

Management Committee

Meeting date: February 8, 2017

For the Metropolitan Council meeting of February 22, 2017

Subject: Metropolitan Council Policy, 4-6 Employee Conduct Revision

District(s), Member(s): All

Policy/Legal Reference: 4-6 – Employee Conduct

Staff Prepared/Presented: Marcy Syman, Director of Human Resources, 651-602-1417

Division/Department: Human Resources

Proposed Action

That the Metropolitan Council approve changes to the Metropolitan Council Policy 4-6 Employee Conduct.

Background

Policies must be presented to the Council for approval and adoption.

Rationale

This policy has been in place since 2006 and covers the following procedures:

4-6a: Code of Ethics

4-6b: Workplace Violence Prevention and Incident Response

4-6c: Investigations General

4-6d: Fraud

4-6e: Respectful Workplace

Policy statement was changed to provide the overall direction for these five procedures.

- Changed “abide by all laws” to a more reasonable – “abide by laws regulating conduct associated with employment at the Met Council” upon the advice of our Legal department
- Removed the prohibition of possession and distribution of weapons in this policy statement because this content is more appropriately contained in procedure 4-6b: Workplace Violence Prevention

Changes to the body of the policy:

- Added to the purpose of the policy: “to establish expectations relating to appropriate ethical conduct for all Metropolitan council employees”
- Updated Statue references

Removed definitions of violence, council premises, offensive conduct and unethical behavior since those are more appropriately contained in the relevant procedures under this policy

Thrive Lens Analysis

This item supports stewardship and the efficient, effective use of public financial resources through the orderly administration of Council policies.

Funding

Not Applicable

Known Support / Opposition

The policy and associated procedural changes have been reviewed by Council stakeholders.

POLICY

EMPLOYEE CONDUCT

Section/Number: 4-6	Total Pages: 3
Dept. Responsible: Human Resources	Effective Date: 9/11/98
Special Note: Supersedes all previous policies covering employee conduct, rules of conduct, ethical behavior	Last Revision Date: 9/27/06 09/09/15, pending
	Last Review Date: 09/09/15, pending
	Revision No. 42

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I. Policy

It is the policy of the Metropolitan Council to provide a respectful work environment and deliver public services in a manner that instills public confidence in Council business transactions and is free from violent, unethical or offensive conduct. The Metropolitan Council expects all employees while in the performance of Council-related business to:

- Abide by ~~all laws~~ regulating employee conduct associated with employment at the Metropolitan Council;
- Treat all people with respect and courtesy;
- Adhere to high professional standards and moral principles;
- Provide high standards of quality public service.

~~Employees shall not possess, use or distribute weapons except authorized employees whose work duties necessarily require that they carry weapons.~~ Incidents in violation of the employee conduct policy must be reported to management. Such incidents will be treated seriously, promptly investigated and acted upon. Retaliation against an individual ~~because of~~ reporting a violation of the employee conduct policy, or cooperating in an investigation, is prohibited.

~~Any individual employee found through an inquiry to have violated the employee conduct policy in the performance of their job, in the employment setting or while on Council premises, shall be subject to disciplinary action up to and including discharge.~~

II. Purpose of policy

- To foster a safe work environment, decrease the potential for violence in and around the workplace and share responsibility for a positive workplace atmosphere among all employees.
- To assure all Metropolitan Council employees and their customers and clients that threats, violence, unethical and offensive behavior will not be tolerated.
- To establish expectations relating to appropriate ethical conduct for all Metropolitan Council employees
- To establish guidelines for acceptable workplace behavior and encourage an environment of respect and dignity.
- To require employees to report violations of the employee conduct policy to management.
- ~~To foster a safe work environment, decrease the potential for violence in and around the workplace and share responsibility for a positive workplace atmosphere among all employees.~~

~~• To establish expectations relating to appropriate ethical conduct for all Metropolitan Council employees in recognition that the ethical actions of its employees directly affects its ability to achieve its mission as well as the public image of the Council.~~

III. Background and reasons for policy

~~As a metropolitan government agency, T~~he Metropolitan Council must comply with the Ethics in Government Act (Minnesota Statutes Chapter 10A). ~~The Ethics in Government Act which~~ defines ~~key terms as they relate to the statute, as well as~~ actions ~~which are~~ prohibited by Metropolitan Council members and/or Council employees. The Ethics in Government Act and any other applicable law supersede the provisions of this policy if the statutory provisions conflict with the provisions of this policy.

Minnesota Statutes section 15.86 mandates that certain public corporations adopt a goal of zero tolerance of violence in and around the workplace.

IV. Definitions

A. ~~Violence~~

~~Violence is defined as the abusive or unjust exercise of power, intimidation, harassment and/or the threatening or actual use of force which results in or has a reasonable likelihood of causing hurt, fear, injury, suffering or death.~~

B. ~~Council Premises/Employment Setting~~

~~Council premises includes a Council building, property or vehicle, whether owned, leased, or rented by the Council; Council grounds; Council parking areas; Council activities on or off Council property; the area of entrance or departure from Council premises or events; and all Council sponsored hearings, meetings, or other functions.~~

C. ~~Offensive Conduct~~

~~Offensive conduct may include, but is not limited to, such work related actions as: rudeness, exclusionary behavior, angry outbursts, inappropriate joking, vulgar obscenities, name calling, disrespectful~~

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~~language, or the intentional filing of an unfounded complain under this policy.~~

~~D. Unethical Behavior~~

~~Unethical behavior may include, but is not limited to conflicts of interest, acceptance of gifts or favors, falsification or misrepresentation of information, inappropriate use of confidential information, fraud, and engaging in prohibited political activities.~~

V. Accountability

- A. All Metropolitan Council officials, commission/task force/advisory members, managers, supervisors and employees will be held accountable for complying with this policy.
- B. Management is responsible for all employment action related to the supervision and discipline of Council employees in keeping with these policies and is expected to serve as a role model for respectful, ethical behavior. All employment actions taken must be made in accordance with the Metropolitan Council applicable policies, procedures and labor agreements. Managers and supervisors ~~will be held accountable~~ are responsible for taking prompt and appropriate action whenever they become aware of conduct policy violations. ~~Managers and supervisors must notify their manager or director and Human Resources of such behavior.~~ Failure to do so may result in disciplinary action up to and including discharge.
- C. Council employees who qualify as public officials or local officials under the Ethics in Government Act (~~Minnesota Statutes Chapter 10A~~) are subject to the conflict of interest, economic interest disclosure, gift prohibition, and other applicable provisions of the Act.

Links in this Related Procedures:

- Diversity, Equal Opportunity and Affirmative Action Policy*
- Use of Council Property Policy*
- Drug Free Workplace Policy*
- ~~Investigations: General Procedure~~
- Investigations: Discrimination/Harassment and Inappropriate Behavior Procedure*
- ~~Fraud Procedure~~
- ~~Workplace Violence Prevention Procedure~~
- 4-6a: Code of Ethics Procedure*
- 4-6b: Workplace Violence Prevention and Incident Response*
- 4-6c: Investigations General*
- 4-6d: Fraud*
- 4-6e: Respectful Workplace*

Revision/Review Tracking

Date	Revision No.	Review Only – No changes
09/27/2006	1	
09/09/2015	2	

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EMPLOYEE CONDUCT

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Special Note: Supersedes all previous policies covering employee conduct, rules of conduct, ethical behavior	
	Last Review Date:
	Revision No. 2

I. Policy

It is the policy of the Metropolitan Council to provide a respectful work environment and deliver public services in a manner that instills public confidence in Council business transactions and is free from violent, unethical or offensive conduct. The Metropolitan Council expects all employees while in the performance of Council-related business to:

- Abide by laws regulating employee conduct associated with employment at the Metropolitan Council
- Treat all people with respect and courtesy
- Adhere to high professional standards and moral principles
- Provide high quality public service

Incidents in violation of the employee conduct policy must be reported to management. Such incidents will be treated seriously, promptly investigated and acted upon. Retaliation against an individual for reporting a violation of the employee conduct policy, or cooperating in an investigation, is prohibited.

II. Purpose of policy

- To establish guidelines for acceptable workplace behavior and encourage an environment of respect and dignity.
- To establish expectations relating to appropriate ethical conduct for all Metropolitan Council employees.
- To foster a safe work environment, decrease the potential for violence in and around the workplace and share responsibility for a positive workplace atmosphere among all employees.
- To assure all Metropolitan Council employees and their customers and clients that threats, violence, unethical and offensive behavior will not be tolerated.
- To require employees to report violations of the employee conduct policy to management.

III. Background and reasons for policy

The Metropolitan Council must comply with the Ethics in Government Act (Minnesota Statutes, Chapter 10A) which defines actions prohibited by Metropolitan Council members and/or Council employees. The Ethics in Government Act and any other applicable law supersede the provisions of this policy if the statutory provisions conflict with the provisions of this policy.

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Related Procedures:

Diversity, Equal Opportunity and Affirmative Action Policy

Use of Council Property Policy

Drug Free Workplace Policy

Investigations: Discrimination/Harassment and Inappropriate Behavior Procedure

4-6a: Code of Ethics Procedure

4-6b: Workplace Violence Prevention and Incident Response

4-6c: Investigations General

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