

Diversity and Non-Discrimination Policy
Hennepin County,
Minnesota

Hennepin County Diversity and Non-Discrimination Policy

Climate Statement

Respect is a basic building block in every organization. Respect for one another as colleagues is fundamental to getting work done in effective, efficient and innovative ways.

Consistent with the Mission and Vision of the Board of Commissioners, Hennepin County will:

Value differences and recognize similarities among employees, volunteers, union representatives, clients, customers and vendors;

Support a work environment free of all forms of discrimination, including harassment;

Develop a diverse workforce which reflects the community; and

Encourage a climate of cooperation in our work environments that promotes a positive attitude toward the provision of services.

Policy Statement

Hennepin County values differences and recognizes similarities among employees, volunteers, union representatives, clients, customers and vendors. It is the responsibility of all Hennepin County employees and volunteers to generate and maintain work environments in which employees, volunteers, union representatives, clients, customers and vendors are respected, valued and welcomed.

Consistent with this policy, all Hennepin County employees and volunteers will foster environments that value diversity and support the elimination of discrimination in the workplace.

Discrimination is a violation of state/federal civil rights laws, including the Minnesota Human Rights Act, Title VII of the Civil Rights Act, the Americans with Disabilities Act, and the Age Discrimination in Employment Act. Hennepin County is committed to providing:

A workplace free from discrimination based on an individual's protected-class status of race, color, creed, religion, national origin, sex, age, disability, marital status, sexual orientation or public assistance status; and the provision of public services on the same basis;

A workplace free from harassment, including sexual and racial harassment;

Affirmative action and equal employment opportunities in all phases of employment through recruitment, retention and advancement of diverse and qualified people, and utilization of job-related criteria in making employment decisions.

Rights and Responsibilities

All county employees, volunteers, union representatives, clients, customers and vendors are expected to treat each other with respect.

County managers and supervisors are responsible for addressing all reports of discrimination, including harassment. They will have, as a regular part of their performance appraisals, an evaluation of their efforts in regard to this policy. The county's complaint process provides for prompt, thorough and objective investigations of alleged discrimination, including harassment if you believe you are the target of behavior which violates this policy, or you are a witness to such conduct, you have the following options:

Contact your supervisor, manager or department director; management has the responsibility to respond in accordance with the county's complaint process; and/or

Contact the Human Resources and Employee Relations Department; and/or

Contact the business representative or the steward of your union; and/or

In cases of discrimination, you can file a formal charge with the Minnesota Department of Human Rights, the Equal Employment Opportunity Commission and/or file a private suit.

All Hennepin County employees and volunteers are responsible for understanding and supporting the Diversity and Non Discrimination Policy.

COMPLAINT PROCESS

All employees and volunteers of Hennepin County have several options for seeking resolution of work-related situations of conflict or concern. Employees may choose to request that a supervisor or manager from their department take the lead in resolving the situation. Volunteers may request assistance from their volunteer coordinator. If employees have access to union representation, they may choose to request union involvement. For employees who desire to resolve situations informally but desire assistance from outside their department's Human Resources generalist may be the preferred option. Employees who want a formal resolution process that is not initiated by Hennepin County may seek assistance from the Equal Employment Opportunity Commission or the Minnesota Department of Human Rights

Employees who desire a formal, internal process for resolution of their concerns have two options:

1. If protected class is not a factor in the issue, the Human Resources organizational development unit will coordinate the review of the employee's concern with the department and/or parties involved. The objective for the organizational development unit is the expedient and respectful resolution of the issue.

2. If protected class is believed to be a factor in the issue, a formal complaint can be filed with the county's affirmative action director in Human Resources and Employee Relations Department who will conduct a complete and impartial investigation. The objective of the investigation is to determine, based on the available evidence, whether there is support for the allegation(s) contained in the complaint and to facilitate resolution of any substantiated complaint.

Filing a complaint:

Contact may be established with the Human Resources and Employee Relations Department by telephone, in writing, or by scheduled appointment. With the telephone or written contract, there will be an in-person, follow-up interview.

The initial interview involves gathering sufficient information to write a complaint and to develop an investigative plan. The information sought includes, but is not necessarily limited to, the following:

-What happened and the names of all participants;

-When the incident(s) occurred;

-Protected class of the complainant and why the complainant feels his or her protected class is the reason for the adverse occurrence(s);

-How other people, not of the same protected class but similarly situated along work lines, have been treated;

-Lists of witnesses and/or documents that may be useful to the investigation;

-What the complainant is seeking as a remedy to this situation;

Any other information the complainant feels is relevant to the investigation.

The complaint is drafted by the affirmative action director and signed by the complainant. A copy of the complaint is given to the complainant and a copy is mailed to the involved department's director and the person(s) named as having discriminated against the complainant.

If a complainant is represented by an attorney or retains an attorney during any part of the complaint process, his or her case will be closed by the affirmative action director and referred directly to the County Attorney's Office.

The investigation by the affirmative action director:

The department and persons named in the complaint are asked to respond to the allegations in the complaint.

The complainant may be interviewed again after responses are received to discuss their contents.

Witnesses with direct information about the allegations of the complaint are interviewed.

All relevant documentation is collected.

All collected information and interview results are analyzed for a determination of whether the allegation(s) has been supported or refuted.

A formal statement of determination and recommendation(s) is prepared and sent to the complainant, the involved department's director, named persons, the Human Resources director, County Administration and the County Attorney's Office..

Most investigations will be completed within 60 days of the filing of the complaint. The time line for completion of an investigation is dependent upon such factors as the availability of witnesses, the time necessary to compile and analyze data, and/or the complexity of allegations in the complaint.

The resolution:

If the determination is that discrimination did occur, the affirmative action will enlist the assistance of the involved department's Human Resources generalist and the cooperation of the involved department's director to bring the complaint to an appropriate resolution.

If there is insufficient evidence that discrimination occurred it is likely that the complainant and the department may benefit from some work with the organizational development unit to attempt to bring closure on the issue of the complaint. The complainant is also free to exercise any of the other options listed earlier.

A complainant who is dissatisfied with the results of an investigation may make an appeal to the Human Resources director.

NOTE: Any employee or volunteer found to have violated the Hennepin County Diversity and Non-Discrimination Policy will be subject to appropriate disciplinary action.

For purposes of this policy; the following definitions are used:

DEFINITIONS

Affirmative Action

Refers to taking proactive measures to recruit and employ qualified persons from groups that, in the past, have been excluded from or given limited consideration for employment. Hennepin County has identified women and racial minorities as the focus for affirmative action.

Culture

The beliefs, characteristics and patterns of thinking, feeling and acting shared with people who live or loved within the same social environment; the sum of the ways of living built up by a group of human beings and communicated from one generation to another.

Discrimination

Treating an individual or a group of individuals adversely because of protected-class status, or using a test, standard or employment practice that has the effect of illegally excluding or screening out a protected class.

Diversity

The fact or quality of being distinct, having various forms or qualities.

Employee

Any individual providing services for and paid by Hennepin County, including independent contractors, and including county administrative staff, directors, elected officials, managers and supervisors.

Equal Employment Opportunity

State/federal laws guarantee all people the equal right to apply and be considered for job opportunities, regardless of their race religion, national origin, sex age, disability, marital status, sexual orientation or public assistance status.

Harassment

Unwelcome verbal or physical conduct, including written and electronic communication, directed toward and individual(s) because of race, color, creed, religion, national origin, sex age, disability, marital status, sexual orientation or public assistance status. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and

other unwelcome behavior of a sexual nature. Harassment, including sexual harassment, is unlawful when:

Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or receipt of services;

Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such an individual; or

Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating and intimidating, hostile or offensive environment.

Protected Class

An individual or group who is given protection under federal/state laws from discrimination because of race, color creed, religion, national origin, sex, age, disability, marital status, sexual orientation or public assistance status.

Respect

An expression or act of giving particular attention to or showing consideration for actions or behaviors which may include listening, empathy, patience and courtesy.

Volunteer

Any individual providing services for Hennipin County who is not paid for those service, e.g., volunteers, unpaid interns, etc.

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