

## Organizational Policy

# RESPECTFUL WORKPLACE

### Purpose

It is the intent of the City of Rochester to create and maintain a respectful work environment. This policy describes expectations for appropriate and respectful employee conduct that aligns with the City's core values and Diversity, Equity and Inclusion Commitment Statement.

### Definitions

**Respectful Workplace** – is an environment where all employees are treated with fairness, courtesy, and dignity. Respectful workplaces emphasize cooperative and collaborative relationships between employees and departments. Conduct in violation of a respectful workplace ranges from mild incivility or microaggression to bullying behaviors as well as the most severe workplace violence and/or harassment behaviors, which are addressed in other City policies.

**Civility** – is courteous behavior that demonstrates regard for others and is consistent with the workplace core values. Civility is exhibited through communication and treatment of others with the intention of creating and/or preserving positive working relationships. In compliance with the City's core values, examples of behaviors that demonstrate civility include, but are not limited to: providing quality customer service to internal and external customers; showing tolerance, patience, and respect for others; and exhibiting consistent, fair, and timely follow through.

**Incivility** - is behavior that is inconsistent with the City's core values and is considered to be rude, discourteous, or obnoxious. Incivility is generally low in intensity and ambiguous in its intention. Examples of workplace incivility may include but are not limited to: failing to respond to messages in a timely manner; ignoring, interrupting, or responding in a rude manner to colleagues/coworkers; gossiping; use of profanity; and/or joking at the expense of others.

**Microaggression:** is behavior which may have the appearance of being harmless. Microaggressions include comments, behavior, or other interactions that intentionally or unintentionally communicate hostility or bias toward a person who might identify as being a member of a marginalized group or nonmainstream community. Comments, behaviors, or other interactions are often rooted in a bias towards a certain group. Examples of microaggression include saying things like “you speak good English” or “when I look at you, I don't see color”; labeling or signaling out specific genders; and using transphobic language to describe something.

**Bullying** - is a form of interpersonal aggression or antisocial behavior in the workplace that exceeds what may be considered simple incivility. In general, bullying is repeated, intentional, and prolonged mistreatment that may cause health harming impacts to the victim(s). Bullying toward an individual may be through verbal, physical, or psychological actions, which may include, but are not limited to: spreading malicious

rumors or gossip; threats of abuse<sup>1</sup>; purposefully withholding of information or giving out wrong or misleading information; intruding on privacy through spying or stalking; deliberate exclusion from work-related activities; yelling or shouting in a public or private setting; belittling the opinion of others; hazing activities; and tampering with another's personal belongings or work equipment. Note this list of examples is not exhaustive. Allegations will be evaluated on a case-by-case basis.

Reasonable management action conducted in accordance with City policies, procedures, and standards is not considered bullying. Examples of reasonable management action may include, but is not limited to: setting performance goals, standards, and deadlines; giving an employee unsatisfactory performance feedback; issuing discipline in accordance with City policies and procedures; and restructuring or redistributing work tasks.

## **Guidelines**

### **Reporting:**

#### A. Employees

All employees should report violations of this policy that occur within their course and scope of employment. Employees should exercise good judgment in reporting and may elect not to report an infrequent, isolated incident of incivility or microaggression.

If appropriate, as a first step, an employee may use tact to respectfully, but firmly inform the person(s) engaging in the in-appropriate behavior that such behavior is unwelcome and ask the person(s) to stop.

If an employee is uncomfortable or fearful of confronting the offender directly, they should contact their supervisor, Department Head or designated Human Resources employees to report the behavior. Employees have the right to report complaints directly to Human Resources at their discretion.

#### B. Supervisors/Department Heads

All City supervisors and Department Heads are encouraged to work with designated Human Resources employees in investigating allegations under this policy. If an investigation reveals allegations or behavior that may constitute harassment or workplace violence, the supervisor or Department Head must immediately notify the Human Resources Director in accordance with the reporting timelines contained within the applicable City policy.

### **Investigation:**

If the alleged conduct is more severe in nature, an investigation may be warranted and the following factors may be considered:

- severity/intensity of the conduct
- duration of time the conduct has occurred
- frequency of the conduct
- the intent of the accused (if known)
- effect of the conduct on the victim
- the conduct as viewed using a “reasonable person” standard<sup>2</sup>

***Confidentiality:***

Information obtained as part of the investigation will be handled as confidentially as possible in accordance with applicable law and without compromising the thoroughness of the investigation.

Confidentiality of the complaint, investigative materials and/or resulting actions will be maintained to the extent allowable under law and the Minnesota Government Data Practices Act.

***Policy Violations:***

In general, infrequent and isolated displays of incivility or microaggressions do not rise to the level of formal disciplinary action. The larger consequence of incivility and microaggressions, however, is the impact on the working relationship(s) with those affected by the uncivil behavior.

More severe violations, including bullying or frequent and/or prolonged acts of incivility and microaggression, may be subject to disciplinary action up to and including termination of employment.

***Reprisal:***

The City will not tolerate retaliation or intimidation directed towards anyone who makes a complaint or testifies, assists, or participates in an investigation under this policy. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment. Engaging in retaliatory conduct may subject the offender to disciplinary action up to and including termination of employment.

Policy revisions approved by City Administrator:



Alison Zelms

09/19/2024

Date

***Policy History***

Current Revision: 09/12/2024

Previous Revision(s): 10/2014

***Legal/Statutory Authority***

- Minnesota Statute, Chapter 13 (Confidentiality section only)