

WORKPLACE BULLYING AND DISRUPTIVE BEHAVIOR



What everyone needs to know!

ASEA/AFSCME Local 52, AFL-CIO

Workplace bullying refers to repeated, unreasonable actions of individuals (or a group) directed towards an employee (or a group of employees), which are intended to intimidate, degrade, humiliate, or undermine; or which create a risk to the health or safety of the employee(s).

Workplace bullying often involves an abuse or misuse of power. Bullying behavior creates feelings of defenselessness and injustice in the target and undermines an individual's right to dignity at work.

Bullying is different from aggression. Aggression may involve a single act, bullying involves repeated attacks against the target, creating an on-going pattern of behavior. "Tough" or "demanding" bosses are not necessarily bullies as long as they are respectful and fair and their primary motivation is to obtain the best performance by setting high, yet reasonable standards and expectations for working safely.

Some bullying situations involve employees bullying their peers, rather than a supervisor bullying a subordinate employee. The term mobbing refers to a group of coworkers targeting another worker. Supervisors should intervene immediately to address and stop mobbing behaviors.

Examples of bullying:

- **Unwarranted or invalid criticism**
- **Blame without factual justification**
- **Being treated differently than the rest of your work group**
- **Being sworn at or yelled at or humiliated**
- **Exclusion or social isolation**
- **Gossiping and spreading malicious rumors**
- **Excessive monitoring or micro-managing**
- **Being given unrealistic work deadlines**

What is institutional or organizational bullying?

This occurs when bullying is entrenched in an organization or work unit and becomes accepted as part of the workplace culture.

Institutional bullying can develop in several ways:

1. Management places unreasonable expectations on employees, where failure to meet those expectations means making life unpleasant, or by dismissing anyone who objects to the treatment.
2. Taking disciplinary action or moving to dismiss employees who object and who claim they are suffering from stress. Bullies dismiss this claim and see the person as weak.
3. Encouraging employees to fabricate complaints about peers and co-workers with promises of promotion or coercion by threats of discipline. This also happens when an employee would rather deflect any bullying from themselves to the detriment to others in their workgroup.



What happens when there is a work unit affected with institutional bullying?

1. Often times the organizational goals are not met which puts more pressure on the staff being bullied to produce even more.
2. The pressure causes an increase in grievances and complaints, resignations, and inability to fill vacancies because no one wants to work for this organization.
3. Increased absences occur due to sickness and sometimes fear.
4. There is an increase of disciplinary actions and restrictions placed on the employees in an effort to “keep them in line.”

How does bullying affect people?

- High stress; post-traumatic stress disorder (PTSD)
- Financial problems due to absence
- Reduced self-esteem
- Musculoskeletal problems
- Phobias
- Sleep and digestive disturbances
- Increased depression
- Family tension and stress



How does it affect organizations?

- Replacing staff members that leave as a result of being bullied becomes difficult and expensive.
- New staff requires training which adds additional cost and a slowing of production of the work while they learn the job. This puts pressure on the organization as a whole and the employees who are left.
- Work no longer focuses on productivity but on coping for those handling the fallout of the bullying.
- Costs involved in the time spent on investigations and responding to complaints and grievances.
- Costs of having employees on extended leave due to health issues caused by the stress of the bullying.
- High staff turnover, loss of morale, low productivity, and costly workers' compensation claims.
- This organization then builds a reputation of a place people avoid applying for jobs because of the treatment of former employees.



What can be done about bullying?

Bullying in general is NOT illegal in the U. S. unless it involves harassment based on the protected categories in federal and state civil rights' laws. In Alaska, we have eleven protected categories, more than many of the states in the lower 48.

The protected categories in Alaska are:

- Race
- Sex
- Age
- National Origin
- Color
- Religion
- Physical or mental disabilities
- Marital status
- Change in marital status
- Pregnancy
- Parenthood

Federal law covers the following protected categories:

- Race
- Sex
- Age
- National Origin
- Religion
- Disabilities

What can employees do about bullying?

1. First, recognize you are being bullied.
2. Realizing that you are NOT the source of the problem, and
3. Recognizing that bullying is about control, and therefore has nothing to do with your work performance.
4. Keep a diary detailing the nature of the bullying with dates, times, places, what was said and who was present.
5. Keep this diary off site and do not place the information on state equipment or compile it on state time.

What can the union do for you?

1. Educate our members through worksite visits and information in our ASEA in Action and Solidarity Update publications.
2. Provide direct representation through our stewards and professional Business Agents.
3. Advocate for you and your co-workers through management and Human Resource staff so they address and eliminate worksites where bullying is an on-going concern.
4. Provide training to our stewards on bullying and how to handle these issues if they arise in their workplace.
5. If a particular worksite has a serious, on-going problem, develop a workplace survey to gather information from the members in a confidential manner so that ASEA can work towards a resolution.
6. Provide off-site meetings for the members to come in either as a group or individually at times that are convenient for the members.

What is unlawful discriminatory harassment that creates a hostile work environment?

Definition: A hostile work environment is a workplace in which unwelcome comments or conduct based on gender, race, age or other legally protected characteristics unreasonably interferes with an employee's work performance or creates an intimidating, hostile or offensive work environment for the employee who is being harassed and for other workers.

A hostile work environment is created when anyone in a workplace commits this type of harassment, including a co-worker, a supervisor or manager, a contractor, client, vendor, or visitor. In addition to the person who was directly harassed, other employees who are impacted by the harassment (by hearing or viewing it) are also considered victims.

The law is enforced by the Alaska State Commission on Human Rights and the federal Equal Employment Opportunity Commission (EEOC). Any individual who believes that his or her employment rights have been violated may file a charge of discrimination with the EEOC.

What can the union do for you?

Business agents can advise you on how and where to file a complaint with an enforcement agency. If you prefer to deal with this in a less formal manner, grievances can be filed on your behalf as well as informal EEO complaints through the Division of Personnel. The first step is to bring this to the attention of a Business Agent or an ASEA steward.

BA References: ADMINISTRATIVE ORDER 75, 81, and 195; AND Article 6 in the Collective Bargaining Agreement.

List of Contacts for ASEA/AFSCME Local 52 And Other Agencies Who Address Hostile Work Claims

ASEA contacts and phone numbers:

**Anchorage Headquarters
1577 C Street, Suite 201
Anchorage, AK 99501
(907) 277-5200 or toll free at (800) 478-2732**

**Fairbanks Field Office
542 4th Ave., Suite 226
Fairbanks, AK 99701
(907) 452-2300 or toll free (800) 478-2305**

**Juneau Field Office
318 4th St.
Juneau, AK 99801
(907) 463-4949 or toll free (800) 478-0049**

For Agencies who address unlawful discrimination claims:

**Department of Administration
Division of Personnel and Labor Relations
EEO Manager
619 E. Ship Creek Ave., Suite 309
Anchorage, AK 99501
(907) 375-7720**

**Alaska State Commission on Human Rights
800 A St., Suite 204
Anchorage, AK 99501
(907) 276-7474 or toll free (800) 478-4692**

**Federal Equal Employment Opportunity Commission
900 First Ave., Suite 400
Seattle, WA 98104
(800) 669-4000**

