

A Policy Against Discrimination, Violence and Offensive Behavior in the Workplace

It is the policy of the City of Saint Paul to maintain a respectful work and public service environment. The City of Saint Paul will maintain a work and public service environment free from discrimination, violence, harassment, and offensive behavior. The City of Saint Paul will not tolerate such behavior by or toward any employee or officer. Any employee or officer of the City of Saint Paul who engages in such behavior is subject to consequences.

Discriminatory behavior includes inappropriate remarks about or conduct related to an employee's race, color, creed, religion, national origin, disability, sex, marital status, age, sexual orientation, or status with regard to public assistance. Violent behavior includes the use of physical force, harassment, intimidation, or abuse of power or authority when the impact is used to control by causing pain, fear or hurt. Violent behavior also includes verbal abuse and/or acts, words, comments, or conditions that would lead a person to reasonably believe a violent act could occur. Harassment includes words or conduct that is severe or pervasive, and that a reasonable person would find abusive. Offensive behavior includes words or conduct that a reasonable person would find reprehensible, although the conduct is neither severe nor pervasive. Behavior prohibited by this policy also includes requests to engage in illegal, immoral or unethical conduct, or retaliation for making a complaint under this policy. *(All behaviors prohibited by this policy have not been explicitly covered herein. The definitions used are for illustrative purposes and are not meant to be all inclusive.)*

One specific kind of discriminatory and offensive behavior is sexual harassment. Sexual harassment, which can consist of a wide range of unwanted and unwelcome sexually-directed behavior, is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submitting to the conduct is made either explicitly or implicitly a term or condition of an individual's employment or of obtaining public services
2. Submitting to or rejecting the conduct is used as the basis for an employment decision affecting an individual's employment or the delivery of public services
3. Such conduct has the purpose or results of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work or public service environment

Behavior prohibited by this policy can include unwelcome sexual remarks or compliments, sexual jokes, sexual innuendo or propositions, sexually-suggestive facial expressions, kissing, touching, and sexual contact.

Any person who feels he or she is being subjected to discriminatory, violent, or offensive behavior of any kind may feel free to object to the behavior and shall report the behavior to their supervisor or to the Human Resources Director. In the case of violent behavior, the incident needs to be reported immediately after the incident.

Any supervisor who receives a discriminatory, violent or offensive behavior complaint or who has reason to believe that such behavior is occurring shall report these concerns to their Department or Office Director or to the Human Resources Director.

All complaints of discriminatory, violent, or offensive behavior will be investigated promptly, fairly, and completely. The facts shall determine the response to each complaint. Each situation will be handled as discreetly as possible. Resolution of complaints can include, but not necessarily be limited to, an apology, transfer, direction to stop the offensive behavior, counseling or training, verbal or written warning, suspension with or without pay, or termination. In the event that offensive behavior recurs, it should immediately be reported to the appropriate Department or Office Director or to the Human Resources Director.

Employees should understand that this applies to each and every employee and official of the City of Saint Paul, including the Mayor, City Council members, and members of boards and commissions. The City of Saint Paul will not tolerate retaliation or intimidation directed toward anyone who makes a complaint.

The foregoing is a statement of policy and is not intended by the City of Saint Paul to create a contract. The City of Saint Paul reserves the unilateral right to amend, rescind and otherwise modify the foregoing policy.

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