

Guidance: Examples of Bullying and Discourteous Behavior

The City recognizes the negative impact that bullying and disrespectful and discourteous behavior can have on the workplace environment. The City will not tolerate such behavior.

Every employee has a role and responsibility in creating a positive and constructive working environment, where all employees are treated in a respectful manner.

Bullying, Mobbing and Hazing in the Workplace: Bullying is intentional verbal or non-verbal conduct by an individual (or groups of individuals, known as “mobbing”) against another individual over a period of time. Hazing is any action taken or any situation created intentionally that causes embarrassment, harassment or ridicule and risks emotional and/or physical harm to individuals or members of a group or team, whether new or not, regardless of the person’s willingness to participate. As noted below, this can consist of an employee targeting another employee or manager, a manager targeting an employee or another manager. Bullying behavior is the continuous and systematic conduct that may intimidate, threaten or offend another employee. Conduct will only be defined as bullying if a reasonable person would consider the behavior to be threatening, intimidating, or offensive as described below.

Prohibited Actions: The following actions are examples of behavior that may be considered as bullying, disrespectful or discourteous.

1. Harmful gossip (rumor and innuendo based on incomplete facts or fiction spread with the intent or impact of causing turmoil or discrediting certain individuals or institutions).
2. Behavior that demeans, humiliates or intimidates others in the workplace.
3. Deliberate exclusion of another employee from work assignments or networks that is not due to legitimate business reasons.
4. Unnecessary and unwelcome intrusion into the personal life of an employee.
5. Threats of emotional or physical violence. (See [HRAR 4.12 Workplace Violence Prohibited](#)).
6. Verbal or physical behavior that is derogatory or abusive.

Bullying or Mobbing Occurs in Many Ways:

1. Among employees
2. Manager(s) targets an employee or another manager
3. Employee(s) targets a manager
4. Employees and a manager target an employee

What Is Not Bullying, Disrespectful or Discourteous behavior:

1. Reasonable counseling, disciplinary, or job performance evaluation actions, including constructive and fair criticism of an employee’s conduct or work performance.
2. Differences of opinion, and non-aggressive conflicts and problems in working relations.
3. Direct or assertive management style, including high workplace expectations.
4. Legitimate management responses to situations that require immediate action.

Reporting Bullying, Mobbing or Hazing Behavior: Employees are encouraged to report bullying, mobbing or hazing behavior, generally to their supervisor. If their supervisor is the person believed to be engaging in the inappropriate behavior employees are encouraged to report bullying, mobbing or hazing to the Human Resources Business Partner assigned to their bureau.

Guidance: Process for Reporting and Investigating Complaints of Bullying, Mobbing or Hazing Behavior

Reporting Process:

- Report bullying, mobbing or hazing behavior to your supervisor.
- If you do not feel comfortable reporting the behavior to your supervisor, report it to your supervisor's manager or to your bureau director.
- If you are not comfortable reporting the behavior within your bureau, report it to the Human Resources Business Partner (HRBP) assigned to your bureau.

Investigation Procedure:

- The person who received the complaint will meet with the bureau's assigned HRBP to determine whether the allegations are also a complaint under HRAR 2.02. If so, the complaint will be handled under that rule.
- Where appropriate, the person who received the complaint may also discuss options with you for informally resolving the complaint.
- A decision will be made concerning who will review the complaint and an intake interview scheduled. This is the formal interview to obtain specific facts from you related to the bullying complaint. After that interview, a decision will be made about whether the allegations merit an investigation. You will be notified of that decision.
- If there is a formal investigation, it will be conducted similar to an investigation under 2.02. Witnesses will be interviewed and a report written. You will be notified of the result in writing as to whether the complaint is substantiated, but not of any specific corrective action to be taken.
- The full report will be sent to the bureau director. If the complaint is substantiated, appropriate corrective action will be taken.
- Consistent with applicable rules and collective bargaining agreements, the responsible manager will consider a variety of factors when determining the appropriate corrective action including:

The severity of the conduct

- Position and authority of the "bully"
- Conduct of the complainant
- Frequency of bullying behavior
- Effect of the action on the complainant
- Effect of the action on the work environment (this will be particularly relevant in a complaint alleging hazing or mobbing behavior).

Confidentiality:

- Confidentiality will be maintained to the extent possible while conducting a thorough and fair investigation.

Retaliation Prohibited:

- Retaliation for reporting a complaint or participating in an investigation is prohibited.

Other Considerations:

- Sometimes a complaint of bullying, mobbing or hazing will occur during the discipline process. The outlined complaint investigation format will be followed but the discipline matter will still proceed.
- If a complaint of bullying, mobbing or hazing arises during the discipline process, the intake interview and investigation (if merited) will be assigned to individuals who are not involved in the discipline.