

# Town of Windham

## Workplace Bullying Policy

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### I. Policy Statement

It is the policy of the Town of Windham that bullying behavior will not be tolerated.

### II. Governance:

The Town's Code of Conduct, found in Article VIII, Section 1 of the Town's Personnel Policy Handbook, states, "The Town of Windham is concerned for the safety, well-being, and professionalism of its employees. Every employee has the responsibility to behave in a courteous and professional manner, and to conduct their public and private affairs in a manner that will reflect positively on the Town and its people." Section 9 states, "All horseplay, pranks, practical jokes, or any other acts which interfere or endanger any employee or other person, or interferes with the conduct of official duties of other employees is prohibited."

### III. Applicability:

This policy applies to all officials and employees of the Town of Windham.

### IV. Definition:

**Bullying** is defined as repeated mistreatment of one or more persons (the targets) by one or more perpetrators that takes one or more of the following forms: verbal abuse, offensive conduct/behaviors (including nonverbal) which are threatening, humiliating, or intimidating; or work interference – sabotage – which prevents work from getting done.

### V. Examples:

The Town considers the following types of behavior to constitute bullying:

- **Verbal bullying:** Persistent comments that are unwelcome and that ridicule or malign a person or his or her family; persistent name calling that is hurtful, insulting or humiliating; using a person as the butt of unwelcome jokes; abusive and/or offensive remarks.
- **Physical bullying:** Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.
- **Exclusion:** Socially or physically excluding or disregarding a person in work-related activities.

### VI. Obligations of Employees

All employees of the Town of Windham are expected to refrain from any conduct which violates this policy. Supervisors and managers<sup>1</sup> are responsible for the enforcement of this policy, and fulfillment of this responsibility is taken into account in evaluating each supervisor and manager's performance.

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<sup>1</sup> "Supervisor" is defined by the criteria set forth in 29 U.S.C. §152(11). Managers are those employees holding the position of department head or higher.

## VII. Reporting and Response

Any employee who believes that he or she has been subjected to bullying in violation of this policy, or who believes that another employee has been subjected to such bullying, has a responsibility to report the situation as soon as possible to the employee's supervisor or department head, unless that individual is also the person charged with the bullying behavior, in which case the report should be made directly to the

- Director of Human Resources, or
- The Town Manager


A supervisor or manager who becomes aware of bullying in violation of this policy is required to report it as soon as his/her duties permit, to:

- The Director of Human Resources, or
- The Town Manager

All reports of bullying in violation of this policy will be promptly investigated and appropriate remedial action will be taken whenever warranted. The Town will maintain confidentiality to the extent possible, consistent with its commitment to investigate the complaint promptly and thoroughly. Any employees who are determined, after investigation, to have bullied another person in violation of this policy will be subject to discipline up to and including immediate termination of employment. Any supervisor or manager found to have engaged in bullying a subordinate will be subject to immediate termination.

No employee will suffer retaliation for making a complaint or for reporting of bullying or for participating in the investigation of such a complaint.

Approved:

APPROVED:  Date: 6/30/2020  
Barry A. Tibbetts  
Town Manager

January 9, 2018

January 11, 2019 (Reviewed)

June 29, 2020 (Reviewed)