


Description:		WORKPLACE BULLYING POLICY	Policy Number: 62-25
	WINNEBAGO COUNTY		Revision Date: 6/8/17
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I. POLICY

Winnebago County strives to maintain a workplace that fosters mutual employee respect and promotes a harmonious, productive working environment. Winnebago County considers workplace bullying unacceptable and will not tolerate it under any circumstances.

II. SCOPE

This policy applies to every employee, elected official, contractor, volunteer, and intern throughout Winnebago County and all individuals who may have contact with any employee of this organization as a result of County business operations. Any employee found in violation of this policy will be disciplined, up to and including termination. Independent contractors found to be in violation of this policy may be subject to contract cancellation.

III. DEFINITIONS

As used in this document, the following definitions shall apply:


Complaint A formal or informal allegation of bullying by an employee, including the filing of a grievance

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.

Winnebago County considers the following types of behavior to constitute workplace bullying. This list is not meant to be exhaustive and is only offered by way of example:

A. VERBAL COMMUNICATION

1. Abusive and offensive language
2. Personal insults
3. Teasing
4. Spreading rumor and gossip
5. Constant criticism on matters unrelated or minimally related to an individual's job performance

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6. Trivializing of work and achievements

B. MANIPULATING THE WORK ENVIRONMENT

1. Isolating individuals from normal work interaction
2. Manipulating an individual’s work to create an inability to perform their job successfully (e.g., overloading, underloading, setting unachievable deadlines, providing no training, etc.)
3. Assigning menial tasks not in line with the normal responsibilities of the job
4. Persistent denial of reasonable requests for time off, benefit utilization, schedule changes, etc.

C. PSYCHOLOGICAL MANIPULATION

1. Unfairly blaming individuals for mistakes
2. Setting individuals up for failure
3. Deliberate exclusion
4. Excessive, unnecessary supervision
5. Belittling or disregarding opinions or suggestions
6. Ignoring or interrupting an individual at meetings
7. Public criticism or humiliation
8. Deliberately singling out of one individual
9. Convincing or controlling an individual through the use of threats or the withholding of a benefit

IV. GENERAL PROVISIONS

A. Each employee shall assist in the prevention of bullying through the following acts:

1. Refraining from participation in or encouragement of actions that are or could be perceived as bullying;
2. Reporting acts of bullying to a supervisor; and
3. Encouraging any employee who confides that he or she is being bullied to report these acts to a supervisor.

B. This policy is not intended to preclude any employee from filing a complaint or grievance, if appropriate, related to the alleged bullying.

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V. PROHIBITED ACTIVITIES


- A. Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, professional conferences, business meetings and business-related social events. Any employee engaging in practices or conduct constituting bullying of any kind shall be subject to disciplinary action, up to and including termination.

- B. Winnebago County prohibits retaliation against any individuals who make good faith reports of bullying, participate in an investigation of such reports, or file a charge of bullying. Retaliation against any individual for reporting bullying, participating in an investigation of a claim of bullying, or for filing a charge of bullying is a serious violation of this policy and will be subject to disciplinary action, up to and including termination.

VI. EMPLOYEES' RESPONSIBILITIES

- A. If an employee is the subject of or witnesses bullying of any kind, he or she should deal with the incident(s) as directly and firmly as possible by clearly communicating his or her position to the offending person, and to his or her immediate supervisor or Dept. Head or the Winnebago County Human Resources Dept. In cases which involve complaints against elected officials covered under this policy, an employee may also inform the State's Attorney's Office. It is not necessary that the bullying be directed at the employee in order to make a complaint through the procedures set forth below.


- B. The employee and the individual to whom the bullying is reported should document or record the facts surrounding each incident (what was said or done, by whom, the date, time and place, and any witnesses to the incident.)
 - 1. Written records such as letters, notes, memos, emails, and telephone messages can strengthen documentation.

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- C. If there is bullying behavior in the workplace, the employee may directly and clearly express their objection to the offending person(s) regardless of whether the behavior is directed at them.
 - 1. If the employee is being bullied, he or she should clearly state that the conduct is unwelcome and the offending behavior must stop.
 - 2. However, the employee is not required to directly confront the person who is the source of his or her report, question, or complaint before notifying any of the individuals listed in Section A above.
 - 3. The initial communication may be oral, but documentation of the notice should be made. If subsequent communication is needed, it should be put in writing.
- D. Employees who have witnessed or experienced conduct they believe is contrary to this policy are encouraged to use this reporting procedure. An employee’s failure to follow this procedure could affect his or her right to pursue legal action.
- E. Failure by an employee to report known bullying may be grounds for discipline, up to and including termination.

VII. SUPERVISOR’S RESPONSIBILITIES


- A. Each supervisor shall be responsible for addressing and preventing acts of bullying. This responsibility includes:
 - 1. Monitoring the work environment on a daily basis for signs that bullying may be occurring.
 - 2. Counseling all employees on the types of behavior prohibited and the organization’s procedure for reporting and resolving complaints of bullying.
 - 3. Stopping any observed acts that may be considered bullying and taking immediate and appropriate corrective action, whether or not the involved employees are within his or her line of supervision.
 - 4. Taking immediate action to limit the work contact between two employees when there is a pending investigation of bullying involving those employees.

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- B. Every supervisor has the responsibility to assist any employee who comes to that supervisor with a complaint of bullying in documenting and filing a complaint as outlined in this policy.
- C. Any supervisor who becomes aware of any possible bullying against any employee must immediately advise his or her Dept. Head, the Human Resources Dept., or the State’s Attorney’s Office, who will timely initiate an investigation into the conduct.

VIII. COMPLAINT PROCEDURES


- A. Winnebago County strongly urges the reporting of all incidents of bullying or retaliation, regardless of the offender’s identity or position. While no fixed reporting period has been established, the prompt reporting of complaints or concerns allows for rapid and constructive action.
- B. An employee who believes that he or she is being bullied should promptly report the offending behavior to a supervisor or Dept. Head so that steps may be taken to protect the employee from further bullying and appropriate investigative and disciplinary measures may be initiated. If reporting to a supervisor or Dept. Head is not practical, if the employee feel uncomfortable doing so, or if the supervisor and/or Dept. Head is the source of the problem, condones the problem, or ignores the problem, the report should be made directly to the Winnebago County Human Resources Dept. or the State’s Attorney’s Office.
- C. The availability of this reporting procedure does not preclude employees who believe they are being subjected to bullying conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that it be discontinued. However, employees are not required to communicate directly with the offender.
- D. The supervisor or other person taking the complaint shall interview the complaining employee and document, in writing, the details and nature of the incident(s). The documentation shall contain the following, at a minimum:
 - 1. Statement of the facts upon which the complaint is based;
 - 2. Person(s) performing, participating in, or witnessing the bullying;
 - 3. Description of specific wrongful act(s) and harm done;

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4. Date(s) on which it occurred;
 5. Any particular remedy or adjustment sought;
 6. The time and date the complaint was brought to the attention of the supervisor or other person taking the complaint, along with any action taken.
- E. The person taking the complaint shall promptly forward the documentation to the Human Resources Dept. or State’s Attorney’s Office for review.

IX. INVESTIGATION OF COMPLAINT

- A. The Winnebago County Human Resource Dept., or in some instances, the State’s Attorney’s Office, is responsible for the prompt coordination of the investigation into any complaint alleging bullying.
1. At no time will employees involved in the alleged bullying conduct the investigation.
 2. The investigating department will make every reasonable effort to conduct the investigation in a responsible and confidential manner; however, it is impossible to guarantee absolute confidentiality.
 3. The investigating department reserves the right to use an outside agency to investigate claims of bullying.
 4. As with any investigation of workplace misconduct, all employees must fully cooperate and provide truthful information or risk disciplinary action, up to and including termination.
- B. If the complaint contains evidence of possible criminal activity, the investigator shall notify and confer with the offices of the State’s Attorney and the Sheriff.
- C. When appropriate, the investigation shall include an inquiry into whether other employees are being bullied by the individual and whether other personnel participated in or encouraged the bullying.

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- D. A report shall be completed with a conclusion that the allegation(s) are founded or unfounded.
- E. If the allegation(s) are founded, the report shall include any recommended remedies or adjustments, including training, referral to counseling or EAP, and/or disciplinary action, up to and including termination. If it is determined disciplinary action is warranted, the appropriate procedure shall be followed.
- F. The complainant shall be informed, in writing, of the outcome of the investigation.

X. FALSE AND FRIVOLOUS COMPLAINTS

Given the possibility of serious consequences for an individual accused of bullying, employees who make complaints in bad faith or otherwise file false or frivolous charges may be guilty of severe gross misconduct and may be subject to disciplinary action, up to and including termination.

XI. DISCIPLINE/SANCTIONS

Disciplinary action will be taken against any employee found to have engaged in bullying or other conduct prohibited under this Policy. Violations of the Workplace Bullying Policy are subject to disciplinary action, up to and including termination of employment. In some instances, a violation of this policy may also subject the employee to civil and/or criminal penalties, fines and other sanctions.

Where a bullying environment has been found to exist, Winnebago County will take all reasonable steps to eliminate the conduct creating such an environment.