaii’s commitment to promote and maintain a productive work environment free of any form of discrimination, harassment or retaliation. Harassment or discrimination against any protected classes will not be tolerated. In addition, retaliation against an individual who makes a complaint and/or participates in or provides information for an investigation relating to discrimination and/or harassment will not be tolerated. Voyager’s commitment to a harassment-free work environment applies to all aspects of the School’s operations, including parents, guardians, independent contractors and vendors. Voyager employees are responsible for assuring that work is conducted in an atmosphere that respects the dignity of every employee, student, and anyone else with whom they conduct business. Employees are expected to avoid behavior that could reasonably be perceived as discrimination or harassment prohibited under this policy. Protected classes covered by State and Federal law include:

1. Race
2. Color
3. Sex, including gender identity or expression
4. Sexual Orientation
5. Condition of Pregnancy
6. Breastfeeding
7. Religion
8. National Origin
9. Ancestry
10. Age (The Age Discrimination in Employment Act (ADEA) prohibits harassment of employees who are 40 or older on the basis of age)
11. Physical or Mental Disability
12. Genetic Information
13. Marital Status
14. Arrest & Court Record (except as permissible by applicable laws)
15. Income Assignment for Child Support
16. National Guard Absence
17. Uniformed Service
18. Veteran Status
19. Citizenship (except as permissible by applicable laws)
20. Credit History or Credit Report (unless directly related to a bona fide occupational qualification)
21. Domestic or Sexual Violence Victim Status (if the domestic or sexual violence victim provides notice to the victim’s employer of such status or the employer has actual knowledge of such status)
22. Any other classification protected under applicable state or federal laws.



B. Sexual Harassment

1. Sexual harassment will not be tolerated. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, verbal or physical conduct of a sexual nature, or other verbal or physical conduct of a non-sexual but gender-based nature. Both victim and the harasser can be either a woman or a man, and the victim and harasser can be the same sex. Although the law doesn't prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision. Some examples of adverse employment decisions include:

- a. When submitting to such conduct is made a term or condition of an individual's employment, either explicitly or implicitly;
- b. When submitting to or rejecting such conduct is used as a basis for employment decisions affecting the individual; or
- c. When such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

2. Examples of conduct which, if unwelcome, can amount to sexual harassment include but are not limited to the following:

- a. Requests for sexual favors;
- b. Uninvited physical contact;
- c. Sexual bantering;
- d. Off-color language or jokes;
- e. Sexual flirtations;
- f. Advances or propositions;
- g. Verbal abuse of a sexual nature;
- h. Commentaries about an individual's body;
- i. Use of sexually degrading words to describe individuals;
- j. Displays of sexual suggestive objects or pictures;
- k. Gender-based insults or derogatory references; and
- l. Use of sexually oriented or degrading gestures or other non-verbal communications.

C. Reporting Incidents of Harassment or Discrimination

Employees are encouraged to report harassment before it becomes severe or pervasive so that the School can take steps to stop harassment or discrimination before it rises to the level of a violation of law.

1. Employees may choose to report harassment or discrimination to the Principal or the School Counselor who will protect the confidentiality of complaints to the extent possible by law. An employee has 30 days from the last date of unlawful harassment to file a complaint to the School. Employees may also choose to file a charge directly to their union, the Hawaii Civil Rights Commission (HCRC), or the U.S. Equal Employment Opportunity Commission (EEOC). However, the HCRC and the EEOC have different timeframes in which to file a charge. The timeframes, depending on the protected class, can range from 180 to 300 days. If an employee chooses to go through the school first to resolve an issue, the HCRC and EEOC timeframes will not be extended because of the time the school takes to conduct an investigation and/or resolve an issue. The latest filing procedures and contact info for the EEOC and HCRC can be found at:

- a. EEOC: <http://www.eeoc.gov/>
- b. HCRC: <http://labor.hawaii.gov/hcrc/>



2. Regardless of which avenue an employee chooses to file a complaint, they should be prepared to provide specific facts about the alleged acts of harassment or discrimination, and when possible, provide any documents that may substantiate charges made in the complaint.

3. Once reported to the school, action will be taken to conduct a prompt, thorough, and impartial investigation. The alleged harasser will not be allowed to have any direct or indirect control over the investigation. An impartial investigator will interview the employee who complained of harassment, the alleged harasser, and others who could reasonably be expected to have relevant information. Before completing the investigation, the school will take steps to make sure the harassment does not continue. Any further action will be taken in accordance with applicable state and Federal law.

D. Applicants

Voyager is an Equal Opportunity/Affirmative Action Employer and extends our anti-discrimination and anti-harassment policies to its qualified applicants.

E. Disabilities Policy

1. Voyager complies with all the relevant and applicable provisions of the Americans with Disabilities Act (ADA) as amended by the Americans with Disabilities Amendments Act and any related state laws. Voyager Charter School does not discriminate against a qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability. A "disability" is a physical or mental impairment that substantially limits one or more of the major life activities of an individual. The term "qualified individual with a disability" applies to an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or desires.

2. The school will make reasonable accommodation(s) for employees or applicants with disabilities of which we are aware, provided the individual is otherwise qualified to safely perform the essential duties and assignments connected with the job with or without reasonable accommodation, and provided that any accommodations do not create an undue hardship for Voyager. An employee with a disability requiring a reasonable accommodation should notify their supervisor. Employees determined to have a disability that poses a direct threat to the health or safety of themselves or others in the workplace may be placed on administrative leave until it is determined whether a reasonable accommodation is possible. An employee who requests an accommodation must cooperate in the school's effort to determine whether an accommodation is reasonable. This includes providing documented medical evidence of the need for an accommodation before granting any accommodation.

F. Attendance and Punctuality

1. The success of our program depends on commitment and cooperation from each member of our team. Employees' regular attendance and punctuality are extremely important in establishing a top-quality, professional environment. Tardiness and/or repeated absences place an unfair burden on other team members, and (most importantly) adversely affect the learning experience for our students. You must set an example by being on-time and making your work a priority.

2. Employees should become familiar with the school calendar and plan vacations and appointments accordingly. Whenever possible, employees should plan appointments during vacations, weekends, or after school hours.

3. The school recognizes that there may be times when absences cannot be avoided. In such cases, employees are expected to notify the SASA or the Principal as early as possible, preferably by email and voice message the night before, if possible. Teachers are responsible for finding a guest (or substitute) teacher by



following the guidelines under the Guest Teacher portion of the Faculty handbook. Employees absent due to illness for more than three consecutive days, the school reserves the right to require a doctor's note, releasing you back to work.

G. Dress Code

Although there are no specific dress code guidelines, employees are expected to dress in a way that does not distract from the learning environment. Clothes that cause undue attention can interfere with student learning and can be a distraction for other teachers and family members.

H. Dissemination of this Policy

This policy will be posted on the school's website and will also be included in employee orientation materials.