

BP 3000 Employer Practices

3000.1 Employment

The Board of Trustees of the Copper Mountain Community College District seeks to employ the best available candidates who meet the qualifications of the position. Such employment shall be conducted in accordance with the provisions of the District's Affirmative Action Policy and all federal and state laws governing employment procedures.

The Board shall employ and assign all personnel consistent with established employment practices and the minimum standards established by the Board of Governors.

Employment of personnel in the District is a right reserved by the Board of Trustees. The Board authorizes the Superintendent (or designee) to offer an employment contract to an employee, subject to the final approval by the Board of Trustees.

ECS 11708-70902b.(4.)

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3000.2 Affirmative Action, Staff Diversity and Equal Opportunity Employment

It is the policy of the Copper Mountain Community College District to seek out the best-qualified candidates to serve as employees of the District based on the total needs of the District and the communities it serves.

The Board of Trustees is committed to Affirmative Action, Staff Diversity and Equal Opportunity Employment for all persons and to prohibit discrimination based on race, gender, age, national origin, marital status, religion, disability or sexual orientation.

The Board of Trustees believes that in order to effectively comply with federal and state mandates and guidelines on Affirmative Action, Staff Diversity and Equal Opportunity Employment, the Trustees, management, faculty and classified staff must recognize that this is a shared responsibility and that each person must be held accountable for the application and enforcement of the Policy.

The Copper Mountain Community College District will insure that recruitment, screening, selection, hiring, training, evaluation and promotional processes are conducted in accordance with the principles of equal employment opportunity. It is essential to include sensitivity and understanding of the diverse academic, socioeconomic, cultural, ethnic, and disability backgrounds of the students served.

The District staff will prepare plans, regulations and procedures which are in compliance with all applicable federal and state laws, regulations and guidelines to insure full implementation of the intent of this policy.

Civil Rights Act 1964,

Civil Rights Act 1972

Civil Rights Act 1991

Executive Order 11246 as amended by Executive Order 11375

California Labor Code 1993, 1102.1

California Administrative Code Title V – Education Sections 53000-53025

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3000.3 Americans with Disabilities Act

Copper Mountain Community College District adheres to the laws, rules and regulations that govern the American with Disabilities Act. This act prohibits discrimination against qualified candidates or employees who are disabled. A qualified individual with a disability is a disabled person who meets the skill, experience, education, and other job related requirements of a position sought after or held, and who with or without reasonable accommodation can perform the essential functions of the position

3000.4 Prohibition of Sexual Harassment

It is the policy of the Copper Mountain Community College District to provide and maintain the District's facilities, programs and activities as a place of work, study and recreation for all students and employees, which is free of any form of sexual harassment, exploitation, intimidation or discrimination. Such actions perpetrated on the basis of sex are a violation of *Title VII of the Civil Rights Act of 1964 and/or Title IX of the 1972 Education Amendments.*

Employees and students of the District are prohibited from committing any act of sexual harassment against any employee, student or agent of the District. Disciplinary action will be initiated against any employee who, after appropriate investigation, is found to have violated this policy.

The attendant rules, regulations, investigation, reporting and grievance procedures will be established by the District and disseminated to all staff and students. The responsibility for enforcement of this policy rests with all employees and students. The Superintendent, through the Affirmative Action office shall be primarily responsible for the policy and procedure. Any victim of sexual harassment should report the incident promptly to the Affirmative Action officer.

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3000.5 Nepotism

The District will not prohibit employment of relatives in the same department or administrative unit, provided that neither relative participates in making recommendations or decisions specifically affecting the appointment, retention, evaluation, tenure, work assignment, promotion, demotion or salary of the other relative or where potential conflicts of interest exist. In those instances where developments cause one relative to have recommending or decision-making responsibilities or supervision over another relative, these functions, as they apply to the related persons, will be performed by the next higher supervisor/administrator in the department or administrative unit.

Relatives are defined as a member of the employee's immediate family meaning the husband, wife, son, daughter, father, mother, brother, sister, aunt, uncle, in-laws, step relationships and any relative living in the immediate household of the employee, or any other person to whom the employee is legally responsible.

In the event that two co-workers marry or cohabit, and that such marriage or cohabitation results in a violation of this policy, the Superintendent/President will assign an alternate supervisor to perform such duties.

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3000.6 Conflict of Interest

California law provides various statutory restrictions prohibiting public officials from participating in decisions or engaging in activities in which they have a personal financial interest. The purpose of these “conflict of interest” statutes is to prevent a public official from failing to exercise absolute loyalty and undivided allegiance to the best interest of the public agency. Because the “conflict of interest” statutes and their application to particular fact situations are complex, and because the penalties for violation of these statutes may be severe, the District adopts this policy. This policy will set forth the various prohibitions in the California “conflict of interest” statutes as they apply to employees of the District. In addition to the potential penalties provided by the “conflict of interest” statutes, violations of this policy may subject an employee to discipline, up to and including termination.

Government Code 1126

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3000.7 Child Abuse Reporting

Child abuse reporting is the responsibility of all faculty and classroom support personnel.

The law requires any childcare custodian to report immediately suspected or known instances of child abuse to the appropriate authorities.

The reporting duties under this law are individual. No supervisor or administrator may impede or inhibit the reporting duties, and no employee making a report will be civilly or criminally liable for any report required or authorized; however, any person who fails to report an instance of child abuse which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor (P.C. 1172a). The employee making the report must follow approved procedures for reporting the incident. The reports are confidential. Employees must contact the appropriate District authorities before disclosing the substance of such reports. For further information, contact the Personnel Office

California Penal Code Sections 11166, 11172a, 11172b, 111726, AB 518

Adopted: July 20, 1999