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PLEASE READ

Applicant

UNDERSTANDING OF SELECTED CONDITIONS OF EMPLOYMENT
Office for State Human Resources, Adjutant General's Department

By accepting a state position with The Adjutant General's Department you agree to the following conditions of employment:

1. Accept compensatory time (at the time and a half rate) in lieu of pay for overtime hours worked.
2. Commit in writing to the *State Substance Abuse Policy*. See Attached.
3. Be honest, trustworthy, industrious and reliable.
4. Understand that a KBI security check will be conducted. Some worksites also require a military security clearance and/or a FEMA clearance. Felony convictions or serious driving convictions may be grounds for non-selection or dismissal.
5. Work the approved work schedule. This includes beginning work promptly at the scheduled time. Employees are not to work outside scheduled hours without the authorization of a supervisor.
6. Ensure that your appearance, dress and demeanor project a positive and professional image of the agency at all times.
7. Work well with others, serve your customers, and demonstrate a commitment to a good working environment, free of discrimination and sexual harassment.
8. Understand that many positions are funded totally, or in part, through federal funding. Employment is contingent on continued federal funding.

I have read, understand and will adhere to the conditions of employment described above.

**State of Kansas
SUBSTANCE ABUSE POLICY**

AFFIRMATION FORM

Statement of Policy

Employees are the State of Kansas' most valuable resource and, therefore, their health and safety is a serious concern. The State of Kansas will not tolerate substance abuse or use which imperils the health and well-being of its employees or threatens its service to the public. Furthermore, employees have a right to work in an environment free of substance abuse and with persons free from the effects of drug or alcohol abuse. It shall therefore be the policy of the State of Kansas to maintain a workforce free of substance abuse.

- A. Reporting to work or performing work for the state while impaired by or under the influence of controlled substances or alcohol is prohibited.
- B. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace, or while the employee is on duty, official state business or stand-by-duty.
- C. Violation of such prohibitions by an employee is considered conduct detrimental to state service and may result in a referral to the Employee Assistance Program or discipline in accordance with K.S.A. 75-2949d, or other appropriate administrative regulations.
- D. Employees are required by federal law to notify the employing state agency head in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.
 - (1) An employee who is convicted of violating any criminal drug statute in such workplace situations as stated above will be subject to discipline in accordance with K.S.A. 75-2949d, or other appropriate administrative regulations.
 - (2) A conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury, or both, in any federal or state court.
- E. Agencies that receive federal grants or contracts must, in turn, notify federal granting agencies in writing, within ten calendar days of receiving notice from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant.
- F. Employees will be given a copy of the Substance Abuse Policy. Employees will be informed that they must abide by the terms of the policy as a condition of employment and of the consequences of any violation of such policy.

AFFIRMATION OF POLICY

As an employee for the State of Kansas, I affirm that I have read and understand the meaning of the above Substance Abuse Policy. I am aware of the provisions of this policy which is mandated by the Federal Drug-Free Workplace Act, and that a violation of this policy will result in disciplinary action as stated above.

Name of Employee: _____ Soc. Sec. No. _____

Agency Number and Name: _____ Employee ID No. _____

(Signature of Employee)

Date

(Signature of Agency Representative)

Date

TAG – State Human Resources Policy and Procedure

Sexual Harassment/ Hostile Work Environment

References

Kansas Civil Service Act 75-2925 and 75-2926
K.A.R. 1-9-18(a)
Title VII of the Civil Rights Act of 1964

Policy

Sexual harassment will not be condoned or tolerated. It is the commitment of this agency to provide employees a work environment that respects people, provides equal opportunity for all personnel, maintains a positive environment that eliminates discriminatory behaviors or practices and is free of sexual harassment and of any inappropriate behavior and language that may be hostile, intimidating or offensive. This harassment-free environment also applies to agency customers.

Definitions

Sexual harassment is defined as unwelcomed sexual advances, requests for sexual favors, as well any verbal, physical or visual conduct of a sexual nature when submission to or rejection of this conduct explicitly or implicitly affects and individual's employment, unreasonable interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. This includes, but is not limited to:

- a) sexually demeaning language or harassing conduct;
- b) sexual oriented teasing, kidding or joking;
- c) unwelcomed flirtations or touching;
- d) patting;
- e) hand gestures;
- f) displays of pictures of a sexual nature or that exploit male or female persons;
- g) discussing sexual activities; and
- h) explicit or implicit insinuation that submission to, or rejection of, sexual advances will in any way influence personnel decisions regarding an employee's employment, wages, advancement, assigned duties, shift, or any other conditions of employment or career advancement.

Sexual harassment may occur as a single event or as a series of incidents.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- a) The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.
- b) The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
- c) The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- d) Unlawful sexual harassment may occur without economic injury to or discharge of the victim.

Procedures

1. If an employee believes he/she is being sexually harassed, the employee is encouraged (but not required) to immediately confront the harasser clearly stating what behaviors are offensive and asking the person to cease those kinds of comments or behavior. If an employee is unable to confront a harasser in person, the employee may write the harasser a letter stating what behavior was offensive, when and where it occurred, that it is to be stopped and how the employee would like to be treated in the future. Employees may also seek assistance from staff noted below in bringing the unwanted/offensive behavior to the attention of a harasser.
2. Employees who believe they have been harassed should immediately report alleged sexual harassment/hostile work environment violations to the agency's Director of State Human Resources (SHR). In the absence of the director, employees may report to the following federal Adjutant General's Department staff knowledgeable in this subject area: State Equal Employment Manager (SEEM), the Judge Advocate General (JAG) or the Inspector General (IG). Employees have the option of reporting directly to the Adjutant General at any time.
3. Likewise, employees who believe they have witnessed unacceptable behavior should document what has been seen or heard and report as designated in #2 above.
4. Employees need to keep a record of what has happened, including specific dates, comments, behaviors, lists of possible witnesses and copies of any correspondence to or from the alleged harasser.
5. Supervisors who have incidents of alleged unacceptable behavior reported to them should immediately report such incidents to the agency's Director of SHR. Failure at any supervisory level to immediately forward such reports, or failure to take corrective action as determined appropriate, will be considered condoning sexual harassment and the supervisor may be subject to disciplinary action.

6. The agency's Director of SHR is responsible for conducting investigations. A panel may be appointed to assist in the investigation. In the absence of the agency's Director of SHR the Adjutant General will be responsible for the assignment of the investigation.
7. Alleged harassers may be relieved of duty with pay or reassigned while an investigation is being conducted.
8. Confidentiality will be maintained to the fullest extent possible during the investigation. Staff interviewed during an investigation should not discuss the investigation with co-workers or the employee(s) being investigated. Likewise, the employee being investigated should not discuss the investigation with co-workers or contact employees that might be involved. Employees that interfere with an investigation, discuss interviews with others or retaliate in any manner may be subject to disciplinary actions.
9. This policy prohibits any form of retaliation to an employee who without malice or personal revenge, reports an allegation. Any employee retaliating against a reporter or person associated with filing the complaint will be subject to disciplinary procedures as describe in #10 below.
10. Employees engaging in any form of sexual harassment, sexually harassing behavior or hostile work environment behavior will be disciplined in accordance with progressive disciplinary measures. This may include verbal or written counseling, letter of reprimand, suspension and/or dismissal. The severity and frequency of incidents will determine the level of any formal or informal disciplinary action. Additionally, training may also be recommended.
11. Sexual affairs between supervisors and employees have the potential for sexual harassment allegations and are inappropriate. Workplace affairs may affect job performance, suggest favoritism and compromise confidential information. These behaviors may also be the basis for a claim of hostile work environment.
12. A log of reports covered by this policy will be maintained.
13. Training: Employees will annually complete training (including sensitivity training, climate surveys and /or knowledge assessments) related topics to Equal Opportunity, Affirmative Action and Sexual Harassment. Training will be documented and records maintained in SHR.

Responsibilities

Employees: Responsibilities of every employee are to: a) strive to maintain a sensitive, harassment-free work environment, b) treat co-workers and visitors with respect and dignity, c) refrain from inappropriate behavior, d) properly report all allegations of inappropriate behavior and e) adopt an attitude that reporting is important in providing a good working environment.

Supervisors/ Managers: The additional responsibilities of every supervisor and manager are to: a) be alert and pro-active in providing a good working environment for all employees, b) report allegations as directed by this policy, and c) ensure all employees successfully complete the annual training requirements and request consultation or special training as needed.

State Human Resources Director: The additional responsibilities of the director are to: a) ensure employees are provided information and/or training on the agency's sexual harassment policy, b) investigate allegations promptly, c) maintain a log of reports, d) provide or secure training as requested and e) provide consultation and/or technical assistance, including information on filing complaints with enforcement agencies when requested.

Call:	The Adjutant General:	(785) 274-1001 or 83-720-8001
	Director, State Human Resources:	(785) 274-1393 or 83-720-8393
	KS National Guard Equal Employment Manager:	(785) 274-1168 or 83-720-8168
	KS National Guard Judge Advocate:	(785) 274-1024 or 83-720-8024
	KS National Guard Inspector General:	(785) 274-1021 or 83-720-8021

Write: The Adjutant General's Department
Attn: Director, State Human Resources
2800 Topeka Blvd.
Topeka, KS 66611-1287

OPR: Director of State Human Resources