



# BOARD OF DIRECTORS MEETING

October 19, 2018

3460 Lexington Ave N, Shoreview, MN 55126

**FINAL**

## Agenda

<b>Present:</b> Executive Team	President  Chet Jorgenson  1 <sup>st</sup> VP Thu Phan  2 <sup>nd</sup> VP Joan Treichel   Treasurer Todd Maki  Secretary  Samsam Abdalla			
<b>Present:</b> Regional Directors  Board Absentee Region: 7, 14  Substitutes:  <b>Region 7</b> Axelina Swenson	1. Darci Wing 2. Kassie Church 3. Celi Haga 4. Amy Braun 5. John Bower 6. Tabatha Ries-Miller 7. <b>Ellena Schoop</b>	8. Mark Dreyer 9. Stephanie Meyer 10. Ken Kalamaha 11. Jessica Raptis 12. Andi Morris 13. Lois Tucke	14. <b>Doreen Hernesman</b> 15. Bryan Kotta 16. Darren Hage 17. Mike Terhune 18. Tim Beske 19. Jerry Jeffries 20. John Ferrara 21. Marcia Bierschenk	

**8:30 a.m.**

**Call to Order/Roll Call/Announcements/Housekeeping/New Local Officers/Retirements**

**Adoption of Agenda**

**MSP** (Dreyer) to approve the agenda

**Time Certain:**

8:30 a.m. Wellstone warmup

9:00 a.m. - 9:30 a.m. Website demonstration, Murray Cody

- Murray Cody was able to reveal the new website

10:00 a.m. Leadership training

Executive Director Lina Jamoul presented on Leadership and provided the following information:

**Actions of a leader:**

- 1-1 and small group conversations
- Teaching and training and succession
- Thinking and reflecting
- Action and Evaluation

11:30 a.m. Member comments

2:00 p.m. Anti-Harassment policy, Paul Schweizer

- MSP (Kalamaha) for the Board to approve the Anti-Harassment policy

2:30 p.m. Board Development and Board Meetings small groups

**Minutes:**

**MSP** (Dreyer) to approve:

DRAFT EXE Minutes:

- September 7, 2018
- October 5, 2018

**MSP** (Morris) to approve:

DRAFT BOD Minutes:

- August 18, 2018
- October 8, 2018

**MSP** (Dreyer) to approve:

DRAFT DA Minutes:

- September 15, 2018

**OFFICER REPORTS:****Treasurer's Report**

Financial Report

- Financial report through the end of September is part of the Board packet.
- It shows we have collected \$5.6 million in dues and other income, and spent \$3.7 million.
- That leaves us with \$1.9 million more income than expenses so far this year.
- The proposed budget for 2019 was approved at the Delegate Assembly.
- Total approved spending for the year is \$5.95 million.

- **IF** we maintain our current number of members (11,101) our dues income for the year will be \$6.061 million or \$111 thousand more than approved spending.
- **IF** we are able to maintain or grow our membership we will be able to start putting some money toward our crisis fund, future years operations fund, and other designated reserves.

## Secretary's Report

Minutes

## 2<sup>nd</sup> Vice President's Report

Membership Report

We went to Local 1801 – and got 7 new members recruited.

<b>Sept.</b> <b>'18</b>	<b>131</b>	Monica Weber, local 501 with 11 new members Top Local = Local 601 with 17 new members	<b>Total Membership:</b> <b>11,101</b> <b>74.00%</b>
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Fee Payer/Member Reports  
Recruits

## 1<sup>st</sup> Vice President's Report

Grievance Report

- The ERC denied a grievance appeal to not take it to arbitration.

ERC Update

- Region 13 Steward Summit is on Thursday, November 1, 2018 at MAPE from 1pm to 3:30pm. Since Region 13 is a large region that has over 124 worksites and they don't have a chief steward, the intent are four folds: (1) connect stewards with one another; (2) discuss accomplishments and opportunities; (3) steward resources on the new MAPE website, and (4) elect a chief steward.

## President's Report

Regional introduction

- **MSP** Treichel motion to have a phone meeting Dec 14<sup>th</sup> during lunch
- **MSP** (Kotta) amendment to have a Skype or an adobe connect meeting on Dec 14
- BOD 12-21-2018 cancelled.
- Corrections update was provided to the Board
- Regional Directors will rotate monthly to provide an informational presentation on what her region does on a daily basis. Amy Braun will be the first regional director and will present on November 16, 2018 Board Meeting.
- to provide an informational presentation on what her region does on a daily basis. Other regional directors will provide a 5-minute session each month.

## Staff Reports

Executive Director and Staff

### Contract enforcement

- Regional stewards trainings and contract education sessions with members are ongoing. Successful outcome for a class action grievance in region 19.

### Negotiations listening sessions

- We are working with Negotiations Reps and Meet and Confer teams on contract listening sessions to get us through bargaining. Most regions have now held listening sessions, and plans are afoot across the state to hit our ambitious goal of talking with 5,000 members in small groups about the contract.

### Member engagement around the elections

- We remain in a position to meet the largest number of volunteer shifts ever completed by MAPE. It would also mark the first time we have participated in the labor-to-labor door-knocking and doing so successfully.

### JLM Career Advancement

- Potential pilot project using MN State as a training provider for the leadership training and development for professionals in the state workforce.

### Personnel updates

**MSP** (Jeffries) to Board to approve up to \$20,000 from undesignated reserves for Leadership training classes at MN State.

**MSF** (Tabatha) to amend and approve up to \$10,000 from undesignated reserves

**MSP** (Maki) for the Board to approve up to \$20,000 from the training budget

**MSP** (Church) For the Board to approve up to \$20,000 from the training budget for 2018 and from undesignated reserves for 2019.

**MSF** (Ries-Miller) to amend that MAPE have A role in the decision-making process for the applicant Pool

## **Statewide Committee Reports and PAC**

### **Unfinished Business**

Board meeting road trips

- Board discussed having BOD meetings at various locals and invite members to join us for lunch.

Tech Task Force recommendations and chair

- 20 machines will be provided for 2019 budget
- Adobe connect and skype
- Tech Task Force will determine what the need is at their next meeting on November 15, 2018 and will invite all interested parties that want to join (Ferrara, Andi, Kassie, Jerry).

### **New Business**

Board subgroup on finance

- If interested in joining the subgroup reach out to Todd Maki

## Board subgroup on hiring

- If interested in joining the subgroup reach out to Todd Maki

## Social media policy for Elections subgroup

- Webpage posting policy for members with medical issues
- Life threatening event and have exhausted their vacation and sick to advertise their GoFundMe or donation pages to the MAPE page.
- Chet will join Stephanie Meyer and John Ferrara as Board Liaisons for the presidents committee.

## Political oversight report (Dreyer)

- Approved \$3600 contribution to the House DFL

## Region Reports

Board report back on blitzes and 1:1's

## Correspondence

## Board Stewards' Report

## Meet & Confer Reports – Included

## Next Board Meeting(s) November 16, 2018

## Good & Welfare

## Standing Rules:

Time Certain Adjournment: No later than 4:30 PM.

Extensions in 1/2 hour increments, require a 2/3 vote to extend.

Debate is limited to 3 speakers for and 3 speakers against the motion on the floor.

To amend or rescind 2/3 vote is required. Majority required for suspension.

**Please bring any carryover items back with you each month as they will not be reproduced.**

**MSP: BOD policy changes**

# Minnesota Association of Professional Employees

## POLICY AGAINST DISCRIMINATION AND HARASSMENT

Adopted by the Board of Directors

On \_\_\_\_\_  
Effective Date: \_\_\_\_\_

**gg**

**Chet Jorgenson, President**

**This policy replaces any and all previous sexual harassment policies applicable to the Minnesota Association of Professional Employees**

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# Introduction

The Minnesota Association of Professional Employees (MAPE) is committed to creating and maintaining a work environment in which all members/non-members and employees are treated with respect and are free from discrimination and harassment. To this end, discrimination or harassment by a member, non-member or employee of MAPE is prohibited.

The goal of this policy is to ensure that all complaints of discrimination and harassment will be promptly, thoroughly, and respectfully addressed.

- Reporting and investigative procedures are designed to encourage members/non-members and employees to report what they believe to be discrimination or harassment.
- Complaints, investigations, and resolutions will be addressed as discreetly as possible, with information being shared only with those who have a need to know and as may be required by MAPE's obligation to comply with the law.
- Retaliation will not be tolerated against any person who complains, reports, or testifies about discrimination or harassment, or participates in an investigation of a discrimination or harassment complaint.
- Appropriate disciplinary action will follow when warranted.

All those involved in or interacting with MAPE have a responsibility to contribute to a respectful work environment. MAPE, expects, and appreciates cooperation in implementing this policy.

## Scope of this Policy, Applicability, and Definitions

This policy seeks to help ensure compliance with federal and state discrimination and harassment laws; nothing in this policy shall be construed to guarantee members/non-members and employees greater protection than the protection provided under these laws. This policy is not intended to create or modify, nor is it to be construed to constitute or modify, a contract with any employee, employees or exclusive representative of employees.

This policy applies to all members/non-members and employees of MAPE. It also applies to non-employees including all contractors, visitors and vendors.

This policy covers the interaction of members/non-members and employees at MAPE-sponsored events, professional meetings or seminars, and those activities which involve MAPE business.

In addition, this policy is designed to eliminate discriminatory and harassing behavior by and against members/non-members and employees in encounters during the course of their work with third parties, such as other MAPE employees, contractors, visitors and vendors.

### Members/Non-members

The term "members" and "non-members" means all employees ~~in the classifications in the General Professional Unit No. 214.~~ represented by MAPE

### Employees

The term "employee" means any permanent, full time, part time, temporary employee (including interns and contract employee) or any other employee of MAPE.



## **Protected Characteristics**

Under this policy, protected characteristics include those characteristics covered by Title VII of the Civil Rights Act of 1964, and/or the Minnesota Human Rights Act, as follows:

- Race;
- Color;
- National origin;
- Gender identity, including pregnancy;
- Marital status;
- Religion;
- Creed;
- Sexual orientation;
- Age;
- Disability;
- Status with regard to public assistance; and
- Membership or activity in a human rights commission.

## **Discrimination**

Discrimination is to treat a person differently based upon a person's protected characteristic, with respect to hiring, tenure, compensation, terms, upgrading, working conditions, facilities, or privileges of employment, except when based on a bona fide occupational qualification.

## **Discriminatory Harassment**

Harassment is unwelcome behavior (comments or conduct) that is based on a person's protected characteristic that interferes with job performance; or creates an intimidating, hostile, or offensive work environment; or when submission to such conduct is either a condition of employment or a basis for an employment decision. Harassment may include, but is not limited to, the following forms:

- Repeated disparaging, belittling, demeaning, insulting names or remarks, or any other use of language implying inferiority due to a protected characteristic;
- Repeated jokes about an employee or characteristic unique to an employee that relates to a protected characteristic;
- Sabotage of an employee's character, reputation, work efforts, or property based upon a protected characteristic;
- Display or circulation of written materials or pictures degrading or offensive to a protected characteristic; and
- Offensive or abusive behavior related to a protected characteristic.

## **Sexual Harassment**

Sexual harassment is a form of sex discrimination. One of the key elements of sexual harassment is that the behavior is unwelcome. Sexual conduct or communications that might be welcome to you may be unwelcome to another. Sexual conduct or communications that might have been welcome between two individuals at one time may become unwelcome at a later time.

## **Creating a Hostile Environment through Sexual Harassment**

A hostile environment is a form of sexual harassment when a victim is subjected to unwelcome and severe or pervasive repeated sexual comments, innuendoes, touching, or other conduct of a sexual nature which creates an intimidating or offensive place for employees to work.

## **The Minnesota Human Rights Act**

The Minnesota Human Rights Act defines sexual harassment as follows:

"Sexual harassment" includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature when:

- 1) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment, public accommodations or public services, education, or housing;
- 2) submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment, public accommodations or public services, education, or housing; or
- 3) that conduct, or communication has the purpose or effect of substantially interfering with an individual's employment, public accommodations or public services, education, or housing, or creating an intimidating hostile, or offensive employment, public accommodations, public services, educational, or housing environment.

(Minnesota Statutes, Section 363A.03, subdivision 43.)

## **Examples of Sexual Harassment**

The following are examples of sexual conduct or communication which, when unwelcome and depending upon the total circumstances may constitute sexual harassment or sexually offensive behavior. Sexual harassment or sexually offensive behavior may include, but is not limited to, the following types of behavior:

### **Verbal**

- unwelcome sexual comments, compliments, innuendos, or suggestions about one's clothing, body, or sexual activity;
- turning work discussions into sexual topics, such as sexual practices or preferences, or telling sexual jokes or stories;
- requesting or demanding sexual favors or suggesting that there is any connection between sexual behavior and any term or condition of employment, whether that connection be positive or negative;
- use of obscene or sexual words or phrases or the use of unwelcome words such as "sweetheart," "stud," "honey," "babe," or "hunk";

### **Non-Verbal**

- giving personal gifts of a sexual nature;
- making sexually suggestive facial expressions or gestures;
- making unwelcome visits to a member's or employee's home or hotel room;

## Physical

- kissing, or touching, patting, pinching, or brushing against a person's body;
- sexual contact, intercourse, or assault;

## Visual images

- displaying sexually explicit, derogatory or offensive pictures, cartoons, drawings, objects, films or gestures in the work area. Such prohibited images include those in hard copy or electronic form.

## General Harassment

Acts of general harassment are behaviors that are unwelcome, personally offensive, insulting or demeaning. They include but are not limited to:

- Repeated disparaging, belittling, demeaning, or insulting remarks;
- Repeatedly making the employee, or a characteristic unique to the employee, the butt of jokes;
- Repeated ridicule of an employee;
- Sabotage of an employee's character, reputation, work efforts or property;
- Swearing, yelling at or other intimidating behavior directed at an individual.

# Responsibility to Address and Prevent Discrimination and Harassment

Every member/non-member and employee of MAPE is responsible for contributing to a respectful workplace. Employees are encouraged to let a potential offender know if their behavior is offensive to you.

## MAPE Responsibility

The Minnesota Association of Professional Employees has a responsibility to:

- publish and post its discrimination and harassment policy;
- inform all employees and members/non-member about the MAPE discrimination, harassment and inappropriate behavior policy and procedures
- train supervisors on their roles and responsibilities in dealing with discrimination and harassment;
- make certain that each individual who makes or recommends employment and other personnel decisions is fully aware of, and complies with, this policy;
- take disciplinary or other appropriate action within its authority against individuals who fail to meet their obligations under this policy;
- promote fair, efficient, and careful investigation of all complaints; and
- regularly review its discrimination and harassment policy and procedures.

## Supervisor Responsibility

Supervisors have a responsibility to:

- promote a department working environment free from discrimination and harassment and address discrimination and harassment when it is observed or reported;

- respect the privacy as much as possible of all parties involved in a discrimination or harassment concern or complaint;
- promptly report discrimination or harassment or complaints of discrimination or harassment to the MAPE Business Manager, MAPE Executive Director or the MAPE President;
- participate in training on discrimination and harassment provided by MAPE; and
- take steps to assure retaliation is prohibited.

### **Member, Non-member, and Employee Responsibility**

Members/non-members and Employees have a responsibility to:

- promptly report concerns or complaints;
- participate in training;
- cooperate with requests for information and data that will help a supervisor or complaint investigator carry out her or his responsibilities under these procedures; and
- be fully compliant with this policy
- assure retaliation is reported.

## **Addressing Discrimination or Harassment**

### **Complaint**

If you believe you have experienced discrimination or harassment or if you believe your complaint has resulted in retaliation towards you or others, report your complaint of discrimination, harassment, or retaliation to your supervisor, the MAPE Business Manager, the MAPE Executive Director or the MAPE President.

This report may be made verbally, in writing, by phone, or by other means with which you are comfortable.

### **Formal Complaints/Resolutions**

#### **Investigation of a Formal Complaint**

Any one of the above persons receiving a complaint must promptly report the complaint to the MAPE Business Manager, MAPE Executive Director or the MAPE President.

As part of the complaint process:

- The complainant will be asked for such details as who was involved in the offensive behavior, what was said or done and how the conduct affected the complainant.

- Complaints, investigations, and resolutions will be handled as discreetly as possible, with information being shared only with those who have a need to know and as may be required by MAPE's obligation to comply with the law.
- Discrimination and harassment complaints will be responded to promptly, thoroughly, and fairly. Within 30 days of receiving the complaint, best efforts will be made to resolve the complaint or make significant progress toward resolution.
- Members/non-members or employees with information about the offensive behavior may be contacted and are expected to cooperate with any investigation.
- The alleged offender will be advised of the complaint and given an opportunity to provide information about what happened and matters concerning possible resolution.
- MAPE may contract with a qualified neutral party ~~with no previous connection to MAPE~~ to investigate the complaint.
- Investigations involving MAPE employees who are covered by the agreement between the Office and Professional Employees International Union, Local 12 (OPEIU, Local 12) and MAPE will be addressed in accordance with Article VIII and Article XXII of that agreement and this policy.
- The complainant will be consulted as necessary to facilitate a resolution of the complaint.
- The complainant and the alleged offender will be advised of the resolution, with concern shown for the privacy of the parties.
- Retaliation against the complainant or any person investigating or participating in a complaint investigation is strictly forbidden and is a very serious violation of this policy.

### **Resolution of a Formal Complaint**

Resolution of formal complaints can include, but not necessarily be limited to, an apology, direction to stop the offensive behavior, counseling or training, oral warning, written warning, suspension with or without pay, or termination. Disciplinary action involving members/non-members payers, officers or committee members of MAPE will be addressed by the Board of Directors or pursuant to the MAPE Bylaws. Disciplinary action involving MAPE employees who are covered by the agreement between OPEIU, Local 12 and MAPE will be addressed in accordance with Article VIII and Article XXII of that agreement and this policy.

### **Informal Complaint/Resolution**

If possible, when a violation has occurred a complaint may be filed informally. Individuals are encouraged to informally resolve concerns whenever possible. Possible resolutions may be reached through facilitated discussions, or agreements reached through a supervisor or HR.

If the offensive behavior does not stop or recurs after a complaint is made, you should immediately bring this problem to the attention of your supervisor, the MAPE Business Manager, MAPE Executive Director or the MAPE President.

### **Retaliation**

No retaliation will be tolerated, whether verbal, non-verbal, or physical, as a consequence of engaging in protected conduct, and complaints of retaliation will be vigorously pursued.

Retaliation is any job-related adverse action or materially adverse action against a member or employee who has engaged in protected conduct. Protected conduct includes:

- opposing discrimination or harassment in the workplace;
- complaining of or reporting an incident of discrimination or harassment;

- participating in any investigation;
- testifying in any proceeding relating to a discrimination, harassment, or retaliation complaint; or

Retaliation could include, but is not limited to, denial of a promotion, a demotion, intimidation, harassment, or conduct by anyone in the workplace that could reasonably be expected to have an adverse impact on an individual's performance. It also includes any actions by an employer that could dissuade a reasonable employee from engaging in protected conduct.

If you believe you have experienced retaliation because you have complained, reported, or testified about discrimination, harassment, or retaliation or participated in an investigation of a discrimination, harassment, or retaliation complaint, you should report the situation to the MAPE Business Manager, the MAPE Executive Director or the MAPE President.

### **False Complaints**

Complaints that are found to be intentionally dishonest or malicious will not be tolerated, and any person making a false complaint is subject to disciplinary action.

### **Confidentiality**

Complaints will be investigated as discreetly as possible.

### **Questions**

If you have any questions about this policy, see or call:

Paul Schweizer, Business Manager  
 3460 Lexington Ave.  
 Shoreview, MN 55126  
[pschweizer@mape.org](mailto:pschweizer@mape.org)  
 651-287-9671

<b>Contact Information</b>		
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