

RESOLUTION NO. _____

**RESOLUTION OF THE HUMBOLDT COUNTY BOARD OF SUPERVISORS ADOPTING
A COUNTYWIDE POLICY REGARDING ABUSIVE CONDUCT**

WHEREAS, the Board of Supervisors of the County of Humboldt (County) is authorized by the provisions of Section 25300 of the Government Code of the State of California to provide for the number, compensation, tenure, appointment and conditions of employment of County employees; and

WHEREAS, the Board of Supervisors wishes to adopt detailed policies regarding abusive conduct.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Board of Supervisors adopts the Abusive Conduct Policy (“Policy”) attached hereto as Exhibit A.
2. The Policy shall become effective upon Board approval of this resolution.
3. The Human Resources Director, in conjunction with the County Administrative Officer and County Counsel is authorized to make style and format changes to the Policy.

Dated: January 14, 2020

Estelle Fennel, Chair of the Board
Humboldt County Board of Supervisors

Adopted on motion by Supervisor, Seconded by Supervisor, and the following vote:

AYES:

NAYS:

ABSENT:


ABSTAIN:

STATE OF CALIFORNIA)

County of Humboldt)

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.
KATHY HAYES Clerk of the Board of Supervisors of the County of Humboldt, State of California.

POLICY NUMBER: HR2020-002	POLICY TITLE: <p style="text-align: center;">Abusive Conduct</p>	
RESOLUTION NUMBER:		
ORIGINAL ISSUE DATE: 1/14/2020 REVISION DATE:	POLICY CONTACTS: Human Resources	
RELATED DOCUMENTS: Merit System Rules	RELATED POLICIES: Harassment Policy Equal Employment Opportunity Policy	

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SECTION I – PURPOSE

The County of Humboldt is committed to providing a safe work environment. In addition to prohibiting all forms of discrimination and harassment, the County of Humboldt also prohibits any form of Abusive Conduct in the workplace.

SECTION II – APPLICABILITY

This policy applies to all County of Humboldt employees, including permanent, probationary, part-time and extra help employees. For the purposes of this policy, “employee(s)” includes appointed and elected officials.

SECTION III – DEFINITIONS

Abusive Conduct: conduct of an employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to the county’s legitimate business interests. Abusive conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person’s work performance. A single act shall not constitute abusive conduct, unless especially severe and egregious.

Examples:

Verbal Abuse: Slandering, ridiculing, bullying, gossiping, or maligning someone against others; persistent name calling which is hurtful, insulting, or embarrassing; yelling, screaming, or cursing; chronic teasing, belittlement, or frequent unwarranted criticism that undermines the employee’s ability to perform their job.

Nonverbal and Visual Abuse: Threatening gestures, actions, or glances; shunning, excluding, or disregarding a person; offensive depictions of another through a visual medium such as a drawing or doctored photograph; mimicking another in an offensive manner; objects or clothing that contain offensive language or other depictions.

Physical Abuse: Pushing, shoving, punching, kicking, poking, tripping, or purposely impeding another’s path; battering or threatening physical harm; damaging another’s work area or property.

Cyber Abuse: Tormenting, threatening, cyber-bullying, harassing, embarrassing, or otherwise targeting another using social media, email, instant messaging, text

messaging, or any other type of digital technology. Cyber abuse outside of regular working hours is actionable under this policy if the conduct demonstrates a nexus that is detrimental to the mission and functions of the county.

Workplace Interference: Sabotaging another's work; deliberately tampering with a person's work area or property; assigning menial tasks outside of a person's normal job duties.

SECTION IV – POLICY

The County of Humboldt has a zero-tolerance policy regarding Abusive Conduct in the workplace or elsewhere, such as offsite events.

SECTION V – PROCEDURE

A. Complaint Procedure

1. Any individuals who believe that they are being or have been subjected to any form of Abusive Conduct should immediately report this to their supervisor, department head, or Human Resources representative.
2. If the complaint involves a supervisor or department head, it should be made to a Human Resources representative.
3. Any person who believes they have witnessed Abusive Conduct and any person who has received a report of such conduct, whether the perpetrator is an employee or a non-employee, shall immediately report the conduct to their supervisor or other appropriate person in the chain of command.
4. No person shall deliberately and knowingly make a false accusation against another person. Deliberate and knowingly false accusations of abusive conduct may result in disciplinary action if substantiated.

B. Investigations and Penalties

1. All employees must cooperate with any investigation into possible violations of this policy.
2. No employee will be subjected to any form of retaliation for reporting an incident of abusive conduct or participating in an investigation by the county or its representatives into allegations of Abusive Conduct.
3. Violations of this policy are subject to discipline in accordance with Humboldt County Merit System Rule X, up to and including termination.

4. Questions concerning the application of this policy to an employee or applicant should be directed to the Human Resources Director, or designee.

Board Approved:

Pursuant to Board Order _____ Dated _____