

## Professional Workplace Conduct Policy

**DRAFT**

The Alaska State Legislature is committed to providing a safe and respectful workplace in which all legislators, legislative employees, and third parties are treated with dignity and respect.

Legislators, Legislative Branch employees, and those conducting business with the Legislature are expected to conduct themselves in a manner that is free of harassment, including sexual harassment; retaliation; and disruptive, threatening, or violent behavior; and to discourage this conduct in the workplace, while traveling on official business, and at professional meetings, seminars, or any events at which legislative business is conducted.

If you experience or witness any of the conduct outlined in this policy or other conduct that creates an intimidating or offensive workplace, you are encouraged to speak to the person's whose conduct is unprofessional, point out the behavior, and tell the person to stop. Taking this action may stop the conduct immediately. If it does not stop, or you are reluctant to confront the person, you should report the problem using the informal process outlined in the Sexual and Other Workplace Harassment Policy.

All reports will be taken seriously and investigated to determine whether there has been a violation of this policy.

If the LAA Personnel Office Staff determines that reported conduct constitutes illegal harassment, you will be notified, and the complaint will be processed according to the Sexual and Other Workplace Harassment Policy.

If the conduct does not rise to the level of illegal behavior, the LAA Personnel Office Staff will work with the parties involved to address the behavior. If the behavior persists or additional reports of similar behavior are received after intervention by the LAA Personnel Office Staff, the appointing authority will be notified and requested to consider disciplinary actions up to and including:

- For an employee, dismissal.
- For a legislator, formal reprimand, censure, expulsion or other penalty as recommended by the body.
- For a person who is not employed by the Legislature, permanent or temporary removal from legislative buildings.

### Prohibited Unprofessional Conduct

Workplace Harassment: Unwelcome conduct in the form of treatment or behavior that, to a reasonable person, creates an intimidating, hostile or offensive work environment, but does not meet the standard of "harassment" as outlined in the Sexual and Other Workplace Harassment Policy.

Sexual Harassment: Unwelcome sexual advances Requests for sexual favors; or verbal/physical/visual conduct of a sexual nature that does not meet the legal standard of "Sexual Harassment" in the Sexual and Other Workplace Harassment Policy;

**Disruptive Behavior:** behavior that creates an intimidating or offensive work environment for a reasonable person including, but not limited to: (a) yelling; (b) using profanity; (c) waving hands, arms, or fists; (d) verbally abusing others; or (e) making statements which are false, malicious or insubordinate. Professionally delivered criticism of work performance is not disruptive behavior.

**Threatening Behavior:** behavior that creates a frightening or alarming environment for a reasonable person including, but not limited to: (a) moving towards another in an aggressive manner; (b) making explicit general threats, such as “I’ll get you”; (c) making implicit general threats, such as “this isn’t over yet”; (d) stalking another with apparent intent to frighten or create discomfort; or (e) explicitly or implicitly threatening sabotage, which is defined as any intentional action which could destroy, damage, incapacitate or contaminate property, equipment, supplies or data, or create a danger of physical or emotional injury to others or disrupt, disable or hinder the operations of the Legislature.

**Violent Behavior:** behavior that includes the use of physical force and would make a reasonable person frightened or fearful including, but not limited to: (a) any touching of another person without that person’s permission; (b) throwing things, pounding on a desk or door or destroying physical objects; (c) making explicit or implicit threats to physically harm another, such as “I’m going to kill you” or “I’m going to hurt you”; (d) committing sabotage; or (e) brandishing a dangerous instrument, such as a knife, gun, or any device capable of inflicting bodily harm, at another.

**Prohibited Sexual Conduct:** Consensual sexual conduct that (a) unreasonably interferes with other employees’ work or creates a hostile, intimidating, or offensive working environment or (b) a consensual relationship between a Legislator with any employee of the Legislative Branch who works under his or her supervision. For the purposes of (b) of this subsection, an employee includes an individual that works in the Legislator’s office or as an employee of a committee that is chaired by the Legislator, an applicant for employment, a paid or unpaid intern (including an applicant for an internship), or an individual participating in a fellowship program. This paragraph does not apply with respect to any relationship between two people who are married to each other.

## **Retaliation Prohibited**

It is a violation of this policy to retaliate against a person who has reported or participated in an investigation of an allegation of unprofessional conduct.