

## Rule # 3-47

### Maintaining a Professional and Respectful Workplace

§§:

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#### § 3-47-010 Purpose

This policy affirms the County's commitment to providing a work environment that is respectful, professional, safe, accepting of cultural differences, and free from inappropriate and abusive workplace behavior. All employees, volunteers and interns (paid or unpaid), and elected officials are covered by this policy.

#### § 3-47-020 Definitions

**Professional Workplace Behavior:** Action and conduct that supports the values and mission of the County and builds positive relationships with others, including respectful communications and accountability for maintaining a professional workplace.

**Inappropriate and/or Abusive Workplace Behavior:** Unwelcome or unwanted conduct or behavior that objectively causes a negative impact or disruption to the workplace or the business of the County, or results in the erosion of employee morale.

1. Examples of inappropriate workplace behavior include, but are not limited to, comments or behaviors to or from an individual or group that disparage, demean, threaten, intimidate, humiliate, abuse authority, sabotage work, or show disrespect for another employee, supervisor/manager, subordinate, customer, contractor or visitor in the workplace, unless otherwise protected by law. The reasonable person standard shall be applied when determining whether this policy has been violated.
2. Inappropriate workplace behavior *does not* include:
  - a. Counseling, disciplinary discussions, or job performance evaluations, including constructive critique, coaching, or feedback regarding an employee's conduct or work performance [whether between managers(s) and/or co-workers(s)]; and/or
  - b. A direct or assertive style, including high workplace expectations; and/or

- c. Legitimate responses to situations that require immediate action and may require a stern and frank conversation; and/or
- d. Differences of opinion and non-aggressive conflicts and problems in working relations; and/or
- e. Legitimate law enforcement activities.

**Retaliation:** Retaliation is defined as an adverse action against an employee for engaging in protected activity. An adverse action is an action that would dissuade a reasonable employee from raising a concern about a possible policy violation or engaging in other related protected activity. An incident of retaliation requires showing that the action might deter a reasonable person from opposing discrimination or participating in a complaint process.

### **§ 3-47-030 Policy**

- A. Employees at every level of the County are personally responsible for creating and maintaining a work environment that is respectful, professional, and free from inappropriate and abusive workplace behavior.
- B. Conduct  
Employees at every level of the County should foster an environment that encourages professionalism and does not tolerate disrespectful and abusive behavior. All employees are expected to behave respectfully and professionally.
- C. Addressing Inappropriate Workplace Behavior
  - 1. Managers must address inappropriate behavior that they observe, experience, or become aware of, and should do so as close to the time of the occurrence as possible and appropriate.
  - 2. If an employee observes or experiences inappropriate workplace behavior and the employee feels comfortable directly addressing the behavior, they should:
    - a. Redirect inappropriate conversations or behavior to workplace business; and/or
    - b. In a private setting, tell an offending employee their behavior is offensive and ask them to stop.
  - 3. If an employee observes or experiences inappropriate workplace behavior and does not feel comfortable addressing the issue directly with the person who is exhibiting the behavior, the employee should report the situation as outlined in MCPR § 3-47-040.

D. Responding to a Report of Inappropriate Workplace Behavior

Inappropriate workplace behavior must be addressed and corrected before it becomes pervasive, causes further workplace disruption, or lowers employee morale. Unless the County decides it is not necessary, the inappropriate workplace behavior must be investigated as soon as possible by the manager, Human Resources, or a County designee.

E. Consequences

1. Any employee found to have engaged in workplace behavior that violates this policy will be counseled, or depending on the severity or frequency of the behavior, may be subject to discipline, up to and including dismissal.
2. A manager who fails to address inappropriate behavior will be counseled, or, depending on the severity or frequency of the behavior, may be subject to disciplinary action, up to and including dismissal.
3. Any volunteer or intern (paid or unpaid) found to have engaged in workplace behavior that violates this policy will be coached, or depending on the severity and/or frequency of the behavior, may be dismissed from their volunteer assignment or internship.

**§ 3-47-040 Reporting**

- A. All managers and Human Resources staff are required to report violations of this policy.
- B. Non-management employees who experience, observe, or are aware of a potential situation that violates this policy are strongly encouraged to:
  1. raise the issue with the person(s) involved in a private setting as close to the time of the occurrence as possible and appropriate, and/or
  2. report the situation to their manager as soon as practicable. If the employee's immediate manager is the one engaging in the inappropriate behavior, the employee may report the behavior to the manager's manager, Human Resources, or the Office of Diversity and Equity.
- C. The report may be made orally or in writing, and should include the specific incident(s) that gave rise to the complaint, the impact of the incident(s), and provide enough information to investigate the alleged violation(s) properly.
- D. Violations of this rule may be reported to:
  1. The County's [Complaints Investigations Unit](#); or
  2. Any manager; or

3. Department Human Resources Representative or Equity Manager; or
  4. County Chief Human Resources Officer (CHRO); or
  5. [Office of Diversity and Equity \(ODE\)](#).
- E. Reporting behavior or conduct directed toward an employee because of their protected class status is addressed in MCPR § 3-40, Discrimination and Harassment-Free Workplace.
- F. Employees will cooperate and assist in investigations of reports of inappropriate workplace behavior.

### **§ 3-47-050 Retaliation**

- A. The County will not tolerate retaliation against any employee who reports known or suspected violations of this policy or who participates in any investigation of a complaint.
- B. Employees who believe they are being retaliated against in violation of this policy should report the violation as outlined in MCPR § 3-47-040.
- C. The County will investigate reports of retaliation. Any employee found to have engaged in retaliation may be subject to discipline, up to and including dismissal.

### **REFERENCES**

MCPR 3-40 Discrimination and Harassment Free Workplace