



# **Bullying in the Workplace**

## **State of Maryland Policy**

**Training for Supervisors & Managers**  
**Revised Policy, 2018**

# General Intent of the State's Bullying Policy

To educate all employees about bullying in the workplace and ensure it is not tolerated

To show bullying will be dealt with in the appropriate manner

To show that imposition of discipline, up to and including termination from State service, may occur

# Bullying Is a Problem in the Workplace

- Studies suggest that as many as a quarter to one-half of the American workforce has experienced or observed workplace bullying.
- Even one victim of workplace bullying is **too many** in the State of Maryland's workforce.

# Objectives of this Course

To define workplace bullying: what it is and what it is **not**

To show how to prevent workplace bullying and take an active role in stopping it

To demonstrate the ways in which an employee, whether victim or witness, may report an incident of workplace bullying

# So, what is workplace bullying?

- Intentional, persistent, malicious, unwelcome, severe or pervasive conduct that harms, intimidates, offends, degrades or humiliates an employee
- May be verbal (including written or electronic) or physical, at the place of work or in the course of employment
- Behavior that a reasonable person would find to be hostile, offensive, and not related to an employer's legitimate business interests

# What are some specific examples of workplace bullying?

Personal attacks  
(angry outbursts,  
excessive profanity,  
or name-calling)

Personal insults and use  
of offensive nicknames

Public humiliation

Spreading rumors and  
gossip about the targeted  
employee

Being unjustifiably  
offensive toward fellow  
employees, wards of the  
State, or the public

Sabotage of a  
coworker's work  
product or  
undermining of an  
employee's work  
performance

Encouragement  
of others to  
turn against the  
targeted  
employee

Threats of abuse to  
an individual or an  
individual's property  
(defacing or marking  
up property)

Repeated infliction of  
verbal abuse, such as the  
use of derogatory remarks,  
insults and epithets

Making threats about job  
security without  
foundation

# How can a supervisor or manager prevent workplace bullying?

There are many things that a supervisor or manager can do to prevent workplace bullying, for example:

- Foster an environment of inclusion
- Emphasize the importance of teamwork over individual accomplishment
- Be a good role model
- Practice good listening skills
- Maintain awareness of the quality of the relationships between coworkers

# Learning Check Quiz





# Learning Check Question

Workplace bullying is behavior that a reasonable person would not find to be hostile.

True or False

# Learning Check Answer

Workplace bullying is behavior that a reasonable person would not find to be hostile.

False

# Learning Check Question

Emphasizing the importance of teamwork over individual accomplishment may reduce workplace bullying.

True or False

# Learning Check Answer

Emphasizing the importance of teamwork over individual accomplishment may reduce workplace bullying.

True



# Learning Check Question

Public humiliation is an example of workplace bullying.

True or False

# Learning Check Answer

Public humiliation is an example of workplace bullying.

True

# Learning Check Question

A workplace bully cannot be disciplined with termination for bullying.

True or False

# Learning Check Answer

A workplace bully cannot be disciplined with termination for bullying.

False



# Now that I know what bullying is, what is it NOT?

A single incident of unreasonable behavior – generally, bullying conduct is ***persistent***

Disciplinary action taken in accordance with law, regulation or policy

Routine coaching and counseling including feedback and correction of work performance or conduct

Exercising management's prerogatives – such as promoting, transferring, assigning work, etc.

Individual differences in styles of personal expressions that may lead to conflict – as long as it is not meant to intimidate

Having differences of opinion on work-related concerns

# Management's Responsibilities

- It is the duty of every manager and supervisor to immediately report to the appointing authority:
  - Any incident of bullying witnessed by the manager or supervisor themselves
  - Any incident of bullying brought to his/her attention by another employee

# Preventing Workplace Bullying Starts with the Supervisor...

Supervisors play a key role in developing and fostering productive and respectful workplace relationships. Some ways of doing so include:



Communicating  
effectively and  
engaging  
workers in  
decision-making

Managing  
difficult  
conversations  
and providing  
constructive  
feedback

Managing  
conflicts that  
arise

Effectively  
managing  
workloads and  
performance

Practicing  
diversity and  
tolerance

# What else should I remember?

- Remember that bullying of any sort is not tolerated in the workplace.
- Be aware that bullying can occur at all levels of your organization – not just superior to subordinate but also peer to peer,
- Be aware of the Bullying Policy and complete your trainings on the Policy, including refresher courses every two years.
- Foster an open, respectful environment.

# Learning Check Quiz



# Learning Check Question

Even a single incident of unreasonable behavior can be considered to be bullying.

True or False

# Learning Check Answer

Even a single incident of unreasonable behavior can be considered to be bullying.

False

# Learning Check Question

A manager or supervisor must immediately report all bullying incidents to the appointing authority.

True or False



# Learning Check Answer

A manager or supervisor must immediately report all bullying incidents to the appointing authority.

True

# Learning Check Question

Bullying does not occur among peers, but rather between superiors and subordinates.

True or False

# Learning Check Answer

Bullying does not occur among peers, but rather between superiors and subordinates.

False

# The Complaint Process

The complaint process for addressing workplace bullying depends upon the nature of the complaint.

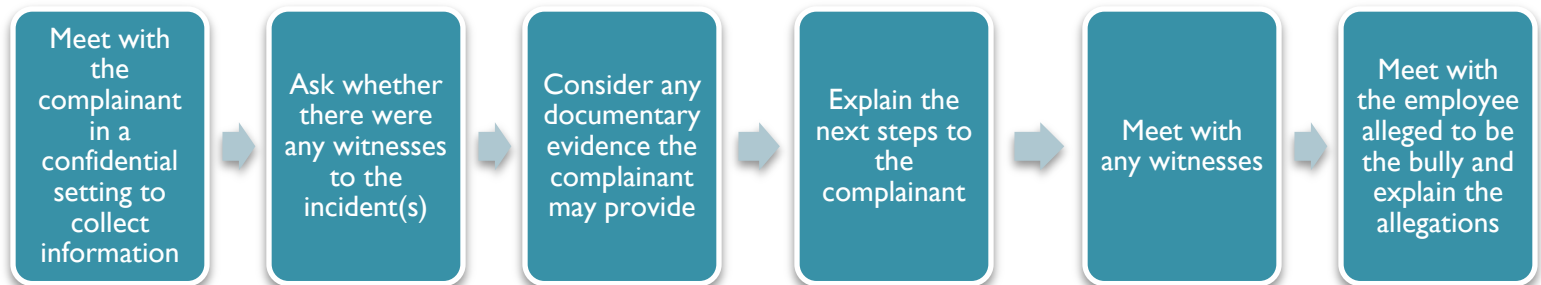
- An employee who feels he or she has been the victim of bullying that is **not** because of the individual's age, ancestry, color, creed, gender identity and expression, genetic information, marital status, mental or physical disability, national origin, race, religious affiliation, belief or opinion, sex, sexual orientation or any other protected status, should file a complaint **with the employee's appointing authority or agency head/Secretary**, as appropriate.

# Reporting a Complaint

- It is essential that employees feel comfortable reporting any bullying incidents.
- As such, there is **NO** specific form or manner by which an incident must be reported.
- Although an agency may create a form if desired, managers and supervisors **MAY NOT** fail to address a complaint based on the lack of or incorrect completion of a form.
- Employees may report bullying incidents in any manner they choose, whether in writing or in person or any other reasonable manner that is comfortable for them.
  - Therefore, managers and supervisors **MAY NOT** fail to act on a bullying report because of the manner in which it is reported.

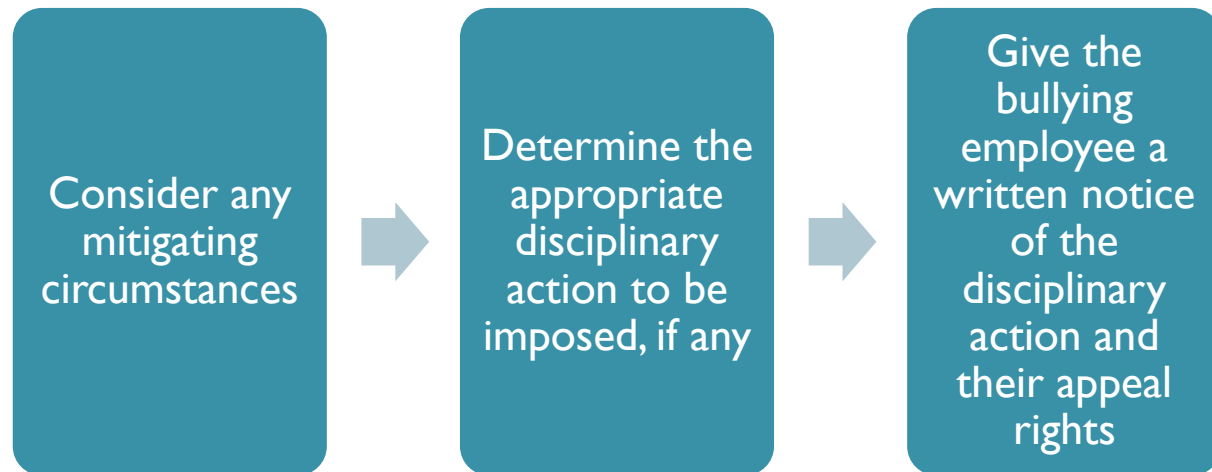
# How does a Manager Respond to a Complaint?

- The appointing authority or their designee shall investigate the complaint as follows:



# What if Bullying is Confirmed?

- If the investigation results in a finding of bullying, the appointing authority or their designee shall:

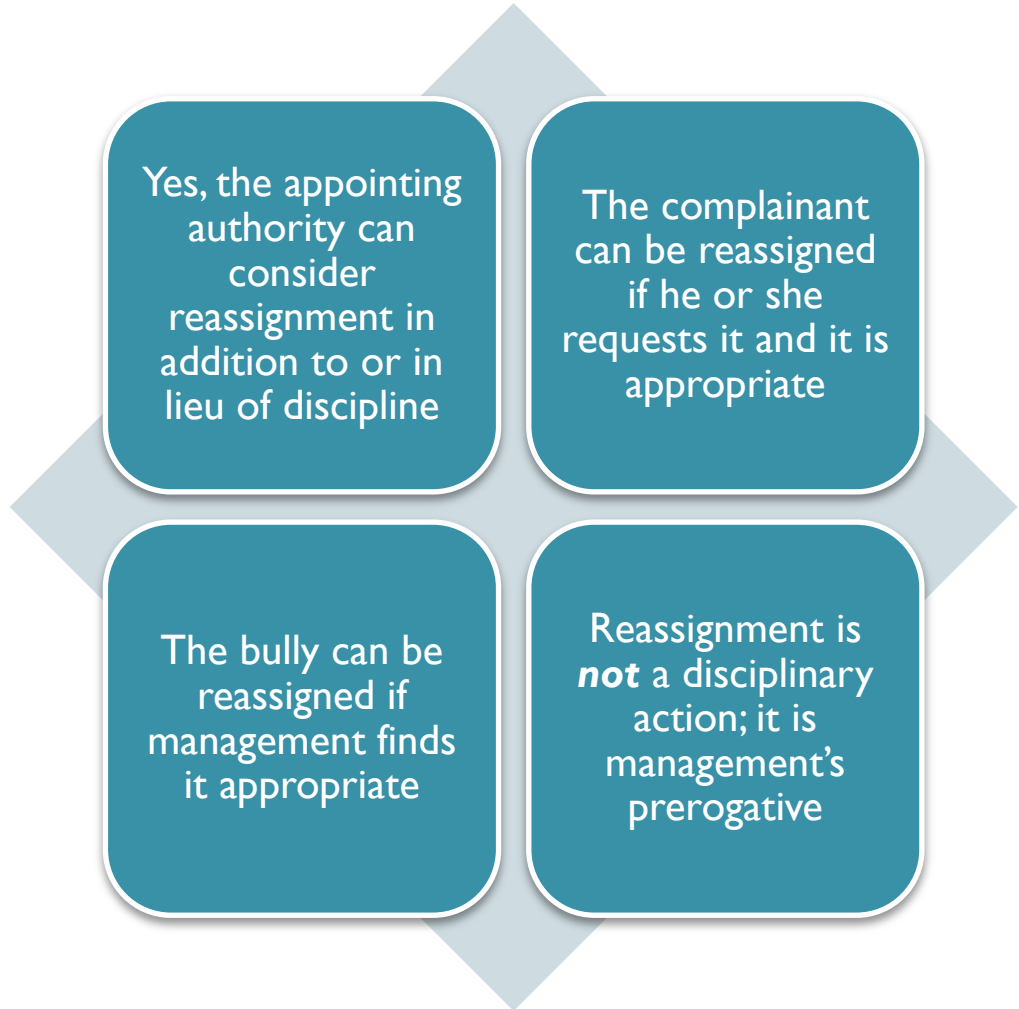


# Disciplinary Timeframes

- Just like any other situation in which discipline is imposed, the timeframes outlined in State Personnel & Pensions Article §11-106 apply:
  - Investigation and disciplinary action must take place within 30 days of gaining knowledge of the bullying incident
  - **EXCEPT** that if a suspension without pay is to be imposed, it must be imposed no later than 5 workdays following the close of the employee's next shift after the appointing authority acquires knowledge of the misconduct
  - Be aware of the special rules for exempt employees.



# Can reassignments be a remedy?



Yes, the appointing authority can consider reassignment in addition to or in lieu of discipline

The complainant can be reassigned if he or she requests it and it is appropriate

The bully can be reassigned if management finds it appropriate

Reassignment is **not** a disciplinary action; it is management's prerogative

# What if the behavior isn't bullying?

- As discussed, poor workplace conduct and behavior is not necessarily bullying
- If the behavior does not rise to the level of bullying, the investigating individual should still determine whether there are other issues to be addressed and take the appropriate action to do so

# Written Decisions & Grievances

Regardless of the outcome of the bullying investigation, the complainant should receive a written decision that addresses:

- The complaint itself
- The steps taken to address it
- Information that supports the outcome

If an employee believes the Bullying Policy was misinterpreted or misapplied in their case, they may:

- File a grievance within 20 days of receiving the written decision
- In accordance with State Personnel & Pensions Article, Title 12

# What else should I remember?

- Any employee who has committed a violation of the Bullying Policy is required to participate in retraining on bullying.
- The investigating person who takes part in this process in any capacity should be sure to document every step.

# Learning Check Quiz



# Learning Check Question

If the complainant employee does not use the proper form to report bullying, the incident should not be investigated.

True or False

# Learning Check Answer

If the complainant employee does not use the proper form to report bullying, the incident should not be investigated.

False



# Learning Check Question

In lieu of disciplining a bully, the bully can be reassigned.

True or False



# Learning Check Answer

In lieu of disciplining a bully, the bully can be reassigned.

True

# Learning Check Question

The investigator must meet with the complainant, any witnesses, and the alleged bully when completing the investigation.

True or False

# Learning Check Answer

The investigator must meet with the complainant, any witnesses, and the alleged bully when completing the investigation.

True

# Learning Check Question

If disciplinary action is to be imposed as a result of a bullying incident, the timeframes outlined in State Personnel & Pensions Article §11-106 apply.

True

# Complaint Process: Protected Status Basis

An employee who feels he or she has been the victim of bullying ***because of*** the individual's age, ancestry, color, creed, gender identity and expression, genetic information, marital status, mental or physical disability, national origin, race, religious affiliation, belief or opinion, sex, sexual orientation or any other protected status, has options for filing a complaint. The employee may:

- File the complaint in writing with the head of the principal unit or the EEO Officer **within 30 days**, or
- Contact the federal Equal Employment Opportunity Commission or the Maryland Commission on Civil Rights to file a complaint

# Complaint by Witness

Any individual who witnesses bullying behaviors should report it without delay to his or her appointing authority or agency head/Secretary, as appropriate.

Let employees know that reports of bullying behavior will be taken very seriously and there will be no ramifications for making a good faith report.

A witness may make the report anonymously.

# Retaliation is Prohibited

- Retaliation against any employee who files a report about bullying, or is a witness to bullying and reports it or testifies to it, is strictly prohibited.
- Any employee who harasses or intimidates another employee who has reported bullying behavior in the workplace may be subjected to disciplinary action, up to and including termination from State service.

# Learning Check Quiz





# Learning Check Question

Retaliation against an employee who files a report about bullying is not prohibited.

True or False

# Learning Check Answer

Retaliation against an employee who files a report about bullying is not prohibited.

False

# Learning Check Question

A workplace bullying complaint filed with an EEO Officer must be filed within 30 days.

True or False

# Learning Check Answer

A workplace bullying complaint filed with an EEO Officer must be filed within 30 days.

True

# Learning Check Question

Witnesses to bullying may not remain anonymous when reporting the incident.

True or False

# Learning Check Answer

Witnesses to bullying may not remain anonymous when reporting the incident.

False

# Learning Check Quiz: True or False

1. Retaliation against an employee who files a report about bullying is not prohibited. (False)
2. A workplace bullying complaint filed with an EEO Officer must be filed within 30 days. (True)
3. Witnesses to bullying may not remain anonymous when reporting the incident. (False)

# Data Collection

Supervisors and managers should be aware of the importance of keeping good records concerning incidents of workplace bullying.

Documenting any complaints and the subsequent investigation or inquiry, including any action taken (including, but not limited to: training or retraining of staff, reassignment, counseling, or disciplinary action) is a critical step in maintaining a detailed history of complaints.

Your HR Office will share data on complaints with the Department of Budget and Management for the purpose of maintaining Statewide statistics and pinpointing specific problem locations.





# Thank You for Participating!

For more information on this topic, link to:

[State of Maryland Policy on Bullying in the Workplace](#)