



Minneapolis Police Department Policy and Procedure Manual

Number:
2-100

Volume Two – Personnel Administration

Misconduct Prevention, Reporting, and Investigation

2-106 Anti-Discrimination, Harassment, and Retaliation (01/07/02) (01/15/08) (09/19/08) (01/17/22) (09/26/22) (xx/xx/xx)

I. Purpose

The City of Minneapolis and the Minneapolis Police Department (MPD) are committed to providing members a work environment free from workplace discrimination, sexual harassment and other forms of workplace harassment, and workplace retaliation.

II. Policy

- A. Workplace discrimination, harassment, and retaliation are unacceptable and will not be condoned or tolerated. Every member has a responsibility to comply with the City of Minneapolis' Anti-Discrimination, Harassment and Retaliation Policy ("ADH&R Policy").
- B. In addition to violating the City's and MPD's policies, workplace discrimination, harassment, and retaliation may be a violation of Federal and State laws as well as the Minneapolis Civil Rights ordinance, and may expose not only the City, but also members, to significant liability under the law.
- C. Acts of workplace discrimination, harassment, and retaliation are forms of serious misconduct and will result in investigation and may result in disciplinary action, up to and including discharge.
- D. Supervisors are held to a higher standard of conduct and may be subject to a higher level of discipline for engaging in any form of workplace discrimination, harassment, or retaliation, or for failing to enforce this policy and the City's ADH&R Policy.
 - 1. Supervisors who become aware of a potential ADH&R Policy violation shall take immediate action.
 - a. In all cases, supervisors shall document the information on the alleged incident and forward it to Human Resources, with a copy to Internal Affairs.
 - b. All documentation shall include, but not be limited to: the complaint activity, time, place, people involved, witnesses, and the supervisor's response.
 - 2. Managers, supervisors and all members shall immediately refer any attempted or completed acts of retaliation for reporting workplace discrimination or workplace

harassment, including threats, complaints of a criminal nature, or other actions, to Human Resources and Internal Affairs.

- a. Human Resources can be notified by email at HRInvestigativeUnit@minneapolismn.gov.
 - b. The conduct shall be reported to Internal Affairs in accordance with P&P 2-101.
- E. It is the policy of the City of Minneapolis to encourage members who feel they have been subjected to workplace discrimination, workplace harassment, or workplace retaliation, or who have knowledge of or believe that such conduct has occurred or is occurring within City government, to report these concerns to the Human Resources Department.
- F. All correspondence on workplace discrimination, harassment, and retaliation complaints is to be kept confidential with only the involved parties and those determined to have a need to know being notified.

Glossary

Disciplinary Action: Disciplinary actions are those actions taken to address misconduct that are identified as discipline under the applicable Labor Agreement: written reprimand, suspension, demotion, discharge. Disciplinary actions are based on the facts and circumstances of the situation, reflect the seriousness of the misconduct, and are described in the Corrective Action Matrix.

Misconduct: A violation of MPD Policies or Procedures, including but not limited to, as specified in those Policies and Procedures: violations of federal, state, or local criminal or applicable civil laws, criminal or civil constitutional violations, violations of administrative rules, or violations of regulations.

Retaliation: The action of treating a person differently, or engaging in acts of revenge or intimidation against the person, because the person has engaged in an exercise of rights, has fulfilled their duty to report or duty to intervene, or participated in an investigation. Examples of acts that may be retaliatory include, but are not limited to:

1. Making threats or engaging in verbal or physical abuse.
2. Maliciously or fraudulently filing a complaint or claim of discrimination.
3. Workplace retaliation, including but not limited to:
 - Blocking advancement (e.g., promotion or transfer requests).
 - Giving punitive, demeaning or unnecessary work assignments.
 - Authoring unsupported negative evaluations.
4. Conducting a stop, search, or arrest without basis.

5. Stalking a person or their place of residence.
6. Intimidation.
7. Any other conduct deterring exercises of rights.

Sexual Harassment: Any unwelcome sexual advances, request for sexual favors, or other verbal or physical acts of a sexual nature when one of the following apply:

- Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment.
- Submission to or rejection of such conduct by a person is used as basis for employment decisions affecting such person.
- Such conduct has the purpose or effect of unreasonably interfering with a person's work performance or creating an intimidating, hostile or offensive work environment.

Note: MPD policy includes in its definition of sexual harassment conduct directed at a person because of gender even though no behavior of a sexual nature occurred.

Workplace Discrimination, Harassment, and Retaliation: Conduct that includes workplace discrimination, workplace harassment, or workplace retaliation.

Workplace Discrimination: Conduct that interferes with or alters the terms or conditions of a person's employment based on the member's protected class status, unless otherwise permitted or required by applicable law.

Workplace Harassment: Any unwelcome communication or other activity that occurs based upon a person's protected class status which unreasonably interferes with the person's ability to perform their job or creates a hostile, threatening, or intimidating work environment.

Workplace Retaliation: The imposition of adverse job consequences on a member because the member initiated or participated in an investigation of a bona fide discrimination, harassment, or retaliation complaint. Examples include, but are not limited to:

- Blocking advancement (e.g., promotion or transfer requests).
- Giving punitive, demeaning or unnecessary work assignments.
- Authoring unsupported negative evaluations.