

Bylaw 5.5 Code of Conduct Policy

The purpose for the code of conduct policy is to:

- a. Provide guidance for appropriate behavior while conducting council business.
- b. Establish procedures for addressing violations of the Code of Conduct.
- c. These policies apply to council members, staff and other participants serving the council and its committees, as well as persons participating in meetings.

Council members, staff and other participants are expected to:

- a. Sign and agree to the council's code of conduct, as described below, on an annual basis.
 - b. Abide by the Hennepin County Non-Discrimination & Respectful Workplace policy. A copy of the policy is available at <http://www.hennepin.us/your-government/get-involved/henn-co-volunteer-manual>
- c. Refrain from acts or threats of violence directed at other council members, staff and other participants.
- d. Conduct business in ways that are honest, respectful of diversity, compassionate, and non-judgmental.
- e. Treat every other member with the courtesy and respect resulting from their legitimate right to be part of discussions and decision making. This means that all council and committee members in meetings will have the opportunity to speak and be listened to, without interruptions.
- f. Refrain from personal attacks on anyone; disagreements will focus on issues, not upon individuals.
- g. Refrain from using language that is threatening, offensive, derogatory, culturally insensitive, abusive, or intended to be hurtful.
- h. Refrain from engaging in activities that distract oneself or others from full participation in the meeting. Activities that may prove distracting include, but are not limited to: working on non-council related projects, cell phone use, and engaging in side conversations.
- i. Behave in a professional manner that reflects recognition of one's responsibility to present and consider the concerns of specific communities, or population groups, while considering the overall needs of people living with HIV disease, and act on behalf of the communities, not one's own benefit.
- j. Refrain from behavior that is disruptive, distracting or threatening with regard to any council related business, whether such behavior is directed toward: the council, its committees or its members & staff, Ryan White service providers; or the council support office or its employees or contractors.
- k. Take responsibility not only for abiding by these rules of conduct personally, but also for speaking out to assure that all members abide by them.
- l. At all times, follow the law in all respects, particularly those that relate to the functions of the council. Acts which may reflect negatively upon the council or create the appearance of impropriety, including but not limited to, being noticeably under the influence of intoxicants at council-related meetings or events, failure to disclose all conflicts of interest, allegations of violation of specific laws and regulations, dishonesty, conviction of a felony, or any federal crime, shall be cause for immediate discipline, up to and including dismissal from the council, at the recommendation of the chairperson with approval of the Executive Committee.

It is expected that all council members, council staff, and other participants:

- a. Support decisions made by majority vote regardless of their personal position.
- b. Understand and abide by the council's approved bylaws and policies.
- c. Take responsibility for their own actions.
- d. Speak positively about the council in public; problems will be addressed within the group, not with outsiders.

Bylaw 5.6 Procedures and Process to Address Misconduct

If a council member, staff, or other participant* engages in misconduct, which is behavior that violates or is substantially inconsistent with the code of conduct, a co-chair may take the following actions:

- a. If this behavior occurs during a council-related meeting, a co-chair may
 - Give the individual a verbal warning that the behavior needs to cease, or the individual will be asked to leave the meeting/room.
 - If the individual continues with the behavior after the warning, request the individual to leave the meeting/room.
 - Conduct or behavior constituting cause for requesting and/or requiring an individual to leave a meeting/room may include violations of the code of conduct, physical or verbal attacks on other council meeting attendees, conflict of interest violation, etc.
- b. Immediately after the meeting where the behavior or misconduct was noted, or where misconduct or inappropriate behavior that occurred outside a meeting has been reported, an investigation of the behavior or misconduct may be requested by a co-chair or the council coordinator and conducted by the Executive Committee or its designee. If legal issues are involved, the Executive Committee will consult the Hennepin County Attorney's Office. Information may be shared on a need-to-know basis, as necessary.
- c. Written notification will be provided to the individual of the alleged misconduct/violation of the code of conduct; and the individual's participation in council activities may be suspended while the investigation is pending and/or until a recommended action is taken. If the alleged misconduct/violation of the code of conduct involves a co-chair, the individual(s) will automatically sit out of any meetings that involve an investigation. The investigation may include allowing the individual to respond and/or be interviewed as part of the investigation.
- d. Upon completion of the investigation, if a violation(s) of the code of conduct is/are found to have occurred, the Executive Committee will make a decision on the course of action and report the action to the council. Recommended actions may include further suspension of participation in council activities for a stated period and/or removal from council membership.
- e. The individual will be provided with written notification of the proposed action and the basis for the recommended action.
- f. Recommended action is subject to review by the full membership of the council.
- g. The council may recommend to the appointing authority that any member, including a co-chair, be removed from membership, and must send the basis for this recommendation along with the recommendation. In all cases, the appointing authority will make the final decision and take the required action as appropriate, which may include removal from council membership.
- h. If a co-chair engages in misconduct or inappropriate behavior, the above actions may be taken by the other co-chair(s) and the council coordinator. In such a case, each of these actions must be taken jointly by the other co-chairs and, where appropriate, the coordinator, and represent their shared judgment.
- i. A co-chair and/or the council coordinator must respond to reported or observed incidents or misconduct in a timely manner. Actions will be taken based upon the nature and severity of the violation(s).
- j. All actions taken to address misconduct or inappropriate behavior will be reported to the council, including the investigation by the Executive Committee and its results, and recommended actions, subject to review by the council.

*A participant is defined as an individual attending meetings or an activity who is a council member, a committee member, staff, recipient staff, IGCA representative, or the general public.