

**Union Proposal #12
Respectful Workplace**

April 6, 2021

ARTICLE 4: NON-DISCRIMINATION
SECTION 4: GENERAL POLICY

SECTION 4: General Policy. In order to provide and maintain a productive work environment consistent with merit principles, free of discriminatory practices, and in accord with M.S. 43A.01, subd. 2 (Precedence of Merit Principles and Nondiscrimination, it shall be the policy of the Employer and the Association to encourage bargaining unit employees, Association Stewards, supervisors, and managers to interact with each other with mutual respect and dignity, recognizing that legitimate differences will arise. Refer to ~~Letter 6 located in the Letters section~~ Appendix O of this contract and HR/LR Policy #1432 Respectful Workplace issued April 10, 2015.

APPENDIX O

It is agreed by the Employer and the Association that all employees have a right to a positive environment in which all staff, members of the public and others doing business with the state are treated with professionalism and respect, as described in HR/LR Policy #1432.

Respectful workplace complaints shall be processed pursuant to the Appointing Authority's procedure.

All complaint procedures shall be opened to Association participation and the complainant shall have the right to Association representation.

Further, the Employer and Association agree complaint procedures under the Respectful Workplace Policy include these additional requirements:

1. Complaint resolution shall be consistent with effective and non-retaliatory problem-solving processes, including informal means to address issues, as designed through Meet and Confer
2. When a formal complaint under the Respectful Workplace policy is initiated,
 - Appointing Authorities shall investigate all formal complaints
 - Investigations shall start by interviewing the complainant(s) promptly
 - Relevant witnesses whose names are provided by the complainant shall be interviewed
 - An appeal process shall be available for complaints with an unsubstantiated outcome

Within the time limits set forth in the complaint procedures, but not to exceed one hundred twenty (120) days, the Appointing Authority shall conduct a full investigation and determine actions to be taken to remedy the complaint.

Upon completion of the investigation, the complainant shall promptly be provided notice of completion and advised whether the complaint was deemed substantiated or unsubstantiated. If the complainant(s) has not waived the Association's involvement in the complaint, the Association's representative will also be provided this information.

The Association and Employer agree that reprisal against the complainant(s) or witness(es) is prohibited. The provisions of this Appendix are not subject to the provisions of Article 9 of the Master Agreement

between the Association and the Employer except that the Association may grieve the initial implementation of the complaint procedure found in the Appendix.

Employer is responsible for:

- Posting within the workplace the Employer's commitment to a healthy work environment
- Creating a gauge of the work environment following the conclusion and outcome of an investigation
- Providing agency-level statistics on complaints filed, count of numbers and percentages deemed substantiated and deemed unsubstantiated to the Association annually