

POLICY GUIDE - CIVILITY IN THE WORKPLACE

Policy 2.35 Prohibited Conduct/Behaviors

The Civility in the Workplace policy defines prohibited conduct in general terms. Because all potential behaviors cannot be anticipated or listed, this guide provides **some examples** of prohibited behaviors but **is not intended to be all inclusive**.

Prohibited conduct may be considered discriminatory or non-discriminatory.

- Discriminatory conduct is behavior that targets individuals in protected classes¹ and is illegal. Federal and legal complaint procedures are available for individuals subject to *illegal* discriminatory conduct in addition to those available in the agency or administered by the Department of Human Resource Management.
- Non-discriminatory conduct is demeaning, intimidating, or insensitive behavior that is not targeted specifically toward individuals based on their characteristics or affiliation with a particular group, class, or category.

Disciplinary actions to address prohibited behaviors may be taken on a progressive basis or actions may be taken upon the first occurrence, depending upon the nature and seriousness of the conduct. The context of the behaviors, nature of the relationship between the parties, frequency of associated behaviors, and the specific circumstances must be considered in determining if the behavior is prohibited. A “reasonable person” standard is applied when assessing if behaviors should be considered offensive or inappropriate.

Prohibited Conduct/Behaviors may include, but are not limited to:

- Injuring another person physically;
- Engaging in behavior that creates a reasonable fear of injury to another person;
- Threatening to damage or vandalize or intentionally damaging or vandalizing property;
- Making threats to injure another person;
- Assaultive behavior such as pushing, shoving, grabbing, hitting, kicking, or spitting toward another person;
- Cornering people or blocking egress;
- Invading personal space;
- Stalking;
- Possessing, brandishing, or using a weapon that is not required by the individual’s position while on state premises or engaged in state business;
- Subjecting others to communication or innuendoes of a sexual nature;
- Demonstrating behavior that is rude, inappropriate, discourteous, unprofessional, unethical, or dishonest;
- Behaving in a manner that displays a lack of regard for others and significantly distresses, disturbs, and/or offends others;
- Making disparaging remarks, spreading rumors, or making innuendos about others in the workplace;

¹ **Protected classes** as articulated in the current Governor’s Executive Order related to Equal Employment Opportunity and other groups as **articulated** by the Equal Employment Opportunity Commission.

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- Raising one's voice inappropriately or shouting at another person;
- Swearing or using obscene language or gestures toward another person;
- Making obscene phone calls or delivering obscene messages to another person;
- Humiliating others; making public statements with the intent of embarrassing a targeted person; impugning one's reputation through gossip;
- Making unwelcome or suggestive comments or jokes;
- Displaying symbols associated with hostile/violent groups or inappropriate sexual connotations toward another person;
- Making culturally insensitive remarks; displaying culturally insensitive objects, images, or messages;
- Making demeaning/prejudicial comments/slurs or attributing certain characteristics to targeted persons based on the group, class, or category to which they belong;
- Retaliating against one who, in good faith, reports a violation of this policy or participates in related investigations;
- Posting or discussing sensitive, private information about someone to others;
- Pretending to be someone else online in order to make that person look bad;
- Using photo shop tools to create harassing images; posting videos to intimidate or harass someone;
- Publishing jokes or demeaning comments electronically about another person;
- Sending e-mails or using social media to convey inappropriate messages about someone.