



Procedure 1C.0.2 Respectful Workplace

Part 1. Purpose and Scope

To build and maintain a workplace that is objectively respectful and professional for all system employees, volunteers, contractors, and other people interacting with or engaging system employees. This procedure applies to all college, university, and system office employees (collectively referred to herein as system employees). This procedure governs the interactions and communications of all system employees involving other employees, students, or third parties. This procedure also applies to system employees while engaged in work on behalf of the system in locations that are not system property or facilities, including online (referred to herein as remote or virtual locations).

Part 2. General

Minnesota State Colleges and Universities is committed to providing a collaborative and respectful workplace as an important component of fulfilling the system's vision and ability to carry out its mission. Accordingly, all employees of Minnesota State Colleges and Universities are expected to treat each other, members of the public, and others doing business with the system with professionalism and respect.

Part 3. Definitions

Professionalism

Displaying the good judgment and proper behavior that is reasonably expected in the workplace.

Respect

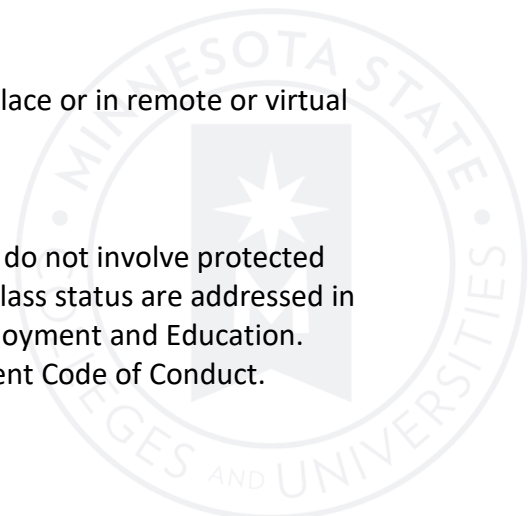
Behavior or communication that demonstrates positive consideration and treats individuals in a manner that a reasonable person would find appropriate.

Third parties

Volunteers, contractors, and other non-employees in the workplace or in remote or virtual locations.

Part 4. Exclusions

This procedure solely addresses communications and behavior that do not involve protected class status. Communications and behavior that involve protected class status are addressed in Board Policy 1B.1 Equal Opportunity and Nondiscrimination in Employment and Education. Student conduct will be evaluated according to the applicable Student Code of Conduct.



Part 5. Responsibilities

Subpart A. Expectations

Employees and third parties are expected to:

- Conduct themselves in a manner that demonstrates professionalism and respect for others in the workplace, including in remote or virtual locations;
- Use informal means to address issues with the individual(s) involved whenever possible;

In addition to these expectations, employees are encouraged to participate fully and in good faith in any informal resolution process or formal complaint and investigative process for which they may have relevant information. Employees are also encouraged to report incidents involving others that they observe and that may violate this procedure in accordance with processes identified by the college, university, or system office.

Examples of prohibited conduct include but are not limited to:

- Exhibiting aggressive behaviors including shouting, abusive language, threats of violence, or other non-verbal expressions of aggression;
- Behavior that a reasonable person would find to be demeaning, humiliating, or bullying;
- Deliberately destroying, damaging, or obstructing someone's work performance, work product, tools, or materials; and/or
- Using this procedure to make knowingly a false complaint.

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

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

Failure to comply with this procedure may result in disciplinary action, up to and including termination, or ending a contractor or volunteer relationship with the applicable college, university, or system office.

Subpart B. Context

Context is important in understanding the difference between respectful and/or professional behavior and disrespectful and/or unprofessional behavior. Individuals may

experience stress or discomfort in the workplace that is not related to disrespectful and/or unprofessional behavior. For example, disrespectful and/or unprofessional behavior does not include any of the following:

- The normal exercise of administrative, supervisory, or managerial responsibilities, including, but not limited to, performance reviews, work direction, performance management, and disciplinary action, provided they are conducted in a professional and respectful manner.
- Disagreements, misunderstandings, miscommunication, or conflict situations where the behavior remains professional and respectful.
- Employee feedback and recommendations regarding peers where such feedback and recommendations are solicited by the employer are a routine part of the employee's job duties, or where the right to make the recommendation is conferred by a collective bargaining agreement or compensation plan, provided that in all instances such feedback and recommendations are given in a professional and respectful manner.
- Activity protected by the Public Employment Labor Relations Act.

Subpart C. Free speech and free inquiry

Not every act that may be viewed as lacking professionalism and respect violates this procedure. To violate this procedure, conduct must include action beyond the mere expression of views, words, symbols, or thoughts that another individual finds offensive. The colleges, universities, and system office shall maintain and encourage full freedom, within the law, of inquiry, teaching, and research. Academic freedom comes with a responsibility that all members of our education community benefit from it without intimidation, exploitation, or coercion. Workplace communications and conduct between co-workers will normally be subject to the requirements of Part 5, Subpart A.

Part 6. Retaliation Prohibited

Retaliation is prohibited against any employee or third party who:

- Initiates a complaint;
- Reports an incident that may violate this procedure;
- Participates in an investigation related to a complaint; or
- Is associated or perceived to be associated with a person who initiates a complaint or participates in the investigation of a complaint under this procedure.

Part 7. Procedures

As with all allegations of misconduct, resolution and investigatory processes related to this procedure will be conducted in a timely, fair, and objective manner. Individuals are encouraged to informally resolve concerns whenever possible.

Subpart A. Informal resolution

If possible, the employee or third party who feels a violation has occurred should have a conversation with the other individual(s) involved.

Employees and third parties are encouraged to speak with the employee's supervisor, college, university, or system office Human Resources office, or with an Employee Assistance Program (EAP) representative for assistance or guidance on how to resolve the situation. Employees may wish to consult with or solicit the involvement of their exclusive representative. If a direct approach is not possible or does not resolve the concern, employees and third parties are encouraged to meet with the employee's supervisor, manager, or relevant administrator to discuss next steps.

If the concern is about the supervisor or manager, parties are encouraged to contact the Human Resources office or an EAP counselor to determine options for resolution.

Subpart B. Formal complaints

Any employee or third party may choose to initiate a formal complaint under this procedure. Complaints should be submitted to the Human Resources office at the college, university, or system office (whichever employs the respondent). If the complaint concerns a member of the Human Resources office, the complainant may contact the Human Resources director or other appropriate administrator. If the complaint concerns the college or university president, the complainant may contact the vice chancellor for Human Resources in the system office.

- Complaints must contain details of the situation and the identity of the person or persons against whom the complaint is being made.
- A person against whom a formal complaint is made may be informed of the complaint.
- The appropriate party in receipt of a complaint made pursuant to this procedure is encouraged to acknowledge receipt of any complaint in writing, to the complainant, with a statement that would include:
 - The date that the complaint was made;
 - A statement that the Human Resources office or other appropriate manager or administrator retains the discretion to determine whether an investigation is warranted;
 - A statement that if it is determined that an investigation is warranted, all investigations will be conducted in a timely, fair, and objective manner; and
 - A statement that all recorded data associated with a complaint, including any investigation and any outcome, are government data, and that the release or non-release of data is governed by the Minnesota Government Data Practices Act (MGDPA).
- The Human Resources office designee or other appropriate manager or administrator may determine that an investigation into all or some aspects of a complaint is not warranted for one or more of the following reasons:

- The facts alleged, if taken as true, would not amount to a violation of this procedure;
- The facts alleged are inherently implausible;
- The facts alleged substantially repeat claims previously reviewed; or
- Other sound reasons that further the fundamental purposes of this procedure.

Colleges and universities may adopt alternative resolution and complaint procedures provided that such alternative procedures are consistent with the basic elements of Part 7, Subpart A and B.

This process does not supersede any applicable grievance or dispute resolution process under a collective bargaining agreement or plan.

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Date of Implementation: 07/20/17

Date of Last Review:

Date and Subject of Revision:

No Additional HISTORY.