

## **WORKPLACE BULLYING**

The District strives to provide a positive workplace climate, free of all forms of violence, intimidation, abuse, and retaliation for all permanent and temporary employees (classified and certificated), volunteers, and administrators. Workplace bullying undermines the positive workplace climate and is unacceptable.

The work environment should be characterized by positive interpersonal relationships among coworkers, between employees and students, and between employees, students, parents, and other stakeholders. Employee conduct should enhance the integrity of the district and advance the goals of the educational programs. All staff are expected to serve as role models for students by demonstrating positive, professional attitudes and respect toward other staff members and students.

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

(cf. 4119.21 - Code of Ethics of the Education Profession)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

### **Definition**

Workplace bullying is defined as severe or egregious conduct by a person or group directed against an individual that a reasonable person would find hostile, offensive, humiliating, threatening, disparaging, coercive, belittling, sabotaging, or an abuse of authority, even if unrelated to conduct governed by Board Policy 4119.11, Sexual Harassment. Such actions may be verbal or nonverbal, in person or online, acts of commission or omission, direct or indirect, covert or overt, or incidents of aiding or abetting.

Examples of behaviors which, when part of an ongoing pattern of behavior may constitute bullying in violation of this policy, include but are not limited to:

- Yelling at someone
- Physical intimidation
- Starting or perpetuating false rumors about a person; lying about, ridiculing, and/or humiliating a person
- Undermining work team cohesion by unnecessarily instigating and/or perpetuating conflict among employees
- Ostracism, prohibiting a person from speaking to others without good reason.

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The alleged misconduct must lead to one or more of the following outcomes in order for a violation of the workplace bullying policy to have occurred:

1. Directly or indirectly undermining an individual's job performance, or
2. Unwarranted interference with the person's career or employment status, or
3. Demonstration by a licensed medical or mental health practitioner that adverse health consequences are attributable to the bullying, or
4. The undermining of legitimate business interests of the district.

### **Reporting**

Employees who believe they are subject to such behavior should raise their concerns with the appropriate manager or supervisor as soon as possible, preferably within ninety (90) days from the occurrence of the incident.

### **Not Bullying**

Some examples of conduct that may not be considered violations of this policy include, but are not limited to:

- Reasonable job performance or workplace conduct standards
- Respectful coaching and counseling
- Evaluation
- Reasonable disciplinary action
- Conflict between parties that can be resolved through traditional conflict resolution techniques
- A passionate, loud, expressive communication style
- Reasonable differences of opinions on work-related concerns
- Occasional or general incivility or rudeness is generally not considered bullying

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### **Managerial and Union Employee Rights and Responsibilities**

Workplace bullying must not be confused with the legitimate exercise of the employer's management rights, in particular the right to assign tasks and the right to reprimand or impose disciplinary sanctions. Insofar as the employer does not misuse these rights, it is not workplace bullying.

Employee protections in this Policy do not contravene the terms of any bargaining agreement.

### **No Retaliation**

Retaliation or a threat of retaliation against an employee who makes a reasonable, good-faith complaint of a violation of this policy is prohibited. Retaliation may include, but is not necessarily limited to, continued or escalating use of bullying actions, as defined by this policy. This prohibition applies to complainants and anyone involved in the complaint resolution procedure. Disciplinary action, up to and including dismissal, may result.

### **Policy Abuse Prevention**

The purpose of this policy is to promote a positive workplace climate. Abuse of this policy is itself a violation of this policy. Abuse includes, but is not necessarily limited to, making repeated or unreasonable complaints under this policy. Such abuse may result in disciplinary action, up to and including dismissal.