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| **Model**  **Respectful Workplace Policy** |

**Note to Employers**

With SB 851 (2023), the Oregon Legislature tasked the Bureau of Labor and Industries (BOLI) with providing employers with a model respectful workplace policy. The Legislature also directed BOLI to create and make available informational materials that identify the harms to employees and employers caused by workplace bullying.

While not required by statute, a clear and consistently applied respectful workplace policy can help to prevent conduct that could escalate to unlawful harassment and discrimination as well as promote professional workplace behavior and a safer workspace overall.

As a best practice, in addition to providing the policy required by the Oregon Workplace Fairness Act that addresses unlawful harassment, discrimination, and sexual assault, BOLI recommends employers provide a written policy containing procedures and practices to reduce and prevent inappropriate workplace behavior. Ideally, the policy:

1. Provides a process for employees to report prohibited conduct;
2. Identifies the individual or position (for example the Store Manager or HR Director) as well as an alternate individual or position to whom an employee can report prohibited conduct;
3. Includes a statement that some forms of inappropriate workplace behavior are also unlawful and refers the employee to the organization’s policy on unlawful harassment and discrimination (required by Oregon’s Workplace Fairness Act).

**Sample Language**

**POLICY STATEMENT:**

Mutual respect between and among managers, employees, temporary employees, contractors and volunteers is an integral value of [Insert organization name]. Only when all individuals work together can we create and maintain a work environment that is respectful, professional, and free from inappropriate workplace behavior.

**Inappropriate Workplace Behavior** includesunwelcome or unwanted conduct or behavior that causes a negative impact or disruption to the workplace or results in the erosion of employee morale. Inappropriate workplace behavior may also rise to the level of unlawful harassment or discrimination when in conjunction with an employee’s protected class status such as race, gender, or disability. See also our policy prohibiting workplace harassment and discrimination [insert link or location of the organization’s policy].

Examples of inappropriate workplace behavior include, but are not limited to, comments, actions or behaviors of an individual or group, that are wholly disconnected from concerted or other protected activity, that purposefully 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.

Inappropriate workplace behavior does not include actions taken to form, join, or assist labor organizations, to bargain collectively through representatives, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection.

Inappropriate workplace behavior generally does not include actions of performance management such as giving supervisory instructions, setting expectations, giving feedback, administering disciplinary actions, or conducting investigatory meetings.

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

**POLICY:**

Employees of all types as well as temporary employees and volunteers at every level of the organization 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.

Addressing Inappropriate Workplace Behavior

* + 1. (a) 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. (b) If an employee, temporary employee, or volunteer observes or experiences inappropriate workplace behavior, they may:
       - Redirect inappropriate conversations or behavior to workplace business.
       - Tell the offending employee, temporary employee, or volunteer their behavior is offensive and ask them to stop.
       - Report the observation or experience to a manager, human resources, or other designated individuals.

**REPORTING INAPPROPRIATE WORKPLACE BEHAVIOR:**

* + 1. Any employee aware of or experiencing bullying or inappropriate behavior in the workplace should report that information immediately to a company designee. Specifically, an employee may make the report verbally or in writing to the employee’s immediate supervisor or higher management, if the employee prefers. As an alternative, an employee may report the experience to the company’s human resource office. Employees may report to any of the persons listed above, regardless of any particular chain of command. All employees are encouraged to document any incidents involving bullying or inappropriate workplace behavior as soon as possible.

**RETALIATION PROTECTIONS:**

[Insert organization name] prohibits retaliation against any employee for filing a complaint regarding conduct in violation of this policy. [Insert organization name] will not tolerate retaliation against any employee for raising a good faith concern, for providing information related to a concern, or for otherwise cooperating in an investigation of a reported violation of this policy. Any employee who retaliates against anyone involved in an investigation is subject to disciplinary action, up to and including dismissal.

**PENALTIES:**

We will not tolerate inappropriate workplace behavior. Any individual found to have engaged in such conduct may face disciplinary action up to, and including, dismissal. The company may also subject managers and supervisors who fail to report known harassment or fail to take prompt, appropriate corrective action to disciplinary action, up to and including dismissal.