

Proposed University Response to Workplace Bullying



UNIVERSITY OF
SOUTH CAROLINA

Faculty Welfare

What can we do about bullying?

- Make it clear that bullying will not be tolerated.
 - Move Carolinian Creed into the body of the Faculty Manual.
 - Provide training to unit heads and deans in recognition of workplace bullying and strategies to respond to conflicts.
 - Online resources for individuals who feel they are a victim of bullying or harassment.

Respect@UVA



HUMAN RESOURCES

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Respect@UVA

University of Virginia Commitment to a Caring Community of Dignity and Respect

The University of Virginia is a caring community that aspires to treat every individual with kindness, dignity and respect, regardless of position or status. The University cannot realize its bold ambitions for excellence in teaching, research, public service, and patient care unless every member of its community embraces these values and promptly reports instances of misconduct.

The University encourages every member of our community to promptly report any instance of abuse or mistreatment of anyone by University personnel, including workplace bullying, to appropriate supervisors, unit heads, department managers or deans, or through the incident reporting system, with the full confidence that such reports will be treated seriously and investigated promptly and impartially, and without fear of reprisal or retaliation for making a good faith report.



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 - Provide training to unit heads and deans in recognition of workplace bullying and strategies to respond to conflicts.
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- Create an anti-bullying policy.
 - Systems for reporting and following up complaints and preventing retaliation.
 - Sanctions if the complaint is valid.
 - Recordkeeping and Policy Evaluation.

- Establish an independent contact for faculty (e.g., Ombudsman, Conduct Officer).

Do our current policies address bullying?

- Anti-discrimination policies only protect select individuals in certain situations. In order to claim sexual harassment, racial discrimination, or hostile work environment, the **recipient** of the mistreatment **must be a member of a protected status group** (based on gender, race, disability, ethnicity, religion, etc.).
- **Does Workplace Bullying Fall Under Current Workplace Violence Protections?** Technically, bullying is a form of violence -- certainly verbal, but non-physical. However, violence policies and laws focus on the acts and threats of physical violence. **So bullying that is verbal, but not physical, is legal.**

Workplace Bullying Policies

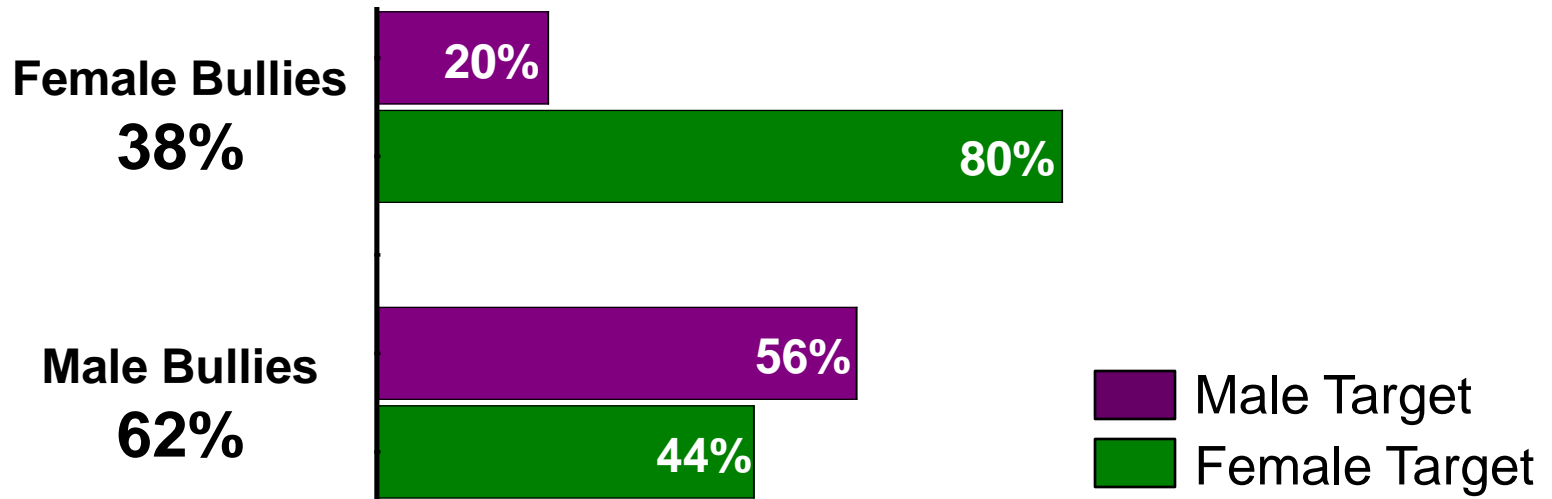
Countries: Sweden, Britain, France, Australia, Ireland, Canada

Since 2003, 23 States have introduced bills to address workplace bullying.

A number of Universities have adopted policies or otherwise addressed workplace bullying and/or faculty disputes.

- University of California System
- University of Connecticut
- Clemson
- Johns Hopkins
- Penn State
- Northwestern University
- Old Dominion University
- University of Georgia - Dispute Resolution Coordinators
- University of Virginia

Statistics On Workplace Bullying



- 71% of the time bullies are higher rank than target.
- Only 23% of the time do they bully alone.
- An average of 3.5 people are enlisted to help.

Why Don't They Fight Back?

- Employees who speak out and confront the bully often face retaliation.
- 52% faced retaliation after complaining to the employer.
- Targets who speak up are often ostracized by co-workers, who may also be fearful of attracting the bully's wrath.
- 70% of targets are forced out of their jobs voluntarily or involuntarily.

Goals of Workplace Bullying Policy

- Provide an avenue for redress for individuals who feel that they are victims of bullying.
- Define workplace bullying -- it is a high standard for misconduct.
- Insure bullying complaints are taken seriously and investigated promptly.
- Provide a just means of resolution by faculty peers.
- Protect individuals from false accusations of bullying.
- Protect parties against retaliation.
- Gives the University the reason to sanction offenders.
- Protect the University from liability risk when internal correction and prevention mechanisms are in effect.
- **Stop workplace bullying as quickly as possible in a just manner.**

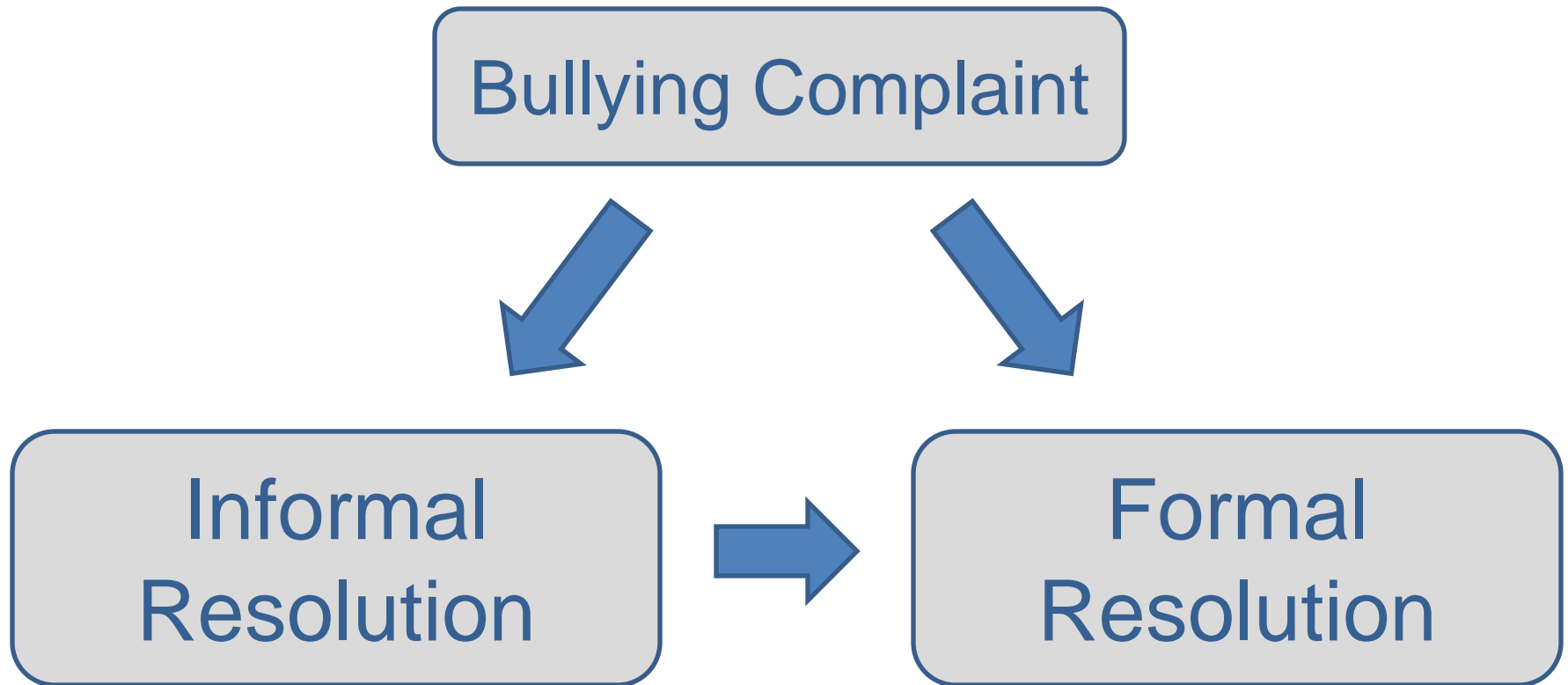
Workplace Bullying

Workplace Bullying is repeated, unwelcome behavior that intentionally threatens, intimidates, humiliates or isolates the targeted individual(s), or undermines their reputation or job performance. It may take one or more of the following forms:

- Verbal abuse
- Malicious criticism or gossip
- Unwarranted monitoring
- Unwarranted physical contact
- Exclusion or isolation in the workplace
- Work interference or sabotage
- Cyberbullying
- Other offensive conduct/behaviors (including nonverbal) which are threatening, humiliating, harassing or intimidating

Workplace bullying is initiated by perpetrator(s) who choose their targets, timing, location, and methods. It can escalate and may involve others who side with the perpetrator(s), either voluntarily or through coercion. Workplace bullying may undermine organizational productivity when bullies' personal agendas take precedence over work itself or when the productivity of targeted individual(s) is impaired.

Workplace Bullying



- Most complaints can be handled informally.

Resolution

➤ Informal Resolution

University Ombudsman

- Confidential
- No Records

➤ Formal Resolution

Process initiated through University Conduct Officer

- Inquiry
- All parties notified
- Records kept

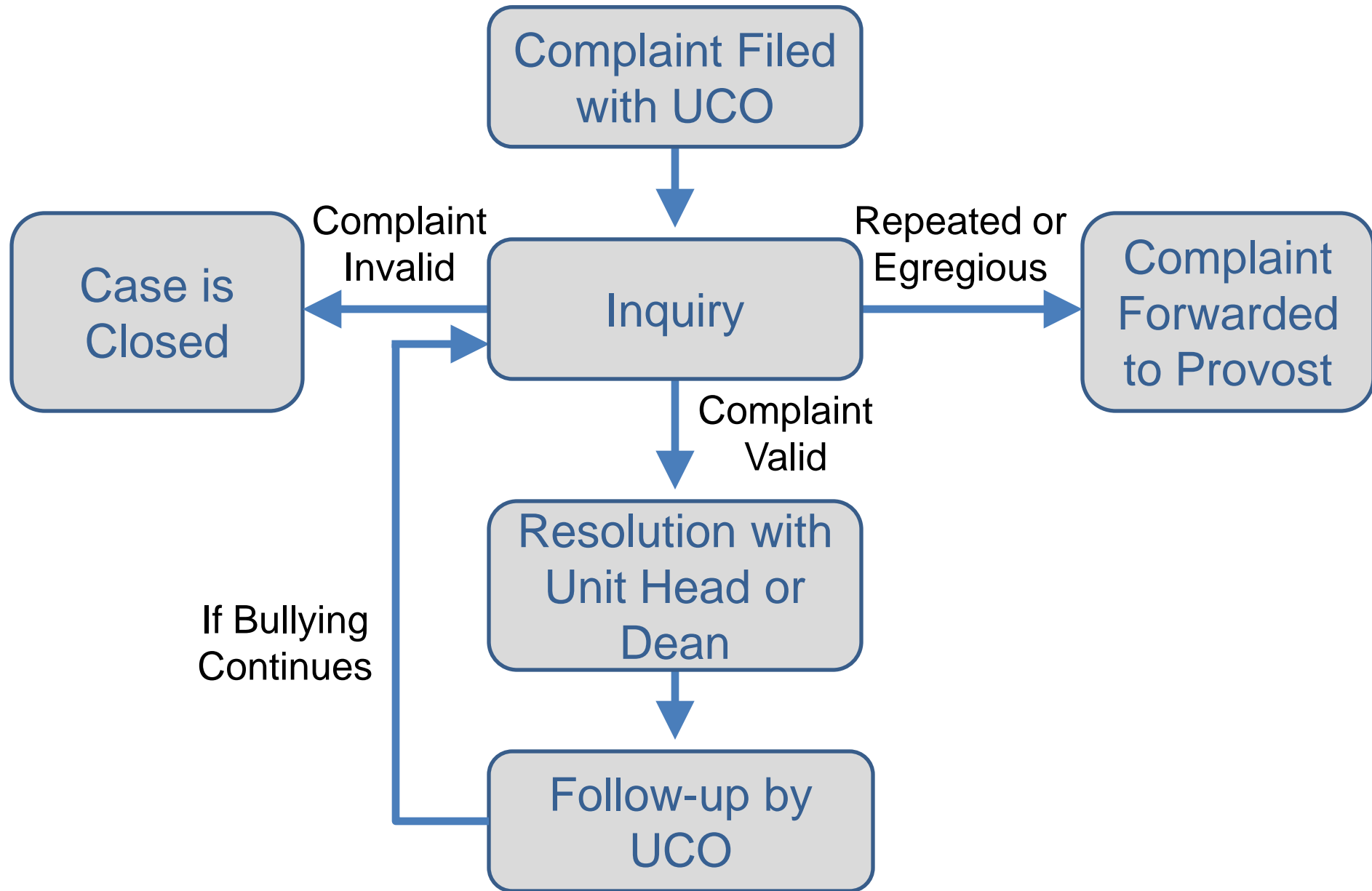
University Conduct Officer

- Tenured faculty member who is appointed by the Provost in consultation with the Chair of the Faculty Senate.
- Serves in a part-time capacity.
- Trained in recognition of workplace bullying and strategies to resolve conflicts.
- Serves as an independent party in resolving complaints.
- Provides consistency in resolution.

University Conduct Officer

- Investigates and adjudicates formal complaints.
- Works with complainant, respondent and Unit Head or Dean to resolve valid complaints.
- Allows only repeated or egregious complaints to move forward in formal process.
- Assists faculty committee in formal investigation of repeated or egregious complaints.
- Follows up with complainant to ensure bullying has ceased.

Formal Resolution



Formal Resolution

Faculty Committee on Professional Conduct

- Faculty members at the rank of Professor or tenured librarians who are appointed by the chair of the Faculty Senate to serve a term of three years.
- Receive training in the recognition of workplace bullying.
- Cannot simultaneously serve on Faculty Grievance Committee.

Formal Resolution

Provost appoints Investigative Committee of 5 Faculty
3 members from Comm. On Prof. Conduct
2 members at large



Formal Inquiry
Conclusion and suggested remedy sent to Provost



Final Action by
Provost



Follow-up by UCO

Protection from Retaliation

- Unit Heads and Deans will take reasonable action to assure that the complainant, the alleged offender, and those testifying on behalf of either party or supporting either party are protected from retaliation.
- Persons who retaliate will be subject to disciplinary action.
- If the allegations are not substantiated, reasonable efforts should be taken to restore the reputation of the alleged offender if damaged by the proceedings, and to protect the position and reputation of the person who, in good faith, made the allegation of workplace bullying.