



MUNICIPAL BUILDING COMMISSION: RESPECT and NON-DISCRIMINATION IN THE WORKPLACE POLICY AND PROCEDURES

Objective:

The goal of the Municipal Building Commission (MBC) in implementing and maintaining this policy is to establish a work environment in which all employees are respected, regardless of their protected class status, which includes race, color, creed, religion, ancestry, national origin, gender, sexual orientation (including gender identity), disability, marital status, familial status, status with regard to public assistance, veteran's status (including Vietnam Era Veteran status), genetic information and age. It is the responsibility of all MBC employees to create, promote and maintain work environments in which all are respected, valued and welcomed.

Harassment and or bullying in the workplace is unacceptable and will not be condoned or tolerated in day-to-day employment; in employment recruiting, testing, and hiring; in transfers, assignments, promotions, discipline, and termination; or in any other area of employment. Such harassment may be in violation of the Minneapolis Civil Rights Ordinance, the Minnesota Human Rights Act, and the Civil Rights Act of 1964, as amended. This amended policy replaces the 2003 policy.

The Human Resources Business Partner is directed to develop and maintain procedures to implement and support this policy.

Responsibilities:

MBC Employees and third parties/contractors either directly or indirectly working for the MBC are expected to:

- Conduct themselves in a manner that demonstrates professionalism and respect for others in the workplace and public service environment;
- Use informal means to address issues with the individual(s) involved whenever possible;
- Participate fully and in good faith in any informal resolution process or formal complaint and investigative process for which they may have relevant information; and



- Report incidents that may violate this policy in accordance with processes identified by the MBC.

In addition to their responsibilities as employees as described above, managers and supervisors are also expected to:

- Inform their employees and third parties for whom they are responsible of the expectations outlined in this policy;
- Achieve and maintain compliance with this policy; and
- Take timely and appropriate action when a complaint is made alleging violation of this policy.

Failure to comply with this policy and its procedures may result in disciplinary action, up to and including termination, or ending a contractor relationship with the MBC.

Informal Complaint Process

Employees who want to resolve issues on a less formal basis may choose any of the following options:

- Request that a supervisor, manager from your department take the lead in resolving the situation, including conducting an informal inquiry; and/or
- Request union involvement, if you have access to union representation; and/or
- Seek advice from the Employee Assistance Program, recognizing this does not constitute a report to or knowledge of an issue on the part of the MBC.

Formal Complaint Process

Employees seeking a more formal complaint process may make a complaint directly to Human Resources via a complaint form. The complaint form can be found on the staff intranet. This will set in motion the next steps below in the formal complaint process.

- ***Preliminary Evaluation of Complaint and decision to proceed with a formal investigation:*** After Human Resources is notified, a preliminary meeting is held to discuss the concerns raised by the employee. If the concerns reflect a potential violation of this policy, a formal investigation may be conducted. If the concerns do not reflect a potential violation of this Policy, the department's management will



work with the Human Resources business partner to determine if further action is needed.

External Complaint Process

Employees seeking a more formal external complaint process in cases of discrimination can file a formal charge with the Minnesota Department of Human Rights, the Equal Employment Opportunity Commission and/or file a private lawsuit.

III. RETALIATION IS PROHIBITED.

It is a violation of this policy to retaliate or engage in any form of reprisal because a person has raised a concern, filed a complaint of, been a witness to, or otherwise participated in an investigation related to harassment in the workplace. Examples of retaliation may include:

- (1) arbitrary discipline, unwarranted change of work assignments, providing inaccurate work information, or failing to cooperate or discuss work-related matters with any employee because that employee has complained about, been a witness to or resisted harassment or retaliation; and
- (2) intentionally pressuring, falsely denying, lying about, or covering up or attempting to cover up conduct such as that described above.

Definitions

For purposes of this Policy, the following definitions are used:

Affirmative Action:

Proactive measures to recruit qualified persons, including groups that are underrepresented or that previously have been given limited consideration for employment.

Discrimination:

Treating an individual or a group of individuals adversely or using a test, standard or employment practice that has the effect of illegally excluding or screening out a group of people.

Employee:

All individuals employed and paid by the Municipal Building Commission.

**Equal Employment Opportunity:**

State/Federal laws guarantee all people the equal right to apply and be considered for job opportunities, regardless of their race, color, creed, religion, national origin, sex, age, disability, marital status, sexual orientation or public assistance status.

Harassment:

Unwelcome verbal or physical conduct, including written and electronic communication, directed toward an individual or a group of individuals, which has the purpose or effect of substantially interfering with an individual's work performance or use of public services or creating an intimidating, hostile or offensive working or public service environment.

Sexual Harassment:

Unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or receipt of services; or
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working or public service environment, and in the case of employment, the employer fails to take reasonable care to stop the harassing conduct pursuant to this Policy once the conduct is made known to its management.

Protected Class:

Protection under federal/state laws from discrimination because of race, color, creed, religion, national origin, sex, age, disability, marital status, sexual orientation or public assistance status.

Respect:

An expression or act of giving particular attention to or showing consideration for; actions or behaviors which may include, and are not necessarily limited to, listening, empathy, patience and courtesy.

Workplace Bullying:

Workplace bullying is persistent behavior by a person or group that is threatening, humiliating and/or intimidating.

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