

*NOTE: While Colorado school districts are not required by law to adopt a policy on this subject, CASB believes this sample contains the content/language that reflects “best practices.” However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.*

## **Workplace Health and Safety Protection**

The Board is committed to providing a safe work environment for all employees. When district 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 following the district’s concerns, complaints, or grievances procedure.

### **Nondiscrimination**

The Board, the superintendent, other administrators, and district 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 district 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 Board, the superintendent, other administrators and district 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 district;
2. is recommended by a federal, state, or local public health agency with jurisdiction over the district; 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 district employees. This policy will be referenced in employee handbooks and otherwise available to all staff through electronic or hard-copy distribution.

ADOPTED: SEPTEMBER 2020

Revised: September 2022

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.*