

Title:	RESPECTFUL WORKPLACE POLICY	
Purpose:	To promote a healthy and respectful work environment by prohibiting and preventing disrespectful behavior and incivility in the workplace.	
Issued by:	Equal Opportunity Office	Date: April 2, 2018
References:	Revised Charter of the City and County of Honolulu (RCH) § 6-1102; Civil Service Rules § 2-4, General responsibilities of departments and § 12-1, Basis for discipline; Personnel Manual Reference VI-3, Workplace Violence Prevention; Administrative Directive 440	

I. COVERAGE

This policy covers and is applicable to all City and County of Honolulu (City) officers and employees, whether under civil service, exempted from civil service, or under personal services contract.

II. POLICY

- A. The City is committed to providing a workplace where all employees conduct themselves in a respectful, professional, and courteous manner.
- B. The City does not tolerate verbal or physical abuse, harassment, intimidation, bullying, incivility, or other disrespectful action by any employee toward any other employee, supervisor, manager, or member of the public.
- C. The City does not condone or tolerate disrespectful conduct in the workplace. Violations of this policy will result in appropriate responsive and corrective action. Responsive and corrective action may include discipline, up to and including discharge, if appropriate.
- D. Each appointing authority shall enforce this policy. Upon review and approval of the Director of the Department of Human Resources (Director), departments/agencies may establish additional internal policies and procedures that are consistent with this policy.

III. DEFINITIONS

Terms used in this policy are intended to be defined and have meaning as is generally and commonly understood in the context of unacceptable workplace behavior, to include:

Bullying: harassing, intimidating, threatening, insulting behavior.

Harassment: acts that create a work environment that a reasonable person would find severely unpleasant or hostile due to actions such as repeated unwelcome verbal, visual, or physical conduct, whether or not the actions violate an individual's civil rights or Federal, State or City laws.

Disrespectful Conduct: exhibiting a lack of appropriate deference to a person or situation, being rude and/or discourteous.

Disrespectful workplace conduct does not include:

- a. Appropriately administered counseling, disciplinary discussions or job performance evaluations, including constructive criticism, coaching and feedback regarding an employee's conduct or work performance;
- b. Direct or assertive communication between a supervisor/manager and subordinate;
- c. Legitimate responses to situations that require immediate action and may require a stern and frank dialogue;
- d. Differences of opinion and non-aggressive conflicts and problems in working relationships;
- e. Minor slights, annoyances, and isolated incidents of disrespectful conduct; or
- f. Legitimate law enforcement action or other activities required by an individual's position/job duties.

Incivility: rude or impolite behavior or action.

Intimidation: actions intended to, or that have the effect of frightening another into submission, compliance, or acquiescence.

Respectful Workplace: a work environment free from insults, disrespect, abuse, bullying, harassment, and incivility.

IV. RESPONSIBILITIES

A. Individuals

1. All City employees must refrain from conduct that can be reasonably interpreted as hostile, offensive, intimidating or disrespectful, including but not limited to:
 - a. Making insulting, derogatory, humiliating or rude remarks, whether or not directed toward an individual;
 - b. Hazing, name calling, teasing, joking about, or exploiting a person's traits or vulnerabilities;
 - c. Sabotaging, damaging or destroying a person's work or property;
 - d. Pushing, shoving, hitting, kicking persons or objects;
 - e. Yelling, screaming, or speaking in an unnecessarily aggressive or abusive tone of voice.

2. Employees are responsible for:
 - a. Their own behavior in the workplace;
 - b. Being aware of the impact that their words and actions may have on others; and
 - c. Recognizing that behavior may be unwelcome, hostile, offensive, or intimidating to others even if it is not so intended, or is not directed at a specific individual.
3. This policy is intended to address conduct that results in a work environment that would be considered intimidating, hostile, or disrespectful to a reasonable person; and is not intended to address or suggest that complaints should be filed for minor slights, annoyances, and isolated incidents of disrespectful conduct and other types of actions that are not defined as disrespectful conduct in this policy.
4. Any employee who believes that he/she has been subjected to disrespectful conduct, as defined by this policy, should bring the alleged conduct to the attention of his/her immediate supervisor/manager, department head, appointing authority, or departmental Administrative Services Officer.

B. Managers and Supervisors

1. Managers and supervisors are responsible for creating and maintaining a respectful workplace. Managers and supervisors are expected to conduct themselves in a professional and respectful manner at all times. As representatives of the Employer, managers and supervisors may be held to a higher standard of conduct.
2. Managers and supervisors are responsible for ensuring that subordinate employees are informed of this policy and the avenues available for addressing disrespectful workplace conduct.
3. Managers and supervisors shall regularly monitor the conduct of their subordinate employees and proactively address conduct prohibited by this policy.
4. Managers and supervisors shall promptly address complaints of alleged violations of this policy and take appropriate action.

V. COMPLAINT AND INVESTIGATION PROCEDURES

A. Complaint

1. Any City officer or employee who believes that he/she has been subjected to a violation of this policy may file a complaint with his/her supervisor. If the supervisor is responsible for the alleged violation, the complaint may be filed with a supervisor/manager at the next level, department head, or departmental Administrative Services Officer.

2. The applicable appointing authority shall be informed of all complaints alleging violation of this policy.

B. Investigation

1. If appropriate, an investigation shall be conducted. Investigations will be conducted in a fair, unbiased, and discreet manner. Care should be taken to maintain confidentiality and reasonable protections against embarrassment.
2. An employee who is the subject of an investigation relevant to conduct prohibited by this policy shall be allowed to respond to the alleged misconduct.
3. The investigation shall be conducted in accordance with applicable Civil Service Rules and terms of relevant Collective Bargaining Agreements.

C. Responsive Action

1. The individual filing a complaint and the accused may be informed of the final disposition of the complaint, to the extent permitted.
2. Disciplinary action may be taken in response to conduct deemed to be in violation of this policy.
3. Responsive and corrective actions may be disciplinary as well as non-disciplinary. Responsive actions should include measures to avoid recurrence of misconduct and to correct or improve workplace conduct.

VI. DISCIPLINARY ACTIONS

Any City employee, including managers, supervisors and executives, who are found to have violated the policy, may be subject to disciplinary action in accordance with applicable Civil Service Rules and Collective Bargaining Agreement terms.

VII. NON-RETALIATION

- A. Retaliation against any employee who has complained of a violation of this policy, conducted an investigation of a complaint, or acted as a witness during the investigation of a complaint is prohibited.
- B. Retaliatory conduct should be reported immediately to the employee's supervisor, a supervisor or manager at the next level, department head, or departmental Administrative Services Officer.
- C. Acts of alleged retaliation will be dealt with promptly and investigated, as appropriate.
- D. An employee who is found to have engaged in retaliation shall be subject to discipline in accordance with applicable Civil Service Rules and Collective Bargaining Agreement terms.