Statement on Fair Treatment in the Workplace (CWA, Local 7430)
HR-02-130

Scope
Policy Statement
Procedure
Sanctions

Scope
This policy applies to all Support Staff at IU Bloomington and Northwest represented by CWA, Local 7430.

Policy Statement
1. Joint commitments and responsibilities
   a. The Indiana University administration, all employees, and the CWA pledge to promote a work environment based on mutual trust and respect for the dignity of every member of the university community. As a community, we are committed to opposing and constraining behavior that detracts from the ability of each employee to perform at his/her highest level and to fulfill the educational mission of the university.

2. Indiana University responsibilities
   a. The administration has the ongoing responsibility of maintaining a work environment that is free of conduct motivated by the following:
      i. Bias based on an employee's legally protected status as defined by federal and state law (e.g., race, gender, religion, color, age, national origin, ancestry, or disability)
      ii. Non job-related characteristics
      iii. Inconsistencies with the IU Equal Opportunity/Affirmative Action policy.
   b. In addition, the administration has the responsibility of insuring fair and equitable treatment, and of eliminating offensive behavior from the workplace.
c. Behavior that is perceived as offensive by some may not offend others. To determine whether a particular act is offensive, it must be evaluated by considering the totality of the circumstances, including the nature, frequency, intensity, location, context, and duration of the questionable behavior. Although a single incident can be sufficient, a pattern of deliberate actions by a supervisor or co-worker that are solely intended to harm an employee is generally necessary to support a claim of offensive behavior.

d. The appropriate department administrators will promptly investigate all complaints of offensive behavior and unfair or inequitable treatment, regardless of whether such complaints are the basis of a grievance under the grievance policy. The university is committed to protecting employees who report offensive behavior against retaliation.

3. Employee and CWA responsibilities
   a. Employees have the responsibility of working cooperatively with co-workers to create and maintain a positive work environment. This includes respecting the individual rights of others and supporting and abiding by reasonable standards of conduct. The CWA has the responsibility of cooperating with the appropriate department administrators to promptly resolve employee concerns using non-adversarial techniques that are based on a consensus.
   b. Employees and the CWA are committed to the proper application of this policy. It will not be used to bring false charges against anyone knowingly and maliciously.

Procedure

1. Problem-solving methods
   There are currently several problem-solving procedures available to employees.
   a. The matter of dissatisfaction may be subject to Policy, Problem-Grievance Resolution Procedure.
   b. Claims of discrimination in violation of Policy, Equal Opportunity/ Affirmative Action, may be pursued through the Office of Affirmative Action grievance procedures.
   c. Complaints that are not subject to either of these formal procedures may be addressed through the informal, alternative process described below. This informal procedure is intended to provide employees with an additional means for resolving workplace problems, especially issues that are not covered by other problem-solving procedures. Accordingly, any resolution of a complaint reached through this informal, alternative procedure, or offers made in an attempt to resolve the dispute, may not be referenced or made the basis of a grievance under any other problem-solving procedure available to employees contained within university personnel policies.
   i. The complaint may be brought to the attention of the dean/director of the operating unit or the administrator who has been assigned responsibility for resolving these matters.
   ii. The employee requesting a special conference must submit a written complaint to the dean/director or designee, at least five workdays prior to the meeting. The complaint must clearly identify the problem and all of the relevant facts.
   iii. Within ten workdays of a written request, the dean/director or designee will hold a special conference with the employee and the union steward, if requested by the employee, in order to discuss the issue and arrive at a mutually satisfactory resolution.
   iv. As provided in Policy, Problem-Grievance Resolution for Support Staff, procedures section 2.a, upon filing a grievance within the ten (10) workday time limit the grievance will be placed on hold until the completion of the informal, alternative process. The hold form may be obtained at the campus Human Resources office.

Sanctions

Managers, supervisors, and employees who violate this policy are subject to disciplinary action, up to and including separation.