



MODEL WORKPLACE BULLYING & HARASSMENT POLICY STATEMENT

Purpose and application

(Employer) is committed to providing a safe and respectful work environment. All employees should be able to have a workplace free of bullying and harassment and all employees have the responsibility to treat each other with respect.

This policy applies to all employees regardless of employee status. Independent contractors in violation of this policy may be subject to contract cancellation.

This policy supplements, but does not replace any other code of conduct or discrimination policy of *(Employer)*.

Bullying and harassment

Bullying and harassment is repeated and persistent conduct that a reasonable person would find hostile, intimidating, humiliating or abusive, including conduct through e-mails and other electronic communication.

Examples of bullying and harassing conduct include but are not limited to:

- Repeated infliction of verbal abuse, such as the use of derogatory remarks, insults and epithets;
- Consistent humiliating, ignoring or interrupting an employee in front of co-workers;
- Being held to a different standard than the rest of an employee's work group;
- Excessive monitoring or micro-managing;
- Sabotage of a co-worker's work product or undermining of an employee's work performance;
- Setting an individual up to fail (work-overload, unrealistic deadlines, meaningless tasks);
- Physical or social isolation;
- Exclusion from requisite training
- Unreasonable interference with an employee's ability to do his or her work (i.e., Moving or Stalking;
- Conduct that a reasonable person would find hostile, offensive, and unrelated to the employer's legitimate business interests.

What is not bullying or harassment:

Subject to the collective bargaining rights of the employees, the non-abusive rights of management to assign tasks and otherwise reasonably direct and discipline employees, or manage the place of employment does not constitute bullying or harassment.

Reporting and investigation

(Employer) encourages all employees to immediately report workplace bullying and harassment. The following procedure does not prohibit an individual who believes they are subjected to bullying from approaching the offender and asking him or her to stop.

The individual may report the alleged acts, in writing, to any of the following:

- Her or his immediate supervisor
- (School, Department or division) administrator or manager
- Human Resource or Employee Relations manager

Employees are not obligated to report their complaints to their immediate supervisor before going to one of the other designees listed above.

Upon receiving the complaint, the person to whom the report was made shall conduct an investigation within (5-10?) days. If appropriate, prompt interim action will be taken to prevent further bullying and harassment during the course of the investigation.

Findings of the investigation will be reported to Human Resource or Employee Relations and the chief of the department in which the accused employee works.

If complainants are required to attend a disciplinary hearing as a witness, they are entitled to be accompanied by their union representative or a work colleague and have questions directed through that person.

If the investigation does not find evidence to support the complaint, no record will be kept in the personnel file of the alleged harasser/bully or the complainant.

Confidentiality

Every effort will be made to maintain confidentiality during investigations. Breaches in confidentiality may be subject to disciplinary action.

No Retaliation

No employee who, in good faith, has filed a complaint under this policy or has testified, assisted or participated in any manner in any related investigative proceeding will be discharged, or otherwise disciplined, or in any manner discriminated against because of the exercise by such employee(s) on behalf of herself or others of the rights afforded by this policy. No supervisor or manager shall threaten either explicitly or implicitly that an employee's complaint or participation in an investigation will be used as the basis for employment decisions.

Any employee who believes that she has been discharged, disciplined, or otherwise discriminated against by any person in violation of this policy may file a written complaint using the procedure outlined above.

False Claims

Reports of workplace bullying and harassment must be made in good faith. An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with an investigation regarding bullying and harassment will be subject to appropriate disciplinary action.

Corrective Action

If the investigation confirms the allegation of workplace bullying as defined in this policy, the employer will take appropriate action to prevent further bullying, which may include disciplinary action. In most cases, the harasser will also be required to attend workplace behavior training.

Any discipline shall be in accordance with collective bargaining agreement procedures or existing MC employee disciplinary policies.

Remedies for the Bullied/Harassed Worker

Employees who are found to have been bullied and/or harassed may be entitled to one or more of the following resolutions depending on the severity of the harassment and its effects:

- An oral or written apology from the harasser and (*Employer name*)
- Compensation for lost wages
- Awarding a job or promotion denied because of the bullying/harassment
- Compensation for lost employment benefits such as sick leave
- Commitment that they will not be transferred, or have a transfer reversed, unless they choose to move.

Distribution of policy; employee training

(*Employer name*) shall distribute this policy to all employees and contractors upon hire and annually thereafter. Annual training on workplace bullying, including skills in dealing with employees who bully, will be provided to supervisors and managers.