

M**PE**

BULLIES

Leading the Way
Respectful Workplaces

Representational Guidebook for Stewards

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Introduction

For the first time in history, Minnesota state employees are now guaranteed a professional and respectful workplace. Following a three-year anti-bullying campaign by the Minnesota Association of Professional Employees (MAPE), the Respectful Workplace Policy was announced by Minnesota Management & Budget (MMB) on April 10, 2015.

Minnesota is a national leader in recognizing the importance of healthy and respectful classrooms and work environments, and is one of only a handful of states to tackle workplace bullying head-on with a law or policy affecting state employees. More than 27 percent of American adults have experienced workplace bullying. Our own MAPE survey also showed that more than one in four of us have experienced or witnessed bullying in the workplace. Workplace bullying can have serious negative effects on employees, including stress, insomnia, depression, anxiety and post-traumatic stress disorder. Workplace bullies can cost companies millions of dollars in turnover, lost productivity, disability payments and litigation. Without laws, employers can, and often do, legally ignore this abusive conduct.

Three years ago, after hearing some truly egregious stories about the health and employment impact on members who had been bullied on the job, we knew we had to take action. MAPE began developing a plan to protect our members. We had some success when a number of managers were eventually removed from their positions due to their abusive managerial style but more work was needed. As part of our legislative strategy, MAPE met with state Rep. Ryan Winkler (D-Golden Valley) who, in turn, asked MMB and MAPE to create a policy addressing acceptable and unacceptable behaviors necessary for a professional workplace.

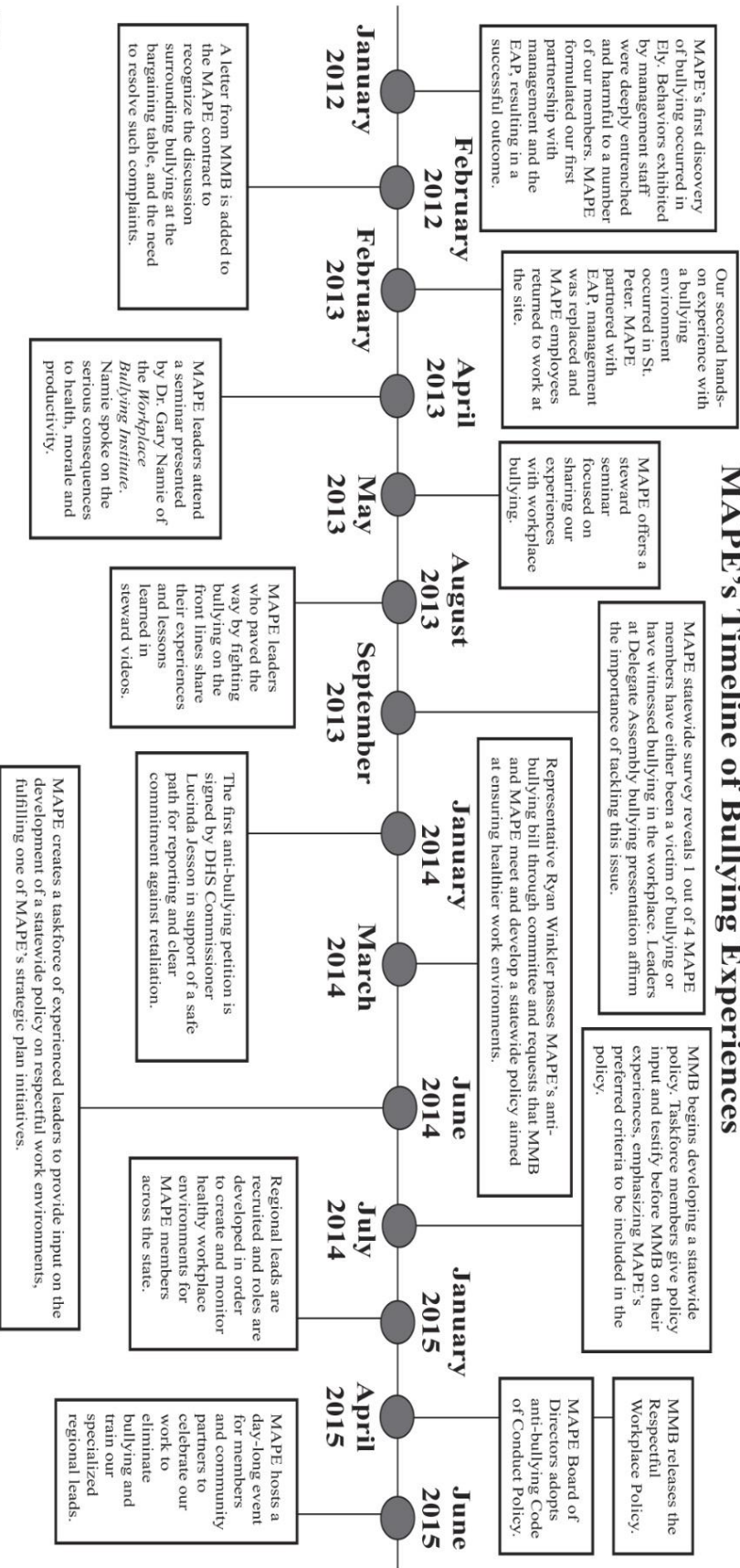
While MAPE and other public sector unions provided input to MMB on the policy, this new Respectful Workplace Policy did not address all of the unions' concerns and will need careful monitoring. To this end, MAPE is introducing a new regional lead position to help us oversee and track this new policy. This role will work hand in hand with all MAPE stewards as we seek to protect the work environment for our members.

MAPE has developed several tools to help both our members facing an abusive work environment and our stewards' work in changing this environment. This guidebook offers insight in both our history and experiences, and tips on how to use this new policy in your representation. The steward videos, available on MAPE's YouTube channel, chronicle our early experiences and best practices before the new policy. The *Anti-Bullying Toolkit* will be a resource for members wanting to learn and gauge next steps.

The ultimate goal of the policy is to create a professional workplace focused on delivering superior results for Minnesotans. Much of our work has concentrated on the supervisor/manager and employee relationship, but it is important to remember that this new policy covers every state employee at every level. We all become stronger and have a better collective voice as we unite to ensure respectful workplaces for all.

Chet Jorgenson
MAPE Statewide President

MAPE's Timeline of Bullying Experiences



Workplace Bullying: Effects and Definitions

According to research by the Workplace Bullying Institute, up to one-third of workers may be the victims of workplace bullying. About twenty percent of workplace bullying crosses the line into illegal forms of harassment.

MAPE reached similar results through its membership surveys conducted in 2013 and 2014. Although most MAPE members do not view bullying as widespread in their workplaces, a substantial minority reports that they have been bullied, and more are dissatisfied than satisfied with management's response to bullying. Below are key survey findings:

- More than one-quarter (27 percent) of represented employees report that they have been a victim of workplace bullying within the last five years.
- Nearly two in 10 (17 percent) say their supervisor sometimes bullies employees.
- One-third (34 percent) report that employees sometimes bully other employees where they work.

Those MAPE represented employees more likely to say that they themselves have been victims include:

- Women (33 percent);
- Elected union officers (44 percent); and
- Those who work in Corrections (40 percent) or Human Services (36 percent).

It is notable that the two departments with the highest percentage reporting bullying are also the departments with overall lowest satisfaction with their work environments.

Workplace Bullying is Harmful

Victims of bullying often experience significant physical and mental health problems. These can include:

- High stress;
- Post-traumatic stress disorder (PTSD);
- Financial problems due to absence;
- Reduced self-esteem;
- Phobias;
- Sleep disturbances;

- Increased depression/self-blame; or
- Digestive problems.

Because of this, bullied employees often use more sick leave than others or more than they used prior to being bullied. They are also more likely to experience problems at home, transfer to a different job or even quit their jobs. Emotional distress is almost always a resulting experience.

Workplace bullying also harms employers through increased costs and lower productivity. Increasingly, employers are recognizing these costs and have implemented anti-bullying policies. The Society for Human Resource Development found in its 2011 management survey that 56 percent of companies have some kind of anti-bullying policy. These policies are usually contained in an employee handbook or code of conduct. Surveyed managers indicated that their response to bullying allegations depends on the circumstances, but could include suspension, termination, reassignment or mandatory anger management training.

Workplace bullying is costly

Workplace bullies can cost companies millions of dollars. According to the Washington State Department of Labor and Industry, the costs of bullying generally fall into four categories:

1. Replacing staff members that leave as a result of being bullied, cost of training new employees and loss of experience.
2. Work effort being displaced as staff cope with bullying incidents (e.g., effort being directed away from work productivity and toward coping).
3. Costs associated with investigations of ill treatment, potential legal action and loss of employer reputation.
4. Increased health, sick leave and workers compensation costs.

Workplace Bullying Definitions

Because there are no laws in Minnesota that clearly define workplace bullying, MAPE stewards may find it difficult to convince management that certain behaviors are really bullying. Below are several definitions to consider:

1. MAPE

MAPE has an anti-bullying section in its Code of Conduct Policy affecting its Board of Directors, Board of Trustees, stewards, local and statewide officers, and local and statewide committee members. The union opposes workplace bullying and will work to eliminate its

occurrences both within the workplace and MAPE. Bullying is defined as:

- Repeated, unreasonable actions of individuals (or a group) directed toward an employee (or group of employees), which are intended to intimidate, degrade, humiliate, or undermine; or which creates a risk to the health or safety of the employee(s).

2. Workplace Bullying Institute

Bullying is repeated, health-harming mistreatment of one or more persons (the targets) by one or more perpetrators. It is abusive conduct that is:

- Threatening, humiliating or intimidating, or
- Work interference – sabotage – which prevents work from getting done, or
- Verbal abuse.

3. State of Washington – Department of Labor and Industry

Workplace bullying refers to repeated, unreasonable actions of individuals (or a group) directed towards an employee (or a group of employees), which are intended to intimidate, degrade, humiliate, or undermine; or which create a risk to the health or safety of the employee(s).

4. Hennepin County Non-Discrimination and Respectful Workplace Policy

Workplace bullying is persistent behavior by a person or group that is threatening, humiliating and/or intimidating.

These definitions have several things in common. First, they each suggest that bullying generally requires **repeated behavior**. Second, the behavior must be **targeted** meaning that the bully is acting intentionally to affect someone or a group of people. Third, they suggest that bullying behavior is sometimes serious enough to risk health- related **harm** to others. Additionally, each of the definitions provides descriptive words that help clarify bullying behavior. These include: intimidating, humiliating, threatening, sabotaging and verbally abusing.

Not all bad behavior is bullying

The line between bullying and bad behavior is often gray. Poor management practices, such as inconsistent application of work rules or policies, overly subjective evaluations, failure to provide positive feedback and constructive criticism, poor communication, failure to manage workloads and deadlines, and/or occasional micro-management are not by themselves bullying. These management practices may or may not violate MAPE's collective bargaining agreement, but in either case would not rise to the level of workplace bullying unless repeated, targeted and expose employees to potential harm.

Supervisors and coworkers with disagreeable personalities are not necessarily bullies. People that raise their voice on occasion, don't say "hello" when passing by, aren't friendly to others, seem overly negative or socially awkward are not necessarily bullies. Supervisors and employees alike deal with workplace stress in many different ways. Some people have a harder time dealing with stress and it affects their interactions with others. From time to time, stewards may need to remind employees that supervisors and/or coworkers with disagreeable personalities are not bullies. The supervisor may just be having a bad day or letting the stress get the best of him or her.

Tough and demanding supervisors are not necessarily bullies. Many supervisors set high standards without being disrespectful or unfair. Generally when a supervisor's primary motivation is to obtain the best performance by setting high, yet reasonable work expectations, it is not bullying.

Examples of bad behavior that are sometimes confused with bullying:

- A manager who raises his or her voice or criticizes all of his or her employees. While this is a sign of a bad manager and makes the workplace unpleasant, it is not bullying unless only one or a few individuals are being unjustifiably singled out.
- A co-worker who is critical of everything, always takes credit for successes and passes blame for mistakes, and/or frequently makes hurtful comments or jokes about others. Unless these actions are directed at one individual, they represent poor social skills, but are not bullying.

Evaluating behaviors

When evaluating bad behaviors, stewards need to analyze whether the behavior constitutes bullying or something else. Has the bullying line been

crossed? When analyzing bad behavior, stewards should ask the following questions:

1. Is the behavior being repeated or is it an exception?
2. Is anyone or group being specifically targeted by the behavior?
3. What's the harm? Is the behavior serious enough to cause harm or expose employees to a risk of harm (e.g., fearing coming to work or feeling unsafe, using more sick leave than usual, crying or other indicators of emotional distress, work quality suffering, avoiding the other person at work, and etc.)?

Bullying is different from harassment

The term “harassment” has both colloquial and legal definitions. Stewards should take care to understand and distinguish the legal definition of harassment from that of bullying. Harassment, as a legal term, gives rise to different legal rights and complaint procedures. Both state and federal civil rights laws treat harassment as an illegal form of discrimination when based on race, color, creed, religion, national origin, sex, sexual orientation, marital status, physical or mental disability, receipt of public assistance, age, familial status, and complaint activity (employment only). These personal characteristics are also called "protected classes." Harassment is illegal when it targets these personal characteristics.

For example, the Minnesota Department of Human Rights defines sexual harassment as “unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature, when submission to that conduct is made a term or condition of employment, the submission to or rejection of the conduct is used as a factor in an employment decision, or the conduct has the purpose or effect of substantially interfering with an individual's employment.”

In the employment arena, these laws require employers to provide employees with a workplace free from harassment. They also provide employees with specific rights and protections, including the right to file a complaint with an enforcement agency, such as the Minnesota Department of Human Rights or the U.S. Equal Employment Opportunity Commission.

When harassment targets protected personal characteristics, stewards should contact their MAPE business agent as soon as possible. In most

situations, employees experiencing illegal harassment will need to notify their employer. Minnesota law also includes strict timelines for filing complaints with the Minnesota Department of Human Rights.

Is it bullying or something else?

1. *“During our last staff meeting our manager yelled at all of us about the numbers we were not meeting.”*

Not bullying – this is one incident, the behavior is directed at the whole group; behavior should be addressed with the supervisor as unprofessional and disrespectful.

2. *“During the last five staff meetings, my manager has yelled at me in front of the whole group and joked about my work until I felt extremely anxious.”*

Bullying – the behavior is targeted, repeated and affecting the member’s health.

3. *“Ever since my letter of expectation (LOE), my supervisor has really been watching my work and wants to meet with me every week over issues in the letter that I don’t agree with.”*

Not bullying – we can expect a supervisor to pay close attention to performance if a member is under an LOE, work plan or discipline. A weekly meeting can create the necessary communication we would expect to help the member know if they are improving. If the LOE is not fair or accurate, the member should provide the supervisors with documentation supporting that belief.

4. *“My supervisor uses a weekly meeting as an excuse to get me into her office privately and always starts out with the message that I should clean up my resume and start looking for a job. My last performance review was good and I have no disciplines but these meetings have been going on for over three months. I feel degraded and struggle in keeping up the quality of work I am used to doing.”*

Bullying – This member’s work is affected by humiliating and demeaning behavior that is repeated and causes her self-worth to start crumbling.

5. *“My performance review this year was horrible. I don’t agree with most of the ratings and feel like my supervisor has it out for me. This was a complete shock.”*

Not bullying – Even though a member is upset with a performance review and decides to appeal, a disagreement about the evaluation by a supervisor of one’s work in and of itself would not be bullying.

6. *“For the last eight months my supervisor has been changing deadlines on my projects last minute and then writing up supervisory notes when they are not met. Every time that happens, he tells me it’s another step toward getting my ass kicked out of the department. During my performance review he brought up my surgery and told me I should have just stayed out. I acknowledged areas I could improve on and reflected in the review, but he said he wasn’t interested and it was too late. It is hard for me to go into work every morning as I expect the worst.”*

Bullying – This abusive and degrading language is repeated over time and is not legitimately tied to evaluating a member’s performance. There is a high probability that this member has health issues stemming from the hostile work environment.

Respectful Workplace Policy

On April 10, 2015, Minnesota Management & Budget (MMB) adopted the Respectful Workplace Policy. This policy applies to all state agencies, including Minnesota State Colleges and Universities (MNSCU). The policy does not define bullying per se, but includes the term “bullying” as a form of disrespectful and/or unprofessional behavior.

Disrespectful and/or unprofessional behavior

The Respectful Workplace Policy offers descriptions of disrespectful and/or unprofessional behavior. They include:

- Shouting;
- Abusive language;
- Threats of violence;
- Use of obscenities or other non-verbal expression of aggression;
- Behavior that a reasonable person would find to be demeaning, humiliating or bullying;
- Deliberately destroying, damaging or obstructing someone’s work performance, work product, tools or materials; and
- Use of this policy and procedure to make knowingly false complaints.

Unlike many definitions of bullying, the policy states that *unintentional* behaviors may violate the policy. In these circumstances, MAPE believes that the unintended behavior would need to be serious to violate the policy.

Normal management procedures don’t violate the policy

Public employees care deeply about how state government is run. They understand how poor management decisions can harm the quality of programs and services offered to Minnesotans. MAPE stewards also know how poor management decisions can negatively affect the work environment. Stewards sometimes disagree with supervisory decisions, including denied reallocation requests, performance review appeals, and grievances. Again, these management decisions in and of themselves are not bullying unless accompanied by other behaviors that would rise to the level of bullying.

The Respectful Workplace Policy adopted by MMB specifically describes behaviors that are not considered to be disrespectful/unprofessional behaviors that violate the policy.

Behaviors include:

- Normal exercise of supervisory or managerial responsibilities including, but not limited to performance reviews, work direction, performance management and disciplinary action, provided they are conducted in a respectful, professional manner.
- Disagreements, misunderstandings, miscommunication or conflict situations where the behavior remains professional and respectful.

Complaint procedures included in the policy

While the policy encourages supervisors and employees to informally resolve concerns whenever possible, it also provides a formal complaint procedure. MAPE stewards should encourage employees to file formal complaints when the behavior at issue rises to the level of bullying.

Stewards should seek out informal resolution processes for other forms of disrespectful or unprofessional behaviors when they are not *repeated, targeted or expose employees to risk of harm.*

Informal resolution processes may be appropriate for behaviors that are on the verge of bullying. For example, a new supervisor may not have been in his or her position long enough to exhibit repeated behaviors. Informal resolution processes may help the new supervisor understand the perceptions employees have of the supervisor's behavior before they become harmful to employees.

The formal complaint procedures outlined in the policy require employees to file their complaints with their agency's Human Resource office. Employees should include specific details in their complaint, including the details of the allegations and the identity of the person or persons against whom the complaint is made. The policy also suggests that the complaint include a summary of any documentation related to the allegations and a list of any witnesses to the disrespectful or unprofessional behavior. Agencies may create their own specific complaint forms. Appendix B is a sample complaint form created by MAPE which may be used when agencies choose not to establish their own form.

Stewards will need to monitor agency compliance with the formal complaint procedures. The policy requires that formal complaint investigations be *timely, fair and objective* and stewards can remind agencies of this obligation.

Responsibility for enforcing the policy

While all employees are required to adhere to the policy, agency heads, managers and supervisors have additional responsibilities under the policy. These additional responsibilities include:

- Informing their employees and third parties for whom they are responsible of the expectations outlined in the policy.
- Achieving and maintaining compliance with the policy.
- Taking timely and appropriate action when a complaint is made alleging violation of the policy.

MAPE's advocated for this provision of the policy, and it is important that stewards monitor its compliance.

The policy prohibits retaliation

If management allows retaliation to occur, employees will feel too afraid to complain or to assert their rights. This would greatly diminish an agency's ability to improve work climate and culture. Because of this, MAPE advocated for a strong anti-retaliation provision within the policy.

Fortunately, MMB agreed and ultimately included an anti-retaliation provision within the policy. The policy prohibits retaliation against any employee who:

- Initiates a complaint;
- Reports an incident that may violate the policy;
- Participates in an investigation related to a complaint; or
- Is associated or perceived to be associated with a person who initiates a complaint or participates in the investigation of a complaint under the policy.

Stewards are responsible for monitoring the implementation of the policy when members file complaints. Protecting against retaliation is important. Retaliation, added on top of bullying behaviors, will only exacerbate the harm caused to employees.

Examples of retaliation behaviors include, but are not limited to:

- Excluding employees from work activity;
- Refusing to meet with or be near the employee (giving them the "cold shoulder");
- Isolating the employee;
- Verbal abuse;

- Changing of work duties or work schedules without justification;
- Denying leave requests without justification;
- Continued harassment/escalated hostility; and
- Threats to job security and income.

Remember, retaliation comes only after an incident is reported.

Here a few simple actions stewards can take to help reduce the likelihood of retaliation:

- Keep close, consistent contact with the employee(s) in order to continue communications and positive, supportive messages.
- Be seen and present. Walk through the employee's work area from time to time. As a representative, even a simple walk-through with a short greeting can make a difference.
- Continue to keep retaliation measured by formal weekly reports as a part of your assessment.
- Immediately report the retaliatory behavior toward the employee(s) and request that the agency contact the perpetrator and demand she/he immediately stop the behavior.
- If the agency fails to act, contact your MAPE Business Agent and discuss the merits of filing a grievance under the anti-discrimination clause of the collective bargaining agreement.

Representational Tips for Stewards

When employees first approach their steward about bullying, they may have difficulty sharing painful details. Often feelings of shame, humiliation and trauma come out as they explain the abuse they've experienced. Others will feel resentment and anger. Either way, stewards need to be patient, listen and build trust. You can also help to build trust by being thorough in conducting an independent assessment of what's occurred.

Understanding the emotions involved

Waiting for the outcome of an investigation can also cause employees to feel anxious and stress. So it's vitally important that stewards check in with bullied employees to provide frequent updates. Even if telling the employee there's no new news, is better than letting them think they've been forgotten.

Stewards are not expected to be trained psychologists. So if employees are having a hard time dealing with the stress, stewards should make sure employees know that resources are available through the Employee Assistance Program (EAP). Some employees may need longer-term mental health treatment and should be encouraged to find a mental health professional through the State Employee Group Insurance Program.

Having to explain to employees that a situation is not bullying can also be stressful for both the steward and the employee. Explaining *why* in detail is the only way to work through this challenge. The steward can in many instances work with the employee to determine and find other avenues to address their concerns.

Documenting bullying

Management won't take any steps to curb bullying unless there is clear evidence to show that it exists, so documentation is important. Stewards can help document bullying in two ways. First, they can help members document the behavior they experience. Second, they can collect data that the employees could not otherwise collect on their own.

Helping members document bullying

Given the stress bullied employees experience, they may have difficulty documenting their experiences. Nevertheless, stewards must convince bullied employees that it is important for them to document their experiences and give them advice on how to do this. Below are a few pieces of advice to offer:

1. Document verbal exchanges via email in a polite and professional manner.

Mr. Smith,

Earlier today you threatened to terminate me if I don't become more of a team player. This is the second time you've made statements like this. Please let me know if I misunderstood your statements. Thank you.

Sandra Sylvester

2. Save the emails – sometimes the state system automatically deletes old emails.
3. Ask co-workers to write down their own accounts of significant incidents.
4. Keep a running log of any bullying incidents. Note: Appendix C is a sample employee log form.
5. Keep all documentation in a safe place, preferably away from the office.

Collecting other relevant data

Management is more likely to take action to curb bullying when MAPE provides data to support the claim of bullying. In the past, MAPE has succeeded in producing data that supports and corroborates individual claims and experiences. This can help move management from seeing a complaint as “she said – he said” to “the data shows we have a problem here.” In sort, the steward is conducting an independent assessment of problem and sharing the findings with management.

Below are examples of reports and data which can help make the case that bullying exists:

- A written report depicting the behaviors including the timeline, examples, impact, and health issues developed due to behaviors. This might include a summary of past attempts to correct the behaviors and explanation of why they failed.
- A list of witnesses that should be questioned through the investigation – what they saw, and what they are willing to say.
- A list of employees that have left the department to avoid bullying. Statements from these employees can be especially powerful.
- Health and safety data, such as Occupational Safety and Health Administration Log 300s when they indicate a spike in safety issues.

- A member survey documenting employee attitudes about work climate and culture. An example of a survey is included at Appendix D. Stewards can view other samples in the *Anti-Bullying Toolkit* on the MAPE website. (www.mape.org/my-mape/anti-bullying-toolkit)

Note: Stewards should take into account the level of fear and anxiety felt by a bullied employee or group of employees. This may cause many employees to resist *coming forward*. In the words of a MAPE steward, “In this small town, this is the best job with the best benefits. The fear of losing that causes employees to endure bullying behavior for years.” Anonymous surveys can help open the door to further discussion and input.

The steward’s role in the formal complaint process

Stewards should help represented employees through the formal complaint process. Given the mental stress involved, employees may struggle with providing clear descriptions of the behaviors involved, as well as the supporting evidence. Stewards should help represented employees to:

- Explain what happened;
- Document the problematic behaviors, including the dates, times and places;
- Describe the impact of the behaviors on their work, health and personal life;
- Provide any medical statements that may be relevant regarding the use of sick leave or harmful effects of the behaviors on the employee; and
- Identify and provide the names of witnesses, as well as the names of past employees who experienced the behaviors.

Stewards should interview the complaining employee’s witnesses to evaluate whether the witnesses support the employee’s complaint. Stewards should make witnesses aware that under the policy all employees have an affirmative responsibility to report incidents and to participate fully and in good faith in the formal complaint processes. By talking to witnesses, stewards also can help build a support system for the affected employee. Victims of bullying often feel very isolated from their co-workers, so co-worker support is essential.

Stewards should review the employee’s supporting documents before the employee files the complaint. Stewards should see that the documents were

obtained appropriately, are accurate and that they are relevant to the complaint.

Stewards should also go with the employee when the employee files the complaint. This way, the steward can make sure that the human resources official clearly explains the process, expected timelines and how the employee will be protected from retaliation. Employees will also feel more supported if their steward goes with them to file the complaint.

Steward participation in investigations conducted pursuant to the policy

During the investigation process, stewards should be present in *all* interviews where requested, whether it is the member(s), witnesses or co-workers. If an agency refuses to allow this, discuss the problem with the agency's human resources representative. Here are a few points to make:

- The employee has requested union participation.
- The policy encourages employees to work with their union representatives.
- The steward will help ensure a calmer, less stressful interview.
- Steward participation will mitigate the need to re-interview witnesses and/or co-workers.
- Labor and management cooperation further the goal of creating a respectful work environment.
- When appropriate commit to confidentiality.

Stewards should document their agreements with human resources. Stewards should also share any relevant and appropriate information with their regional leads and chief stewards. If management continues to refuse to allow stewards to participate in these investigations, stewards should contact their MAPE Business Agent. Other strategies may be needed to address the problem (e.g., including the problem as a meet and confer committee topic or organizing around the issue).

What to do if the agency chooses not to investigate

Unfortunately, the policy doesn't describe the circumstances whereby an agency can decide not to investigate a formal complaint. The policy does, however, imply that an agency may choose not to investigate unsubstantiated complaints or may suggest informal resolution procedures as an alternative to a formal complaint. If this happens, stewards should ask to meet with the appropriate human resources staff. At the meeting, stewards should ask for an explanation as to why the agency decided not to investigate the complaint. Stewards believing the factual circumstances

warrant an investigation should be prepared to make their case to human resource management. Stewards that have thoroughly investigated the complaint in advance will be in a better position to argue for an investigation. Remember, the policy requires managers to take timely and appropriate action when a complaint is made alleging violation of the policy. This provision applies to all managers including human resource managers, and refusal to investigate a legitimate complaint may constitute a separate violation of the policy.

Note: this guidebook discusses approaches to organizing around agency inaction in a later section.

“Co-worker” bullying

Co-worker bullying is a significant problem. MAPE’s internal member surveys illustrate this point. Stewards must exercise their judgement when determining how best to handle co-worker bullying. When two MAPE-represented employees are in conflict, a steward may prefer to try to resolve the situation by facilitating a conversation between the employees. Sometimes it may be best for the steward to identify and talk with the bully individually, and describe the harm caused by his or her behavior. The bullying employee may be experiencing personal issues or frustrations brought forward at work which may need to be addressed. The steward may also need to remind the bullying employee that MAPE members stand together, and that bullying is unacceptable behavior. Stewards should also inform bullying employees of the potential disciplinary consequences if they continue to bully others.

In other circumstances, it may be appropriate for the steward to request that management provide informal resolution processes either through the Employee Assistance Program (EAP) or mediation through the Bureau of Mediation Services. Employees also have the option of going to EAP on their own and independent of management.

When a conflict exists between two MAPE-represented employees, it can lead to discipline. Stewards may find these situations challenging given the conflicting set of responsibilities they feel. Because of this, stewards should review situations of co-worker bullying with their MAPE business agent. When a represented employee files a complaint against another represented employee, MAPE stewards have responsibilities to both represented employees. To the complaining employee, stewards must oppose workplace bullying and work to eliminate its occurrences both within the workplace and MAPE. To the accused employee, stewards needs

to ensure that management conducts a fair and impartial investigation. If management issues discipline, stewards are also responsible for ensure that the employee's due process rights are protected and that the discipline is for just cause. Because of the potential for conflicting responsibilities, separate stewards should be assigned to the complaining employee and to the accused employee. All employees then will have their own union representative.

Helping members understand remedies under the policy

When supervisors are bullies, it's natural for employees to want them to be held accountable for their behavior. In short, they will want their supervisors to be fired. It's important that stewards help employees understand that this happens only rarely. In Minnesota, supervisors also have the right to union representation and this includes the right to just cause in discipline. They also have certain privacy rights, just as MAPE-represented employees do. In the more serious situations, MAPE has supervisors being demoted. In most situations, though, upper management will clarify the expectations they have of their supervisors, more closely monitor their behavior, insist on training and/or modify their responsibilities. Of course, as MAPE continues to demand respect and a healthy work environment from supervisors, we also need to hold the agencies accountable in training and maintaining expectations of their supervisory staff.

Even after a work environment has been cleared of bullying, it may take members a longer time to heal and move past their experiences. In many of these circumstances, MAPE has had success working with Employee Assistance Program (EAP) representatives. Representatives from EAP are well-trained in dealing with the emotional side of bullying, and they also understand the process needed for employees to heal. In many prior instances, MAPE found that partnerships between MAPE, the agency and EAP led to successful outcomes for MAPE members.

The Respectful Workplace Policy also names the Bureau of Mediation Services (BMS) as an entity that, by mutual agreement, the parties may seek workplace conflict resolution. At the time this guidebook went to print, this process has not been used. MAPE is, however, committee to working with BMS so that new tools become available for effective workplace conflict resolution.

Selecting the best approach

Union activists now have multiple avenues available to address the problem of workplace bullying, including informal resolution, formal complaints,

human rights complaints, grievances and/or organizing. Stewards need to evaluate each set of circumstances and strive to find the best strategy for each situation that arises. In some cases, multiple strategies may be necessary. Below are models to consider when selecting an approach to resolve the problem:

Informal Resolution

- When there is no immediate threat to the employee's physical or emotional wellbeing;
- When the circumstances are deviations from the norm;
- When the people involved are open to informal resolution;
- When it's not a bullying situation, but some other lesser form of conflict;
- When it's not illegal harassment;
- When better communication is needed; and
- Note: informal resolution is often a good option for co-worker conflicts.

Formal Complaints (under the Respectful Workplace Policy)

- When its bullying meaning that the behavior is repeated, targeted and exposes employees to risk of harm (i.e., emotional, loss of their job, violence, etc.)
- When the facts are documented and support the complaint;
- When informal resolution has failed and the problem continues;
- When management is aware of the problems and has done nothing to address them;
- When retaliation is a concern – given that the policy prohibits this when a formal complaint is filed; and
- When it's not illegal harassment.

Human Rights Complaint

- When the behavior targets or is based on a person's personal characteristics including race, color, creed, religion, national origin, sex, sexual orientation, marital status, physical or mental disability, receipt of public assistance, age, familial status and complaint activity (employment only). These personal characteristics are also called "protected classes." Harassment is illegal when it targets these personal characteristics.

Grievance

- When there is clear and specific violation of the MAPE collective bargaining agreement.
- While the new policy does not supersede the grievance process contained in the MAPE contract, in most situations the stewards should work through the formal complaint process. The exception to this is when the bullying behavior overlaps with other contract violations such as discipline, demotions, refusing vacation rights, improper changes to work schedules or denial of sick leave.
- Note: that while many supervisory behaviors may be egregious, they very often are not grievable under the contract. Grievances are not protest documents. Instead they are a legal means of enforcing specific contract terms. To change the power imbalances that lead to egregious employer behavior, stewards and union activists need to build power through relational organizing.
- The 2015-17 MAPE contract includes a reference to the Respectful Workplace policy under Article 4 – Non-Discrimination.

Organizing

- When problems are widespread or systemic, as opposed to an individual concern;
- When we know members share a common concern and are likely to act;
- When an agency is ignoring the policy;
- When higher-level managers are perpetrating the bullying;
- When it's important to build solidarity and power within a group;
- Note: Organizing is discussed in greater detail in this guidebook.

Checklist for Stewards

When you have made contact with a member or members regarding a claim of bullying/hostile work environment the following checklist offers a path for representation:

- ✓ **Schedule a time to meet with the member(s).**
 - *If you are dealing with a group of members, enlist additional stewards to assist as you move forward as your time can be stretched thin.*

- ✓ **Immediately advise the member(s) to document all incidents including name of abuser, description of behaviors, place and time the incident occurred, and whether or not there were any witnesses.**
 - *If the member(s) has already started documenting, request a copy or review with him/her. If no prior documenting has happened, the member(s) should, to the best of his/her ability, retrace prior incidences and fill in as much information as possible. If you are working with a group, consider using a survey to collect the data.*

- ✓ **Make an assessment with your chief steward, regional lead and/or other stewards to determine if the behaviors would be defined as bullying.**
 - *If you believe bullying is involved, continue with this checklist. If you determine bullying is not involved, determine what is actually occurring and establish the best course of action, if any, to address the issue. In addition to your regional team, consult with your business agent. Talk with the member(s) about your assessment and give reasons for your decision.*

- ✓ **Ask the member(s) if she/he has had any discussions about his/her claim of bullying with management, co-workers or others.**

- *This will be important information for you to have as you move forward. Make sure you and the member(s) document these discussions.*
- ✓ **If possible, the steward should speak with other employees in the unit/worksite, witnesses to the behavior or past employees who may have left due to the bullying to take initial statements.**
 - *That way the member(s) and steward know how widespread the behavior has been, what claims are supported by witnesses, and co-workers can be organized to support a healthy work environment.*
- ✓ **Review the Respectful Workplace Policy with the member(s) and make sure she/he has a copy.**
 - *If you have assessed that the behaviors do not meet the bullying and/or criteria put forth in the policy, the member(s) can still proceed through the process under the policy in order to have the agency determine whether or not it meets the criteria of “unprofessional/disrespectful” behavior.*
- ✓ **Understand the investigatory process fully by asking questions and monitoring.**
 - *This is not the typical investigatory process for a member that is being questioned for wrongdoing. Keep copies of any and all documents you receive related to this process. Challenge any steps that do not fit the criteria of the policy: “All investigations will be conducted in a timely, fair and impartial manner.”*
- ✓ **If the member(s) decides to file an informal or formal complaint under the policy, follow the process closely.**
 - *The policy refers to an informal resolution and formal investigatory processes under the policy will be “timely, fair and objective.” Those are the benchmarks you should be watching for and addressing if not met.*

- ✓ **Determine which HR representative to contact about clarifications or concerns as they may arise.**
 - *There will probably be discussions that you will want to have along the way – especially if you see problems arise in parts of the policy or an outcome to an investigation. Remember, this also is a new policy for HR.*

- ✓ **Be prepared for any retaliatory behavior by the abuser and be prepared to take action to stop it.**
 - *Request the same documentation from the member(s) as in the initial allegation. The steward is the representative who can demand this behavior cease and can strategize with other representational partners ways to move our message loudly and clearly.*

- ✓ **Understand fully the findings, resolutions and outcome to any claim under the policy.**
 - *Do the findings match your assessment of the behaviors?*
 - *Does the resolution work toward a healthy and respectful work environment free of bullying?*
 - *Is the outcome of the bullying-free environment met through this process?*

- ✓ **Create a plan of communication with the member(s) to provide on-going support and guidance.**
 - *Remember that a member(s) working in a bullying environment needs consistent and frequent communication with the steward as this will be an emotional and extremely stressful time, even after the complaint is filed. Members will not hear much from management during the process.*

- ✓ **Do not hesitate to contact the Employee Assistance Program (EAP) if you think representatives can help member(s) to cope during this experience.**
 - *We have had success when partnering with EAP as bullying does create a number of stressful and anxious environments for our member(s).*

- *Check if there has already been an EAP representative assigned to this complaint process.*
- ✓ **Keep your notes throughout the process as your regional lead will be tracking your partner in tracking our experience.**
 - *We will be watching and documenting our member(s) experiences under the Respectful Workplace Policy; driving discussions regarding issues that come up that will need to be addressed and outcomes/resolutions to a member's allegation. Your regional leads are posted on the MAPE website and available through your chief steward.*
- ✓ **Reach out to your business agent if you are having difficulty.**
 - *Along with your chief steward and other stewards, your business agent is an important source for strategizing and brainstorming.*

Relational Organizing

“Organizers identify, recruit and develop leadership; build community around leadership; and build power out of community. Organizers challenge people to act on behalf of shared values and interests. They develop the relationships, understanding and action that enable people to gain new understanding of their interests, new resources and new capacity to use these resources on behalf of their interests. Organizers work with people to interpret *why they should act* to change the world – motivation – and *how they can act* to change it – strategy.”

- Marshall Ganz, Kennedy School of Government, Harvard University

Both the problem of workplace bullying, and our ability to address it effectively are two sides of the same coin – power. On one side of the coin, you have an abuse of power; *power-over* in the form of control, domination, bullying. In order to address this abuse of power in the workplace, we need to build *power-with*, power that is derived from relationships in the workplace that can bring light to the problem, develop strategies to address the abuse and hold people accountable. People will often suffer abuses of power in silence out of fear. MAPE members sometimes will only talk with their steward about their experiences of workplace bullying when they are on the verge of leaving their state jobs – when they have nothing to lose – having suffered in silence for many years. Building relationships is the antidote to fear because it builds trust as well as the capacity to address the issue.

The following paragraphs are based on real situations involving MAPE members. Each tells a different story as to how MAPE activists used relational organizing methods to make a difference. They also illustrate the three most important ingredients necessary to building *power-with*: relationships, action and leadership.

Relationships

When MAPE representatives learned of an abusive supervisor at an agency, a number of members would only talk about their experiences or what they’ve witnessed in indirect ways. They were afraid and not willing to come forward to take any action. Only one member was willing to come forward and a grievance was filed. MAPE representatives asked the members what would help them have confidence to come forward. Their reply was quick and straightforward: meet with us individually to build trust and then bring

us together as a group so we can move forward. Agency meet and confer members, MAPE representatives and stewards pulled the members together and set up individual meetings with more than 10 members. The members have since been willing to come forward and voice their concerns directly with management.

Action

One of MAPE's statewide leaders, as part of MAPE's overall organizing strategy, held multiple one-on-one conversations with members to get to know them and learn about their workplace concerns. She learned that many members were experiencing workplace bullying at a greater Minnesota worksite where MAPE had previously and effectively tackled the issue. MAPE representatives met with the group and they all agreed to raise the issues at a statewide meet and confer. The meet and confer team, however, did not agree to 'solve problems' for members in response to complaints or requests. Instead, they actively involved members in the meet and confer meetings. Across two meet and confer cycles, more than a dozen members from the worksite took action and participated in meetings with management. The members did not overly rely on staff, but developed their own skills and abilities to present their concerns. As a result, MAPE now has new leaders and stewards at that worksite location.

Leadership

Two members in the MNSCU system office approached MAPE for help with an abusive supervisor. The two members who approached MAPE for help had not previously been active with MAPE but they were natural worksite leaders. Both had strong networks in the workplace and were well respected by their peers. They reached out to the 15 other employees supervised by this boss, and they all began talking to each other about their problems. Because they all had each other's back, the members felt comfortable documenting what their boss was doing and talking to others about what was going on. A delegation of a dozen of these members met with human resources staff, and after hearing the member concerns, the supervisor was transferred and never again supervised MAPE employees.

Organizing is about strengthening our union and broadening the fight for change in the workplace. Organizing is built on relationships, and the best way to build personal relationships is through one-on-one communications. Often, we wait for a crisis to happen in order to do this kind of painstaking person-to-person organizing. Organizing is time-consuming and, while important, does not seem urgent until a crisis hits. In reality, in a time of crisis it is often too late. In order to strengthen MAPE to tackle workplace

bullying and other concerns, local leaders, stewards and MAPE staff need to be engaged in one-on-one organizing conversations on an ongoing basis. We become more powerful when one-on-one conversations are a regular habit and part of MAPE's DNA.

**HR/LR Policy #1432
Respectful Workplace**

Issued April 10, 2015
Revised N/A
Authority Enterprise Human Resources

OVERVIEW

Objective	To build and maintain a workplace that is respectful and professional toward all employees, volunteers, contractors, and other persons visiting the workplace and public service environment.
Policy Statement	The State of Minnesota is committed to providing a positive environment in which all staff, members of the public and others doing business with the state are treated with professionalism and respect.
Scope	This policy applies to employees of executive branch agencies and classified employees in the Office of Legislative Auditor, Minnesota State Retirement System, Public Employee Retirement System, and Teachers' Retirement System. It also applies to non-status employees and non-employees such as volunteers and contractors.
Definitions	<p>Professionalism: Displaying the good judgment and proper behavior that is reasonably expected in the workplace.</p> <p>Public Service Environment: A location that is not the workplace where public service is being provided.</p> <p>Respect: Behavior or communication that demonstrates positive consideration and treats individuals in a manner that a reasonable person would find appropriate.</p> <p>Third Parties: Volunteers, contractors, customers and other non-employees in the workplace or public service environment.</p>
Exclusions	This policy solely addresses communications and behavior that do not involve protected class status. Communications and behavior that involve protected class status are addressed in the State of Minnesota Policy on Zero Tolerance of Sexual Harassment and Administrative Procedure, 1.2 Harassment.
Statutory References	

GENERAL STANDARDS AND EXPECTATIONS

I. OBJECTIVE

The State of Minnesota is committed to providing a respectful and professional workplace and public service environment for employees and third parties. Respect for one another is fundamental to working in an effective, efficient and innovative manner. Disrespectful or unprofessional communications and behavior can disrupt the proper functioning of work units. Therefore, it is the intent of the State of Minnesota to:

GENERAL STANDARDS AND EXPECTATIONS

- Ensure a respectful workplace and public service environment free of disrespectful or unprofessional communications or behavior; and
- Provide effective and non-retaliatory problem-solving processes that address concerns regarding respectful or professional communications or behavior.

II. RESPONSIBILITIES

Employees and third parties are expected to:

- Conduct themselves in a manner that demonstrates professionalism and respect for others in the workplace and public service environment;
- Use informal means to address issues with the individual(s) involved whenever possible;
- Participate fully and in good faith in any informal resolution process or formal complaint and investigative process for which they may have relevant information; and
- Report incidents that may violate this policy in accordance with processes identified by the agency.

In addition to their responsibilities as employees as described above, agency heads, managers and supervisors are also expected to:

- Inform their employees and third parties for whom they are responsible of the expectations outlined in this policy;
- Achieve and maintain compliance with this policy; and
- Take timely and appropriate action when a complaint is made alleging violation of this policy.

Failure to comply with this policy and its procedures may result in disciplinary action, up to and including termination, or ending a contractor or volunteer relationship with the agency.

III. RETALIATION PROHIBITED

Retaliation is prohibited against any employee or third party who:

- Initiates a complaint;
- Reports an incident that may violate this policy;
- Participates in an investigation related to a complaint; or
- Is associated or perceived to be associated with a person who initiates a complaint or participates in the investigation of a complaint under this policy.

IV. RESPECTFUL AND/OR PROFESSIONAL BEHAVIOR

Context is important in understanding the difference between respectful and/or professional behavior and disrespectful and/or unprofessional behavior. Individuals may experience stress or discomfort in the workplace that is not related to disrespectful and/or unprofessional behavior. For example, disrespectful and/or unprofessional behavior does not include any of the following:

- The normal exercise of supervisory or managerial responsibilities, including, but not limited to performance reviews, work direction, performance management, and disciplinary action provided they are conducted in a respectful, professional manner.
- Disagreements, misunderstandings, miscommunication or conflict situations where the behavior remains professional and respectful.

GENERAL STANDARDS AND EXPECTATIONS

Disrespectful and/or unprofessional behavior may or may not be intentional. Unintentionally disrespectful and/or unprofessional behavior may still violate this policy. Examples of *disrespectful and/or unprofessional* behavior include but are not limited to:

- Exhibiting aggressive behaviors including shouting, abusive language, threats of violence, the use of obscenities or other non-verbal expressions of aggression;
- Behavior that a reasonable person would find to be demeaning, humiliating, or bullying;
- Deliberately destroying, damaging or obstructing someone's work performance, work product, tools, or materials; and/or
- Use of this policy and procedure to make knowingly false complaint(s).

V. PROCEDURES

As with all allegations of misconduct, informal resolution and formal investigatory processes related to this policy will be conducted in a timely, fair, and objective manner.

Individuals are encouraged to informally resolve concerns whenever possible. In addition to the options provided in this procedure and those identified within the agency, the involved parties and the agency, by mutual agreement, may at any point seek mediation through the Bureau of Mediation Services (BMS).

a. Informal Resolution

If possible, the employee or third party who feels a violation has occurred should have a conversation with the other individual(s) involved.

Employees and third parties are encouraged to speak with their supervisor, agency Human Resources office, union representative, or Employee Assistance Program (EAP) representative for assistance or guidance on how to resolve the situation.

If a direct approach is not possible or does not resolve the concern, employees and third parties are encouraged to meet with their supervisor or manager to discuss next steps.

If the concern is about the supervisor or manager, parties are encouraged to contact the Human Resources office or an EAP counselor to determine options for resolution.

b. Formal Complaints

Any employee or third party may choose to initiate a formal complaint under this policy. Complaints should be submitted to the Human Resources office or as provided by agency procedure. If the complaint concerns a member of the Human Resources office, the complainant may contact their supervisor or manager or the Human Resources Director. If the complaint concerns an agency head, the complainant may contact the Assistant Commissioner of Enterprise Human Resources at MMB.

- Complaints must contain details of the situation and the identity of the person or persons against whom the complaint is being made.
- A person against whom a formal complaint is made may be informed of the complaint.
- As a matter of best practice, the agency or Human Resources office receiving a complaint made pursuant to this policy is encouraged to acknowledge receipt of any complaint in writing, to the complainant, with a statement that would include:
 - The date that the complaint was made;
 - A statement that the agency or Human Resources office retains the discretion to determine whether an investigation is warranted;

GENERAL STANDARDS AND EXPECTATIONS

- A statement that if it is determined that an investigation is warranted, all investigations will be conducted in a timely, fair and objective manner; and
- A statement that all data associated with a complaint, including any investigation and any outcome, are government data, and that the release or non-release of data is governed by the Minnesota Government Data Practices Act (MGDPA).
- MMB Labor Relations and Enterprise Human Resources are available to consult and offer guidance on implementation of this policy and procedure.

This process does not supersede any applicable grievance or dispute resolution process under a collective bargaining agreement or plan.

RESPONSIBILITIES

Agencies are responsible for:	Achieving and maintaining agency compliance with this policy and procedure.
MMB is responsible for:	Maintaining the statewide policy and procedure.

FORMS AND INSTRUCTIONS

Recommended content for an agency Complaint Form and Complaint Acknowledgment Form are included below. As a matter of best practice, agencies are encouraged to update their existing complaint forms consistent with the guidelines of this policy.

SAMPLE COMPLAINT FORM

Name:

Date:

Summary of Concerns:

Summary of any Documentation Related to Allegations (please include with complaint):

Witnesses (please describe what might they might know re: allegations.):

SAMPLE COMPLAINT ACKNOWLEDGMENT FORM

This form acknowledges receipt of a complaint made under the Respectful Workplace policy on ____ (date). Responsible authorities will review the complaint to determine whether an investigation is warranted. If an investigation proceeds, it will be conducted in a timely, fair, and objective manner.

Investigations and other actions taken in response to this complaint are subject to any applicable processes under applicable collective bargaining agreements and plans, including applicable review and/or appeal procedures.

All data associated with this complaint, including any investigation and any outcome, are government data. The release or non-release of this data is governed by the Minnesota Government Data Practices Act (MGDPA).

MMB Labor Relations and MMB Enterprise Human Resources are available to consult and offer guidance on implementation of this policy and procedure. As provided by relevant collective bargaining agreements, union

FORMS AND INSTRUCTIONS

representatives may also be available to assist.

Contacts	Director, Human Resource Management
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References	
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Appendix B

Formal Complaint

Respectful Workplace Policy (HR/LR Policy #1432)

BASIC INFORMATION	
Person(s) making the complaint	
Complainant's agency/department/division	
Complainant's Supervisor	
Person(s) against whom the complaint is being filed	

EXPLANATION OF HOW THE POLICY WAS VIOLATED

Documentation		
Document/Evidence	Description of what the document or evidence shows (summary of key points)	Date of the document
1.		
2.		
3.		
4.		
5.		

POTENTIAL WITNESSES

Name:

Job/Position:

Description of what the witness knows.

Name:

Job/Position:

Description of what the witness knows.

Name:

Job/Position:

Description of what the witness knows.

Filed by _____ on _____, 20____.

Signed: _____



Appendix C



Bullying Incident Log for Members

If you believe you are being bullied and/or work in an unprofessional and disrespectful work environment (see Respectful Workplace Policy) please document all incidences and include the following information:

INCIDENT LOG	
Date, time and place of the incident:	Abuser:
Description of what happened:	
My response: (e.g., sent reply email; reported the incident; filed a complaint; talked with my supervisor, and etc.)	
If reported, describe management's response:	
Witnesses and a description of what the witnesses know or saw:	
Other notes/comments:	

Note: Attach copies any relevant emails or other documents. It's generally best to keep hard copies of emails.

Appendix D



Member Survey Template

WORK ENVIRONMENT SURVEY:

Greetings! We are sending out this short survey in order to collect information from all employees in this group regarding their work environment. Specifically, MAPE is concerned about information that we have received in an informal way and want to formalize that data.

We are including a line for your name and this is optional. If you choose to share your name, MAPE will keep it confidential as we will keep these forms confidential. If we see a pattern of the same perspective being shared (a bullying or abusive environment) we will summarize the data with no names and take the next step, which will be to present the “evidence” to upper management, possibly the commissioner.

Thank you for your time and input. Please return your survey in the enclosed envelope within 1-2 weeks, or sooner, if possible. You will hear back from us regarding the results.

NAME: _____ (optional)

1. Please give a brief description of your work environment including positive and negative.
2. Have you seen bullying or abusive behavior by any management employee, as well as any other behavior that can be considered as unprofessional, unbecoming, or inappropriate? If so, by who, and what is his/her title?
3. Please describe the behaviors that you have experienced or have seen others experience which would fall into this hostile work environment climate.
4. Are there employees who have left that you believe should be asked also for input. Please let us know who and where we can contact them.
5. What steps to address this environment would you support the union in taking? What steps would you be willing to be a part of?

Appendix E



MAPE's Regional Lead Description

Regional Leads: Representational role of MAPE's anti-bullying front line

From our first formal experience combating bullying to agreeing to MMB's new statewide Respectful Workplace Policy and Procedures, MAPE has led the way in bringing this issue to the forefront. The development of regional leads will ensure the critical focus of healthy workplace environments for our members. We know our work in this area will not end with a new policy. It will be important to track our experiences and outcomes under the new policy in order to address issues that need to be corrected or discussed; whether in meet and confer, meetings with management, grievances or negotiations.

These regional leads will bring consistency to our voice and provide the most efficient picture of our work statewide. We will be sharing tools and resources with all of the MAPE leaders who are in this role.

Regional leads consisting of a combination of chief stewards and stewards will work with business agents to carry out the following responsibilities:

1. Be familiar with and able to educate and speak on the statewide policy with your members.
2. Develop the ability to assess whether problems being reported are of a bullying nature or not, and communicate that with members.
3. Track trends and outcomes regarding workplace bullying in agencies within the region.
4. Take part in ongoing discussions regarding MAPE's role in member-to-member issues.
5. Collect and report requested data to MAPE via universal tracking format provided by MAPE in order to prioritize and guide future work.
6. Assist all stewards in the region in dealing with a hostile work environment claim - including bullying, harassment or other offensive behaviors.



Appendix F

(See Highlighted Section 6)

MAPE Code of Conduct Policy

Board of Directors Revision Dates: 3/30/2007, 4/16/2010, 4/17/2015

Summary: Guidelines for MAPE Board of Directors, Board of Trustees, stewards, local and statewide officers, and local and statewide committee member conduct.

Policy:

Represented employees expect and deserve ethical and businesslike conduct from their elected and appointed leaders. Proper use of authority and appropriate decorum in group and individual behavior when acting as Board members, stewards, officers and committee members is essential to fulfilling this obligation.

With this understanding, Board of Directors, Board of Trustees, stewards, local and statewide officers and MAPE local and statewide committee members agree to:

1. Maintain un-conflicted loyalty to the interests of MAPE members. This accountability supersedes any conflicting loyalty such as that to advocacy or interest groups, and membership on other boards or staffs. It supersedes the personal interests of any Board member acting as an individual consumer of MAPE's services.
2. Avoid conflict of interest with respect to their fiduciary responsibility:
 - There must not be self-dealing or any conduct of private business or personal services between any Board member, steward, officer or committee member and MAPE, except where openness, competitive opportunity and equal access to "inside" information can be assured.
 - Board and committee members, stewards and officers shall not use their positions to obtain employment within MAPE for themselves, family members or close associates.
 - Should a Board or committee member, steward or officer be considered for employment by MAPE, s/he must temporarily withdraw from Board deliberation and voting (in the case of a Board member), and shall be denied access to Board information beyond that available to all applicants.
3. Recognize that no individual Board or committee member, steward or officer has the authority

to speak or act on the behalf of the body in interactions with MAPE staff, the public, press or other entities without prior, documented permission from the respective body.

4. Work through the appropriate staff supervisor in the event of a complaint against a MAPE staff person so as to protect staff contractual rights.
5. Will not publicly disclose confidential information obtained during the execution of official duties that could be harmful to MAPE, its officers or its staff.
6. **Oppose workplace bullying and work to eliminate its occurrences both within the workplace and MAPE. Workplace bullying refers to repeated, unreasonable actions of individuals (or a group) directed towards an employee (or a group of employees), which are intended to intimidate, degrade, humiliate, or undermine; or which create a risk to the health or safety of the employee(s). Workplace bullying does not include any lawful concerted actions directed against an employer. [Adopted April 17, 2015]**