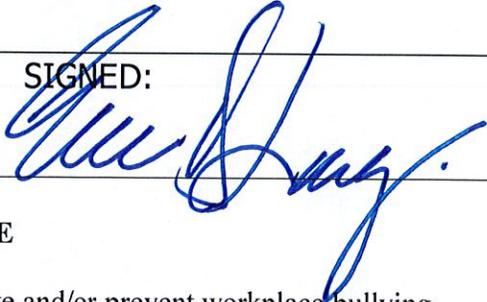




# CITY OF GRAND RAPIDS ADMINISTRATIVE POLICY

NUMBER: 18-01	DATE: 08/21/2018
REVISIONS:	
ISSUED BY: City Manager	SIGNED: 

**SUBJECT: BULLYING IN THE WORKPLACE**

**PURPOSE:** To establish a uniform policy to eliminate and/or prevent workplace bullying.

**POLICY:**

The City of Grand Rapids promotes a healthy workplace culture where all employees are able to work in an environment free of bullying behavior. While it is recognized that conflicts may arise in the workplace, the City expects employees and contractors to maintain a professional and appropriate demeanor.

The City of Grand Rapids considers workplace bullying unacceptable and will not tolerate it under any circumstances. This policy shall apply to all employees, regardless of their employee status (i.e. managerial vs. hourly, full-time vs. part-time, employee vs. independent contractor). Any employee found in violation of this policy shall be subject to discipline up to and including discharge. Independent contractors found in violation may be subject to contract cancellation (current and future).

The scope of this policy includes the prohibition of every form of bullying and cyberbullying, whether on city property, city equipment, when employees are traveling to or from work, or at a city-sponsored event, whether or not held on city property.

The City of Grand Rapids encourages all employees to report any instance of bullying behavior. Reports of bullying will be treated seriously, investigated promptly and impartially in accordance with the complaint procedure outlined in this policy.

**I. Definitions:**

**Bullying:** Persistent, malicious, unwelcome, severe and pervasive mistreatment that harms, intimidates, offends, degrades or humiliates an employee, whether verbal, physical or otherwise, at the place of work and/or in the course of employment.

**Reasonable Person:** A person with an ordinary degree of reason, prudence, care, foresight, or intelligence whose conduct, conclusion, or expectation in relation to a particular circumstance or fact is used as an objective standard by which to measure or determine something.

**Reasonable Person Standard:** Behavior that a “reasonable person” would find offensive or objectionable.

**Retaliation:** Employees who bring forward a complaint of bullying, or who participate in an investigation of a bullying complaint shall be protected from retaliation. An employee and/or manager is prohibited under this policy from retaliating against an employee who brings forward a complaint of bullying.

## **II. Types of Bullying Behavior**

- A. Complaints of bullying will be evaluated based on the Reasonable Person Standard defined above.
- B. A non-exhaustive list of situations which might constitute bullying are as follows:
- Staring, glaring, or other nonverbal demonstrations of hostility;
  - Exclusion or social isolation;
  - Being held to a different standard than the rest of an employee’s work group for non-legitimate business reasons;
  - Consistent ignoring or interrupting of an employee in front of co-workers;
  - Personal attacks, angry outbursts, excessive profanity, or name-calling directed at the targeted employee;
  - Encouragement of others to turn against the targeted employee;
  - Sabotage of a co-worker’s character including but not limited to work product or undermining of an employee’s work performance;
  - Non-legitimate business surveillance;
  - Unwelcome touching or non-consensual touching;
  - Unwarranted invasion of another’s person’s personal space;
  - Unreasonable interference with an employee’s ability to do their work;
  - Repeated infliction of verbal abuse, such as use of derogatory remarks, insults and epithets;
  - Threatening or harassing text messages, emails, social media postings or other electronic communication;
  - Internet web sites and communications as outlined by Administrative Policy 84-02 Section III, D. Prohibited Activities include: “Material that is fraudulent, harassing, embarrassing, sexually explicit, racially offensive, profane, obscene, intimidating, defamatory, or otherwise unlawful or inappropriate may not be downloaded, sent by e-mail or attachments there to or other form of electronic communication (such as bulletin board systems, newsgroups, chat groups) or displayed on, or stored in the City’s computers, unless it is necessary for the conduct of the persons responsibilities with the City and then only in that purpose.”
  - Other conduct that a reasonable person would find hostile and offensive;
- C. Not every instance of perceived bullying may be considered bullying. Examples which may not be bullying are:
- Performance appraisals which focus attention on work performance issues.
  - Justified verbal counseling by supervisors.
  - Constructive work related criticism conducted in proper setting(s).

### **III. Responsibilities**

#### **A. Supervisors**

Supervisors have the responsibility to:

- Understand the City's policies on bullying.
- Understand the City's complaint processes.
- Take immediate action to alleviate situations that may be considered bullying.
- Immediately report incidents of bullying to the Labor Relations Office.
- Observe and be conscious of employee behavior and watch for both subtle and obvious forms of bullying and how these behaviors may negatively affect the work and self-esteem of their workforce.
- Understand how the impact of their actions and attitudes on this issue affect the workforce.
- Exhibit the type of behavior that they expect from their workforce.
- Demonstrate their willingness to discuss the issue of bullying.
- Inform their workforce that they will take immediate action if a complaint of bullying.
- Encourage employees to read and understand the City's bullying policy.
- Provide employees with information about resources within the City that are available to them if they need assistance in handling a situation involving bullying.

#### **B. Employees:**

Employees have the responsibility to:

- Understand the City's policy on bullying.
- Understand and use the City's complaint processes.
- Immediately report incidents of bullying to their supervisor, the Diversity and Inclusion Office or the Labor Relations Department.
- Observe and be conscious of their behavior and the impact of their behavior on fellow employees.
- Compliance with the City's work rules and regulations.
- Exhibit professional and respectful behavior in the workplace.

#### **C. Employer:**

The City of Grand Rapids has the responsibility to:

- Develop a clearly defined policy and complaint process for incidents of bullying.
- Assure that all employees receive training on the City's bullying policy and complaint procedures.
- Thoroughly investigate all complaints of bullying.
- Treat all employees respectfully and fairly in the investigative process.
- Assure that the working environment of the City of Grand Rapids is free from bullying.
- Comply with applicable state and federal laws and guidelines including but not limited to the Freedom of Information Act.

### **IV. Complaint Procedure**

- #### **A.**
- Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of bullying. Therefore, the City of Grand Rapids strongly urges the prompt reporting of complaints or concerns to the employee(s) immediate supervisors for prompt remedial action. If the employee perceives that their immediate supervisor is involved in the activity, the employee is encouraged to bring issue their department director or directly to Labor Relations or the Diversity and Inclusion Office for redress.

- B. Any employee who believes they have been the subject of bullying and wishes to file a formal complaint must present this complaint to Labor Relations within one hundred eighty (180) calendar days of the occurrence of the alleged bullying.
- C. It will be considered misconduct for an employee to bully another employee, customer, citizen, contractor, or visitor while engaged in the performance of work duties and responsibilities.
- D. It will be considered misconduct for directors or supervisors who know or should have known of bullying to fail to take immediate, appropriate corrective action. Individuals failing to obey the above-mentioned directive shall be subject to discipline, up to and including discharge.
- E. The Labor Relations Department or their designee will undertake or cause to be undertaken a confidential investigation upon the receipt of a bullying complaint. All parties in the investigation will be treated with respect and dignity. This process will result in a factual determination based on the evidence received.
- F. The Labor Relations Department may follow up with the employee who brought forward a complaint of bullying periodically to ensure that the behavior has ceased.
- G. Any employee found to have bullied another employee in violation of this policy will be subject to appropriate disciplinary sanctions ranging from a warning in their file up to and including discharge.
- H. Retaliating or discriminating against an employee for filing a bullying complaint is strictly prohibited and will be dealt with in an expedient fashion with appropriate disciplinary sanctions.
- I. The City recognizes that false accusations of bullying can have serious effects on innocent men, women and their families. Therefore, all employees are expected to act in a responsible and professional manner to establish a working environment free of bullying.

Send to: **CONFIDENTIAL**  
Labor Relations Department  
300 Monroe NW, Suite 820  
Grand Rapids, MI 49503  
616-456-3113

**BULLYING COMPLAINT FORM**

Date of Report: \_\_\_\_\_

Referring Individual/Department: \_\_\_\_\_

Phone number: \_\_\_\_\_

Date of Alleged Occurrence(s): \_\_\_\_\_

Complainant Name: \_\_\_\_\_

Complainant Department: \_\_\_\_\_ Phone: \_\_\_\_\_

Respondent Name: \_\_\_\_\_

Respondent Department: \_\_\_\_\_ Phone: \_\_\_\_\_

Description of Alleged Occurrence: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Supervisor Action Taken: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Referring Individual

\_\_\_\_\_  
Date

\_\_\_\_\_  
Received by

\_\_\_\_\_  
Date