

13 - 0986



Mn/DOT POLICY POSITION STATEMENT

Date: July 2, 1996

Revised: May 10, 2007

Reference: Human Resources
Administration No. 3.26
Zero Tolerance of Violence in
the Workplace

Position Statement and Guidelines:

- I. It is the policy of the Minnesota Department of Transportation and the responsibility of all employees to provide a workplace free from violence.

Any employee who is subjected to, or witnesses, threats of violence, or actual violence must immediately report such conditions to their supervisor or manager. Managers and supervisors will respond to, document, and take appropriate action in response to all reports of threats or actual violence. Reprisal against anyone for reporting a threat or act of violence will not be tolerated. Employees who are involved in a violation of this policy will be subject to disciplinary action up to and including discharge from employment.

II. Definitions

- A. Violence: The threatened or actual use of force that results in or has a high likelihood of causing fear, injury, suffering or death.
- B. Zero Tolerance of Violence: Mn/DOT's intent is to eliminate the potential for violence in and around the workplace, and to promote a work culture that is safe, inclusive, and respectful.
- C. Critical Incident Stress Management (CISM): A team comprised of Mn/DOT employees who are trained to respond to highly stressful incidents such as fatalities, serious injuries, violence, natural disasters, and other traumatic workplace events as soon as possible after the incident has occurred.

III. Teams

- A. Mn/DOT Violent Incident Advisory Team (V.I.A.T.)
1. A cross section of people with expertise that may include: labor relations, affirmative action, administration/facilities management, safety, communication, leadership, organizational development/behavioral sciences, and Capitol Security.

B. District Violent Incidents Response Contact:

1. Appointed by the District Engineer.
2. May be a member of the administrative management team, a safety officer, a communications specialist, and/or any other person selected by the District Engineer.

IV. Responsibilities:

A. Transportation District Engineers and Office Directors:

1. Ensure that employees, visitors and customers are free from threats of violence in the Mn/DOT workplace and enforce actions needed to deal with any potential/actual threats or other acts of violence.
2. Ensure that the district's violent incident contact person collaborates with the district's security contact person to coordinate efforts in the district and with VIAT.
3. Take necessary steps to identify and improve any workplace climate concerns, safety concerns, or security concerns.
4. Ensure that all incidents of violence in the workplace are documented (see attached document), addressed, and reported to the VIAT team.

B. Managers and Supervisors:

1. Be familiar with Mn/DOT's policy and guidelines on Zero Tolerance of Violence in the workplace.
2. Promote positive behavior in employees, lead by example and treat employees with respect and dignity. Hold employees accountable to treat others in this way.
3. Participate in and promote training on violence prevention and response, and apply these knowledge and skills in the workplace.
4. Know and encourage the use of available internal and external resources to diffuse the potential for workplace violence (i.e. State Employee Assistance Program, Mn/DOT Organizational Development staff, etc.).
5. Ensure that all incidents of violence in the workplace are documented (see attached document), addressed, and reported to the VIAT team.
6. Respond immediately and appropriately to all alleged incidents of violence in the workplace, by investigating, or obtaining assistance in investigating and implementing appropriate follow through.

7. Hold employees accountable for their behavior, and implement appropriate corrective measures, up to and including discipline.

C. Employees

1. Be familiar with Mn/DOT's Zero Tolerance of Violence policy/guidelines and its potential consequences.
2. Treat co-workers and others in the workplace with dignity and respect and manage conflict appropriately.
3. Participate, as assigned, in training for violence prevention and apply this knowledge and skill in the workplace.
4. Report all threats or acts of violence to the appropriate supervisor or manager.
5. Cooperate in investigations regarding workplace violence.

D. Mn/DOT Violent Incident Advisory Team

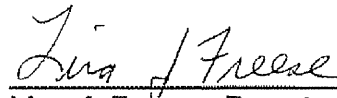
1. Review all reports of incidents and provide appropriate case management/support as needed. Prepare and deliver an annual report on climate issues and violence trends within Mn/DOT to senior management.
2. Act as a resource to managers and supervisors by providing expertise and information to ensure effective prevention of or effective response to violence in the workplace.
3. Develop and recommend policies, practices, procedures, or educational initiatives that promote a respectful workplace environment within Mn/DOT.

E. District Violent Incident Response Contacts:

Violent incidents should be reported to the following contacts:
Human Resource Staff in the Districts or Central Office
Labor Relations contacts in the Districts or Central Office
and the District Engineer;

They should then act on the following:

1. Receive and/or complete reports of violence in the workplace and review in collaboration with supervisors, managers or employees.
2. Determine and encourage appropriate response to concerns of violence and collaborate with VIAT members as needed.
3. Document the reported incident and the response, and forward to the Chair of V.I.A.T.



Lisa J. Freese, Deputy Commissioner

Any questions regarding this position statement should be directed to:

Human Resources Director, Central Office, M.S. 200, Transportation Bldg., 395 John Ireland Blvd., St. Paul, MN 55155, Telephone (651) 296-3001.

VIOLENT INCIDENT REPORT FORM (4/07)



Violent Incident Report

Person Completing Report: _____

Date: _____

District/Office: _____

Alleged Suspect: _____

Work Location: _____

Immediate Supervisor: _____

Work Phone: _____

Date and Time of Incident: _____

Location of Incident: _____

Affected Employee: _____

Work Phone: _____

Immediate Supervisor: _____

Work Phone: _____

Witnesses:

Type of Incident

- | | | |
|---|---|--|
| <input type="checkbox"/> Unusual behavior | <input type="checkbox"/> Threatening action | <input type="checkbox"/> Verbal threat |
| <input type="checkbox"/> Phone threat | <input type="checkbox"/> Obscene call | <input type="checkbox"/> Bomb threat |
| <input type="checkbox"/> Suspicious activity | <input type="checkbox"/> Physical assault | <input type="checkbox"/> Intimidation |
| <input type="checkbox"/> Other (please explain) | <input type="checkbox"/> Property damage | |

Describe Specifically What Was Observed or Heard: (use additional space on back if needed)

Physical Description (attach photo if available)

☐ Male ☐ Female Approximate Age _____ Height _____ Weight _____ Race _____

Unusual Characteristics _____

Clothing (start with shoes and work up):

Action Taken:

Follow-up plan: ☐ Yes ☐ No

Incident Status-please explain:

Please return (as soon as possible) to C.O. Labor Relations, Mail Stop 200 (you may also fax or email).

Note: This form may be used as a template to provide incident information to local law enforcement as appropriate.



Mn/DOT POLICY POSITION STATEMENT

Date: January 19, 1996
Revised: July 26, 2002
Revised: August 18, 2003
Reference: Human Resources
Administration No. 3.18
Mn/DOT Dangerous Weapons
Policy

Position Statement:

It is the policy of this Department to provide a work environment which is free from violence or the threat of violence. This policy contains restrictions and prohibitions regarding the possession of dangerous weapons by Mn/DOT employees. For the purposes of this Position Statement and related Guideline, dangerous weapons fall into two categories: firearms and non-firearms.

I. Firearms.

All employees, including employees who have a lawful permit to carry a handgun, are prohibited from possessing firearms (as defined by this Position Statement and related Guideline) in the course and scope of employment. Course and scope of employment is defined in the Mn/DOT "Dangerous Weapons Guideline".

II. Non-Firearms.

All employees are prohibited from possessing any non-firearm dangerous weapon (as defined by this Position Statement and related Guideline) in state buildings, on state property, on state leased property, in state vehicles and in state-owned or leased parking lots, except as specifically noted in the Mn/DOT "Dangerous Weapons Guideline."

Violations of this policy will not be tolerated by this Department and are grounds for disciplinary action up to and including discharge.

The Guideline to this Position Statement contains further provisions regarding prohibitions and responsibilities related to possessing firearms in the State Capitol area, state vehicles or personal vehicles being used for state business, possession of firearms in Mn/DOT owned or leased parking lots, and permit holders under the influence of alcohol or controlled substances.

Background:

This policy has been implemented as a component of Mn/DOT's plan for zero tolerance of violence in the workplace and to inform employees of their personal responsibilities with respect to the possession of dangerous weapons in the workplace and consequences regarding violation of this policy. The plan, originally adopted in October of 1995, is currently being updated to comply with Laws 2003, Chapter 28, the Minnesota Citizens Personal Protections Act of 2003. **Attachment 1** to this Position Statement provides answers to a number of frequently asked questions about aspects of the Act.

Specific Laws and Procedures:

Zero Tolerance of Workplace Violence Implementation Plan, dated October, 1995.
Human Resources Administration No. 3.18.G-1: Mn/DOT Dangerous Weapons Policy
Guideline, as revised dated August 18, 2003.
Laws 2003, Chapter 28, the Minnesota Citizens Personal Protections Act of 2003.
Minnesota Statutes section 15.50, subd. 2.

**Douglas H. Differt, Deputy Commissioner and
Chief Engineer**

Any questions regarding this policy should be directed to:

Director, Human Resource Operations, MS 200, 5th Floor North, Transportation Building, 395 John Ireland Boulevard, St. Paul, MN 55155, Telephone 651/296-1016.

Mn/DOT's Dangerous Weapons Policy

Frequently Asked Questions

1. *Mn/DOT's Dangerous weapons policy and guideline was recently revised. Why?*

This policy has been amended in light of the recently enacted Minnesota Citizens Personal Protection Act (frequently referred to as the new "Conceal and Carry Law").

2. *What is different about this new law with respect to Mn/DOT?*

Mn/DOT Employees: The new law allows employers to prohibit employees (including those who have a valid permit to carry a handgun) from possessing firearms in the "course and scope of employment." Therefore, language reflecting "course and scope of employment" has been added to our new policy and guideline.

Under our old policy/guideline, employees were prohibited from bringing any dangerous weapon into our facilities. The new policy and guideline clarifies that employees cannot possess firearms in the "course and scope of employment" even if they have a valid permit.

Public Citizens (Non-Mn/DOT Employees): Under the new law, public citizens who have a permit to carry a handgun, have the right to carry it onto Mn/DOT owned or leased premises. They do not need anyone's permission to do so. However, with regard to the Capitol Complex Area, in St. Paul, Minnesota (which includes the Transportation Building) a public citizen with a proper permit, must first notify the Commissioner of Public Safety of their intent to carry the firearm onto the Capitol Complex Area. For all other Mn/DOT facilities no notification is needed.

3. *What does the new law and Mn/DOT's new policy and guideline say about parking lots?*

The law says that anyone who has a lawful permit to carry a handgun, may carry and possess a firearm in a parking ramp or parking area consistent with law. Mn/DOT's new policy/guideline reflects this provision: Employees with proper permits may carry and possess the firearm in a state owned or leased parking ramp or parking area as well as any other parking ramp or area, consistent with law.

4. ***Under Mn/DOT's new Dangerous Weapons Policy, can employees carry a firearm in their vehicle?***

Under our new policy/guideline, employees with a proper permit to carry a firearm, may carry the firearm in their personal vehicle consistent with law (including while they are parked in Mn/DOT owned or leased parking areas). Note however: They may not bring the firearm into Mn/DOT owned or leased facilities or any other area while they are acting in the "course and scope of employment."

Our policy/guideline does not allow employees to carry a firearm (permit or not) while driving a Mn/DOT vehicle.

5. ***Can Mn/DOT prohibit public citizens, who have valid permits, from carrying weapons into our facilities, our truck stations, or our work zones?***

No. The law does not allow public or governmental entities such as Mn/DOT, to ban, to post signs banning, or prohibit public citizens (with the proper permits) from carrying a firearm into our facilities, truck stations or work zones.

6. ***Does a public citizen have to carry a permit on his or her person when carrying a firearm?***

Yes. Permit holders must have a permit card and a driver's license, state ID card, or other government-issued photo ID in their immediate possession at all times when carrying a firearm, and they must display the permit card and ID upon lawful demand by a peace officer.

7. ***Where can I get more information about the new law or the revised policy?***

See Mn/DOT's Dangerous Weapons Policy, Human Resources Administration No. 3.18, dated August 18, 2003, and Guideline, Human Resources Administration No. 3.18.6-1, dated August 18, 2003, for further information. You can also contact the Mn/DOT Office of Human Resource Operations for further policy questions or concerns.

You can also check out the Minnesota Department of Public Safety's website at: <http://www.dps.state.mn.us/>



Mn/DOT POLICY GUIDELINE

Date: January 19, 1996
Revised: July 26, 2002
Revised: August 18, 2003
Reference: Human Resources
Administration No. 3.18.G-1
Mn/DOT Dangerous Weapons
Policy Guideline

Guideline:

I. Definitions

- A. Capitol Area:** The Capitol Area is defined by Minnesota Statutes, section 15.50, subd. 2. Note: The Capitol Area includes the Transportation Building located at 395 John Ireland Blvd, St. Paul, Minnesota. A complete map of the Capitol Area is included in *Attachment 1* to this Guideline.
- B. Course and Scope of Employment:** Course and Scope of Employment includes but is not limited to the following situations:
1. Driving a state vehicle on Mn/DOT business
 2. Riding as a passenger in a state vehicle or any type of mass transit on Mn/DOT business
 3. Working for Mn/DOT in any Mn/DOT owned or leased building
 4. Any time an employee is performing work for Mn/DOT
 5. Any time an employee is on a Mn/DOT paid break
 6. Any time an employee is eating lunch on their unpaid lunch hour on Mn/DOT owned and operated premises (including lunch and break rooms)
 7. Any time an employee is utilizing Mn/DOT owned and operated exercise and/or wellness areas
 8. Working off-site on behalf of Mn/DOT (For example at a construction site or at a site that is not owned or operated by Mn/DOT)
 9. Performing call back, overtime or emergency work for Mn/DOT outside normal business hours and on holidays and weekends
 10. Conducting or attending training or conferences on behalf of Mn/DOT
 11. Coming into the employee's work location to begin work
 12. Leaving the employee's work location at the end of the employee's work shift

13. Current and former employees attending administrative and/or grievance hearings related to their Mn/DOT job

C. Dangerous Weapons: For purposes of this policy, dangerous weapons include both firearms and non-firearms:

1. **Firearms:** A firearm is defined as any firearm, loaded or unloaded, assembled or disassembled, including pellet guns, rifles, pistols, handguns, shotguns, "BB" guns, machine guns, and stun guns (electronic incapacitation devices). A firearm also includes a weapon that discharges shot or a projectile by means of an explosive, a gas, a force of combustion or compressed air.

Firearms also include replicate firearms (facsimile or toy versions which reasonably appear to be a pistol, revolver, shotgun, rifle, machine gun, or any other firearm)

2. **Non-firearms:** Non-firearms include but are not limited to the following
 - a. Any non-firearm weapon which by federal, state or local law is illegal to possess;
 - b. Knives, swords, switchblades (or other similar instruments) with a blade length of more than three inches, other than those pre-approved by a supervisor to perform work assignments, or for the specific purpose of food preparation and service;
 - c. Brass knuckles, "throwing stars", "numchucks" and other items associated with and used as weapons in martial arts;
 - d. Bows, cross bows, and arrows;
 - e. Explosives and incendiary devices;
 - f. Any other item designated as a "dangerous weapon" by the Commissioner or Deputy Commissioners of the Department of Transportation.
 - g. Any item that is used to inflict bodily harm or property damage.

II. Policy Restricting and/or Prohibiting Possession of a Dangerous Weapon

A. **Firearms:** All employees, including employees who have a lawful permit to carry a handgun, are prohibited from possessing any firearm in the course and scope of employment (as provided above). This policy also specifically prohibits Mn/DOT employees from buying, selling or trading firearms in the course and scope of employment.

1. **Capitol Area:** Employees who have a lawful permit to carry a handgun, must first notify the Commissioner of Public Safety pursuant to Minnesota Statutes, section 609.66 prior to possessing firearms in the Capitol Area (defined above).
2. **Parking Lots:** Employees who have a lawful permit to carry a handgun may carry and possess a firearm in Mn/DOT or state owned or leased parking ramps and other parking areas consistent with law. Note, however: An employee may not possess a firearm in a state vehicle when driving on state business, or otherwise performing state business in the vehicle.

B. **Non-Firearms:** Except as otherwise noted, it is a violation of Mn/DOT policy for a Mn/DOT employee to possess a non-firearm dangerous weapon while in a state building, while on state property, or in a state vehicle. This includes keeping a non-firearm dangerous weapon inside a private vehicle on state property or property leased by the state, except as noted in III (c) below.

This policy specifically prohibits Mn/DOT employees from buying, selling or trading of non-firearm dangerous weapons in the work place or while performing work for Mn/DOT (including Mn/DOT or state owned or leased buildings and adjacent property such as parking lots).

III. Exceptions

It shall **not** be a violation of Mn/DOT policy to possess a dangerous weapon when:

- A. The employee is in possession of a dangerous weapon in order to perform a job-related assignment and has received prior approval of his/her supervisor for this specific purpose.
- B. The employee is off duty and is using a dangerous weapon to target practice, legally hunt game, or engage in other lawful activity on government property designated for this purpose.
- C. The employee stores a dangerous weapon in a personal vehicle on Mn/DOT owned or leased property and is in conformance with all rules and regulations regarding the legal possession and transport of these items.
- D. The employee who has a lawful permit to carry a handgun may carry or possess a firearm in Mn/DOT or state owned or leased parking ramps and parking areas as well as other parking ramps and parking areas so long as otherwise permitted by law and this policy.

IV. Violation of Policy

Violations of this policy shall be treated as employee misconduct and will be grounds for discipline up to and including discharge.

The fact that an employee has fears for personal safety is **not** a defense to discipline for employee misconduct for violation of this policy.

Position Statement Reference:

Issued under Mn/DOT Policy Statement, Human Resources Administration No. 3.18.

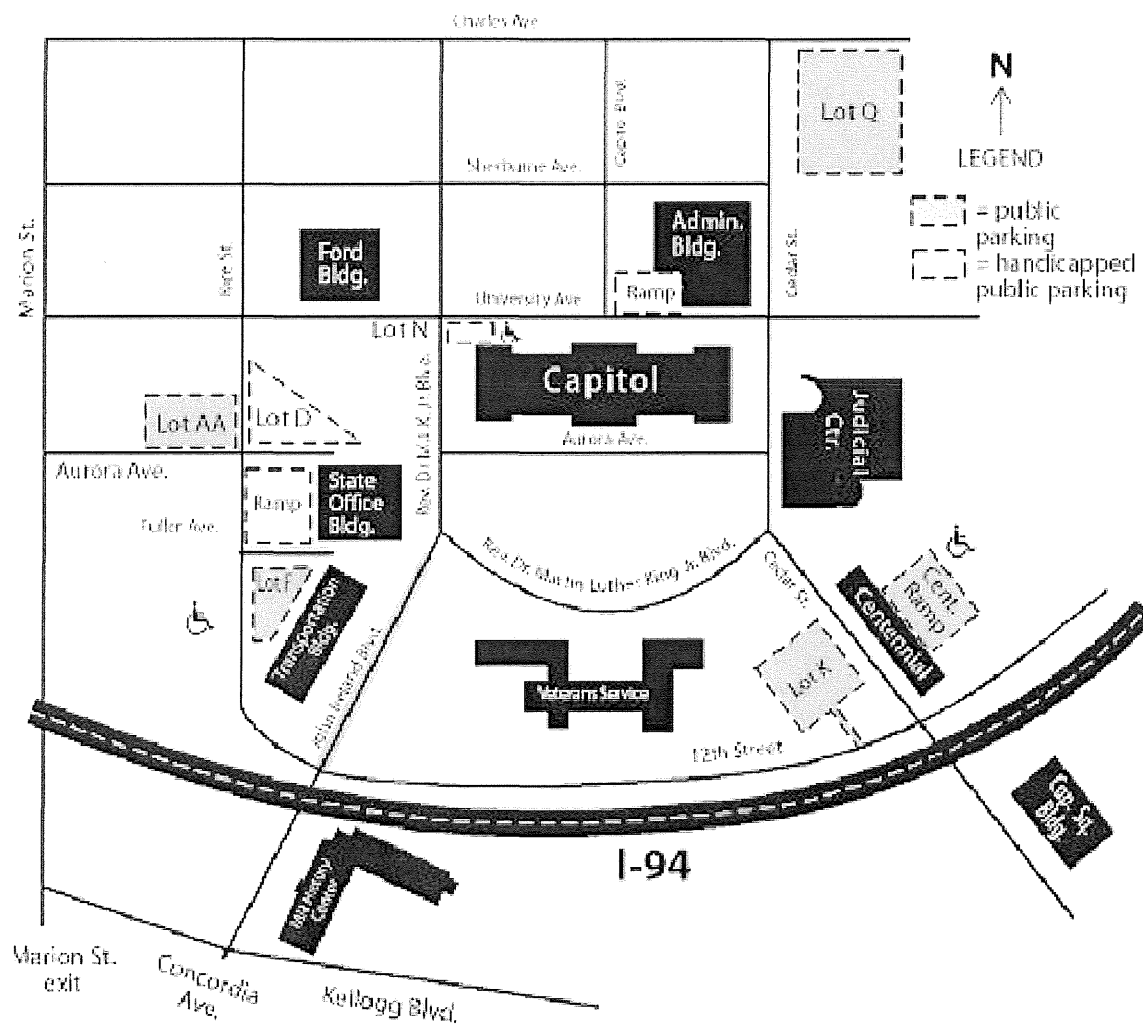
**Douglas H. Differt, Deputy Commissioner and
Chief Engineer**

Any questions regarding this guideline should be directed to:

Director, Human Resource Operations, MS 200, 5th Floor North, Transportation Building, 395 John Ireland Boulevard, St. Paul, MN 55155, Telephone 651/296-1016.

Attachment 1 to Mn/DOT Policy Guideline 3.18.G-1
Mn/DOT Dangerous Wapons Guidelines

Minnesota State Capitol Complex



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Mn/DOT POLICY POSITION STATEMENT

Date: May 5, 1993

Revised: July 26, 2002

Reference: Human Resources
Administration No. 3.16
Mn/DOT Harrassment Policy

Position Statement:

It is the policy of the Minnesota Department of Transportation and the responsibility of its managers and supervisors to provide a work environment free from unlawful discriminatory harassment and general harassment.

Background:

The purpose of this policy statement is to describe the Minnesota Department of Transportation's position against harassment and to remind all employees that harassment of any kind is prohibited at Mn/DOT and will not be tolerated. It is necessary to halt and eliminate all forms of harassment in order to provide and maintain a productive work environment. Harassment which is based on protected characteristics is a form of unlawful discrimination. Other types of harassment decrease employee morale, productivity and effectiveness.

Specific Laws and Procedures:

Title VII of the Civil Rights Act of 1964, as amended
Minnesota Human Rights Act, Minnesota Statutes, Chapter 363
Minnesota Department of Employee Relations Administrative Procedure 1.2
Age Discrimination of Employment Act (ADEA)
Americans with Disabilities Act (ADA)

**Douglas J. Weiszhaar, Acting Commissioner
and Chief Engineer**

Any questions regarding this policy should be directed to:

Affirmative Action Officer, Office of Human Resources, MS 200, 5th Floor North, Transportation Building, 395 John Ireland Boulevard, St. Paul, MN 55155, Telephone 651/296-1016.

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Mn/DOT POLICY GUIDELINE

Date: May 5, 1993
Revised: July 26, 2002

Reference: Human Resources
Administration No. 3.16.G-1
Mn/DOT Harassment Guidelines

Guideline:

I. Definition of Harassment

A. Harassment

Harassment is the conduct of one employee (toward another employee) which has the purpose or effect of 1) unreasonably interfering with the employee's work performance, and/or 2) creating an intimidating, hostile or offensive work environment. Harassment is not the legitimate job-related efforts of supervisory personnel to direct and/or to evaluate an employee or to have the employee improve his or her performance.

B. Types of Harassment

1. Unlawful Discriminatory Harassment

Harassment which is based on the following characteristics is "unlawful discriminatory" harassment: race, color, creed, religion, national origin, sex, disability, age, marital status, status with regard to public assistance or sexual orientation. This conduct falls within the definition of illegal discrimination in violation of Minnesota Statutes Section 363.03 (Minnesota Human Rights Act). (Note: Sexual harassment is specifically defined in Mn/DOT Policy Guideline No. 3.1.G-1).

2. General Harassment

Harassment which is not based on the above characteristics is "general" harassment. Examples may include, but are not limited to:

- a. Physically intimidating behavior and/or threats of violence.
- b. Use of profanity (swearing), vulgarity.
- c. Ridiculing, taunting, belittling or humiliating another person.
- d. Inappropriate assignments of work or benefits.
- e. Derogatory name-calling.

C. External Complaint

An external complaint is a complaint of unlawful discriminatory harassment filed with an external enforcement agency such as the Equal Employment Opportunity Commission (EEOC) or the Minnesota Department of Human Rights (MDHR).

D. Internal Complaint

An internal complaint is a complaint of unlawful discriminatory harassment or general harassment filed within Mn/DOT for follow-up by an internal review and/or investigation.

II. Evaluating Complaints of Harassment

- A. The allegations will be reviewed looking at the record as a whole and at the totality of circumstances, such as the nature of the alleged harassing conduct and the context in which it occurred.
- B. All facts will be reviewed on a case by case basis.
- C. In evaluating alleged "general harassment", the acts shall be reviewed from the perspective of the complainant, using a "reasonable person" standard.
- D. In evaluating alleged "unlawful discriminatory harassment", the acts shall be reviewed from the perspective of a reasonable person of the group which is the object of the alleged harassment. For example, if the harassment is sexual and the complainant is female, the standard would be of a "reasonable woman." If the harassment is based on race and the complainant is African American, then the standard would be of a "reasonable African-American", etc. These standards recognize the unique experiences of different groups in our society.
- E. All applicable provisions of collective bargaining agreements apply.

III. Responsibilities

- A. Employees: Employees may make complaints verbally, but for formal complaints, the facts surrounding the incidents should be reduced to writing and signed by the employee. If requested by the employee, assistance will be provided in making the formal complaint.

If an employee feels he/she is being harassed, there are several ways to make his/her concerns known:

1. An employee who feels comfortable doing so should respectfully inform the person(s) engaging in perceived harassment that such conduct or communications is offensive, against Departmental policy, and must stop.
2. When an employee does not feel comfortable in communicating directly with the person(s) whose actions are offensive or when such direct communication has not been effective, the employee should immediately contact her/his supervisor.
3. If the employee's supervisor is engaging in the offensive conduct, or if the employee does not feel comfortable for whatever reasons in contacting his/her supervisor, the employee should immediately contact:
 - a. Unlawful Discriminatory Harassment: If the complaint involves unlawful discriminatory harassment, the employee should contact the Affirmative Action Officer, the appropriate Business or Administrative Manager and/or a district Diversity Designee.
 - b. General Harassment: If the complaint involves general harassment, the employee should contact the Mn/DOT Labor Relations Manager, and/or the appropriate Business or Administrative Manager.
 - c. Unsure: If the employee is unsure of who to contact, he/she may contact any of the above referenced parties.
 - d. External Enforcement Agency: An employee may file a complaint of unlawful discriminatory harassment with the Minnesota Department of Human Rights and/or the federal Equal Employment Opportunity Commission, or may file a suit in District Court in lieu of using Mn/DOT's internal procedures. However employees are encouraged to use the internal procedures available. (Employees should be aware that statutes of limitations apply to these external options and rights may be lost if complaints are not filed within the applicable deadlines of the date

of the alleged unlawful discriminatory harassment). In the case of general harassment, the employee must use internal procedures as the Minnesota Department of Human Rights and the Equal Employment Opportunity Commission cannot accept complaints of general harassment.

B. Supervisors and Managers:

1. Take necessary steps to protect employees from harassment in the workplace.
2. Receive reports of harassment and take appropriate action in consultation with the Affirmative Actions Officer and/or the Labor Relations Section, Human Resources Office.
3. Hold employees who violate Mn/DOT's harassment policy accountable and take appropriate disciplinary action when complaints are substantiated.
4. As required, participate in investigations and testify in administrative and court hearings.
5. Model appropriate behavior in the workplace.

C. Affirmative Action Officer:

1. Review all internal and external complaints of unlawful discriminatory harassment. Refer all complaints that warrant investigation and/or response to the Mn/DOT Labor Relations Section for investigation and/or response.
2. Provide review and comment on investigate reports, position statements and information requests submitted by the Mn/DOT Labor Relations Section.
3. In consultation with the Mn/DOT Labor Relations Section, make recommendations to Mn/DOT management regarding appropriate follow-up actions.

D. Labor Relations Section:

1. Unlawful Discriminatory Harassment:
 - a. Follow-up on internal and external complaints of unlawful discriminatory harassment referred by the Affirmative Action Officer. Investigate internal complaints. Prepare written position statements and responses to information requests requested by external enforcement agencies.

- b. Submit investigative reports, position statements and information requests to the Affirmative Actions Officer to review and comment.
- c. Submit investigate reports, position statements and information requests to appropriate management.
- d. In consultation with the Affirmative Action Officer, make recommendations to Mn/DOT management regarding appropriate follow-up actions, including discipline if warranted.

2. General Harassment:

- a. Review and investigate internal complaints of general harassment.
- b. Submit investigate reports to appropriate management.
- c. Make recommendations to Mn/DOT management regarding appropriate follow-up actions, including discipline if warranted.

IV. Reprisal

Managers, supervisors, and employees are prohibited from engaging in retaliatory action against anyone because that person has made a complaint of harassment or who has cooperated in the investigation of a complaint of harassment. An employee who believes he or she is the recipient of retaliatory action should immediately report this to the Affirmative Action Officer.

V. Penalty For Engaging In Harassment Or Reprisal

A violation of this policy may be grounds for immediate discipline up to and including discharge. The specific penalty to be imposed shall be determined on a case-by-case basis, after a careful review of all of the relevant facts, and in accordance with labor agreements or plans.

VI. Procedures For Filing Complaints

Contact the Affirmative Action Officer for specific procedures.

Position Statement Reference

Issued under Mn/DOT Policy Statement Human Resources Administration No. 3.16.

**Douglas J. Weiszhaar, Acting Commissioner
and Chief Engineer**

Any questions regarding this guideline should be directed to:

Affirmative Action Officer, Office of Human Resources, MS 200, 5th Floor North, Transportation Building, 395 John Ireland Boulevard, St. Paul, MN 55155, Telephone: 651-296-1016.



Mn/DOT POLICY

Date: November 30, 1999
Revised: September 11, 2007
Reference: Human Resources
Administration 3.8
Security of Employees and
State Property

It is the policy of the Minnesota Department of Transportation to provide a secure work environment for the employees housed in our many facilities, as well as to provide for the security of the property located in these facilities.

Background:

In 1996 the Deputies' Staff decided to increase security levels at Mn/DOT's Central Office Building and District facilities. This decision was based on an employee survey and other forms of employee feedback, and a general recognition that there was unrestricted access to many Mn/DOT facilities.

Many district offices recognized the need and acted to secure their facilities some time ago. Many facilities currently are equipped with closed circuit cameras, access cards, ID badges, and duress buttons. Some already have varying degrees of policies and guidelines, in some cases, derived from their Violent Incident Response Team (VIRT).

During 1997, a formal study of the security levels at the Transportation Building was conducted. This resulted in additional measures being adopted to secure the facility. The procedures found in Attachment A are to help implement those recommendations.

The events of September 11, 2001, showed in a horrific and dramatic way, the threats that do exist. This single event has done more to raise the level of security concern than any other. The biggest failure in defense of that attack was compliance. Mn/DOT can afford to become compliant.

- I. Definitions: For the purpose of this policy the following definitions will apply:
- A. Capitol Security: A division of the Department of Public Safety, located at room B-4 State Capitol, St. Paul, Minnesota, 55155, which provides security services to capitol complex buildings.
 - B. Central Office Transportation Building: Facility located at 395 John Ireland Boulevard, St. Paul, Minnesota 55155.

- C. Closed Circuit Camera and Duress Button: These tools may be used at the discretion of management for employee identification, safety and security.
- D. Identification Badge, Access Card/Key Card: Issued by an authorized authority, used to identify employees, visitors and allow access into and throughout the facilities.
- E. Plant Management: A division of the Department of Administration, managing the Transportation Building, who provide technical, mechanical and other facility and grounds services.
- F. Public areas: Areas open to the general public without restriction. Examples include entrance lobbies, sidewalks and the cafeteria.

II. Responsibilities

- A. Division Directors/Office Directors/Transportation District Engineers shall:
 - 1. If housed in the Central Office Transportation Building, ensure that the Security Procedures for the Central Office, Attachment A, is understood and followed by the employees under their direction.
 - 2. If housed in locations other than the Central Office Transportation Building, develop procedures to govern:
 - a. The security of employees and property located in facilities under their direction, which may include employee identification badges.
 - b. Procedures for entrance of all visitors, including media, vendors, employee family members, Mn/DOT employees from other locations and state employees from other agencies to facilities under their direction; which shall include signing in and obtaining a visitor's badge.
 - c. Providing an escort to visitors while in Mn/DOT buildings.
 - d. Ensuring all employees attend Homeland Security Awareness Training for Employees, NIMS 700, and other security related training as needed or directed.

NOTE: Other Central Office employees and other Mn/DOT employees who make frequent visits to the Central Office Transportation Building with approval of their Office Director/District Engineer, may request, and be issued an identification badge and key card.

3. Follow any special procedures for access of key vendors and individuals making routine authorized visits to the Central Office Transportation Building, or other Mn/DOT facilities.
4. Provide for the security of all Mn/DOT machinery, equipment and records housed in the facilities under their jurisdiction.
5. Follow procedures for the current state of the national homeland security threat level.

B. Mn/DOT Homeland Security & Emergency Management shall:

1. As requested provide assistance to Division/Office Directors /Transportation District Engineers housed in other than the Central Office Transportation Building in employee/property security.
2. Develop Department-wide guidelines and policies on facility security issues.

C. Employees shall:

1. If housed in the Central Office Transportation Building, follow the Security Procedures for the Central Office (Attachment A).
2. If housed in another facility follow the security procedures for that facility developed under the provisions of II.A.2 above.
3. Offer assistance to any person who is in the Mn/DOT facility without a badge, if a badge is required.
4. Secure all equipment, machinery and records (electronic and hard copy) in their possession. Report loss immediately to the proper authority. Complete Department of Administration form number 782, Stolen, Missing, or Damaged Property Report.
5. Not share their access card with other employees.

D. Visitors shall:

1. Sign in, obtain and display an identification badge on their person while in the facility as required by Mn/DOT policy.
2. Be escorted while in non-public areas in the facility.
3. Return the badge upon departure from building.



Lisa J. Freese, Deputy Commissioner

Any questions regarding this position statement should be directed to:

Director, Homeland Security and Emergency Management, MS 400, Transportation Building,
St. Paul, MN 55155, 651-366-3364.

ATTACHMENT A

SECURITY PROCEDURES FOR TRANSPORTATION BUILDING

I. Building Access/Security

A. Access to the Building

1. The requirements listed below are minimum standards. The Department of Transportation Emergency Response Plan, Annex G, may require additional security measures; as outlined in Response to National Alert Levels. Additional precautions would occur at High (Orange) or Severe (Red) levels.
2. The Rice Street door on the first floor and the John Ireland Boulevard door on the ground floor will be open to Mn/DOT employees and the public from 7:30 a.m. to 4:30 p.m., Monday through Friday.
3. All other doors to the Transportation Building will be locked to entry from the outside at all times.
4. Access to doors, other than Rice Street or John Ireland Boulevard, Monday through Friday from 7:30 a.m. - 4:30 p.m., is by using a key card only.
5. Access after hours and on weekends is through the Rice Street entrance on the first floor. During this time employees:
 - a. Must access the building using their key card.
 - b. Must use a key card to summon an elevator.
6. The loading dock will remain locked at all times.
 - a. The dock will be equipped with an intercom, closed circuit television camera, and a key card reader.
 - b. Access to the building will be allowed by a key card and the intercom.
 - c. Vendors will be treated as visitors, and must obtain a vendor badge to go beyond the dock area.
 - d. Capitol Security officers will not accept nor be responsible for deliveries.
7. At no time should doors that are supposed to be locked be blocked open.

B. Access to the Staircases

1. All staircase doors will be equipped with card readers with the exception of the central staircase on basement, ground, and first floor.
2. The central staircase doors on the basement, ground, and first floors will remain open at all times.
3. North, central (Floors 2-8), and south staircase doors will be locked at all times and accessible by key card only.

C. Access to Elevators

1. Elevators in the lobbies of the basement, ground and first floor can be accessed by key card or through the use of the intercom to contact security.
2. Floors two through eight elevators can be accessed without the use of a key card.
3. Anyone having difficulty using the stairs may sign in and obtain a key card to access the elevators.

D. Public Events

1. Non-Mn/DOT events will be scheduled in public areas and not the secured part of the building.
2. Under no circumstances should non-Mn/DOT personnel, including families of Mn/DOT employees, be allowed in the secured parts of the building without an ID badge from the information desk. (See part III. E)

II. Identification Badges

- A. Access to the building will only be by employee and visitor ID badges.
- B. Employees and visitors must prominently display identification badges while on the premises.
- C. Employees working off-site (e.g. roadway, construction site, etc.) may elect to secure their badge so as to protect it from loss or damage.

- D. Employees are responsible for the replacement cost if badge is lost or destroyed. The established replacement cost is \$10.

III. Responsibilities

A. Managers/Supervisors

1. Authorize employees to receive an identification badge.
2. Authorize issuance of a temporary badges.
3. Require employees and visitors to prominently display their identification badge.
4. Determine which employee(s) under their supervision can authorize the entrance of visitors into the building.
5. Ensure that all equipment, machinery, and records are stored in a safe and secure location. Any loss must be reported immediately to the proper authority.

B. Office Director Designees

1. Schedule all employees located at Central Office to receive an identification badge and a key card from Capitol Security.
2. Check with the employee's, supervisor to obtain authorization for a replacement badge and schedule the employee with Capitol Security.
3. Obtain Mn/DOT's identification badge and key card and other property from terminated employees.
4. Return the identification badge, key card, and any other keys to the Civil Rights and Administrative Services designated authority.

C. Mn/DOT Homeland Security and Emergency Management

1. Develop department-wide guidelines and policies on facility security issues.
2. Provide training on Homeland Security and Emergency Management procedures and processes.

D. Office of Human Resources and Administration

1. Act as liaison between Plant Management, Capitol Security and Mn/DOT's Central Office.
2. Coordinate and schedule employees with Capitol Security to receive their ID badge and key cards.
3. Participate in employee training and new hire orientation, as it pertains to building security.
4. Update and maintain a security data base.
5. Coordinate with Office Directors, Designees, and Capitol Security to collect all cards, keys and other equipment upon an employees' termination of employment with Mn/DOT.
6. Coordinate with other Metro and District Offices to ensure all employees are provided proper authorization and cards (as required by each location) for secure movement of people and equipment throughout Mn/DOT's facilities.
7. Receive completed key card and identification badge requests from office managers.

E. Employees

1. Wear the Mn/DOT identification badge with their picture showing at all times.
2. If designated, authorize entrance of visitors into the building.
3. Escort visitors in non-public areas of the building.
4. If guests are expected, employees must e-mail or call the Information Desk to inform them of the guest visit and provide the guest's name and expected arrival time. The sponsoring office will also assign someone to greet the guests on the first floor at their expected arrival time. If guests are early, the Information Desk will call to inform of their arrival. Phone, don't e-mail, the Information Desk if visitors are scheduled to arrive on the same day.

5. The sponsoring office or employee will escort your guest(s) to the meeting place and back to the Information Desk to return their visitor badge and to check out.
6. If an unexpected visitor arrives, the Information Desk will try to contact the individual to be visited. If not available, the visitor will not be allowed to proceed into the building.
7. If a badge is lost or is misplaced:
 - a. Report the loss to your office manager.
 - b. Sign in at the information desk on the first floor and request a temporary badge. (You may be asked for another form of ID).
 - c. Return the temporary badge to the Capitol Security officer at the end of each day.
 - d. Employees are responsible for the replacement cost of missing badges.
8. Upon termination return the badge, key card, and other Mn/DOT property to the Office Director's Designee.

E. Visitors

1. Must sign in at the information desk located on the first floor of the Transportation Building.
2. Obtain a visitor's badge from the Information Desk.
3. Display a visitor's badge while in the building.
4. Return the badge to the Information Desk and sign out upon departure from the building.
5. Other DOT Employees (Metro and Districts) and other State Agencies' employees on the Capitol Complex with a valid DOT badge and CO keycard will sign in but need not to be escorted. Employees without a CO keycard need to sign in and be escorted.
6. Guests and Customers who use the Cafeteria, Map Sales, Plans & Proposals, and the Credit Union will not be required to sign in and get a visitor's badge.

7. Guests who are unable to use the stairs to travel from the ground floor to the first floor Information Desk should proceed to the elevator and use the intercom to notify security of their arrival, or stop at the Information Desk on the ground or first floor and obtain a key card to access the elevators.

F. Plant Management Section of Department of Administration

1. In conjunction with State Capitol Security, maintain access cards and access schedules for Plant Management staff.
2. Notify Mn/DOT Office of Human Resources and Administration and Mn/DOT Homeland Security and Emergency Management of schedules and names of all vendors and contractors doing work on or around the Transportation Building in advance.

G. Capitol Security

1. Provide employees with ID badges and key cards.
2. Issue and collect temporary badges.
3. Provide visitor badges.
4. Provide 24 hour escort service to and from personal vehicles in the Capitol Complex parking lots.

IV. Emergency Situations

In case of an emergency, or to report a criminal act in the Transportation Building, employees should first call 9-911 and then Capitol Security at 296-2100.

B. Emergency phone numbers relating to the Transportation Building are:

Police, Fire, Medical	9-911
Capitol Security—Emergency	651-296-2100
Capitol Security--Non Emergency	651-296-6741
Central Office Safety Administrator	651-366-3003
Central Office Security Administrator	651-366-3135
Facilities Management	651-366-3095
Homeland Security and Emergency Mgmt. Dir.	651-366-3364
Human Resources and Administration Director	651-366-4818
Information Desk	651-296-7063
Safety Director	651-366-3075
Support Services Director	651-366-3114
Transportation Building Security Desk	651-366-3138

Addendum from MnDOT in accordance with M.S. 1586

MnDOT's mandatory training for all employees related to Workplace Violence Prevention:

- Workplace Violence Prevention (web-based 1/2 hour) required within 90 days of hire and then every three years.
- Diversity/Respect in the Workplace (classroom three hours) required within six months of hire and then every five years.

(July 24, 2013)