



OREGON DEPARTMENT OF FISH AND WILDLIFE POLICY

Human Resources Division

Title:	Maintaining a Professional Workplace	HR_450_01
Supersedes:	HR_450_01, dated November 1, 2007	
Applicability:	All employees, including state temporary employees and volunteers	
Reference:	State Policy 50.010.03, ORS 240.145, 240.250	
Effective Date:	January 1, 2014	Approved: 

I. PURPOSE

To reaffirm the policy of the Department of Fish and Wildlife, in support of State of Oregon policy: that mutual respect between and among managers, employees, temporary employees and volunteers is integral to the efficient conduct of business; that all individuals work together to promote and maintain a work environment that is respectful of all persons, professional and free from inappropriate behavior; to clarify conduct that constitutes inappropriate workplace behavior; to provide an effective reporting process for employees who believe they have experienced or observed inappropriate workplace behavior; and to specify management's role and responsibilities in responding to reports of inappropriate workplace behavior.

1) DEFINITIONS

- A. **Professional Workplace Behavior:** Supporting the values and mission of Oregon state government and the agency, building positive relationships with others, communicating in a respectful manner, holding oneself accountable and pursuing change within the system.
- B. **Inappropriate Workplace Behavior:** Unwelcome or unwanted conduct or behavior that causes a negative impact or disruption to the workplace or the business of the state, or results in the erosion of employee morale and is not associated with an employee's protected class status.¹ (See ODFW Policy HR_450_10 Discrimination and Harassment Free Workplace for guidance on issues involving protected class status.)

Examples of inappropriate workplace behavior include but are not limited to, comments, actions or behaviors of an individual or group that embarrass, humiliate, intimidate, disparage, demean or show disrespect for another employee, a manager, a subordinate, a volunteer, a customer, a contractor or a visitor in the workplace.

¹ Protected Class Under Federal Law: Race; color; national origin; sex (includes pregnancy-related conditions); religion; age (40 and older); disability; a person who uses leave covered by the Federal Family and Medical Leave Act; a person who uses Military Leave; a person who associates with a protected class; a person who opposes unlawful employment practices, files a complaint or testifies about violations or possible violations; and any other protected class as defined by federal law.

Protected Class Under Oregon State Law: All federally protected classes, plus: age (18 and older); physical or mental disability; injured worker; a person who uses leave covered by the Oregon Family Leave Act; marital status; family relationship; sexual orientation; whistleblower; expunged juvenile record; and any other protected class as defined by state law.

Inappropriate workplace behavior does not include actions of performance management such as supervisor instructions, expectations or feedback, administering of disciplinary actions, or investigatory meetings.

Inappropriate workplace behavior does not include assigned, requested or unsolicited constructive peer feedback on projects or work.

III. POLICY

A. Conduct.

Employees of all service types, temporary employees and volunteers, at every level of the agency (includes commissions) must foster an environment that encourages professionalism and discourages disrespectful behavior. All employees, temporary employees and volunteers must behave respectfully and professionally and refrain from engaging in inappropriate workplace behavior.

B. Addressing Inappropriate Workplace Behavior.

1. Supervisors must address inappropriate behavior they observe or experience and should do so as close to the time of the occurrence as possible and appropriate.
2. If an employee, temporary employee or volunteer observes or experiences inappropriate workplace behavior and feels comfortable in doing so, he or she should do one or both of the following:
 - a. Redirect inappropriate conversations or behavior to workplace business;
 - b. Tell an offending employee, temporary employee or volunteer his or her behavior is offensive and ask him or her to stop.

C. Reporting Inappropriate Workplace Behavior.

1. An employee, temporary employee or volunteer should report inappropriate workplace behavior he or she experiences or observes to his or her immediate supervisor as soon as practicable. If the employee's immediate supervisor is the one engaging in the inappropriate behavior, he or she should report the behavior to upper management, the agency head or the department's Human Resource Division, as soon as practicable. The report may be verbal or written.
2. An employee who is represented by a labor union may have a union representative present during regular work hours, when reporting inappropriate workplace behavior and through the process set forth in this policy. The union representative must not be a witness or party to the investigation.

D. Responding to a Report of Inappropriate Workplace Behavior.

Inappropriate workplace behavior must be addressed and corrected before it becomes pervasive, causes further workplace disruption or lowers employee morale. A supervisor or manager that receives a complaint or becomes aware of a violation of this policy shall immediately notify and forward any written documentation to his or her supervisor and the Human Resources Division. The supervisor of the individual allegedly engaging in inappropriate workplace behavior, in consultation with Human Resource, must address the report as soon as possible.

E. Consequences.

1. Any employee found to have engaged in inappropriate workplace behavior, will be counseled, or, depending on the severity of the behavior, may be subject to discipline, up to and including dismissal.
2. An employee in trial service found to have engaged in inappropriate workplace behavior may be removed from trial service.
3. A temporary employee or volunteer found to have engaged in inappropriate workplace behavior will be counseled or, depending on the severity of the behavior, may have his or her service terminated.
4. A supervisor who fails to address inappropriate behavior, will be counseled, or, depending on the severity of the behavior, may be subject to disciplinary action, up to and including dismissal.

F. Retaliation.

Retaliating against someone for reporting or addressing inappropriate workplace behavior is prohibited.

1. An employee who believes he or she is experiencing retaliation as a result of reporting inappropriate behavior should report this to his or her immediate supervisor as soon as practical. If the employee believes his or her immediate supervisor is engaging in retaliation, he or she should report the behavior to the department's Human Resources Division, upper management or the department director as soon as practical. The agency will investigate reports of retaliation. Any employee found to have engaged in retaliation may be subject to discipline, up to and including dismissal.
2. An employee on trial service found to have engaged in retaliation may be removed from trial service.
3. A temporary employee or volunteer found to have engaged in retaliation may have his or her service terminated.

G. Policy Notification.

All employees including temporary employees and volunteers will:

1. Be given a copy or told the location of HR_450_01 Maintaining a Professional Workplace.
2. Be given directions to read the policy.
3. Be provided an opportunity to ask questions and have their questions answered.
4. Acknowledge he or she read the policy and had an opportunity to ask questions.