

**NONDISCRIMINATION IN EMPLOYMENT**

*Note: Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA), which became effective November 21, 2009, protects applicants and employees from employment discrimination based on genetic information employers are prohibited from discriminating in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.*

The district and its employees shall not unlawfully discriminate against, retaliate against or harass employees or job applicants on the basis of sex, sexual orientation, race, creed, color, religion, national origin, ancestry, age, marital status, changes in marital status, pregnancy, parenthood, physical or mental disability, Vietnam era veteran status, genetic information; status as a survivor of domestic violence, sexual violence, or stalking; or good faith reporting to the Board on a matter of public concern, or opposing a practice prohibited under AS 18.80.200-280 or because a person has filed a complaint, testified, or assisted in a proceeding under Chapter 18.80 of the Alaska Statutes.

*(cf. 4119.11 - Sexual harassment)*

Equal opportunity shall be provided to all employees and applicants in every aspect of personnel policy and practice. The district shall not discriminate against persons with physical or mental disabilities who, with or without reasonable accommodation, can perform the essential functions of the job in question.

*(cf. 4119.41 - Employees with Infectious Disease)*

The Superintendent or designee shall publicize this policy annually throughout the district and the community.

*(cf. 1312.3 - Complaints Concerning Discrimination)*

*(cf. 4111.1 - Affirmative Action)*

*Legal Reference:*

ALASKA STATUTES

14.18.010 *Discrimination based on sex and race prohibited*

14.18.020 *Discrimination in employment prohibited*

14.18.090 *Enforcement by State Board of Education and Early Development*

18.80.220 *Unlawful employment practices*

39.90.100 *Nondiscrimination – Protection for whistleblowers*

ALASKA ADMINISTRATIVE CODE

4 AAC 06.510 *Discrimination in hiring practices*

**NONDISCRIMINATION IN EMPLOYMENT (continued)**

*Legal References (cont.):*

29 U.S.C. 621- 634 Age Discrimination in Employment Act

29 U.S.C. 791 et seq. Vocational Rehabilitation Act of 1973, Sections 503 and 504

38 U.S.C. 2011 et seq. Vietnam Era Veterans' Act

42 U.S.C. Ch. 21F Prohibiting Employment Discrimination on the Basis of Genetic Information

42 U.S.C. 2000d-200d-7 Title VI of the Civil Rights Act

42 U.S.C. 2000e-2000e-17 The Equal Employment Opportunities Act

42 U.S.C. 12101 – 12213 American With Disabilities Act

**KETCHIKAN GATEWAY BOROUGH SCHOOL DISTRICT**

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