



Human Resources Policies and Procedures

Policy Title: Workplace Bullying	Policy Number: 2.14
Effective: March 10, 2014	
Supersedes: N/A	
Approval: 	Page 1 of 5

1.0 Scope

- | | |
|--|---|
| <input checked="" type="checkbox"/> Full-time | <input checked="" type="checkbox"/> Salaried |
| <input checked="" type="checkbox"/> Part-time | <input checked="" type="checkbox"/> Union |
| <input checked="" type="checkbox"/> Temporary/Contract | <input checked="" type="checkbox"/> Independent Contractors |

Employees who are covered under the provisions of a collective bargaining agreement will follow the standards as contained in their respective contracts if this policy conflicts with the language in the contract.

2.0 Purpose

To provide City of Ann Arbor employees a work environment free from bullying. To outline prohibited conduct constituting bullying under this policy, and to set forth guidelines for investigating and addressing violations of this policy.

3.0 Policy

The City of Ann Arbor is committed to maintaining a work environment free from bullying. In keeping with that commitment, the City of Ann Arbor will not tolerate bullying of its employees by any manager, co-worker, or vendor of the City of Ann Arbor.

4.0 Definitions

Workplace bullying refers to repeated, unreasonable actions of individuals (or groups) directed towards an employee (or groups of employees), which is intended to intimidate

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or create a risk to the health and safety of the employee(s).

Such behavior violates the city's Standards of Conduct Policy which clearly states that all employees will be provided a safe, healthy, professional and orderly place to work.

The following is a listing of examples, which may be considered bullying, and may result in disciplinary action up to and including termination of employment.

No set of examples can anticipate every condition that might occur on the job. Any time you encounter a situation you do not understand, ask your supervisor.

- Repeated insulting or derogatory remarks, gestures or actions
- Repeated rude, vulgar language or gestures
- Repeated verbal aggression and/or verbal abuse
- Repeated outbursts or displays of anger directed at others
- Repeated targeting of an individual through persistent, unwarranted criticism
- Repeated public ridicule

Examples of Bullying would **not** include:

- The normal exercise of supervisory responsibilities, including performance reviews, direction, counseling and disciplinary action where necessary, provided they are conducted in a respectful, professional manner, in accordance with the city's policies and procedures.
- Mutually acceptable social interactions, jokes and bantering, provided the interactions do not negatively impact others in the work environment.
- Disagreements, misunderstandings, miscommunication and/or conflict situations, provided the behavior of the individuals involved remains professional and respectful.

5.0 Responsibility

5.1 Employees

- A. Any employee who experiences or witnesses conduct that violates this policy should report the incident to his/her supervisor, Service Area Administrator, or Human Resources Services.

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- B. All employees are expected to cooperate with any investigation. Failure to cooperate in an investigation or give truthful responses and accurate information in an investigation may result in disciplinary action up to and including termination of employment.

5.2 Supervisors, Managers, and Service Area Administrators Duties

All supervisors, managers and Service Area Administrators are responsible for ensuring that no bullying of any kind occurs or persists in the workplace. It is the responsibility of management to create an atmosphere free of bullying and to follow this policy within their area.

The City and all supervisors, managers, and Service Area Administrators have an obligation to respond appropriately to any suspected or identified bullying. This duty exists even if: (a) no employee registers a complaint; (b) the employee reporting bullying requests that no investigation occur; (c) the employee reporting bullying was not a direct or intended target of the bullying; or (d) the situation giving rise to the bullying complaint has been resolved.

6.0 Procedures

6.1 Complaint and Reporting Process

- A. Any employee who experiences or witnesses conduct that violates this policy should report the incident as soon as possible to his or her supervisor, manager, Service Area Administrator or to Human Resources Services.
- B. Any supervisor or manager who suspects or becomes aware that bullying has occurred or is occurring in the workplace must report the incident to Human Resources for investigation. Failure of management at any level to take such allegations seriously or failure to report such allegations to Human Resources Services may result in disciplinary action, up to and including termination of employment.
- C. Human Resources will make an initial determination whether an investigation is warranted. If it is determined that an investigation is not warranted, Human Resources will notify the complaining party.

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- D. Upon receiving a complaint of bullying, Human Resources must inform the person making the report that: (a) the City takes such matters seriously; (b) all efforts will be made to maintain confidentiality; and (c) information about the investigation will be released only on a need-to-know basis or when required by law.
- E. If it is determined that the alleged conduct violates or may violate this policy, an investigation by Human Resources with the guidance of the City Attorney's office will be conducted and corrective action will be taken, if necessary, to ensure uniform enforcement of this policy.

6.2 Investigating Complaints of Workplace Bullying

- A. The Director of Human Resources and Labor Relations or designee, in conjunction with the City Attorney's office will, in a timely manner, jointly determine the nature of the investigation to be conducted. This assessment will vary depending upon the nature of the complaint, its formality and complexity, the number of potential witnesses, and the seriousness of the charges.
- B. Employees who have been instructed not to disclose details regarding an investigation, and who fail to comply, may be disciplined up to and including termination of employment.

6.3 Corrective Action

- A. If the bullying complaint is sustained, Human Resources Services, in conjunction with Service Area Administrator, or designee must determine the appropriate corrective action. "Appropriate corrective action" refers to action that is calculated to ensure that the bullying ceases and will not recur. Any discipline will be issued by Human Resources Services and/or the Management.
- B. Appropriate corrective action may include corrective counseling, mandatory referral to EAP, and/or other forms of discipline up to and including termination of employment. This determination will vary depending on: (a) the seriousness of the charge; (b) the employee's disciplinary history, particularly with respect to related misconduct; (c) and the likelihood that the proposed discipline will discourage future bullying.

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- C. All formal discipline for bullying must be documented and placed in the employee's personnel file.

6.4 Informing the Complainant of the Outcome

- A. Once a bullying investigation is complete, the complainant must be promptly informed of the results of the investigation. A letter of determination shall be issued to the complainant. The complainant is entitled to learn: (1) whether the charges were sustained; and (2) if so, whether corrective action will ensue.
- B. Neither the complainant nor any witnesses may learn specific information regarding corrective action taken towards any employee.

6.5 False Accusations and Information

In the event that the results of the investigation reveal that an employee knowingly filed a false complaint, or knowingly provided false information in the course of an investigation, this individual will be subject to discipline up to and including termination of employment.

6.6 Retaliation

Retaliation, whether actual or threatened, against any complainant or witness assisting in an investigation of a complaint is expressly prohibited by this policy and is subject to discipline up to and including termination of employment.

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