

Name of Policy	Genetic Information Non-discrimination Act of 2008 (GINA)
Description of Policy	To prohibit discrimination based on genetic information with respect to health insurance and employment.
Policy applies to	<input checked="" type="checkbox"/> University-wide <input type="checkbox"/> Specific (<i>outline location, campus, organisational unit, etc</i>)
	<input type="checkbox"/> Staff only <input type="checkbox"/> Students only <input checked="" type="checkbox"/> Staff and students
Policy status	<input type="checkbox"/> New policy <input checked="" type="checkbox"/> Revision of existing policy

Approval authority	
Governing authority	
Responsible officer	

Approval date	
Effective date	
Approval date of last revision	
Effective date of last revision	
Date of policy review*	

**unless otherwise indicated, this policy will still apply beyond the review date*

Related legislation, policies, procedures, guidelines and local protocols	Occupational Safety and Health Act of 1970, Americans with Disabilities Act, Health Insurance Portability and Accountability Act of 1996, Civil Rights Act of 1964
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1. **Background:** The Genetic Information Non-discrimination Act (GINA) became law on May 21, 2008. Title I of GINA amends portions of the Employee Retirement Income Security Act (ERISA), the Public Health Service Act, and the Internal Revenue Code to address the use of genetic information in health insurance.
2. **Purpose:** To mandate the treatment of genetic information of an employee as confidential and shall not be used to discharge, refusal to hire, or otherwise discriminate against any employee with respect to the compensation, terms conditions, or privileges of employment.
3. **Scope/Application:** The EEOC enforces Title II of GINA (dealing with genetic discrimination in employment).
4. **Policy Statement and Principles:** Under Title II of GINA, it is illegal to discriminate against employees or applicants because of genetic information. Title II of GINA prohibits the use of genetic information in making employment decisions, restricts employers and other entities covered by Title II (employment agencies, labor organizations and joint labor-management training and apprenticeship programs - referred to as "covered entities") from requesting, requiring or purchasing genetic information, and strictly limits the disclosure of genetic information.
5. **Roles and Responsibilities:** Title II applies to private employers and state and local government employers with 15 or more employees, employment agencies, labor unions, and joint labor-management training programs. It also covers Congress, federal executive branch agencies, and the Executive Office of the President. The final rule and this document use the term "covered entity" to refer collectively to all entities subject to Title II of GINA.
6. **Review:** Under GINA, it is also illegal to harass a person because of his or her genetic information. Harassment can include, for example, making offensive or derogatory remarks about an applicant or employee's genetic information, or about the genetic information of a relative of the applicant or employee.
7. **Glossary of Terms/Definitions:**

Genetic Information- family medical history, genetic tests, or information about a fetus carried by an individual or family member or of an embryo legally held by the individual or family member using assisted reproductive technology.