

Workplace Health and Safety Protection

The EC BOCES is committed to providing a safe work environment for all employees. When employees know or have any reasonable concern about workplace violations of government health or safety rules, or about an otherwise significant workplace threat to health or safety, they should report such concerns by following the EC BOCES's concerns, complaints, or grievances procedure.

Nondiscrimination

The EC BOCES Board, the Executive Director, other administrators, and employees will not unlawfully discriminate, take adverse action, or retaliate against any employee who, in good faith, raises any reasonable concern about workplace violations of government health or safety rules, or about an otherwise significant workplace threat to health or safety if the EC BOCES controls the workplace conditions giving rise to the threat or violation. Discrimination against an employee who opposes any practice they reasonably believe is unlawful or who participates in an investigation, proceeding, or hearing on such matter is also prohibited.

The EC BOCES Board, the Executive Director, other administrators and employees will also not unlawfully discriminate, take adverse action, or retaliate against any employee who voluntarily wears their own personal protective equipment, such as a mask, faceguard, or gloves, if the personal protective equipment:

1. provides a higher level of protection than the equipment provided by the EC BOCES;
2. is recommended by a federal, state, or local public health agency with jurisdiction over the EC BOCES; and
3. does not render the employee incapable of performing their job or fulfilling their job duties.

Notice

To reduce unlawful discrimination and ensure a safe workplace environment, the administration is responsible for providing notice of this policy to all employees. This policy will be referenced in employee handbooks and otherwise available to all staff through electronic or hard-copy distribution.

EAST CENTRAL BOCES BOARD POLICY

Adopted: August 26, 2020

Revised: January 25, 2023

LEGAL REFS.: C.R.S. 8-14.4-101 (*definition of public health emergency*)
C.R.S. 8-14.4-102 (*prohibition against discrimination based on claims related to a public health emergency*)

CROSS REFS.: GBA, Open Hiring/Equal Employment Opportunities
GBK, Staff Concerns/Complaints/Grievances
GBK-R, Staff Concerns/Complaints/Grievances – Regulation

NOTE: H.B.20-1415 prohibits employers from discriminating, retaliating, or taking adverse action against any worker who, in good faith, raises any reasonable concern about workplace violations of government health or safety rules, or about an otherwise significant workplace threat to health or safety related to a public health emergency, if the employer controls the workplace conditions giving rise to the threat or violation. It also prohibits employers from discriminating against employees who voluntarily wear their own personal protective equipment, if certain conditions are met, and requires employers to post notice of a worker's rights under this provision. It further allows an employee to bring a civil action against an employer after exhausting administrative remedies.

[CASB Revised August 2022]