

SAMPLE EQUAL EMPLOYMENT OPPORTUNITY POLICY

I. Non-Discrimination in Employment

[Name of Employer] prohibits discrimination in employment on the basis of:

- Age (40 and above),
- Criminal record (applications only),
- Physical, mental, or psychiatric disability,
- Genetics (results of genetic testing),
- Maternity leave,¹
- National origin or ancestry,
- Race or color,
- Religion,
- Sex,
- Sexual orientation,
- Veteran or active military status.

Unlawful discrimination of employees occurring in the workplace or in other settings in which employees may find themselves in connection with their employment will not be tolerated by [Name of Employer]. Further, any retaliation against an individual who has formally or informally complained about discrimination or has cooperated with an investigation of a discrimination complaint is prohibited. To achieve our goal of providing a workplace free from discrimination, the conduct that is described in this policy will not be tolerated, and we will implement the procedure described below to address any potential inappropriate conduct.

[Name of Employer] commits itself and its employees, within the context of state and federal civil rights laws, to ensure equitable participation of employees of all backgrounds in all of its daily operations.

This policy applies to all employment practices and employment programs sponsored by [Name of Employer]. This policy shall apply, but not be limited to, the areas of:

- Recruitment,
- Selection,
- Compensation and benefits,
- Professional development and training,
- Reasonable accommodation for disabilities or religious practices,
- Promotion,
- Transfer,
- Termination,
- Layoff, and
- Other terms and conditions of employment.

¹[This policy should be supplemented by a leave policy delineating maternity, disability, and other leave rights.]

If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate we will also impose disciplinary action.

VI. Disciplinary Action

If it is determined that inappropriate conduct has been committed by one of our employees, we will take such action as is appropriate under the circumstances. Such action may include counseling, verbal or written warning, suspension, or termination.

VII. State and Federal Remedies

In addition to the above, if you believe you have been subjected to unlawful discrimination, you may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a time period of 300 days for filing a claim.

1. The United States Equal Employment Opportunity Commission (EEOC):
One Congress Street, 10th Floor Boston, MA 02114, (617) 565-3200.
2. The Massachusetts Commission Against Discrimination (MCAD):
Boston Office: One Ashburton Place, Rm. 601, Boston, MA 02108
(617) 994-6000
Springfield Office: 424 Dwight Street, Rm. 220, Springfield, MA
01103 (413) 739-2145

Because [Name of Employer] takes allegations of discrimination seriously, we will respond promptly to complaints and where it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose any necessary corrective action, including disciplinary action.

II. Discriminatory Harassment

[Name of Employer]'s separate Harassment Policy details our commitment to a workplace free to any verbal or physical conduct which is unwelcome, severe or pervasive, and related to membership or perceived membership in a protected class.

III. Reasonable Accommodation

Employees seeking reasonable accommodations may submit their request in writing to [Name, address and telephone number of the appropriately trained individual to whom requests should be addressed, such as a human resources director, legal counsel or other appropriate individual with decision-making authority].

IV. Discrimination Complaints

If any of our employees believes that he or she has been subjected to unlawful discrimination, the employee has the right to file a complaint with our organization. This may be done in writing or orally.

If you would like to file a complaint you may do so by contacting [Name, address and telephone number of the appropriately trained individual to whom complaints should be addressed, such as a human resources director, manager, legal counsel or other appropriate individual with supervisory authority]. [This person] is also available to discuss any concerns you may have, and to provide information to you about our Equal Employment Opportunity policy and our complaint process. Alternatively, employees may contact any [Name of Employer] supervisor.

V. Discrimination Investigation

[Name of Employer] will promptly investigate the allegation in a fair and thorough manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The investigation will include private interviews with the person filing the complaint, the person alleged to have committed the discrimination, and relevant witnesses. When we have completed our investigation, we will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.