

## Non-discrimination and respectful workplace

*Print copies are for reference only. The most recent version is in the county's online policy hub.*

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**Effective date:** 04/18/2024

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### Purpose

Respect is a basic building block of every organization. Respect for one another is fundamental to getting work done in effective, efficient, and innovative ways.

Consistent with the Mission and Vision of the Board of Commissioners, Hennepin County will:

- Recognize similarities, respect, and value differences among all employees, volunteers, union representatives, clients, customers, and vendors; and
- Strive to ensure a respectful work environment free of all forms of discrimination, including harassment and workplace bullying; and
- Promote a cooperative work environment that fosters a positive attitude toward the provision of services.

The purpose of this policy is to outline expectations for behavior and provide direction on reporting and responding to non-discrimination and respectful workplace violations.

### Scope

This policy applies to all staff (employees and volunteers).

#### *Out of scope*

This policy is not for use by Hennepin County residents, customers, or clients. These individuals with complaints or concerns should report them through the

complaint/feedback mechanism provided by the service area with which they are interacting.

## Policy statement

Hennepin County is committed to providing public services and a workplace free from:

- Discrimination based on an individual's race, color, creed, religion, national origin, sex, gender expression, gender identity, age, disability, marital status, sexual orientation, or public assistance status; and
- Harassment, including sexual and racial harassment; and
- Workplace bullying.

Hennepin County is committed to providing equal employment opportunities in recruitment, employment, retention, and promotion of persons from diverse backgrounds, including groups that are underrepresented or that previously have been given limited consideration for employment.

Hennepin County supports and will help to enforce the prohibitions against discrimination found in the state/federal civil rights laws, including the Minnesota Human Rights Act, Title VII of the Civil Rights Act, the Americans with Disabilities Act, and the Age Discrimination in Employment Act.

The county's complaint processes provide for prompt, thorough, and objective investigation of alleged discrimination, including harassment and workplace bullying.

All Hennepin County staff will foster environments that demonstrate and support respect and eliminate workplace bullying and discrimination in the workplace.

Staff making a complaint will not be subject to retaliation as a result of making the complaint.

Violations of this policy will not be tolerated. Any staff person found to have violated this Policy may be subject to disciplinary action.

### **Staff**

It is the responsibility of all Hennepin County staff to create, promote, and maintain work environments in which all are respected, valued, and welcomed.

Staff are encouraged to contact their supervisor, manager, or department director if they witness behaviors that violate this policy.

When requested by a party responsible for investigating a violation of this policy, staff are expected to cooperate with the investigation.

If you believe you have experienced behaviors that violate this policy, there are several options.

#### *Informal Complaint Process*

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

- Request that a supervisor or manager from your department take the lead in resolving the situation, including conducting an informal inquiry;
- Request that a representative from Diversity, Equity and Inclusion (612-543-2463) be involved in resolving the situation;
- Request union involvement, if you have access to union representation;
- Contact your department's Human Resources business partner; volunteers may request assistance through their volunteer coordinator;
- 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 county.

#### *Formal Complaint Process*

Staff seeking a more formal complaint process may make a complaint directly to the Non-Discrimination and Respectful Workplace investigations team by completing the Policy Violation Complaint form found on the [NDRW SharePoint Page](#) or they can file a report on the Compliance Reporting Hotline. While the Compliance Reporting Hotline accepts anonymous reports, submitting an anonymous report related to this policy will limit the county's ability to investigate.

This will set in motion the steps below in the formal complaint process.

#### *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.

### **Supervisors/Managers**

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Supervisors are responsible for investigating any reported situation of discrimination, including harassment and workplace bullying, and taking prompt and appropriate corrective action, which can include informal resolution or more formal action.

All supervisors are also responsible for monitoring their work environments by promptly addressing all reports and observations of disrespectful behavior and discrimination, including harassment and workplace bullying.

Supervisors will not impede an individual from participating in an investigation of noncompliance. Nor will they attempt to influence what information is provided by the person.

Supervisors must complete required training regarding harassment prevention for supervisors and non-retaliation.

### **Departments**

Departments are responsible for communicating this policy to their staff and for holding staff accountable for expected behaviors. This includes reviewing final investigation reports and determining if further action is needed.

When made aware of trends or areas of concern, departments are responsible for addressing those concerns.

### **Area/Department with specific policy responsibilities**

Not applicable.

### **Responsibilities for Area/Department that owns the policy**

#### *Human Resources*

Human Resources is responsible for the oversight and management of this policy and for ensuring the provision of training. Human Resources is responsible for tracking and reporting on metrics related to reports of policy violations.

*Non-discrimination and respectful workplace investigation team:* This team is responsible for the intake of all formal complaints regarding the violation of non-discrimination and respectful workplace policy. Complaints that do not reflect a policy violation will be referred to the Human Resources business partner or the department's management to determine if further action is needed.

## Definitions

**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 because of protected class status, or using a test, standard, or employment practice that has the effect of illegally excluding or screening out a protected class.

**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, gender expression, gender identity, age, disability, marital status, sexual orientation, or public assistance status.

**Gender Expression:** How a person openly expresses or performs their gender.

**Gender Identity:** The personal sense of one's own gender which can correlate with a person's assigned sex at birth or can differ from it.

**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, gender expression, gender identity, 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.

## Authorities and related information

### Related information

*Report a compliance concern*

- [Compliance reporting](#)

### Authorities

- [Minnesota Human Rights Act](#)
- [Title VII of the Civil Rights Act](#)
- [Americans with Disabilities Act](#)
- [Age Discrimination in Employment Act](#)
- Hennepin County Board Action Request

## Procedures

Not applicable.