

**GAAA-R Equal Opportunity Employment**

12/5/24

**RATIONALE/OBJECTIVE:**

The Cobb County School District (District) is an equal opportunity employer and does not unlawfully consider any legally protected status in its employment actions regarding applicants and employees. The District will not tolerate harassment, discrimination or retaliation against any employee or applicant based upon legally-protected status. The District is committed to hiring, promoting, and retaining the best-qualified persons for all positions; and will provide equal access, opportunity, and respectful treatment in all aspects of the employment process.

**RULE:****A. GENERAL PROVISIONS:**

1. It is the District's Rule that all personnel whose responsibilities include recruitment, hiring and selection, compensation, retention, promotion, training and development opportunities, work assignments, performance management, discipline, reduction in force, discharge, or non-renewal will regularly assure that equal employment opportunities are being afforded.
2. The District will select employees according to the requirements of the job. Selection or rejection will be based on the ability of the individual to perform the essential functions of a job, consistent with valid safety requirements. Employment decisions will be free from unlawful consideration based on race, color, religion, national origin, sex, age, genetic information, service in the military, disability, any other legally protected status, or retaliation.
3. Requests for accommodation based on an individual's religion or disability should be forwarded to the Human Resources Division for consideration.
4. Employment advertisements and recruitment information shall contain assurances of equal employment opportunity and shall comply with federal and state laws regarding discrimination and harassment.
5. The District is committed to equal employment opportunity in all personnel actions and seeks to provide a harmonious and respectful work environment for all employees. In furtherance of this commitment the District will, from time to time but at least every three years, conduct diversity and equal employment opportunity trainings which will be open to all employees.
6. All employees, including new hires, and applicants will have access to this Rule which shall also be posted on the District's website.
7. Administrators and department heads are responsible for ensuring that the federal equal employment opportunity postings are displayed at every District facility.
8. Employees or applicants who wish to report of discrimination, harassment, or retaliation should promptly contact the Employee Relations office in the Human Resources Division to make a report. If the report concerns an individual in the Human Resources Division, the report may be made to the Superintendent's Office; if the report concerns the Superintendent, the report may be made to the Chair of the Board of Education. The procedures in District Administrative Rule GAEB-R shall apply to reports of discrimination, harassment, and retaliation.
9. This Rule is not intended to be read as an expansion of any existing federal or state law.

**B. APPLICATIONS FOR EMPLOYMENT:**

1. All applicants with an active, complete application will be given consideration for employment. Each application will be maintained on active file for one (1) year from the date of its receipt by Human Resources Division.

2. Applications on file for more than one (1) year shall not be considered and such applicants shall not be eligible for employment unless a new application is tendered.
3. No applicant may be considered for any position, including promotion, without a current and complete application in the active file, regardless of past employment status with the District.

#### **C. EMPLOYMENT PRACTICES:**

To the extent possible, all applicants deemed equally qualified will receive equal treatment and consideration.

1. All employees involved in the hiring process will endeavor to apply employment practices consistently and with uniformity, including practices relating to assessment of applications and interviewing.
2. All applicants will be notified once a decision has been made.
3. All employees will be compensated equally on the basis of job classification, experience, training and ability.
4. Promotions of employees will be on the basis of qualifications and work record.
5. Appropriate vacancy lists will be available at all worksites. Position requirements and skills should be available at all worksites.

#### **D. DISCIPLINARY ACTION:**

Unlawful discrimination, harassment, or retaliation is grounds for disciplinary action, up to and including termination (Administrative Rule GBK-R [Discipline, Suspension, and Dismissal of Staff]).

#### Revision Timeline\*:

Adopted: 1976

Revised: 9/23/82; 5/26/83; 8/8/84

Reclassified an Administrative Rule: 9/1/04

Revised: 8/9/95; 8/14/98; 1/13/99; 2/22/01; 11/14/07; 1/13/10; 3/10/10

Revised and recoded: 7/19/12 (Previously coded as Administrative Rule GBA)

Revised: 3/11/15; 7/1/18; x12/5/24

*\*Administrative Rules and Board Policies are reviewed on a regular basis. Dates indicate when revisions were made, not the dates of document review.*

Division: Human Resources

#### Legal Reference

O.C.G.A. 34-6A-2	Equal Employment for persons with disabilities-Definitions
O.C.G.A. 34-6A-3	Inquiries by employer as to existence of disability; employment decisions based on disability
O.C.G.A. 34-6A-4	Prohibited discriminatory activities
O.C.G.A. 34-6A-5	Retaliation by employers against employees; labor organization members
O.C.G.A. 34-6A-6	Actions against persons engaged in unfair employment practices; remedies, court costs, and attorney's fees
O.C.G.A. 45-19-29	Fair Employment Practices Act of 1978-Unlawful practices generally
O.C.G.A. 45-19-31	Unlawful practices in advertisement of employment
O.C.G.A. 45-1-4	Whistleblower
O.C.G.A. 20-2-211.1	Clearance certificates issued by the Professional Standards Commission relating to fingerprint and criminal background checks
O.C.G.A. 20-2-211	Annual contract; disqualifying acts; fingerprinting; criminal record checks
O.C.G.A. 30-1-1	"Deaf person" defined
O.C.G.A. 34-1-2	Age discrimination in employment prohibited
O.C.G.A. 34-5-1	Discriminatory wage practices based on sex; (comp worth)
34 CFR 104.7	Section 504 - Designation of responsible employee and adoption of grievance procedures
34 CFR 100.7(c)	Title VI - Conduct of investigations
29 CFR 1691.5	Agency processing of complaints of employment discrimination - ADA
34 CFR 106.8	Title IX - Designation of responsible employee and adoption of grievance procedures for sex discrimination
42 USC 2000d	1964 Civil Rights Act
20 USC 1703	Denial of equal educational opportunity prohibited
29 USC 631	Age limits
29 USC 623	Age Discrimination Act of 1967
42 USC 12101	Americans with Disabilities Act of 1990
29 USC 705	Rehabilitation Act of 1972
20 USC 1681	Title IX of the Education Amendments of 1972