



NEW MEXICO
**LAW OFFICES OF THE
PUBLIC DEFENDER**

**Chief Public Defender
Bennett J. Baur**

Respectful Workplace Guidelines

A fair, collaborative, inclusive and respectful Workplace is a vital prerequisite to the Law Offices of the Public Defender (LOPD) Department achieving its mission and public service goals and preserving its reputation for excellence.

Therefore, the LOPD embraces the concept of a Respectful Workplace as a core value and is committed to promoting an environment where employees respect each other regardless of their roles or levels of responsibilities.

Everyone Is Responsible For a Respectful Workplace

Employees: All employees, regardless of role or status, are responsible for behaving respectfully and for refraining from disrespectful behaviors that violate relevant LOPD policies.

All Employees, regardless of their role or status, are also responsible for:

- Recognizing when they or others are being subjected to disrespectful behavior;
- Addressing the behavior directly with the person engaging in disrespectful or abusive conduct;
- Bringing the situation to the attention of a supervisor or the next person in the chain of command (if a supervisor is the issue) for prompt resolution;
- Making a complaint.

Supervisors: In addition to their personal responsibilities as Employees, supervisors are responsible for:

- Encouraging the reporting of instances of disrespectful behavior;
- Immediately addressing all disrespectful behavior once reported or observed;
- Taking the situation seriously and promptly investigating the extent and nature of the problem.

Examples of Respectful Behavior

Every employee of the LOPD has the right to work in a respectful workplace. In order to promote and sustain a workplace where all employees are treated with respect and dignity, regardless of their status or position, each employee is expected to abide by these values and standards of interpersonal behavior, communication and professionalism:

- We respect and value the contributions of all members of our community, regardless of status or role in the department;
- We treat employees with respect, civility, and courtesy;

- We work honestly, effectively and collegially with employees and others;
- We respond promptly, courteously, and appropriately to requests from others for assistance or information;
- We use conflict management skills, together with respectful and courteous verbal communication, to effectively manage disagreements among employees;
- We encourage and support all employees in developing their individual conflict management skills and talents;
- We have an open and cooperative approach in dealings with employees, recognizing and embracing individual differences;
- We recognize that differing social and cultural standards may mean that behavior that is acceptable to some may be perceived as unacceptable or unreasonable to others;
- We abide by applicable rules, regulations, policies and laws and address any dissatisfaction with, or violation of, policies and procedures through appropriate channels;
- We demonstrate commitment to continuous personal and professional learning and development;
- We demonstrate commitment to a culture where all employees cooperate and collaborate in using best practices to achieve high work-related outcomes;
- If we are in leadership positions, we model civility for others and clearly define expectations for how employees treat each other, and are responsive to complaints when they are brought forward.

Examples of Disrespectful Behavior

Consistent with this and other relevant LOPD policies, all employees at the LOPD are expected to refrain from disrespectful behavior. Examples of disrespectful behavior can include, but are not limited to, the following:

- Use of threatening or abusive language, profanity or language that is intended to be, or is perceived by others to be, demeaning, berating, rude, or offensive;
- Bullying (See Definition below);
- Making threats of violence, retribution, litigation, or financial harm; shouting or engaging in other speech, conduct or mannerisms that are reasonably perceived by others to represent intimidation or harassment;
- Using racial or ethnic slurs; demonstrating racial, gender, sexual orientation, or cultural bias;
- Making or telling jokes that are intended to be, or that are reasonably perceived by others to be, crude or offensive; teasing, name calling, ridicule or making someone the brunt of pranks or practical jokes;
- Using sarcasm or cynicism directed as a personal attack on others;
- Spreading unsubstantiated rumors or gossip;
- Making actual or threatened inappropriate physical contact;

- Throwing office equipment, tools or other items as an expression of anger, criticism, or threat, or in an otherwise disrespectful or abusive manner;
- Making comments or engaging in behavior that is untruthful or directed as a personal attack on the professional conduct of others;
- Retaliation (See Definitions below);
- Engaging in any pattern of disruptive behavior or interaction that could interfere with the workplace or adversely impact the quality of services, for internal or external customers.

Definitions

Bullying: Unreasonable and inappropriate treatment of a person by another or others in the workplace; including, behavior that could be expected to intimidate, offend, degrade, humiliate, undermine, exclude or threaten the target.

Some examples of Bullying are included below. While any one of these actions, individually, may not constitute “bullying”, when taken in context of a whole situation may qualify as bullying.

- Making insulting or humiliating comments about the performance of an employee, in public or in private, or in any inappropriate manner or venue (i.e., via email);
- Deliberate exclusion, isolation or alienation of an employee from normal work interaction, such as intentionally excluding him/her from meetings;
- Discounting the accomplishments of an employee, or stealing credit for their success or accomplishments;
- Undermining an employee, including encouraging others to “gang up” on him/her;
- Deliberately withholding information that an employee needs to exercise her or his role or access to benefits, training, or entitlements within the LOPD;
- Unreasonably refusing an employee’s request to take personal leave;
- Excessive and unfounded monitoring;
- Setting unachievable and unrealistic work expectations;
- Shouting at an employee, publicly or privately.

Bullying may be perpetrated by any individual or group in the workplace—a work colleague, a supervisor, a more senior manager or a person who reports to the individual subject to the bullying. A bully is equally likely to be male or female. Bullying may be overt or covert and may be conducted in person or through electronic communications.

Retaliation: For purposes of these guidelines, any adverse action affecting an employee’s employment or other rights, taken or threatened because an employee has, in good faith, made an allegation concerning a violation of LOPD policy, rule or regulation, or a violation of state or federal law, or has participated in any manner with an investigation of such allegation. Retaliation can manifest itself as bullying (see the definition of Bullying above, and the examples provided) or as any of the other disrespectful behaviors that are identified in these guidelines. Retaliation can also include:

- unfounded civil or criminal charges that are likely to deter reasonable people from pursuing their rights;
- employment actions such as termination and denial of promotion
- other actions affecting employment such as threats, unjustified negative evaluations, or increased surveillance
- actions designed to interfere with the individual's prospects for employment, such as giving an unjustified negative job reference, refusing to provide a job reference, and/or informing an individual's prospective employer about the individual's protected activity

Workplace: Any location where LOPD employees perform job-related functions.



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Respectful Workplace Guidelines
Employee Acknowledgment of Training

I, _____ (print name) acknowledge that I have received a copy of this training tool and that _____ (print supervisor/manager name & job title) has reviewed the information contained herein.

I acknowledge that I understand the information contained in this training tool. Additionally, I understand that any conduct or behavior that is contrary to the information provided in this training tool is a violation of the Law Offices of the Public Defender's Code of Conduct and may subject me to discipline, up to and including dismissal.

Employee Signature: _____ **Date:** _____

Supervisor Signature: _____ **Date:** _____

Employee Comments:

Supervisor Comments:

cc: Personnel File