

### UNIFIED PERSONNEL BOARD POLICY #13

## Respectful Workplace Behavior / Anti-Bullying Policy

### A. Objective

The purpose of this policy is to communicate to employees at all levels that respectful behavior shall be the standard for Pinellas County and that the County will not tolerate and will promptly address bullying behavior towards employees, applicants for employment, and others in the workplace environment, including contractors and members of the public. Employees found in violation of this policy may face disciplinary action, up to and including termination.

Pinellas County expects all who enter our workplace to be treated with dignity and respect. It is the policy of Pinellas County to address repetitive behavior or persistent conduct a reasonable party would find threatening, intimidating, abusive, coercive, humiliating, and/or malicious. This policy prohibits such conduct whether in the workplace or elsewhere if it impacts the workplace. This policy is intended to address such “workplace bullying” whether group bullying, peer-to-peer bullying, supervisor to subordinate bullying, subordinate to supervisor bullying, or bullying of visitors to our workplace.

Examples of prohibited conduct include, but are not limited to, repetitive or persistent:

- **Verbal bullying:** Ridiculing or maligning a person or his or her family, hurtful or humiliating name calling, persistent or constant public criticism, abusive, or offensive remarks;
- **Physical bullying:** Pushing, shoving, kicking, poking, tripping; threatening physical contact or damage to a person’s work area or property;
- **Gesture bullying:** Nonverbal threatening or obscene gestures, or threatening looks;
- **Power bullying (could also be labeled favoritism):** Applying made up or arbitrary rules to an individual, selectively enforcing workplace rules, threatening or intimidating individuals, preventing access to necessary information, consultation, training, resources, or other opportunities;
- **Exclusion bullying:** Socially or physically excluding or disregarding a person from work-related activities, such as appropriate meetings and team events.

This list is not all-inclusive. Individuals determined to have engaged in these and other similar behaviors that are determined to be bullying may face disciplinary action regardless of their intent.

Supervisors or Team Leads holding employees accountable for meeting performance expectations, goals, and deadlines, or for following policies and procedures, or who perform any other reasonable action in the course of their normal supervisory responsibilities shall not be considered to have engaged in bullying behavior.

- **Retaliation** toward employees who make a report or participate in an investigation hereunder is strictly prohibited and may lead to disciplinary action, up to and including termination.

### B. Reporting

Employees who believe they are the target of bullying or who witness others being bullied in the workplace are encouraged to report workplace bullying. They have the option of either reporting it to their direct supervisor, another supervisor at a higher level in their chain of command or

Employee Relations in the Human Resources Department. The incident being reported should be made within 45 calendar days of its occurrence.

Some behaviors that may be considered bullying may also be violations of Pinellas County's [Anti-Harassment Policy](#) or [Workplace Violence Policy](#). For example, bullying someone on the basis of race, color, national origin, religion, gender (including gender identity or gender expression and sexual harassment), sexual orientation, disability, pregnancy, age, political affiliation, military status, or any other characteristic protected by federal, state or local law should be reported to Pinellas County's Office of Human Rights. If situations that appear to be protected by law are reported under this Anti-Bullying Policy, the management representative receiving the report shall forward the report to the Office of Human Rights for handling. Most examples of physical bullying would also be a violation of the Workplace Violence Policy. In such cases, the procedures for that policy should be followed.

1. **Reporting to direct supervisor or higher up in the chain of command:** Unless there is a compelling reason to not do so, employees are encouraged to report complaints of workplace bullying to their direct supervisor for remedy. If that is not feasible or desirable, then employees are encouraged to report complaints of workplace bullying to the next level(s) up in the chain of command. The supervisor or manager may conduct an investigation of the alleged bullying behavior or may request assistance from Employee Relations in the Human Resources Department. Prior to conducting the investigation, the supervisor may need to take prompt or immediate action to stop disruptive behavior in the workplace. This may mean restricting contact between the alleged bully and the reporting party until the investigation is completed. Such restrictions, however, must not adversely impact the reporting party. If the allegation of bullying is directed at an Appointing Authority who reports to a Board, Employee Relations shall consult with the Chair of said Board to determine how best to accomplish separation during the pendency of the investigation.
2. **Reporting to Human Resources:** Should an employee not be comfortable reporting workplace bullying to his or her management, he or she may report complaints to Employee Relations in the Human Resources Department. Employee Relations will contact the reporting party's and the alleged bully's Department Director or Appointing Authority as appropriate and offer to assist in an investigation. If the allegation of bullying is directed at an employee of the Human Resources Department, the investigation shall be conducted by the Office of Human Rights. If the allegation of bullying is directed at an Appointing Authority who reports to a Board, Employee Relations shall consult with the Chair of said Board to determine how best to accomplish separation during the pendency of the investigation.

If an employee is not comfortable making a report under this policy to management or to Human Resources on his or her own, he or she may have a family member, friend, or EAC Representative accompany him or her to make the report.

### **C. Investigation and Discipline**

Allegations shall be treated seriously and investigated promptly.

To ensure fairness to all parties, investigations will include the taking of oral and written statements from key parties involved and any witnesses. Anyone alleged to have violated this policy will be provided the opportunity to respond to the allegations. The investigation will be conducted as discreetly as possible, however, there is no confidentiality and records received or created pursuant to a complaint or investigation under this policy are public records.

Employees are expected to cooperate in investigations under this policy. Any refusal by an employee to participate in an investigation initiated under this policy after being advised that statements made are not admissible in a criminal proceeding shall be considered in violation of

this policy and Unified Personnel System [Rule 6](#) and may subject the employee to disciplinary action, up to and including termination.

Attempts to discourage or undermine an investigation under this policy are prohibited and may lead to disciplinary action, up to and including termination.

There shall be no retaliation for participating in an investigation under this policy. Retaliation may lead to disciplinary action, up to and including termination.

Filing a false complaint or making false statements during an investigation may lead to discipline up to and including termination.

#### **D. Remedies**

The results of the investigation will be provided within 15 calendar days of completion of the investigation to the reporting party, the alleged bully, and their respective Appointing Authorities. The report shall specify whether any party was found to have violated this policy. If the allegation of bullying was directed at an Appointing Authority who reports to a Board, the results will be given to the Chair of said Board.

If the investigation finds a violation of the policy, the Appointing Authority for the responsible party shall determine the most appropriate remedy. As appropriate, the Appointing Authority may also refer the parties involved to Employee Relations in Human Resources for coaching, information about training opportunities, and/or informal mediation. Employee Relations remains available to assist at any point in this process. If the allegation of bullying was directed at an Appointing Authority who reports to a Board, the Chair of said Board shall determine the most appropriate remedy.

Decisions made by the Appointing Authority that do not result in disciplinary actions shall be considered final.