

## Civility in the Workplace: Policy

### Application

All employees, volunteers, interns, contractors, and other [third parties](#) in the Virginia Department of Health (VDH) [workplace](#).

### Purpose

The purpose of this policy is to ensure that VDH provides a welcoming, safe, and civil [workplace](#) for employees, customers, clients, contract workers, volunteers, and other third parties and to increase awareness of all employees' responsibility to conduct themselves in a manner that cultivates mutual respect, inclusion, and a healthy work environment. All employees should be trained to recognize, prevent, and report behaviors that constitute [harassment](#), [sexual harassment](#), [bullying](#), [cyber-bullying](#), and threats or [violence](#) related to the [workplace](#). This policy communicates the avenues for addressing complaints and holding employees accountable and to communicate how employees may access these procedures and participate in related investigations, free of [retaliation](#).

### Policy

VDH adheres to the policy and procedures as defined in Department of Human Resource Management Policy [2.35 – Civility in the Workplace](#). This includes fostering a culture that demonstrates the principles of civility, diversity, inclusion, and equity. In keeping with this commitment, [workplace harassment](#) (including [sexual harassment](#)), [bullying](#) (including [cyber bullying](#)), and [workplace violence](#) of any kind are prohibited in state government agencies.

**VDH reserves the right to take corrective and/or disciplinary action for any conduct or behavior deemed by management to be [prohibited conduct](#), either [discriminatory conduct](#) or [non-discriminatory conduct](#), set forth in DHRM [Policy 2.35 – Civility in the Workplace](#), regardless of whether such conduct has reached the level of creating an intimidating, hostile, or offensive work environment.** A “reasonable person” standard is applied when assessing if behaviors should be considered offensive or inappropriate. Guidance on [prohibited conduct](#)/behaviors can be found in the DHRM [Policy Guide – Civility in the Workplace](#).

**VDH strictly prohibits any [retaliation](#) against an individual or group that exercises its rights under this policy.**

Employees are strongly encouraged to report such incidents to any supervisor, manager, Health District Director, Office Director, SBS HR Manager, the OHR EEO/Employee Relations Team, the Director of OHR, appropriate Deputy Commissioner, or the State Health Commissioner.

**A copy of this policy and DHRM [Policy 2.35 – Civility in the Workplace](#) shall be provided to each VDH employee. Each employee is required to sign a certificate documenting the receipt of these policies.**

# Civility in the Workplace: Policy

## Authority

This VDH policy is pursuant to the authority provided in §2.2-1201 of the Code of Virginia and DHRM Policy [2.35 – Civility in the Workplace](#). This policy supersedes VDH Policy OHR 2.30 – Workplace Harassment.

## Related Policies & Resources

DHRM Policy 2.05 – Equal Employment Opportunity  
 DHRM Policy [2.35 – Civility in the Workplace](#)  
 DHRM Policy 1.60 – Standards of Conduct  
 VDH Policy 2.05 – Equal Employment Opportunity  
 VDH Policy 2.35 – Civility in the Work Place: Procedures

## Policy History

EFFECTIVE DATE	DESCRIPTION
11-16-20	Policy established.

## Glossary

### Prohibited Conduct

**Bullying:** Disrespectful, intimidating, aggressive and unwanted behavior toward a person that is intended to force the person to do what one wants, or to denigrate or marginalize the targeted person. The behavior may involve a real or perceived power imbalance between the aggressor and the targeted person. The behavior typically is severe or pervasive and persistent, creating a hostile work environment. Behaviors may be discriminatory if they are predicated on the targeted person’s protected class (e.g., using prejudicial stereotyping or references based on the targeted person’s characteristics or affiliation with a group, class, or category to which that person belongs, or targeting people because they are in a protected class).

**Cyber-Bullying:** Using technology to intentionally harm others through hostile behavior, threatening, disrespectful, demeaning, or intimidating messages. Bullying that occurs via the Internet, cell phones, or other devices (e-mails, IMs, text messages, blogs, pictures, videos, postings on social media, etc.). Pretending to be the victim or spreading rumors or visual images online in order to denigrate or marginalize the targeted person. Behaviors may be discriminatory if they are predicated on the targeted person’s protected class (e.g., using prejudicial stereotyping or references based on the targeted person’s characteristics or affiliation with a group, class, or category to which that person belongs, or targeting people because they are in a protected class).

**Discriminatory Workplace Harassment [Harassment illegal under equal employment laws]:**

## Civility in the Workplace: Policy

- **Discriminatory Harassment:** Any unwelcome verbal, written or physical conduct that either denigrates or shows hostility or aversion towards a person on the basis of race, sex, color, national origin, religion, sexual orientation, gender identity or expression, age, political affiliation, veteran status, or disabilities, that: (1) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an employee's work performance; or (3) affects an employee's employment opportunities or compensation.
- **Sexual Harassment:** Any unwelcome sexual advance, request for sexual favors, or verbal, written or physical conduct of a sexual nature by a manager, supervisor, co-workers or non-employee (third party).
- **Quid pro quo:** A form of sexual harassment by a manager/supervisor or a person of authority in which an employee's receipt of a job benefit or the imposition of a tangible job detriment is conditioned on the employee's acceptance or rejection of the harassment.
- **Hostile work environment:** A form of sexual harassment when a victim is subjected to unwelcome and severe or pervasive repeated sexual comments, innuendos, touching, or other conduct of a sexual nature that creates an intimidating or offensive place for the employees to work.

**Non-Discriminatory Workplace Harassment [Harassment not based on protected classes]:** Any targeted or directed unwelcome verbal, written, social, or physical conduct that either denigrates or shows hostility or aversion towards a person not predicated on the person's protected class.

**Protected classes:** Groups, classes, or categories of people articulated in the Governor's [Executive Order Number One 2018 \(EO-1\)](#), by the [Equal Employment Opportunity Commission](#) (EEOC), and in the [Virginia Human Rights Act \(2020\)](#) protected by law from discrimination based upon race (including hair texture, hair type, and protective hairstyles such as braids, locks and twists), sex, color, national origin, religion, sexual orientation, gender identity or expression, age, veteran status, political affiliation, disability, genetic information, and pregnancy, childbirth or related medical conditions.

**Retaliation:** Overt or covert acts of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against an individual or group exercising rights under this policy.

**Third Parties:** Individuals who are not state employees, but who have business interactions with state employees. Such individuals include, but are not limited to: Customers, clients, students, interns, vendors, contractors, volunteers, applicants for state employment or services, and the general public.

**Workplace:** Any location, either permanent or temporary, where an employee performs any work-related duty or is representing the agency in this capacity. This includes, but is not limited to, the buildings and surrounding perimeters, including the parking lots, field locations, alternate work locations, clients' homes or offices, outside meetings, conferences and conventions, and travel to and from work assignments. It also applies to written, verbal, or graphic communications delivered in person, via phone, message, computer, or social media.

## Civility in the Workplace: Policy

**Workplace Violence:** Any physical assault, threatening behavior, or verbal abuse occurring in the workplace by employees or third parties. Threatening behaviors create a reasonable fear of injury to another person or damage to property or subject another individual to extreme emotional distress.

### Policy Administration

**Reviewer:** Signature on File  
Deputy Commissioner for Administration

Date: 12-23-20

**Approver:** Signature on File  
State Health Commissioner

Date: 12-23-20

**Contact(s):**

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