



Written Testimony

Submitted

By

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*H.B. 5464, AN ACT CONCERNING STATE EMPLOYEES AND VIOLENCE AND
BULLYING IN THE WORKPLACE.*

Chairs, Ranking Members and Members of the Labor Committee, thank you for allowing me to submit written testimony today.

Commitment to Civility

The University of Connecticut is committed to promoting civility and a respectful, ethical, diverse and safe workplace for our faculty and staff. Every employee's work has meaning and contributes to building a great University that continues to be the pride of our state. Each faculty and staff member plays an important part in making UConn the best that it can be, whether they are trades people, front office staff, faculty members, researchers, doctors at our Health Center or student affairs staff. Without the commitment and diligence of all of our employees, UConn would not be the top-ranked public university in New England or ranked 26th amongst public research universities nationally.

Since a nurturing and inclusive community is paramount to our continued success, UConn has made it a priority to encourage cooperation and mutual respect at all of our campuses. We are dedicated to recruiting and retaining faculty, staff and students from underrepresented groups. In fact, our workforce is 62% female and 20% minority and our undergraduate student population is 50% female and 21% minority. Our Women's Center and four Cultural Centers not only celebrate diversity, multi-culturalism and a variety of lifestyles, but serve as advocates for important University constituencies. The Provost's Commission on the Status of Women has been in existence since the 1980's and has been responsible for changes in family leave policies, tenure timelines and salary equity. Due to input from Commission members, the Provost recently expanded the scope of this Commission and renamed it the Commission on Institutional Diversity to address issues of inclusion, diversity, equity and access.

An institution as large and active as UConn, regrettably, cannot guarantee the individual behavior of more than 8,000 employees. We can guarantee, however, that strong policies are in force to protect the rights of all

employees and that the necessary infrastructure is in place to ensure allegations of misconduct or wrongdoing are investigated and addressed. UConn is proud of its institutional policies which promote civility, high ethical standards and prohibit discrimination and harassment. To ensure compliance with these policies, an extensive training program is in place to educate employees. If a faculty or staff member experiences difficulties in the workplace, the University has developed the most robust array of resources currently available in state government. Depending on the issue, employees can appeal to Human Resources, the Office of Diversity and Equity, the Employee Assistance Program, the Office of Audit, Compliance and Ethics, our Women's Center, Cultural Centers, or their unions (if applicable). While all of these entities are not infallible, their existence does demonstrate UConn's long-term commitment to protecting the rights of all employees.

The following information provides an overview of relevant University policies, training provided to ensure compliance, a description of the support systems and enforcement mechanisms available to employees and the proactive stance the University is taking to improve the workplace environment on all of our campuses.

Relevant University Policy

Current University policy reflects a framework which encourages all employees to be civil, courteous and inclusive in the workplace. Our Code of Conduct (<http://www.audit.uconn.edu/doc/codeofconduct.pdf>), which governs all employees, sets basic standards of behavior that the University expects of all faculty, administrators and staff. Violations of the Code can result in disciplinary action.

There are two sections of the Code that are relevant to fostering respect and diversity in the work environment. The Ethics Statement that accompanies the Code outlines a number of the University's core values that provide a foundation of the Code, including:

Respect: The University honors individuality and demonstrates tolerance for the personal beliefs and cultural differences of all individuals. As members of an academic community, we seek to foster a spirit of civility and collegiality through open and honest communication. We strive to protect the health and safety of all persons. We protect the private and confidential information that is provided by our patients and research participants, faculty, administrators, staff, students, volunteers and others. We value an environment that is free from harassment and violence.

The Code also includes the following prohibitions on non-discrimination and harassment:

Non-Discrimination

The University encourages and respects diversity within the university community and does not allow discrimination on the basis of age, race, national origin, religion, disability, sex, sexual orientation or any other characteristic protected by law in any activity or operation of the institution.

Harassment

The University affirms its dedication to foster a community that condemns all forms of discrimination or acts of intolerance including sexual harassment, intimidation and retaliation.

The University's General Rules of Conduct (<http://policy.uconn.edu/findPolicy.php?PolicyID=239>) establish standards of behavior including prohibitions on conduct that may be defined as harassing, bullying and/or uncivil. Specifically the Rules of Conduct state:

Employees are forbidden to engage in the conduct listed below and may be disciplined or dismissed for doing so.

Conducting oneself in any manner, which is offensive, abusive, or contrary to common decency or morality; carrying out any form of harassment including sexual harassment;

Interfering in any way with the work of others; and

Engaging in activities which violate either the state's or the University's code of ethics.

The University also has a Non-Retaliation policy (<http://policy.uconn.edu/findPolicy.php?PolicyID=405>) which prohibits any inappropriate or unsubstantiated action taken or threatened against an employee because the individual has, in good faith, made an allegation concerning the violation of state or federal law, University policy, rule or regulation, or has participated in any manner with an investigation of such allegation.

Education and Training

The University has an extensive training program in place that reinforces our workplace policies. Regarding Diversity and Sexual Harassment Prevention training, the University goes beyond the state mandate. Specifically, while state law requires that only supervisory employees receive Sexual Harassment Prevention training, the University requires that all faculty and staff receive this training and is committed to embedding curricula updates into future training sessions. Every UConn employee is required to complete Ethics training. The Department of Human Resources' Organization & Staff Development (OSD) unit serves the University community by providing learning programs and organizational development solutions that improve employee engagement and organizational effectiveness.

More specifically, to improve employee interaction skills, OSD has implemented two programs; the Interaction & Leadership Program and the Caring About "U"Conn program.

The Interaction and Leadership Program is a targeted eight day supervisory development program designed to improve interaction and leadership skills across UConn's prospective and existing supervisory population (non-academic). The program places emphasis on developing an understanding of differences in employee work styles, learning to reduce and mediate conflict, and how to consistently apply State & University employment policy. The Interaction & Leadership Program has been in existence for 3 years and has produced over 250 graduates.

The Caring About "U"Conn (CAU) program was designed and implemented specifically to demonstrate to the University community Human Resources commitment to employee well-being. Each year, CAU co-sponsors and implements a well attended work/life exposition with the Human Resources Benefits unit. The program also delivers/manages lunchtime learning events, seminars, and support groups on a broad range of current topics such as; personal safety on campus, dealing with stress & difficult co-workers, personal financial education, walking for fitness, and eldercare.

Support and Enforcement Mechanisms Available

The University maintains a comprehensive system of complaint intake entry points to ensure that members of the university community have multiple forums through which they can voice concerns about workplace climate issues. Further, the University explicitly requires that supervisors, under penalty of discipline, report to appropriate administrative units any instances in which employees complain of discrimination or harassment.

Human Resources

The Department of Human Resources routinely investigates reported complaints and advises managers and supervisors on appropriate responses to allegations of workplace misconduct. Since 2007, 40 complaints which fall generally under allegations of harassment or abusive conduct have been investigated. Of these 40 complaints, 36 resulted in actions ranging from counseling to dismissal and one complaint was withdrawn.

Office of Diversity and Equity

In accordance with state law, the University's Office of Diversity & Equity (ODE) works as a neutral entity within the university that fields and investigates claims related to violations of University anti-discrimination policies which are modeled after state and federal civil rights laws. Matters that do not present evidence of discrimination or discriminatory harassment as defined by law, and therefore fall outside of ODE's jurisdiction, are referred to appropriate offices including Human Resources, the Office of Audit, Compliance and Ethics, the Employee Assistance Program, and management offices.

ODE investigation protocols and memoranda of findings and recommendations are aligned in format and substance with standards set forth by state and federal courts and regulatory enforcement agencies. Since 2002, no ODE case decision has been overturned by a court of law or enforcement agency. In those investigations where discriminatory behavior was established, ODE has recommended and the University has implemented, remedial actions ranging from requiring the offending employees to undergo specialized training up through the issuance of corrective disciplinary action (i.e., suspension, dismissal, etc.). ODE's services are accessible through multiple complaint intake entry points.

Office of Audit Compliance and Ethics

The University's Office of Audit, Compliance and Ethics (OACE) assists the University and the Health Center in achieving their financial, operational and strategic goals while maintaining compliance with all associated laws and/or regulations. OACE accomplishes this goal by identifying institutional risks; performing audits, reviews and investigations; augmenting institutional compliance through effective education and training programs; and fostering the values of knowledge, honesty, integrity, respect and professionalism as outlined in the University's Code of Conduct. OACE is independent and reports directly to the Joint Audit and Compliance Committee of the Board of Trustees. It manages an anonymous reportline where anyone can report potential violations of law, policies, or procedures. The Compliance division is responsible for the investigation of such compliance inquiries and follows up on every allegation submitted to the reportline. Individuals, who report in good faith possible compliance issues, will be accorded confidentiality and/or anonymity to the extent possible under the law. It is a violation of the University's Code of Conduct to retaliate against any individual who has made a good faith complaint.

Women's Center and the Cultural Centers

Our active Women's Center and Cultural Centers create alternative channels for communication and advocacy and play a critical role in exposing the University community to a variety of cultures, lifestyles and diversity issues. UConn prides itself on having the African-American Cultural Center, the Asian-American Cultural Center, the Puerto-Rican Latin American Cultural Center, the Rainbow Center and the Women's Center.

Commitment to Civility & Diversity in the Workplace

The University is committed to exploring new and innovative ways to encouraging respect and diversity at all our campuses.

"Something's Happening" Committee (SHC)

In 2007, the "Something's Happening" Committee (SHC) was formed to advocate for sustaining a safe and respectful workplace. This grass roots committee, facilitated by Human Resources' Organization and Staff Development unit has offered additional workshops on University resources to assist with harassment, bullying, discrimination, incivility and retaliation and violence in the workplace and retaliation claims.

The Committee is comprised of representatives from our unions, Human Resources, the Office of Diversity and Equity and the Office of Audit, Compliance, and Ethics, the Women's Center, Public Safety and academic departments.

Since it was created, the work of the SHC has resulted in the following outcomes:

- A series of workshops aimed at understanding and addressing sexual harassment, bullying and workplace harassment, discrimination, incivility and retaliation, and violence in the workplace were held and more are planned.
- The Office of Audit, Compliance and Ethics added a new component to its compliance training and newsletter about civility and respect in the workplace.
- A university-wide poster campaign with themes of "Positive Work Environment," "Ethical Work Environment," and "Sexual Harassment Prevention" has been initiated and more campaigns are being developed.
- SHC had significant input into the University's development of a Non-Retaliation Policy (see above) which became effective on 9/22/09.
- Human Resources created, with the SHC a website: (www.respect.uconn.edu) providing a portal to the committee's activities, a forum for individuals who wish to make recommendations to improve workplace respect and civility and university resources for employees with a range of concerns about workplace climate issues including harassment, discrimination, bullying etc.
- In January of 2010, following a briefing of the University's Senior Administrative Team by Human Resources on workplace civility, the President directed each member of his senior staff to discuss the importance of workplace civility and respect with their staff and to work to move that message and information about the University's resources through their organizations.

Conclusion

In closing, I would just like to reiterate that while we cannot guarantee the behavior of more than 8,000, we are committed to promoting a civil, inclusive and ethical work environment. To that end the University has a strong policy framework in place and a robust array of services available to employees should they encounter difficulties in the workplace.

