



Workplace Conduct Policy

Update 4/27/23

I. Policy Statement

The City of Saint Paul is committed to creating, promoting, and maintaining a diverse and inclusive work environment where the dignity and worth of all are respected and valued. To that end, the purpose of this policy is to promote a work and public service environment free from discrimination, harassment, violence, and bullying; and provide information as to what constitutes discrimination, harassment, and bullying.

This policy applies to all forms of discrimination, harassment, violence, and bullying in the workplace. This policy is intended to express to all City of Saint Paul employees, officials, volunteers, members of boards and commissions, applicants, contractor vendors, elected officials, and members of the public the expectations by the City of Saint Paul for respectful workplace conduct both in the workplace and other City-sponsored social events.

All individuals covered by this policy are expected to participate in any investigation or interview process if requested. All individuals covered by this policy are also required to follow local, state, and federal law.

II. Notice of Non-Discrimination

The City of Saint Paul prohibits discrimination and harassment based on gender/sex (including pregnancy, pregnancy-related medical conditions, and childbirth), gender identity/expression, race, color, religion or religious creed, sexual orientation, national origin, disability, age, genetic information, marital status, veteran status, familial status, status with regard to public assistance, membership or activity in a local commission, leave status, and any other category protected by applicable ordinances, laws ("protected class status"), rules or regulations or as identified in employment policies and practices of the City of Saint Paul.

Inquiries or complaints about non-discrimination policies may be directed to WorkplaceConduct@ci.stpaul.mn.us or [Workplace Conduct webpage](#).

III. Prohibited Activities

The following behaviors are unacceptable and therefore prohibited, even if not unlawful in and of themselves:

A. Violent behavior:

Includes the use of physical force, harassment, and intimidation. Violent behavior also includes verbal abuse and/or acts, words, comments, destruction of property, or conditions that would lead a person to reasonably believe a violent act could occur.

B. Discriminatory behavior:

Includes inappropriate remarks or conduct related to a person's legally protected characteristics such as race, color, creed, religion, national origin, disability, sex, gender, pregnancy, marital status, age, sexual orientation, gender identity, or gender expression, familial status, or status with regard to public assistance.

C. Offensive behavior:

May include such actions as rudeness, angry outbursts, bullying, harassment, inappropriate humor, vulgar obscenities, name-calling, disparaging language, impeding movement, blocking, or intimidating conduct and acts, or any other behavior regarded as offensive to a reasonable person.

D. Bullying and Harassment:

May include verbal abuse, derogatory remarks, insults, lewd gestures, and verbal or physical conduct that is threatening, intimidating, or humiliating. It also includes sabotaging or undermining an employee's work performance; exploiting or attempting to exploit an employee's physical or psychological vulnerability; and requesting an employee to engage in illegal, immoral, or unethical conduct.

It is not possible to anticipate in this policy every example of offensive behavior, however, if an employee is unsure whether a particular behavior is appropriate; the employee should request clarification from their supervisor.

E. Offensive Materials:

Includes the dissemination or display of discriminatory, violent, harassing, or offensive material at work, at work-related functions, or in work vehicles, computers, lockers, cubicles, emails, other written or electronic documents, and other work locations or functions. It also includes the dissemination or display of such material if it is located on an employee's personal equipment, like PDAs and cellphones, if that material is displayed or disseminated at work. Examples of offensive materials covered by this policy include, but are not limited to, the following:

- Remarks, slurs, epithets, jokes; or
- Material displayed or disseminated in pictures, posters, cartoons, or written or electronic communications, including emails, websites, social media posts, texts, memes, and all other forms of offensive content that reasonably causes another to experience insult or disrespect through various communication.

F. Sexual harassment:

Can consist of a wide range of unwanted and unwelcome sexually directed behavior such as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submitting to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submitting to or rejecting the conduct is used as the basis for an employment decision affecting an individual's employment; or
- Such conduct has the purpose or result of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment includes, but is not limited to, the following:

- Unwelcome or unwanted sexual advances. This means stalking, patting, pinching, staring, brushing up against, hugging, cornering, blocking, kissing, fondling, sexually suggestive facial expressions, or any other similar physical contact considered unacceptable by another individual.
- Sexually explicit images, videos, texts, emails, messages, voicemails, and phone calls displayed or shown in the workplace.
- Verbal or written abuse, kidding, or comments that are sexually oriented and considered unacceptable by another individual. This includes comments about an individual's body or appearance where such comments go beyond mere courtesy, telling "dirty jokes" or any other tasteless, sexually oriented comments, innuendos, or actions that offend others. The harassment policy applies to social media posts, tweets, memes, etc., that are about or may be seen by employees, customers, etc.
- Non-verbal sexual conduct. This includes sexually suggestive facial expressions or gestures, leering, whistling, ogling, and the display or dissemination of sexually oriented, explicit, or suggestive material in pictures, posters, cartoons, or written or electronic communications, including emails, websites, social media posts, and texts. It also includes impeding movement, blocking, or intimidating conduct.
- Requests or demands for sexual activity. This includes subtle or obvious expectations, threats, pressures, or requests for any type of sexual activity. This may be accompanied by an implied or specific promise of a favorable treatment (or negative consequences) concerning one's current or future job, based on whether the person complies.

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.

G. Retaliation:

Retaliation is strictly prohibited. Retaliation is broader than discrimination and includes, but is not limited to, any form of intimidation, reprisal, harassment, or any adverse action based on a person's complaint or participation in a workplace investigation. Individuals who report harassing conduct, participate in investigations, or take any other actions protected under federal or state employment discrimination laws will not be subject to retaliation.

While each situation is fact-dependent, retaliation can include a denial of a promotion, job benefits, or refusal to hire, discipline, negative performance evaluations, changes in workload or assignments, or transfers to less prestigious or desirable work or work locations because an employee has engaged or may engage in activity in furtherance of this policy.

It can also include threats of reassignment, removal of supervisory responsibilities, filing a civil action, deportation or other action with immigration authorities, disparagement to others or the media, and making a false report to government authorities because an employee has engaged or may engage in behavior protected by this policy. Any individual who retaliates against a person who testifies, assists, or participates in an investigation may be subject to disciplinary action up to and including termination.

IV. Reporting

Please report your concern regarding any of the prohibited activities described in this policy immediately to any of the following:

- Immediate supervisor
- Your supervisor's manager

- Human Resources Director
- Department Director
- In the event an employee feels retaliation has occurred by a Department Director, Mayor, or the city council, then reporting may be made to the City Attorney.

All complaints shall be taken seriously. Supervisors who have been approached by employees concerned about any behaviors in this policy will take the complaint seriously and must promptly report the allegations to their manager, Department Director, Human Resources Liaison, or Central Human Resources (WorkplaceConduct@ci.stpaul.mn.us or [Workplace Conduct webpage](#).)

If the complaint involves the Director or Deputy Director of Human Resources, the complaint must be reported to the City Attorney, who will decide how to proceed in addressing the complaint. Employees found to be in violation of this policy may receive discipline up to and including termination.

Consistent with the terms of applicable statutes and city personnel policies, the city may discipline any individual who retaliates against any person who reports alleged violations of this policy. The city may also discipline any individual who retaliates against any participant in an investigation, proceeding, or hearing relating to the report of alleged violations. Discipline may include the termination of employment where appropriate.

V. Process and Procedure



Workplace Conduct Policy Process

