

Support of the workplace anti-abuse

Dignity At Work Act

[House Bill #6352](#) introduced by Rep. David Morales

Rhode Island State Legislature

House Labor Committee

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Introduction

When it comes to workplaces, roughly half of targets of illegal discrimination and legal workplace bullying report it internally.

But so many work cultures are toxic, and many higher-ups in these cultures say they're against the idea of workplace bullying, even discrimination, but then do NOTHING when it comes to addressing it.

It's a "bullying exists — just not here" mentality.

They generally only conduct investigations to understand if the employee has a legitimate claim and to re-position that claim as a miscommunication and meritless.

For targeted employees, the suffering mounts:

- Loss of their jobs (including structure and meaning) and identities
- Financial insecurity (including bankruptcy)
- Toll on families (including divorce)
- Mistrust
- Alcoholism and drug abuse
- Depression
- Doctor bills

When it comes to the courts, we know that workplace bullying isn't illegal unless it falls under discrimination or sexual harassment. And even then:

- It's rare that decisions are made on merits of cases.
- There's a huge asymmetry of power in workplaces and in courts that favors employers.
- Problems that are systemic get individualized.
- Outcomes are too often confidential to protect both the employer and the abuser, which leads to serial abuse.

We're in a rigged system where the law leaves untouched the hierarchies and the injustices that gave rise to employment civil rights law in the first place. In other words, the game by the rules of the workplace or the law as it is now is a severely skewed game that isn't on employees' side. It's a game that leaves white men in the vast majority of power positions in the U.S. workforce more than 50 years after Title VII of the Civil Rights Act of 1964.

We need stronger laws to protect everyone, especially those in protected classes around race, sex, age, disability, etc. who suffer from abuse at work more than others but can't prove illegal discrimination.

All plaintiffs want some form of vindication and organizational change for what they went through. But vindication and organizational change are rarely part of the outcome because the employer typically calls the shots. Abusers typically have zero consequences.

The Dignity At Work Act is about changing the rules of the game that will hold employers accountable and favor employees in courts more often because employees will have basic rights.

The bill was written by a team of advocates headed by Jerry Carbo, the president of the National Workplace Bullying Coalition and a professor of management at the Grove College of Business at Shippensburg University in Pennsylvania. In 2015, Dr. Carbo was selected to be a member of the newly formed EEOC Select Task Force on the Study of Harassment in the Workplace. He holds a PhD from Cornell's School of Industrial and Labor Relations and a JD from Penn State University and is a member of the State Bar of West Virginia. His primary teaching areas are business and society, labor relations, and employment law. Dr. Carbo conducts research in workplace bullying and harassment as well as socially sustainable business systems.

The Senate Bill, S196 introduced by Senator Frank Ciccone, passed the Rhode Island Senate in March 2021.

Workplace abuse is damaging. It harms:

- **Our workers** — often our best workers whose competence poses a threat to bullies — mentally, psychologically, socially, and financially.
- **Our businesses**, whose bottom lines suffer through absenteeism, low morale, productivity loss, and turnover.
- **Our society** from employers externalizing health care costs when they ignore employee well-being internally. When targets leave unhealthy work environments, choosing their health over a paycheck only to lose their health insurance when they need it most, they become burdens of taxpayers. When they get sick, they turn to ERs for care, where delivering primary care is not cost efficient. By the time they get there, their health has already deteriorated to a point where treatment expenses are far greater than earlier intervention would have been.

Numbers back up these problems. In his book *Dying For A Paycheck* (2018), Stanford professor Jeffrey Pfeffer says, "...the United States experiences about fifty-nine thousand excess deaths and about \$63 billion in incremental costs annually compared to what would be predicted given its per capita income level. Considering the total toll previously estimated (of about 120,000 excess deaths and \$180 billion in costs), our analyses indicate that about half of the deaths and about a third of the incremental costs from workplace conditions appear to be potentially preventable if the United States were more similar to other advanced industrialized economies." (p. 59, 60). Prevention is both less expensive and more effective than remediation.

We have environmental regulations to limit environmental risks, but we don't mention the human impact of abuse. We don't leave environmental pollution to the discretion of CEOs. So why do we leave employee health up to CEOs — when CEOs too often lead in ways that serve neither the employees nor the public nor themselves when you include the hidden costs of turnover and absenteeism?

The US is the last among all Western industrialized nations to acknowledge workplace abuse adequately. As a civilized society, there ought to be limits on what companies can do to their people. We should prohibit companies from abusing workers.

Every session we don't act, we leave employees and employers to suffer and health care costs to soar. Inaction costs lives and damages the state economy.

A safe workplace benefits not only the employee, but the public and businesses in our state. The right to an abuse-free work environment should not be reserved for only those who can prove discriminatory intent.

Respectfully submitted,

Emilia DaSilva-Tavarez
Rhode Island Dignity At Work Act Bill Director
tde2017@gmail.com

The problem

What workplace bullying is

"The unwanted, unwelcome abuse of any source of power that has the effect of or intent to intimidate, control, or otherwise strip a target of their right to esteem, growth, dignity, voice, or other human rights in the workplace."

National Workplace Bullying Coalition President and Dignity At Work Act Author Jerry Carbo, Esq.

"Systematic aggressive communication, manipulation of work, and acts aimed at humiliating or degrading one or more individual that create an unhealthy and unprofessional power imbalance between bully and target(s), result in psychological consequences for targets and co-workers, and cost enormous monetary damage to an organization's bottom line."

— Former National Workplace Bullying Coalition Board Member Catherine Mattice and colleague Karen Garman

In the workplace, bullying often involves a person in power, such as a manager or supervisor, taking advantage of a less powerful employee (though it can also involve a co-worker). By definition, bullying is an abuse of power by someone who is stronger — physically, verbally, mentally, socially, electronically, politically, or financially — towards someone who can't defend themselves against the bully's games or cruel behaviors. Most bullying involves isolating and putting the victim down and can involve many different forms.

Abuse of power is too often a symptom of implicit bias — a problem discrimination law stopped helping since the 1980s when courts moved from focusing on impact to intent. Intent is a high threshold that makes the law mostly ineffective at addressing bias and disrupting hierarchies at work that create haves and have-nots when those in power "other" people.

The examples are not exhaustive. Bullies are creative and constantly come up with new ways to torment their targets. The lists here are forms of bullying that have been consistently identified in the literature and research on workplace bullying.

Interpersonal or relationship behaviors

The abuse may take the form of public ridicule, disrespect, overwork, and overcontrol, including (but not limited to):

- Teasing, sarcasm, name-calling, slandering, and ridiculing a person
- Put-downs and insults
- Getting in someone's personal space
- Sending nasty emails

- Angry outbursts, such as screaming or swearing
- Persistent abusive phone calls, voicemails, emails, or postings to or about another person
- Excessive criticism, reprimands, and repeated reminders of errors or mistakes
- Hints or signals from others that someone should quit his or her job without cause
- Destructive gossip, rumors, or innuendo
- Offensive jokes or inappropriate statements
- Making up accusations against an employee
- Unfairly denying personal leave or job training
- Intimidating behavior such as finger-pointing, physical pushing, shoving, slamming doors, or throwing things
- Non-verbal threatening gestures

Organizational or task-related behaviors

Furthermore, abuse doesn't have to be obvious and belligerent; in fact, it can be quite subtle. Just as destructive as overt bullying behavior is the intentional sabotage of another's work, including (but not limited to):

- Assigning impossible deadlines and giving unreasonable workloads
- Micromanaging and unnecessarily controlling an employee's work
- Having key areas of responsibility removed or replaced with more trivial or unpleasant tasks
- Undermining an employee's reputation behind his or her back
- Unrealistic work demands
- Removing tasks crucial for one's job with no explanation
- Purposely giving inconsistent instructions
- Changing hours or schedules to make life more difficult
- Deliberately withholding information needed to be effective at work
- Blowing off accomplishments
- Excluding an employee from important emails, meetings, or social functions
- Pressuring others to not take advantage of benefits to which they are entitled
- Taking credit for others' work
- Engaging in office politics in a manner that is hurtful, manipulative, and unethical
- Going into personal belongings and supplies
- Giving bogus performance reviews to convince the target he or she is a problem

Bullying can be repetitive or one-off events.

Why workplace bullying is a problem

Workplace bullying is a severe and pervasive phenomenon in the US involving a violation of the basic human right to dignity. Bullying tactics can result in a host of stress-related symptoms including anxiety, depression, PTSD, and suicide ideation.

Simply put, workplace bullying is killing people. A study published in the *American Journal of Public Health* in September 2015 revealed that bullied targets are “twice as likely to have suicidal thoughts than those who were never bullied” — and it can happen to any of us. We abandon hope over time when bullies ruin our image. Abandonment by coworkers who don’t want to become the next target can lead to loneliness and despair. This response from abuse that won’t let up is part of the natural human stress response. Luckily, stopping it can lead to recovery and healing of the brain.

Who workplace bullying impacts

- **Anywhere from 30-90% of US workers as either targets or bystanders.** Targets suffer mental, emotional, and physical health harm. There’s also a ripple effect on witnesses and families. But here’s what’s worse: *targets of workplace bullying are often women, Black workers, Latinx workers, workers over 40, workers in the LGBTQ community, and workers with disabilities.* When discrimination law moved from a focus on impact to intent in the 1980s, the law became much less effective in dismantling the social hierarchies at work that keep white men in the vast majority of power positions in the US workforce, according to University of Chicago researchers in a 2017 study. Right now, we simply don’t have adequate protections from bias that manifests itself in abuse of power that prevents women, Black workers, Latinx workers, workers over 40, workers in the LGBTQ community, and workers with disabilities from getting ahead. This bill would give more protections to all workers, especially those who suffer from legal discrimination (the kind they can’t prove).
- **Organizations.** Workplace bullying costs employers billions of dollars annually in lower productivity and morale, increased absenteeism and turnover, training costs, and higher employee benefits costs. To avoid liability, higher-ups most often ignore complaints or retaliate, including pushing targets out of their jobs. Yet managers who get rid of bullies benefit financially. One study shows that “companies who focus on effective internal functioning and communication enjoy a 57 percent higher total return, are more than 4.5 times more likely to have highly engaged employees, and are 20 percent more likely to report reduced turnover when compared to competitors who demonstrate ineffective communication practices” (Civility Partners LLC, 2009).
- **Society.** When employers ignore employee well-being internally and push targets out, they externalize health care and basic needs costs onto taxpayers. Abused targets who leave unhealthy work environments are frequently uninsured. When they get sick, they turn to ERs for care, where delivering primary care is not cost efficient. By the time they

get there, their health has already deteriorated to a point where treatment expenses are far greater than earlier intervention would have been. This bill would incentivize employers to address employee well-being internally and not make it a public problem.

It's not a target problem. Research shows there's ZERO evidence to support targets brought on the abuse through weakness. In fact, evidence shows the opposite. Targets are often high performing, highly ethical employees whose competence poses a threat to their low performing, low ethical bosses. The bully's motivation is to keep the upper hand — an ego-driven control move that's about abuse of power. Bullied are often deceptive managers who trick others into thinking the target is the problem, setting the stage for mobbing.

How employers react and common resolutions

Most often, employers either do nothing or retaliate against those who report bullying according to a [2021 Workplace Bullying Institute survey](#). So the most common resolution is the target leaving or getting fired.

What the Dignity At Work Act will do

- Hold employers accountable.
- Create an incentive for employers to prevent, detect, remedy, and eliminate workplace bullying **before health harm occurs**.
- Provide a cause of action for employees as there is little to none.
- Remove the inadequate lens of discrimination law, which employers currently use to shield the practice and silence victims.
- Shift the focus from intent to *mistreatment* and *impact*. Scholars and legal practitioners agree it is near impossible to prove intent.
- Strengthen protections for those who believe their mistreatment at work is due to discrimination but simply can't prove it.
- Protect the majority of U.S. workers who can't afford our pay-to-play legal system. An effective anti-bullying bill must account for this lack of access and provide an alternative.

The solution

The ultimate goal with the Dignity At Work Act (DAWA) is to prevent, detect, remedy, and eliminate workplace bullying.

DAWA is rooted in these principles:

1. **Workplace abuse isn't covered by existing law.** Harassment isn't illegal unless targets are members of a protected class (sex, race, age, etc.) under the Title VII of the Civil Rights Act and can prove the abuse is from their protected class membership. Employers know there's a loophole in the law for not addressing bullying. The bill will fill that gap in the law.
2. **Other potential avenues for relief for targets of workplace bullying are ineffective.** Intentional Infliction of Emotional Distress claims require targets to prove the bully's intent and to show severe emotional distress, setting too high of a bar for relief. Workers comp laws often fail to address workplace bullying and psychological harm, and when they do, they provide inadequate relief. DAWA will provide targets a clear avenue to be made whole and to continue their careers.
3. **Employers often don't enforce their own policies and retaliate against those who report bullying.** The target leaving or getting fired is generally what stops the bullying. Because employers aren't required to follow their own policies, a law requiring employers to create anti-bullying policies and training doesn't protect targets. Tennessee passed a bill incentivizing workplace bullying policies, and California passed a training-only bill. Neither have proven effective. DAWA does not give employers immunity simply for having a policy. Instead, DAWA creates an incentive for employers to actually prevent, detect, remedy, and eliminate workplace bullying.
4. **Employers need incentive to change.** We know over the history of workplace harassment that the business case is not enough to convince employers to adequately address workplace bullying. Instead, the penalties for failing to do so must be enough to provide incentive. An effective bill must require employers to adopt all necessary steps to eliminate workplace bullying — steps well-established in bullying literature. Failure to do so must expose employers to meaningful penalties. Established defenses have not been effective in preventing, detecting, remedying, and eliminating workplace bullying. An effective anti-bullying bill must avoid adopting immunity defenses.
5. **We can't prove intent.** We've learned from US and international jurisprudence that it's often impossible for targets to prove the bully's intent, but the bullying still has negative impacts. Intent (general or specific) must not be one of the required elements for a claim

of workplace bullying. Bullying scholars and legal practitioners both understand the difficulty of proving intent. As a result, intent is generally not included in the research definition of bullying and should not be included in the law. DAWA does not require targets of bullying to prove their bully's intent.

6. **Psychological and physical harm is only one aspect of damage.** We've learned through US harassment jurisprudence that targets should not have to suffer psychological or physical harm before they have a cognizable claim. As the EEOC has recently reiterated, we want to stop harassing behaviors as soon as possible. An effective bill must establish a standard of harm that mirrors the EEO laws that the hostile environment or the bullying itself is enough of a harm to have a cognizable claim. Just as the EEOC and the judicial system have recognized that a hostile environment caused by harassment based on a protected status is harmful to workers, DAWA recognizes the hostile environment created by bullying is also a harm that should have a legal remedy.
7. **Legal action must be affordable to everyone.** The majority of US workers are unable to afford access to the pay-to-play legal system. An effective anti-bullying bill must account for this lack of access and provide access to remedies via a governmental agency. A governmental agency with enforcement and oversight of an anti-bullying bill will be able to not only provide access to targets, but also provide regulations, enforcement guidance, and model policies for employers. Conflict resolution via a governmental agency will be more expeditious than litigation, prevent tying up already overburdened courts with additional litigation, and provide paths for mutually agreeable resolutions that will allow employers and employees to continue a productive working relationship. DAWA would assure targets several paths to remedies including access to a state agency with enforcement power and private litigation should they choose that route.

Abuse of teachers, healthcare workers, and grocery workers amid COVID

The COVID-19 pandemic has exposed that far too many employers look to violate even the few rights that are protected in the U.S.. Employers have been forcing workers into conditions they fear are unsafe, withholding protective equipment, and retaliating against those who speak up or walk out.

First, let's look at what teachers have experienced. After hearing from numerous workers from across the country who believed their rights under the Americans with Disabilities Act, the recently passed Families First Coronavirus Relief Act, and their fundamental right to safe work were being violated by their employers, the National Workplace Bullying Coalition conducted a formal study and found that:

- School administrators were not shutting down face-to-face out of concern for worker safety, not granting leave, not granting workplace accommodations, and not following safety measures suggested by OSHA, the CDC, and World Health Organization.
- Rather, administrators exposed teachers to potential cesspools of disease with no regard for their safety and wellbeing, no matter their underlying health conditions. Rather than employers standing up to protect worker health and safety during this pandemic, they resorted to the worst forms of bullying. **Workers were left to choose between financial ruin (by leaving their employment) or putting their lives at risk to bring home a paycheck.**

Those in healthcare suffered greatly amid COVID, too. Ironically, healthcare administrators showed extreme indifference to life. One healthcare worker said, "COVID allows you to see America's healthcare workers in the state no one is allowed to see, chained and handcuffed to the very system we serve, done so on the exclusive order of our system's prison warden: Healthcare Administration and its Administrators. Our warden works hard to suppress us by minimizing our voice and maximizing our work output." Here's what's happened:

- Nurses reported unsafe levels of staffing, a lack of personal protective equipment, and quitting their jobs because they felt hospital administrators did not care whether they lived or died — all while hospital administrators raked in the money. A medical clinic manager in California said their two CEOs each make nearly \$10 million dollars a year yet told them funds were too tight to order excess PPE. In one case, administrators said workers should sell stocks, showing they knew what was coming but did nothing to prepare. After the deaths of 2,800+ residents at the chain's facilities and as it accepted

federal aid during the pandemic, Genesis Healthcare gave its CEO a \$5.2 million retention bonus.

- Some healthcare workers reported having COVID symptoms but were still required to come into work without getting tested.
- A Houston doctor was fired for giving expiring vaccines to high-risk patients.
- Administrators at a Silicon Valley hospital failed to address a COVID outbreak among their staff, and nurses who shared phone headsets, computer keyboards, and a tiny break room were not tested.
- At one medical facility, administrators told staff they no longer needed to wear PPE if they weren't within two feet of an ill patient and that exceptions would not be made for those who were immune-compromised. A higher-up asked a worker who just returned to work after a short leave for breast cancer treatment, "Do you think having cancer makes you special? If you don't agree with these recommendations, then you can self-elect to use PTO and stay at home."
- Another doctor was told his job was at risk because policy at his hospital prohibited the use of protective masks in the hallways, even though he needs to wear the mask because he has asthma and hypertension. After he spoke up, the doctor was removed from the schedule, effectively suspended from work without pay.
- A doctor was placed on administrative leave indefinitely for sending an email to the administrative team questioning why they had yet to create a system that hospital staff and physicians could follow so positive COVID patients in the hospital could be separated from those who didn't have it.

And low-wage workers dealt with abuse amid COVID, including not enough sick leave. Employers who neglect the survival of their workers have no consequences:

- Amazon fired a Staten Island warehouse worker who called for greater protections for staff amid a coronavirus outbreak. The worker called for the close of a facility after workers tested positive for COVID-19, but higher-ups failed to close it and then smeared the employee as not smart or articulate.
- Trader Joe's fired an employee simply for requesting improved filtration, mask requirements without exception, and adoption of a 'three-strikes' policy for removing uncooperative customers from stores.
- GE workers walked out in Lynn, Massachusetts, because machinists share equipment: sit at the same workbenches and use the same tools as the previous shift.

It's time to stop calling these workers essential. Their jobs are essential, but the workers themselves are clearly not. If the pandemic and the life-or-death situations it put our most stressed out workers in isn't raising the alarm bells on protections workers need, we need to seriously evaluate what we value as a society.

The failure of discrimination law

A major problem with the epidemic of workplace bullying and mobbing is it's currently viewed through the inadequate lens of discrimination law. Workplaces are systems designed to preserve managerial authority and hierarchical power. The obvious problem is that discriminatory intent is near impossible to *prove*, so the status quo has remained the same. Positions of power are still held predominantly by white men even decades after Title VII of the Civil Rights Act. It's evident that the interpretation and enforcement of discrimination law has been an epic failure as shown by the #MeToo and Black Lives Matter movements.

There's a fundamental conflict between workers' rights and the managerial and social hierarchies that control American workplaces. That asymmetry of power leaves employees with little to no control. As we lobby for safer work environments by addressing workplace bullying, we know our issue is not isolated but embedded and systemic in the totality of unaddressed and overlooked issues within the American workplace such as sexism, racism, ageism, homophobia/transphobia, classism, etc. despite discriminatory law to the contrary. To effectively address mistreatment at work, the focus needs to shift from intent to *mistreatment* and *impact*.

In 2017, researchers Ellen Berrey, Robert L. Nelson, and Laura Beth Nielsen of the University of Chicago found that employers, agencies, and courts often re-inscribe the very hierarchies discrimination law was designed to attack.

Here's what a target of unlawful discrimination experiences:

1. Targeted employees observe bias and/or report bullying and attempt to resolve it through their employers' internal channels: meetings with HR or higher-ups or ethics hotlines.
2. Higher-ups and HR reps in hostile work environments re-position the claim via rigged internal protocol as a miscommunication and/or meritless to avoid liability. The Workplace Bullying Institute reports this problem happens 71% of the time. Healthy work environments analyze and tackle claims at the source and help managers learn from mistakes to prevent future cases.
3. Employers turn the table against the employee. Employers force termination to avoid liability and treat the situation as an adversarial conflict, focusing on avoiding liability and keeping the status quo. They vilify the individual employee rather than the systemic problems.

Targeted and victimized employees of workplace bullying and mobbing approach their employer asking for help and looking only for justice. Instead, they incur life-altering consequences: damage to their health and well-being as well as job and income loss, loss of lifestyle, damage to personal relationships, loss of home, and sometimes their lives. Vindication and

organizational change are rarely part of the outcome because employers focus on one agenda: avoiding liability. Employers deny discrimination, assert managerial prerogatives, individualize problems, and denigrate employees. They offer small monetary awards, refuse to reinstate employees, and require that employees sign confidentiality agreements with settlement — all processes of dehumanization. Courts legitimize these practices, ignoring the asymmetry of power in the workplace and in litigation.

Now here's the reality about use of the legal system:

- Most targets don't involve the legal system.
- Frivolous claims are a myth.
- When targets do use the legal system, a massive asymmetry of power is stacked against employees.
- The high dollar wins shown in the media are rare.

And here's the unfair reality of outcomes for targets of discrimination since courts moved from focusing on impact to intent in the 80s:

- It's rare that decisions are made on merits of cases.
- Legal representation is required.
- Most outcomes are kept confidential.
- It's a systemic problem but becomes an individualized problem.

It's all done when employers, lawyers, and courts reinforce stereotypes. Stereotypes fuel discrimination against those who've been negatively stereotyped in favor of those who are positively typed. They're cultural constructs about social reality used to justify asymmetrical social relations. They influence whether people get jobs, advance, support themselves financially, and achieve career goals. For example, white men typically occupy higher-status positions with substantially higher pay, validated by stereotypes of men as more competent, which help keep white men in those positions. Employers use stereotypes to maintain the unequal hierarchy.

Improving the law will move the needle on proving safer work cultures for everyone, especially women, BIPOC, workers over 40, workers with disabilities, and workers in the LGBTQ community.

Sexual harassment law as a model

The Dignity at Work Act has its basis in US workplace harassment law. It extends the EEO laws by recognizing that not only do workers have a human right to be free from discrimination in the workplace, but they also have a human right to dignity in the workplace.

Under our EEO laws, the courts and the EEOC have recognized that these behaviors are prohibited but only when they are based on a protected status – race, color, national origin, gender, religion, age status over 40, or disability:

1. Unwanted
2. Objectionable behaviors
3. Severe OR pervasive enough to create a hostile, intimidating or abusive working environment or otherwise unreasonably interfere with the working environment

Whether based on protected statuses or not, objectionable behaviors prohibited under EEO laws are extremely damaging to targets, bystanders, organizations, families, communities, and society. No worker should have to endure abuse to earn a living.

So we've included these points in the Dignity At Work Act:

1. **Holds employers and abusers accountable for all abuse.** While the protected status requirement rids equal opportunity abusers of consequences, as in the *Holman v. Indiana* case, the Dignity At Work Act prohibits abuse at work whether or not it's based on a protected status.
2. **Recognizes that these behaviors themselves are enough harm to create a legitimate claim.** In the *Harris v. Forklift* case, the Supreme Court recognized that a hostile environment itself is harm. The Dignity At Work Act adopts this SCOTUS standard in recognizing that bullying in the workplace itself is enough harm that should be legally recognized as creating a legitimate claim whether it manifests itself in psychological, economic, or physical harm or not.
3. **Written to eliminate all bullying behaviors in the workplace.** The Dignity At Work Act does not require targets to leap the nearly impossible hurdle of proving their bully's intent. Legal and workplace abuse scholars have long recognized the problem with employees having to prove the intent of the wrongdoer. In the *Griggs* case, the Supreme Court recognized that policies that created discrimination in the workplace should be eliminated whether they were intentional or not. Likewise, the Dignity At Work Act prohibits actions that destroy workers' dignity whether intentional or not.
4. **Written to assure a reasonable standard for what behaviors should be prohibited.** The Dignity at Work Act sets out a standard much like that recognized by the Supreme Court since *Meritor* and reiterated in *Oncale* prohibiting conduct which a reasonable person would find severely hostile or abusive. The language of the Dignity At Work Act helps to avoid the expansion of this requirement in many Circuit court decisions such as Judge Posner's decision in the 7th Circuit *Baskerville* case to overturn a jury verdict in favor of the plaintiff and to establish a standard that a plaintiff would have to show a

“hellish environment” in the workplace in order to meet the definition of severe or pervasive. Following *Baskerville*, the 4th Circuit decided an environment in which supervisors had informed an employee they had made every female in the office cry and would also make her cry, called a female sales assistant his slave, pointed out a “buxom” catalog model and asked why they did not have sales assistants like that, referred to the plaintiff’s husband as a “stay at home wife,” and asked the plaintiff, “Why don’t you go home and fetch your husband’s slippers like a good little wife? That’s exactly what my wife is going to do for me,” was not an actionably hostile working environment. These two decisions are not isolated. In fact, this *Baskerville* standard has been and continues to be adopted by numerous courts. We strongly disagree with Judge Posner and these courts and believe that workers are entitled to an environment much better than a “hellish” environment and in fact have a human right to dignity in the workplace.

5. **Mirrors much of the Supreme Court standard for liability for bullying behaviors in the workplace, recognizing that employers who truly take legitimate, good faith, steps to eliminate workplace bullying or harassment should not be punished, while balancing this idea with a targets’ right to be free from bullying and to be made whole when they have experienced bullying in the workplace.** The Dignity At Work Act, also provides employers with specific steps they must take to have a legal defense for harassment in their workplace and to prevent, detect, remedy, and eliminate bullying.
6. **Allows employers to take the legitimate and necessary steps to manage their operations.** Legitimate business practices, policies, and decisions are not prohibited under the Dignity at Work Act

Costs to businesses

Employers appear to be oblivious to the additional costs associated with bullying and mobbing. They conduct practices internally to avoid liability.

What they don't seem to realize is that workplace abuse threatens:

- Work team morale and productivity
- Retention of skilled employees
- Employer reputation
- Absenteeism
- Workplace violence
- Performance

Researcher Christine Porath said that “time wasted at work or spent searching for another job could cost companies up to \$300 billion a year (more than the total net profit of the Fortune 500 companies).” In a poll of 800 managers, Porath and Researcher Christine Pearson found that among targets of abuse at work:

- 48 percent intentionally decreased their work effort
- 47 percent intentionally decreased time spent at work. (The American Institute of Stress estimates that one million workers are absent each workday due to stress.)
- 38 percent intentionally decreased the quality of their work
- 80 percent lost work time worrying about the incident
- 63 percent lost work time avoiding the offender
- 66 percent said their performance declined
- 78 percent said that commitment to the organization declined
- 12 percent said they left their job because of the mistreatment
- 25 percent admitted to taking their frustrations out on customers

It's not just a U.S. problem:

1. Sheehan, et. al (2001) found bullying cost Australian employers between 6 and 13 billion dollars each year.
2. Hoel, Sparks, et. al (2001) in an ILO study found the turnover and absenteeism costs in Great Britain due to turnover were 2 billion pounds annually.
3. Kline and Lewis (2018) put UK total costs of bullying at 2.28 billion pounds annually.

Left unchecked, workplace abuse becomes the **cultural norm** at an organization. The hierarchical authorities turn a blind eye to the problem. Employers are not liable for abusive behavior — nor do they want to be.

An HR consultant who specializes in resolving workplace bullying issues and has worked with Chevron, the US military, Stanford, Best Western, and the Red Cross, Catherine Mattice Zundel says, “the HR professionals who contact me for services desperately need the Dignity at Work Act to support their endeavours to create a work culture where their workforce can thrive. When HR reports *unlawful* harassment to organizational leadership, they're given permission to address it because it is illegal. But when HR reports *bullying* to leadership, the request for resources to address it is declined. There is so much research from around the world from the last 40 years highlighting that bullying causes anxiety, depression, disengagement, reduction in morale and loyalty, and so much more. These repercussions don't appear on the P&L because they seem immeasurable, but they are real. Arm HR with a law that gives them the ability to convince their leadership teams to take action against bullying and abusive conduct at work. It will save the employers in your state money in these hidden costs, create a more thriving workplace for your residents, and in turn create a better economy. Chambers of Commerce would argue that the Dignity At Work Act creates opportunity for litigation, which can cost employers. However, those ignoring bullying and toxic behavior are already paying so much more in absenteeism, stress related workers' comp claims, and declined quality of customer service and work product.”

Read more about the costs of toxic behaviors at work:

<https://www.inc.com/marissa-levin/harvard-research-proves-toxic-employees-destroy-your-culture-your-bottom-line.html&sa=D&source=editors&ust=1615051429586000&usg=AOvVaw354q38cGgOtoik2GWFXICe>

Harm to society

A major issue with workplace abuse is the harm and costs that reverberate societally beginning with public health care and unemployment costs. When targets of workplace bullying and mobbing leave their unhealthy work environments, they are typically sick from the abuse for protracted amounts of time. Unemployed and uninsured workers become burdens of the taxpayers and increase health care costs when they use ERs for their healthcare.

In his book *Dying For A Paycheck* (2018), Stanford professor Jeffrey Pfeffer says, "...the United States experiences about fifty-nine thousand excess deaths and about \$63 billion in incremental costs annually compared to what would be predicted given its per capita income level. Considering the total toll previously estimated (of about 120,000 excess deaths and \$180 billion in costs), our analyses indicate that about half of the deaths and about a third of the incremental costs from workplace conditions appear to be potentially preventable if the United States were more similar to other advanced industrialized economies." (p. 59, 60). He adds that workplace stress is the fifth leading cause of death in the U.S..

The silent killer stress is the silent partner of workplace abuse. Prevention is both less expensive and more effective than remediation. Individual outcomes such as PTSD, depression, sickness, and suicidal ideation are direct effects of bullying on targets and bystanders but have indirect effects on society as the issue is an epidemic.

We have environmental and physical safety regulations to limit employee risk, but we leave human psychological well-being up to CEOs. The U.S. is the last among all Western industrialized nations to acknowledge workplace abuse adequately. As a civilized society, there ought to be limits on what employers can do to their employees, especially violating and depriving basic human rights long deemed inalienable. Employers, who presently have no accountability, are the judges, juries, and executioners of workplace abuse.

U.S. laws

The U.S. has one of the weakest systems of employee protections of any industrialized country in the world. Just recently, the ITUC 2020 Global Rights Index found the U.S. to be the worst of any industrialized/advanced economy for the violation of workers' rights. The current legal system in the U.S. allows employers to violate employee rights with impunity, as many rights are simply not legally protected. Where limited protections do exist, there is either lax enforcement or weak penalties. Funding for enforcement agencies such as the Equal Employment Opportunity Commission, the Department of Labor, and the Occupational Safety and Health Agency (OSHA) have been slashed over the past 30 years.

The COVID-19 pandemic has exposed that far too many employers look to violate even the few rights that are protected in the U.S.. Employers have been forcing workers into conditions they fear are unsafe and retaliating against those who speak up or walk out. From highly paid healthcare professionals to teachers to low-wage "essential" workers, employees are too often left to choose between financial ruin (by leaving their employment) or putting their lives at risk to bring home a paycheck.

Professor, employment lawyer, and Dignity At Work Act bill author Jerry Carbo provided this analysis of U.S. laws around workplace bullying:

First, to prevent bullying in the workplace and to protect employees' right to dignity, we need a strong law with strong enforcement. The law must assure:

- All workers the right to dignity in their workplace.
- That all forms of workplace bullying are prohibited and actionable.
- That all targets of workplace bullying have access to an appropriate and complete remedy.
- Incentive for employers to take steps to prevent, detect, remedy and eliminate workplace bullying.

With union density hovering around 10 percent in the U.S., strong laws with strong enforcement are more important than ever.

Puerto Rico's law to Prohibit and Prevent Workplace Harassment is the first comprehensive workplace anti-bullying law in the U.S.. The most recent bill to pass builds on their strong employment laws and constitution, which recognizes and protects basic human rights including dignity. It meets most of the four requirements of any effective bill to address workplace bullying:

1. **It assures all workers the right to dignity in their workplace.** For the most part, U.S. employment law is based around a negative rights standard – i.e. the right to be free from XYZ. The problem with this standard is that abusive employers can find other ways to impact employees in the same way.
2. **All forms of workplace bullying are prohibited and actionable.** The law lays out examples of bullying behaviors and adopts a “totality of the circumstances” standard. We also see indicators in the purpose statement of the law that suggest workplace bullying will be broadly construed. While a final determination will depend on judicial interpretations, employer side law firms have interpreted the law as establishing an and/or standard of malicious, abusive, arbitrary, unreasonable, and/or capricious.
3. **All targets of workplace bullying have access to an appropriate and complete remedy.** The focus seems to be about incentivizing employers to prevent and eliminate harassment – important goals. There’s also an indicator that the law will allow for compensation for a broad range of damages AND these damages will be compensated at double the amount of actual damages.
 - a. The Puerto Rico law requires employers to have a remedial process in place.
 - b. It provides workers who are unsatisfied with the results of the internal process with access to the Bureau of Alternative Methods for the Resolution of Conflicts (BAMRC) of the Judicial Branch. While mediation often favors the more powerful party and is an extension of the employer’s internal process, this process is more likely to follow court mediation processes, a more balanced approach and may lead to resolution. Still, mediation is not required.
 - c. It provides targets access to a summary procedure to litigate their case, a critical part of the law giving targets much quicker access to a court and to a court decision. This process can play the same role as expedited labor courts in other jurisdictions such as Canada, which allow for a quicker resolution and make it more likely that the employment relationship can continue, a critical outcome. In the U.S., the most likely outcome for targets of bullying and even unlawful harassment is job loss that exacerbates their damages.
 - d. It also provides access through the traditional court system, which is limiting.
4. **The law provides a strong incentive (aka penalties) for employers to take steps to prevent, detect, remedy, and eliminate workplace bullying.** This law provides some strong incentive for employers to address workplace harassment, including civil liability if employers do not take necessary steps to address workplace bullying, for supervisor actions, and for all bullying they know or should have known of unless they take “immediate and appropriate actions to correct” the harassment. Employers are also liable for double damages under the law. Employers but not bullies can avoid liability.

There are laws in three U.S. states that promote bully-free workplaces but have no enforcement mechanisms and aren’t effective:

- California has a training law with no enforcement.
- Utah has a similar law for state agencies only.

- Tennessee has a law that grants immunity to employers if they adopt the model policy but no direct cause of action for targets. The bill does contain a strong model policy that employers must adopt to acquire the broad immunity, but too often, employers don't enforce their own policies.

Like so many of the international laws that address workplace bullying, the Law to Prohibit and Prevent Workplace Harassment in Puerto Rico shows we can and should take steps to prevent, eliminate, detect, and remedy workplace bullying. We must adopt strong laws that mirror or exceed the laws in Puerto Rico, Sweden, France, Quebec, Finland, and Belgium. The laws:

- Must have strong enforcement.
- Should focus on a positive rights approach to assuring basic human rights and dignity in the workplace.
- Should prohibit all forms of workplace bullying and avoid limiting language such as malice, intent, or repetitiveness.
- Should recognize and provide remedies for the broad range of harm caused by workplace bullying – physical, psychological, emotional, economical, career harms to the target which reverberate to families and communities.
- Must provide clear recourse for targets of workplace bullying and clear incentives for employers to prevent, detect, remedy, and eliminate workplace bullying.

International laws

Professor, employment lawyer, and Dignity At Work Act bill author Jerry Carbo provided this analysis of international laws on workplace bullying.

The industrialized world has already adopted measures to assure dignity in the workplace and/or to take measures to prevent, detect, remedy, and eliminate workplace bullying. The U.S. is the only Western industrialized nation not to have done so. These countries offer lessons about how we should draft and adopt legislation as we move forward in the U.S.:

- **Sweden.** The first piece of legislation passed to address workplace bullying was Sweden's 1993 Ordinance Concerning Victimization at Work. The Swedish law is comprehensive and addresses a variety of forms of workplace bullying. It places an affirmative and **preventative duty on the employer**. The law recognizes both **individual and organizational forms of bullying**. Employers are obligated to assure that work is organized in such a way as to prevent bullying behaviors from occurring. Sweden is the 10th easiest country to do business in according to The World Bank, and Sweden citizens rank as the 7th happiest in the world according to the World Happiness Index.
- **France.** In 2002, France passed the Social Modernization law that prohibits moral harassment in the workplace under both their labor and criminal laws. Like the Dignity At Work Act, this law stresses the protection of workers' dignity in the workplace. Employers are required to take "**all necessary steps**" to prevent moral harassment in their workplaces and have been found strictly liable for harassment that occurs in their workplaces. The law recognizes that such harassment **can cause harm to a target psychologically, physically, and/or professionally**.
- **Belgium.** The Belgian law that addresses workplace bullying is broad in terms of coverage and places the responsibility **on employers** to take all necessary steps to prevent, detect, remedy, and eliminate workplace bullying. Like the Dignity At Work Act, this law focuses on the protection of worker dignity, a common thread to both statutory and common law approaches to address bullying.
- **Canada.** Laws to address workplace bullying have also been passed in North America. Under the REvised Statutes of Quebec, Section 81.19, "Every employee has a right to a **work environment free from psychological harassment**, and every employer must take reasonable action to prevent and stop psychological harassment. The law focuses on dignity and defines psychological harassment as:

Any vexatious behavior in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures that affects an employee's dignity or psychological or physical integrity and that results in a harmful work environment for the employee. A

single serious incidence of such behavior that has a lasting harmful effect on an employee may also constitute psychological harassment.

This past year, U.S. territory Puerto Rico passed a law, Law to Prohibit and Prevent Workplace Harassment in Puerto Rico, to address workplace bullying. Puerto Rico's law is the first comprehensive workplace anti-bullying law in the United States and "reaffirms that the dignity of the human being is inviolable," establishing that this inalienable right exists inside and outside of the workplace. The Puerto Rican law covers a broad expanse of behavior and adopts a level of responsibility for employers that is similar to the laws in France and Belgium. Article 5 of the LPPWH lays out the employer liability as follows:

Any employer who incurs, encourages, or permits workplace harassment will be civilly liable to the affected persons. It will be the responsibility of every employer to take the necessary measures to eliminate or minimize the occurrence of workplace harassment in the workplace.

In the United Kingdom and Germany, common law standards have been extended to address workplace bullying. In the UK, the effort led to protection for worker dignity through their labor relations processes as well as common law cases. In Germany, workplace bullying has been interpreted as a violation of their general jurisprudence system and their labor code which prohibits harassment that "has the purpose of effect of violating the dignity of a person." In Australia and in Alberta, OSH standards are used to address workplace bullying.

The lessons from all of these approaches to workplace bullying is that we can take steps to prevent, detect, remedy, and eliminate workplace bullying through the law.

Myths

MYTH: Bullying is a childhood phenomenon.

FACT: Workplace bullying is not the same as K-12 bullying. It is an abuse of power unique to the workplace for tens of millions of American workers. The practice is highly affiliated with significant health harm up to and including death. DAWA will help to prevent, detect, remedy, and eliminate bullying.

MYTH: Workplace bullying will make targets tougher.

FACT: There are NO positive effects for targets, organizations, or society. Workplace bullying is a process of dehumanization that destroys the lives of unwitting employees. The harm that targets suffer is severe across all levels of human well-being including physical, mental, emotional and financial.

MYTH: Targets are simply weak.

FACT: No one is immune from workplace bullying, and no target is immune to the effects of bullying. Further, targets are often the strongest and most productive workers. Bullying is primarily done out of insecurity and jealousy and often covered up or supported by the hierarchy only to avoid liability. The assurance of dignity in the workplace has proven to be a critical component of protecting workers' rights in general.

MYTH: Bullying is just a normal part of work.

FACT: Bullying is a violation of basic human rights, beginning with the right to dignity, respect, equality, and fairness.

MYTH: The U.S. system already addresses bullying in the workplace.

FACT: We are the only Western industrialized nation that has failed to address workplace bullying and mobbing. Employers are powerful entities, but employees are not. The International Trade Union Confederation's 2020 Global Rights Index indicates that the U.S. has the worst record among major developed countries when it comes to workers' rights. While harassment based on limited statuses (race, color, national origin, gender, religion, age status over 40, or disability) is prohibited under U.S. EEO laws, there are numerous gaps in these laws, and nearly 3 in 4 instances of workplace bullying fall outside of these protections.

MYTH: Laws to address workplace bullying would create a civility code.

FACT: While there is nothing wrong with a civil workplace, DAWA would not create a civility code. Instead, DAWA protects the right to dignity. It does not assure civility.

MYTH: The definition of "workplace bullying" is too broad.

FACT: The DAWA states: "Workplace bullying shall be defined as the unwanted abuse of any source of power that has the effect of or intent to intimidate, control, or otherwise strip a target of

his or her right to esteem, growth, dignity, voice, or other human right in the workplace.” This definition is built based on extensive study of both workplace harassment jurisprudence, time-tested international laws, and the experiences and stories of hundreds of targets of workplace bullying. DAWA also includes general harassment as a form of bullying, and this definition nearly mirrors that of the EEOC and SCOTUS definition of unlawful harassment: “Moral, Psychological, or General Harassment” – Unwelcome, objectionable conduct that is severe or pervasive enough to create an intimidating, hostile, or abusive environment.” DAWA applies the reasonable person standard, the same standard as applied in U.S. harassment jurisprudence.

MYTH: A law would violate free speech.

FACT: The DAWA will not infringe on the rights to free speech or other speech in the workplace. In fact, it protects the right to speech for those who otherwise do not have the power or voice at work within a hierarchical and abusive power structure. DAWA requires that there be “abuse of power” or misuse of power for behavior to be bullying. DAWA also requires that the bullying be determined based on “the nature of the behavior,” “the totality of the circumstance,” and from the viewpoint of “a reasonable person under the totality of the circumstances.”

Silencing is often a part of bullying and harassment in the workplace and has even become codified as acceptable in non-disclosure agreements (NDAs), non-competes, work rules, and the adoption of the concept of unprotected “employment speech” in the private sector. Employers use their power in abusive ways to stop employees from reporting acts of harassment, bullying, mobbing, unsafe working conditions, fraud, and abuse. DAWA would restore the voice of workers that have been stripped by employers and the courts, including correcting at least in part the Supreme Court’s expansion of the concept of “employment speech” and the lack of protection for such speech by employees. Those who want to make speech freer would support the law.

MYTH: DAWA would be impossible for employers to manage and would cause harm to all employers, especially small businesses.

FACT: DAWA is easy to manage since employers already have processes in place to address unlawful harassment. It incentivizes employers to take the steps necessary to eliminate bullying from the workplace, benefiting all parties — workers, employers, and society as a whole. Workplace bullying directly and indirectly costs employers billions of dollars per year.

MYTH: The DAWA will open floodgates of litigation.

FACT: The vast majority of targets of even unlawful harassment do not report the behaviors. Even when they do report, the number of cases making their way to trials are small. While there are protections against frivolous cases in our legal system, DAWA will also limit litigation by providing for an enforcement agency, saving our overburdened courts and allowing targets access to remedies. DAWA will also provides an incentive for employers to address workplace bullying before it rises to the level of litigation.

MYTH: Employers already address workplace bullying.

Fact: Most employers do not meet the legal standards for unlawful harassment policies, and even fewer address general harassment or workplace bullying. The research on the damaging impact of bullying on targets and organizations has been around for decades, and employers have failed to take effective steps to eliminate the problem. Employers are currently not liable for psychological safety nor do they want to be. Employers allow workplace bullying and even tout that it is legal.

MYTH: The DAWA will prevent employers from disciplining poor performers.

FACT: DAWA recognizes the employer's right to manage the workplace and allows for employers to discipline employees with just cause. This standard assures against bad business decisions and unfair policies and practices.

MYTH: Bullying is impossible to prove.

FACT: Thirty years of harassment jurisprudence, decades of academic research, and examples from across the globe show that it is not only possible to prove bullying, but we can also prevent it, detect it, remedy it, and eliminate it. Now we just need to find the political will to eliminate abuse in the American workplace and ensure that basic human rights of workers' are no longer infringed upon.

Stories from targets of workplace abuse

Many targets shared with us their stories of workplace abuse so that no one would have to go through what they went through.

About two years ago, I lost my job as a teacher. I had a great observation my first year of teaching. I was on cloud nine. Life was great.

The second year of teaching, we got a new administrator whose goal apparently was to make my life a living hell. She would show up in my room randomly, criticize every move I made as an educator, and constantly compare me with other educators in the building and use their names while telling me how I needed to be more like them. I went so far as to enroll myself back in a local university and take a class to prove to my administrator that I did in fact know my material and what I was doing.

After months of harassment from her, I was informed that I would not be coming back as a teacher. Everything I'd worked for was gone: so many years in school, nights studying, exams, MTEs — gone.

I was told by my union to just apply in a low income area because they hire anyone. I found that my last resort could be to face my former district in trial court. It wasn't just the harassment that caused me to push forward. It's also the fact that my administrator broke my contract several times. I was stripped away from everything I worked so hard for. I was let go so my admin could hire her friend from her former district.

Coworkers saw what I was going through and felt helpless because it led all the way up to the superintendent. My fate was sealed in the beginning of my last year. The superintendent included emails in my personnel file that showed that. I never really even had a fair shot at an evaluation my second year as it had already been mapped out for me.

I've been a registered nurse since 2004. I worked for one company for six years. I really enjoyed my job and looked forward to going into work every day. I'd been promoted to a senior nurse position and looked forward to the new responsibilities and challenges associated with this job. At this time, we had a new director of nurses who was different from any other past directors of nurses: she was condescending, arrogant, and had a huge chip on her shoulder. She never

even took the time to interview me for this new position or meet me, which I thought was strange.

When I began my new position as a senior nurse, I looked forward to working together with the other fellow senior nurses to improve patient care. But as soon as I started my position, the bullying began — from two senior nurses who felt it was their duty to subject me to a sort of “hazing” and harassment to see if I met their standard for this position. Some of the ways in which they bullied me: false accusations to my supervisor stating I didn’t respond to a code, was sleeping on the job, and changing the assignments for the night so that I would have the heaviest and most demanding patients. When my supervisor approached me about these allegations, I asked her to provide the dates when I was sleeping on the job and supposedly didn’t respond to the code. She could not provide any dates. I told her that she cannot make these accusations without proper documentation, as this would be considered defamation of character regarding my nursing practice. I then immediately went to human resources and filed a hostile work environment complaint.

That is when my life of living hell began.

Once I had made the hostile work environment complaint, I was called into the office almost every week to discuss petty issues, such as not wearing my flu mask over my nose, but never written up. The director of nurses came in one night on the night shift unannounced and conducted her own investigation of my hostile work environment. One morning after my shift, my supervisor asked me if I could meet with her and the director to discuss the findings of her investigation. The meeting began with the director of nurses stating to me “We know your husband left you, and he got his girlfriend pregnant here is the EAP Support network. We are concerned and don’t want you to make a mistake and lose your job.” I was beyond stunned. How can a person be so cruel and vicious to attack a person this way? Yes, I was going through a divorce at the time, but it NEVER affected my job. I always remained professional. They triple checked all of my work and ran frequent Pixis reports to see if I was diverting drugs. They could never find anything to discredit me, so they decided to attack me personally. I never disclosed my personal business with either one of them, so how did they find out?

I decided that I had enough of this bullying at work and hostile work environment and gave my two weeks’ notice. On my last night at work, I took care of a brain-injured patient in his late 70s. This patient had been agitated and combative since he came in on the 3-11pm shift and was made a 1:1 because of this. The CNA assigned to him asked if I could assist her in providing PM care, which I did, and the patient began swearing and hitting. I had to ask another RN for assistance, as he was punching and hitting. Approximately a half hour later, the CNA rang the call bell and said that the patient needed to be changed again. She suggested that he stand up to urinate by the side of the bed, which I didn’t think was a good idea due to his mental state and agitation. Once up, the patient began swinging his fists at me, and I told him “If you hit me, I will go home” in an attempt to de-escalate the situation. Needless to say, the patient hit me 15 times in the face, and I received no assistance from the staff members in the room. I reported

the incident to my supervisor and charge nurse, and all they were concerned about at the time was me filling out an incident report, which I had 48 hours to do. I told them that I wanted to go to the hospital and that I was upset because I was hit and in pain. The doctor on call that evening came out, saw that I had been hit, and offered to talk to me about how to speak to a head-injured patient instead of providing support. I offered to give a report on my patients to the charge nurse, and she said, "No — that's ok. Just give me your papers. We need you to fill out an incident report," to which I replied "Not now. I will do it tomorrow when I can collect my thoughts and am not so upset." Two weeks later, this same patient attacked the staff, prompting the staff to call code "Dr. Strong."

Approximately one month later, I received a letter from the Board of Nursing stating that the Director of Nursing reported me to the Board of Nursing for mental abuse and elder abuse. I couldn't believe it. She never called me in to ask my side of the story — just went on the e-mail statements from the CNA who claimed I said, "Hit me. Hit me so I can go home," which is false. None of the agencies that this Director of Nursing reported me to has ever contacted me regarding this issue. I found out the Board of Nursing is an even bigger bully who is allowed to intimidate, harass, and threaten nurses if they don't comply with their demands, even though there was no abuse.

The Board of Nursing wants me to sign a statement that I admit to abusing a patient, which will go on my nursing license record forever. This is their offer. My attorney has asked on several occasions for reconsideration and to meet with me in person in attempts to hear my side of the story, which this prosecutor has refused. I have a clean nursing record, glowing evaluations, and character references, all of which she refuses to even look at. This prosecutor said to my attorney that she should inform me that if I want to pursue a trial, then the punishment will be more severe. This to me is railroading and should not be tolerated in a governmental agency. I am told goes unchecked all the time. Apparently the Board of Nursing is given the authority to protect the public by any means necessary. The investigator who they sent to my workplace did a poor investigation, and in her report she stated that I hit this patient, which is incorrect. So at this point, I have no choice but to continue with a trial in order to clear my name.

This experience has shaken me to the core. Every day I have this hanging over my head and worry if my license will be taken away, leaving me with no way of supporting my family. I have thought of suicide many times, and as this trial comes closer, so do the thoughts. No abuse occurred, so why does the board want me to say that I did abuse a patient when they are calling this incident "conduct unbecoming"? I feel like I will lose as they are clearly not willing to hear my side of the story. I have already endured the tarnished reputation and public humiliation — all for speaking out about being bullied on the job.

The job of the board is to protect the public from harm. Isn't it ironic that if a nurse is caught diverting drugs, she will have nothing on her license as long as she agrees to go to treatment? I think that nurse who diverts drugs caused harm to her patient who was in pain and should be

reported to the board. Yet I make the statement “If you hit me, I will go home” and get the book thrown at me.

How fair is that?

Police Officer Brenda James began her career in the male-dominated, dangerous field in 1994. Her district was changing, becoming more inclusive and diverse. The police department adopted a different model of policing — “community policing” — developing partnerships and relationships with community members. Officer James was assigned to help carry out that mission. She was recognized for the work she did as a community service officer and then became a juvenile officer, a liaison between the police department and community – school officials, clergy, business-owners, social service agencies, and programs. She was involved in roundtable discussions, interventions, mediation, individual educational plans for students at risk, court advocacy for juvenile delinquents, and relationship-building with probation. She became certified to mediate and earned a masters degree in criminal justice from Boston University.

The Backstory

In 2010, the Police Department failed to properly clear Officer James for an injury, erroneously charging her with Absent Without Leave (AWOL) instead of injured leave in November 2011. In December 2011, Officer James had an appointment with the Police Department medical unit to be cleared of injured leave after a rehabilitation/job simulation program.

On December 14, 2011, Officer James was properly cleared for full duty with no restrictions and was allowed to return to work on January 1, 2012 after First Night. Yet Officer James continued to be carried AWOL and was charged with being AWOL on December 22, 2011 after being medically cleared. (The Police Department Internal Affairs Division never investigated the AWOL allegation even though they backdated charges relating to the AWOL allegation.)

Officer James returned to full duty in January 2012, as agreed to by all parties, and chose the last half shift to work on the street, primarily in a rapid response, two-person car answering high priority calls. During the next six months, Officer James and her partner had to mace, subdue and arrest a violent suspect and chase and apprehend a suspect carrying a firearm. Her performance was exemplary, and she received a commendation during the six months she worked after her return. Officer James had ample opportunity to go out injured, yet she made no attempt to after numerous scuffles with suspects.

During this time, Officer James was not given back her pay that was taken after being considered AWOL, and she did not exercise her right to file a state claim with the Attorney General’s office for violations of state wage payment laws. In May/June of 2012, Officer James

approached her union representative and asked that he inquire about her missing vacation time due to the erroneous 2010 change in her injured-on-duty status (a previous and separate adverse action). The clerks complained to the captain and the union representative that Officer James went through her union representative, as she had the right to, and did not come to them directly to inquire about her missing vacation time. The captain sarcastically told her to make sure she contacted the clerks about her return date to avoid being carried AWOL because he said he was aware that Officer James did not like to contact the clerks directly.

The June 8, 2012 Incident

At about 1am, the captain came to the station and met with Officer James in his office regarding the suspension for alleged AWOL with a lieutenant present. The lieutenant told Officer James it would be a one-way conversation. The captain admitted that he did not intend to suspend Officer James, so it appeared that he did not have a clear plan of action. The captain attempted to engage her in a two-way conversation without a union representative present, violating her rights.

During the meeting, the captain decided to issue the suspension after Officer James did not engage in a two-way conversation without a union representative present. The captain ordered Officer James to turn over her badge, radio, and firearm. While she was in the process of safely and administratively removing her firearm (which had a live round in the chamber), the captain suddenly came out from behind his desk, approached her from the front, and physically took the firearm from her retention holster, after much wrangling. According to the training all Boston police officers receive, Officer James should have grabbed Russell's hand and twisted her body to release his grip and create distance. Officer James used a great amount of restraint and control. The captain also had ample opportunity to request the gunbelt she was wearing before dangerously wrangling the loaded firearm out of the retention holster on the gunbelt.

Two police officers admitted that it was a deviation from protocol, highly dangerous, and that they never witnessed an officer physically remove another officer's loaded firearm.

The witnessing lieutenant's account agreed with Officer James' account (and differed from the captain's account) on a number of key points.

After trying to calm herself down in her car and speaking with her union rep, Officer James went to the hospital emergency room in the early morning hours after the June 8, 2012 incident.

Textbook Abuse: Retaliation

Officer James endured a series of abuses after the June 8, 2012 incident:

- **Sabotaged paperwork.** As required by Police Department rules and regulations, Officer James filed a required incident report. She sent it to her assigned station via computer to

be coded and approved. There are transcripts to verify that the captain ordered the report not be coded or approved. When a supervisor finally released the incident report, it was approved and coded "sexual assault." The captain did not immediately file a required report. He only sent an email the morning of June 8, 2012, informing his superior officer that he suspended Officer James and omitting the physical removal of her firearm by him. He failed to send any other required reports until one year later.

- **Ignoring of the incident by a higher-up.** The police commissioner never took any action regarding the incident. Subsequent to Officer James' report filed on June 15, 2012, which was later approved and coded, he contacted Officer James on her cell phone, stated that he read her report, and ordered her to take her annual drug test. He never made a single comment regarding the June 8, 2012 incident. She complied with his orders to immediately provide a hair sample for the annual drug test.
- **Incorrect complaint classification.** No action was taken regarding Officer James' report. She was compelled to file a criminal charge of assault and battery against the captain to protect herself. Normally, an application for a criminal complaint by a police officer against another would be referred to the District Attorney's office, but this complaint was erroneously filed as a civilian complaint. The Clerk-Magistrate erroneously dismissed the application by applying the wrong legal standard, claiming he did so on the grounds that there was no evidence of criminal intent, even though criminal intent is not a required element of simple assault and battery, violating Officer James' constitutional due process rights.
- **Grievance denial for ignoring medical documentation.** Officer James suffered a back injury as a result of the gun removal incident. According to her training, Officer James instinctively moved to keep her "gun side" away. She provided the Police Department with a medical letter stating that there was a causal relationship between the removal of her firearm and the back injury that she sustained. The Police Department ignored the medical documentation provided by Officer James, so a grievance was filed, and it proceeded to arbitration. The arbitrator denied the grievance, pointing to several bogus claims: previous injury, failure to report the injury within 12 hours, failure to go to the hospital for 12 hours, and claims of associating migraines with stresses other than this issue, despite her neurologist's report. The arbitrator exceeded her authority, including presuming to make findings about medical issues. Officer James began to pursue an appeal on her own when her daughter became seriously ill.
- **Failure to follow procedures.** Police Department rules and regulations require that a Form 1920 be filed for every internal affairs investigation. No one ever filed a Form 1920 in this case. At some point (the record is still unclear regarding the timing), an investigation into the June 8, 2012 incident and the reports filed by Officer James in connection with that incident was started, even though no Form 1920 was ever filed. The record is unclear and to this day, Officer James does not know exactly when the investigation began and when it concluded. Attempts by Officer James and her attorneys to obtain clarification and specifics were ignored by the Police Department. When specifications for disciplinary action were finally issued, they were unclear.

- **Limbo status.** After the incident, Officer James was left in limbo with no duty status for a two-year period, which is unprecedented action. This limbo status affected her retirement, depriving her of benefits for years of service.
- **Unreasonable duty status and administrative leave.** Once the captain was removed from the district, Officer James requested to return to work. The doctor cleared her for full duty with no restrictions in July 2014 after a physical fitness test. But the Police Department ordered Officer James to see their doctor. He delayed seeing Officer James until September 2014, then cleared her for *modified* duty with no explanation. He never conducted a complete fitness for duty evaluation. The Police Department put Officer James on administrative leave the day after her visit with their doctor and modified duty without allowing her to work one day.
- **Hair testing policy violation.** In 2013, there was allegedly a violation regarding the hair testing policy. The Police Department began an investigation into whether Officer James had violated the rule for providing a hair sample within a 60-day compliance window around her birth date. The investigation into a violation started in early July, even though Officer James had until the end of July to provide a hair sample. The investigation into a violation began even before a violation could have occurred. Officer James attempted to be in compliance with the rule even though she was without a badge, work status, and payroll check. She was denied the opportunity to take her hair test on July 29, 2013.

The Current Status

After Officer James filed an appeal with the Civil Service Commission over the designation of AWOL and the five-day suspension that was issued on June 8, 2012, the Police Department eventually rescinded the five-day suspension, settled wages and time (overtime and details were not given back), and expunged the suspension from her record. The captain subsequently engaged in similar dangerous behavior in removing a firearm from a white male officer, though the officer was treated differently.

The Civil Service Commission ordered Police Department to make Officer James whole in 2013 in her AWOL suspension case, which never happened. Officer James also appealed the Civil Service Commission's decision regarding her termination from the Police Department, and the Superior Court remanded the case back to Civil Service because the Commission had violated Officer James' rights by not allowing her to testify on her own behalf. There will be a hearing at an independent agency with multiple witnesses. The prolongation and mishandling of this case has resulted in Officer James' life being on hold for six years for reasons that are groundless and baseless.

During a period of many social movements including female empowerment, Officer James is left without her 21-year career for any reasonable justifications or proven just cause, her retirement years are negatively impacted, her reputation is harmed, and her faith in humanity is shattered.

She is financially destitute, and due to her age and politics, is having difficulty with gaining new employment.

The abuse started out at what I thought would be the perfect job. The pay, responsibility, and opportunities to advance were all there. What I didn't plan on happening was that it would all crash down around me leading to over nine months of legal proceedings and numerous health issues due to depression. I guess you could say that according to the lawyers, I won my workman's comp claim. But what did I really win? I was out of a job, and the monsters I worked for were still free to do this again and again and again to the next person who stood up and said what was happening was wrong.

I should have seen the writing on the wall about six months after I started. My manager was in way over her head and stood me up for countless meetings when I was in the office. When we did finally meet, there were all the bright discussions around what my plans were for the future. I had even drafted documents outlining how my position could progress into one with greater responsibilities, and they were well-received. However, these fleeting conversations were met with negatively-charged directives to continually re-do work that had been previously approved and that I wasn't working fast enough. My family was beginning to hate Friday afternoons because that's when I had my 1:1 meetings, and there was nothing collaborative about them. I was constantly yelled at to do my own work when I was told not a month before that we had a copywriter who was supposed to be available to me to develop content based on my guidance.

This situation escalated to where we had to create our own goals, which I did for the upcoming fiscal year. They were dismissed and quickly re-written by my boss. One month later, on another Friday afternoon, I was asked why I wasn't performing, and I was honestly shocked. I've never in my career missed a deadline nor a goal and when I asked for clarification, I was told rather angrily that I didn't know what I was doing because I wrote the goals so why wasn't I performing up to expectations. I still wanted to make this work because I believed in the company, although I didn't believe in my boss anymore.

At this point, my life went from bad to worse. My mother passed away, and I was so concerned about what was happening at work that I only took one week off. When I got back, I found out that my goals had been totally re-written back to the ones that I had generated and were rejected. Now I was behind the 8-ball and at risk of disciplinary action.

I was confused and frustrated and took my concerns to one of the executives who was involved in hiring me and asked for advice on how to handle the manager because I felt like I was being singled out and bullied. He asked me what I wanted, and I said I believed in the company just not in my boss anymore and asked him if a transfer out of the department was possible. He told me he'd get back to me and never did. I escalated this situation to HR and repeated the same story. I was asked if I had evidence of this behavior and I did and forwarded it to the head of HR.

I had a conference call with HR and was rather brusquely told that I did not have a bullying claim without any kind of internal due process and now I was being put on a 30-day Performance Improvement Plan (PIP) where my boss was the judge, jury, and ultimately executioner.

I had to endure a series of harassing hang up calls and weekly meetings where my boss and HR wanted to talk about everything except how I was performing on the PIP. When I asked for clarification to a comment my boss made, I was told that I didn't need the information at that point in time and that they would provide it later. I was shut out of meetings and told not to communicate with anyone on my team. I had expense accounts that from the day I was put on the PIP my employer refused to pay me on. They put roadblock after roadblock after roadblock up for reasons why they refused to pay me back. I was repeatedly told that their reasons were in our employee manual, when there was no such language in the copy I have on file. I documented and sent back to them that they paid my previous expense accounts under the identical set of circumstances, so in my mind the only reason why they refused to pay now was that I went to HR with documentation that I felt that my boss was a bully.

This went on for 30 days. I was medically depressed. I woke up screaming in the middle of the night because of what was happening, and when my spouse held me, I just remember crying and saying just make it stop. I was finally let go even though I had documentation supporting that I made each ridiculous goal they set up for me to do in 30 days. Ironically, those few outside of the department who I was friends with texted me after I was let go to wish me well in my new job. I told them what took place, and they were shocked because everyone was told that I voluntarily left the company.

I tried to fight back, but the legal system was no help. It became a huge jurisdictional issue. After I finally went through the EEOC and countless attorneys, I found one who in the beginning at least took me seriously. That didn't last long. I ended up filing a workman's comp claim, but even though my doctor had strong documentation supporting why I was depressed and unable to work, financial reality set in. After over nine months of fighting this, I had to settle and find a new job. I did eventually, but the damage is still being felt to this day. I get headaches and stomach aches easily and have a short fuse when I'm given constructive criticisms at work. I have been able to hold all of this in check during the day and I have a great support system at home, but the demons from my past employer are still with me. I think in some degree they always will be.

This must stop. Treating employees like this should be a crime. If I was sexually harassed or there was innuendo by an individual in a position of authority over me, this would be illegal. Make workplace bullying illegal, too. NO ONE should have to go through this. No one.

I believe lots of people whose lives have been affected by workplace bullying or have witnessed/heard about it, and I am one of those people. Here is my sad story to chew on:

A company hired me in January 2013 as a resident services coordinator/social worker. I was one of only a very few Black (African-American) employees with an office position at the company. Black employees comprise a disproportionately small percentage of all employees.

Six months after I was hired, I had an argument with my boss regarding the disposition of donation checks written to the company-authorized solicitation by me to contractors asking for support of an annual cookout for residents. I notified my manager and his assistant manager that the donations were made payable to "Company" and gave it to them. My manager and his assistant told me that they wouldn't notify the company about this money because the company may not give back the money. The cookout took place, and the donation money was not given to the residents. I talked to my manager and his assistant and told them that the checks should not have been retained personally and, instead, turned over to the company for proper processing and accounting. Unfortunately, my manager and his assistant refused to cooperate with my request for proper accounting and instead ignored me and refused to interact with me in the course of future business at the office. I perceived my office-isolation treatment as retaliation against me for making an issue of, and threatening to report, the mishandling of company funds by my manager and his assistant.

The hostile treatment continued and accelerated during the last quarter of 2013. In January 2014, a series of adverse, "retaliation-type" events then occurred against me, such as the disappearance of a USB drive and documents from my office desk and the vandalizing of my car. The most egregious of all: my office carpet was urinated on, and my manager refused to attend to, remedy, or even address the situation for several days. I was appalled at the urine (my manager and his assistant knew I am sensitive to odor because of my asthma disability) and was overcome by extreme anxiety, intimidation, and stress from management's indifference to the occurrence of the disgusting, severe hate crime and hostile behavior directed toward me. I sent an email to the upper management, who called my manager to call a company to clean the carpet of my office, and my office carpet was cleaned. Additionally, I asked the company to view the video footage of the three cameras to investigate who entered my office (except my manager and his assistant, nobody had the key to my office). The company admitted that video footage of the incident existed but refused to allow me to see it.

The aftermath of the above-described events provided for a continuing and ever-increasingly hostile work environment for me throughout 2014, especially with my ongoing work-relationships with my manager and his assistant. In May 2014, my manager came to my office to tell me that he wanted to bring his mother to attend a Mother's Day gathering coordinated by me and that she "doesn't like Black people." I didn't say anything. The same month, I learned that another Black employee had experienced his work area being urinated on under similar circumstances as those of mine (only my manager and his assistant had access keys to his work area). I took this event as evidence of hate crimes being committed against Black employees. In June 2014,

my Manager came to my office to inform me he wanted to go on a boat trip organized by me for my residents because he wanted to “throw me off the boat.” I took this as a “veiled threat,” and it caused me extreme anxiety. I sent an email again to the upper management, and nothing happened.

In January 2015, again for the second time I found my office carpet urinated on. I was not allowed by the company to view the security video footage showing who entered my office. With no meaningful response by the company, I resigned because of the hostile work environment, having exhausted every conceivable means of reasonable action to remedy the adverse conditions I was forced to endure without relief. The company discriminated against me because of my race, African-American, from the moment I asserted equal rights as a Black employee. From the inception of my employment, I was subjected to a work environment permeated with race discrimination. Throughout my employment with the company, I was subjected to repeated racist slurs, taunts, false accusations of lesser status based solely on my race, and anti-Black “jokes” uttered by both co-workers and supervisors. As outlined above, I participated in protected activity when I complained of race discriminations by my manager to the company, but they refused to investigate my complaints or remedy the racism to which I was subjected to further and instead increased hostility within my workplace. I was injured by and through company’s intentional infliction of hostility toward me. I was fearful for my physical safety and of what actions they might say or do to me.

As a result of the continuing and escalating racial harassment and the company’s failure or refusal to protect my well-being, I was forced to leave my employment. In September 2015, I participated in protected activity by filing a Charge of Discrimination. Regardless of my emails, incident reports, and witnesses I have, I am still disappointed by the agency’s decision to throw my case out. I filed in the district court, and finally my case got some credit. The case is still going. Thanks to my dear friends who are also survivors of workplace bullying who helped me out in terms of where to file and proceed with the case. As a direct and proximate result of the defendant’s discriminatory and retaliatory conduct, I have been greatly damaged. I lost the wages and benefits of my employment, incurred legal fees and costs, and have endured significant damage to me. I suffered severe emotional distress. All damages continue to this date.

Mark my words on this. I am telling you from my experience:

1. The worst-case scenario is to stick around in a situation that is causing physical and mental health to rapidly decline. The only demise I got a front-row seat to watch was my own.
2. Document every event because it is the holy grail that shows the intent behind the bullies’ behaviors.

3. Workplace bullying has reached epidemic status, and it's time to bring an end to this once and for all. We together have to bring awareness and save lives.

4. Many have suffered for far too long in silence at the hands of these psychopaths.

5. The future of workplace depends on all of us.

I was the target of workplace bullying and discrimination. This is my story.

My career as a state employee started the summer of 1986; I had just finished my 1st year of college and was given the opportunity to work in the business office at a mental health facility. At the end of the summer, I was offered a part time position at a facility that was near campus. For the next 15+ years, I worked for three different state agencies. In 2004, I accepted the offer of a position as a contracts specialist for the Department of Developmental Services.

In May 2014, I had an accident at work. A step stool in the supply closet tipped over, and I fell off it. I didn't know that the stool was broken since it had not been labeled as broken or taken out of service. I suffered severe injuries: a concussion, loss of some vision in my right eye, a torn labrum in my shoulder, bruised coccyx, and multiple bruises. Due to my fall, I have some permanent injuries which include a permanent acquired brain injury (ABI) and post-concussion syndrome (PCS). I was out of work for six weeks due to my injuries. When I returned to work, I was "greeted" by one of my coworkers with a sarcastic comment that was something to the effect that it must be nice to have had the summer off during the busy re-contracting season when she had to be at work; this was the start of my being bullied at work. I was not on vacation nor did I enjoy my time off, which was spent going to many medical appointments. Actually I had been scheduled to leave on a cruise the day after my accident but was unable to take this trip. Since I had travel insurance, I was able to reschedule my trip for the next year, but my supervisor denied my vacation request. Due to this denial of vacation time, I lost the money I paid for a vacation I never took. My supervisor told a couple coworkers that she denied my request for time off, so the week I would have been on vacation, they laughed at me and joked about what would I be doing if I were on vacation instead of at work.

In May 2016, I was approved to have shoulder surgery to repair my torn labrum. I was out of work for a few weeks and returned to work on light duty, with a sling on my dominant arm. When I returned to work, the bullying increased and was almost a daily event. My supervisor would not allow me to leave the building during the workday. I was only allowed 30 minutes for lunch and was not allowed to take my two 15-minute breaks. She had a different set of rules for me than the rest of the department. One day, I left the building for an hour to meet a furniture delivery at my house, which I recorded on my time sheet as my lunch break plus my two 15's; my supervisor threatened to put me off payroll for lying about my time. I asked why other people in the department were allowed to put their breaks together and take an hour for lunch. She

replied that was them and not me. Other staff in my department would go out for a walk at lunchtime and then sit in one office and talk while they were eating their lunch; they would take up to two hours for these breaks, but I was only allowed a half hour, which was not fair.

I have a severe allergy to peanuts and tree nuts for which I carry Benadryl and an EpiPen. Most of my coworkers knew of my allergy and were careful around me, but after some changes of staff, this changed. One day while sitting in a training, the coworker sitting next to me dropped her peanut butter cracker on my lap, brushed it off, and apologized. My skin is very sensitive to peanut oils, and I broke out in a rash that spread over my body. I had to immediately take Benadryl and leave work to go home to wash my clothes and take a shower. After that accidental incident, the bullies found my weakness. One day I was doing data entry, and my arm was getting itchy and blotchy. My office mate picked up the folder I rested my arm on while typing and said it smelled like peanut butter. I don't know if this was done on purpose or was an accident. After several incidents in a short time span, I went to the operations manager who oversaw my department and explained to him what was going on, He said he would look into it. He talked to my supervisor and coworkers after I was gone for the day but never came back to me to let me know what came out of it. I was told by a coworker that the bullies told the operations manager that they were just joking and that I was too sensitive, so he laughed it off and allowed it to continue. One day, two of my coworkers stood in the hallway outside my office door and sang and joked about how much they love almond joy candy bars and that they were going to have them every day. I was told by a coworker that she was sorry I had this allergy but that she was not going to be careful around me and will have peanut butter in the office every day if she wanted to. Yes, it is MY allergy, and I always have to be careful and read food labels, but knowing that she is going to have it around me put me on high alert. One coworker kept a large jar of peanut butter on her desk, so I had to look at it every time I walked down the hallway. When I would go into her office, she would ask me if I wanted some, and when I said no, she would laugh. My supervisor would put her peanut butter smoothie on my computer desk almost every morning laughing as she walked away.

As the bullying and discrimination (peanut/tree nut allergies and ABI are considered disabilities by the Americans with Disabilities Act [ADA]) became more frequent and more dangerous because of my allergy, I started telling more people and asking for help from management to no avail. I took my concerns to the operations manager, Human Resources, Labor Relations, the ADA coordinator, and union steward. Every time I went to someone for help, the staff involved was talked to, and the bullying got worse.

The regional operations manager who oversaw my supervisor would bring ice cream for our department from a nearby dairy. My bullies would request moose tracks, which contains peanut butter and made me unable to participate. One time, he brought moose tracks and strawberry ice cream. One of the bullies put the same ice cream scoop into both flavors, cross-contaminating them so I could not have anything. The operations manager knew about

my allergy but never asked me if there was something he could get for me so that I was able to enjoy with the rest of my coworkers. I felt like he was rewarding the bullies by excluding me.

My department would occasionally plan to go out to lunch together. One time they went, I was not invited or told about this plan. When they were getting ready to leave the office, the bullies asked me if I was joining them and faked acting surprised when I stated that I didn't know where they were going. They said things like "did we forget to include you again?," followed by laughter. My supervisor told me if I wanted to go with them that she would adjust my time sheet when we returned to the office. In the past when we would go on these department luncheons, we did not have to use our accrued time, but if I wanted to go with them, I would be expected to use mine. Again, I was unfairly excluded.

My supervisor had a different set of rules for me than the rest of the department. It was unfair, and when I would question her, she would say that what she allows other staff to do is none of my concern and that if I didn't like her rules, there's the door. She would change my time sheet almost every week always with an excuse that I was away from my desk on this day, that I took too long going to the ladies room, etc.. My supervisor would constantly ask me if someone could verify that I had arrived to work on time in the morning, so I started asking an employee on my hallway if he would verify my arrival time if asked by my supervisor. No one else in the department had to verify when they arrived or justify why they were away from their desk.

I was called stupid, which I am not; I have a Bachelor's of Science degree in business management from a well-known business college from which my graduating GPA was 3.65. I was asked if I carried an EpiPen because I might need to use it, told that it would be funny to see me go into anaphylaxis, not allowed access to computer applications to do my job, not included in staff meetings, not given information so that I was uninformed and made mistakes, and passed over for several promotions that I was qualified for. I was also told that if I did go into anaphylaxis, they would not call my family.

I was beginning to dread going to work — walking on eggshells, using disinfectant wipes on shared equipment and my work space, constantly being on alert. I was having panic and anxiety attacks almost daily, which caused my PCS headache to increase. The bullying was causing me to get physically ill. I have ulcerative colitis, which had been in remission for over 10 years but started to flare up, my blood pressure was high, I had chest pains, I was not sleeping well, I started to isolate myself from others, and I had migraines regularly.

On July 29, 2016, I was called into my supervisor's office to discuss my time sheet, which was becoming a weekly event. I said I did not want to talk about it as she was going to change it to what she wanted like she always did. She insisted that I go into her office, so I did. She stood in front of the closed door, and I felt trapped, which caused me to have a panic attack. I'm a survivor of domestic abuse and have PTSD, so being stuck in a small room with someone blocking the doorway was an uncomfortable situation for me. I was breathing heavily, having chest pains, felt my heart pounding in my chest, and knew that I had to get out of that room and

get out of the building to fresh air, so I pushed her hand off the door knob, stepped into the hallway, went to my desk for my keys and pocketbook, and told her I was leaving for the day. She hollered that she would need to verify what time I arrived that morning and adjust my time because I was leaving early. On my way out of the building, I stopped in the Recruitment Office and asked an employee there if he would verify when I arrived that morning. I left the parking lot and went to see my primary physician. She gave me a note to be excused from work, and we started a treatment plan. I was put on FMLA and was denied workers comp. I was told that my allegations had been thoroughly investigated, and they found no merit to them. Staff who came forward as seeing and hearing things that were happening to me were told to stay out of it but if they needed more information they would ask for it. Other staff said that they heard and saw nothing because they were afraid of retaliation; I think they thought "better you than me." How is an investigation thorough if they only speak to those who they want to speak to? I appealed the workers comp denial, and after eight months, it was approved by a judge who put in place a payment order.

My doctors stated that I could return to work if I was moved to a peanut-free, bully-free environment and that it was in the best interest of my health to report to a different supervisor. The ADA coordinator from Central Office made a scheduled appointment with my supervisor to assess my workspace. I received a call from her asking me why I should expect other people to keep peanut/tree nut products away from me when the candy dish on my desk was full of peanut-containing products. Anyone who knows me knows that I would not have candy containing peanuts in my candy dish. I believe that someone had put these items in my candy dish because they knew she was coming. I was told by the human resources manager that I would not be moved to another office nor report to a different supervisor as they don't do that for anyone even though other staff members had been moved and reassigned in the past. The manager who oversees my department has two other supervisors reporting to him, so I could have been moved to their work area and do the same job, but management would not explore these options to accommodate me. I received a letter stating that my desk would be peanut-free and that I was expected to return to work. Because someone had put peanut products on my desk while I was out, and all the other incidents had occurred, I did not feel like I would be safe in that office, so I did not return at that time.

In August 2017, I was "separated from service to no fault of my own." My union, National Association of Government Employees, filed a grievance on the grounds of unlawful termination on my behalf. There was a grievance hearing in September 2017, and I was told we would get a report of the findings in 4-6 weeks. It has been over a year, and I have not received anything regarding that hearing.

In September 2017, a five-year old boy with a peanut allergy died after he was accidentally fed a peanut butter and jelly sandwich in a New York day care. In November 2017, a three-year old boy from New Jersey with a dairy allergy died when he was accidentally given a grilled cheese sandwich at day care. In December 2017, a 14-year old high school freshman in Pennsylvania with a pineapple allergy went into anaphylaxis after some students snuck a can of pineapple

into the school cafeteria. The school went pineapple- and peanut-free to accommodate students and staff with allergies. These girls rubbed the juice on their hands and then high-fived the girl with the allergy; she went into anaphylaxis and was saved by fast-acting staff. Statistically, there are more deaths every year due to exposure to peanuts than any other food allergy.

Some people say that I'm paranoid, but I don't think I am. I would say that I am cautious and don't want to be a tragic statistic. If I were to return to my previous job at the same desk, how am I supposed to feel safe? Candy containing peanuts were put on my desk when the ADA coordinator went to my workplace for a planned meeting to assess my work space, my supervisor brings a peanut butter smoothie into my office, and the regional operations manager buys moose tracks ice cream for my department knowing it excludes me. These staff are being rewarded for bad behavior, and I'm being punished for having a disability.

There are plenty of places that have gone peanut-free and fragrance-free to accommodate people with allergies, but my agency (that provides services to disabled individuals) was not willing to do that for me. They could have assigned a peanut-free section in the shared refrigerator, made my department (10 staff members in seven offices) peanut-free, designated an area where peanut/tree nut products could be eaten; there are lots of options they chose not to explore. Other staff have been re-assigned to a different department and supervisor for various reasons, but I was not given this opportunity.

It has been more than two years since I walked out of my office. During this time, I have gotten myself therapy and medication to help deal with my anxiety and depression. Since the bullying and discrimination began in 2014, my life has changed significantly. I have spent days in bed, un-showered and wearing the same clothes. I have prayed and asked God to take me out of this life or give me the strength to get through this nightmare. I continue to wake up every day and try to find my inner strength. I have gone days and weeks without leaving the house. I have lost some friends because I don't want to leave the house or don't have money to go places with them. I could not pay my bills in full and/or on time because I was not earning a full salary, I had no health insurance and wasn't able to afford medication and costly medical equipment, my credit score has gone down, and I could lose my house because I don't have the money to pay my mortgage.

Looking for a new job was very difficult, as I was not sure how or where I fit into the workforce. After 30 years, it is hard to explain to prospective employers why I left. I have been told by several companies that I am over-qualified for the positions they are hiring for and don't get the opportunity of an interview. For the past six months, I have been working in a peanut-free childcare center working in an infant room. Even though the pay is significantly less than I was earning working for the Commonwealth and the benefits are not what I was used to, I love my job and look forward to going to work instead of dreading it.

Being bullied and harassed has impacted every aspect of my life. I have no idea why they did this to me nor do I understand why it was allowed to go on for so long and get worse when I

would go to management for help. I probably never will. I don't know why management was unwilling to accommodate me so that I can return to work and feel safe nor do I understand why they did not take any disciplinary action against the staff who bullied and harassed me. What I do know is that I have slowly taken back control of my life and am trying to move forward. I am determined to prove to those bullies — and to myself — that they may have knocked me down, but I've gotten back up and I'm stronger than I was before this happened to me.

My workplace bullying started in May of 2010 when my then husband was on his second deployment to Afghanistan. I worked as an Executive Administrator for seven years coordinating sales training schools.

In September of 2010, my position became full time. After signing the paperwork, the sabotage increased. Management orchestrated it and recruited sales training managers, salespeople in the field, and possibly even a vendor. I just found out the term for this is “mobbing.”

- Things on my documents changed (limo pickup times, rooming lists, etc.)
- Laptop crashed, suspicious issues with computer
- Important papers were taken off my desk
- Excluded from meetings
- Blamed for mistakes that others made
- Workload increased
- Last minute requests increased
- Emails deleted

This was the first time ever in my life that my work was sabotaged. I was in complete shock that people actually behaved this way. I could not imagine doing this to anyone. I had always received positive reviews, and each sales school ran smoothly. I was responsible for coordinating all the behind-the-scenes logistics (hotel, ground transportation, dinners, room set-up, home study, etc.). I would take care of all the logistics once the agenda was set. It went on “auto pilot,” as I heard one of the sales training managers tell someone.

I knew going to Human Resources would just make matters worse so instead I started documenting everything. I did confront my manager at one point who just laughed it off. When the sabotage increased to an intolerable level, I ended up going to Human Resources, who sent me to the EAP office and told me they were going to investigate it. I ended up taking a leave of absence for a month from all the stress. When I returned, I was given no other option but to keep working with the same manager. Their “investigation” turned into them promoting this manager. I was there a couple more months until the sabotage started again. I decided to give my two week notice. I just wanted to leave on good terms, but it appeared they wanted to be able to say something negative about my performance before I left, so the sabotage continued

to increase. I ended up seeing my primary care doctor and had high blood pressure. I left the company in March of 2011 without another position. Since then I have just wanted to move on, but the sabotage has followed me to every job after. So I figured the only solution was to work for myself. During this time, I have gone through a divorce and am now a single mother.

It should be every citizen's right to financially provide for their families without their job being severely sabotaged. Many targets are injured first by bullying and second by the substantial lack of professional and community understanding.

I work for a large telecommunications company. In 2013, offshoring hit my office hard, and I jumped ship, leaving my office job to go to a field position. Because of the contract under which I work, with no experience under my belt, I was able to skip to the highest level of field tech, which generated hard feelings amongst techs who had been in the field longer than myself who were trying to attain the level at which I was automatically placed.

Little did I know what drama this was to incur.

I am also female in my senior years. I was first put under the best supervisor in the field, which gave me a false sense of security because he shielded me from the situation I

had unknowingly placed myself. He moved on, and I had another great supervisor who moved on as well.

Then I was placed under a rookie supervisor who 1) did everything his boss told him to do — including bullying me — and 2) did not know how to train a new person so resorted to bullying techniques to protect his ego.

Every morning, after our 15 minute mandatory meeting, he would single me out and say to me "meet me in my office." I would go into his office, and it would give him enough time to get the nastiest job he could find and put it behind me so that when I dispatched, it would be a guaranteed bad day for me.

We work in teams and have to ask our supervisor for helper tickets, and this bullying supervisor denied my requests for helper tickets, forcing me to work alone in potentially dangerous situations with no help. I work beside high voltage lines, which we are supposed to test before we climb. It came time to climb, so I tested the pole, and it tested

positive for live foreign voltage. As per protocol, I called my supervisor to tell him that we had a "hot" pole. He told me to get my ass up the pole. It was a false reading and I was fine, but I

really believed I could die and nobody had ever explained false reading to me, nor did he bother when this happened.

I was singled out, threatened, discriminated against, humiliated, and pranked every day. It came from everywhere. It was endless. I felt like I was in hell. I could see no end in sight. I didn't know what to do. Every morning when I woke up, I couldn't believe I had to go through this again and I contemplated suicide upon awakening and throughout my day which worked because it made me fearless.

My tools came up missing all of the time. I was always getting suspended for safety violations (I spent one of these suspensions getting a high safety certification, and that was the end of that!) Because I was on suspension, more often than not my tools were in

disarray because my co-workers were allowed to go through them and borrow what they wanted. Sometimes I did not have the correct tools for the job. You get the picture.

I am also a female veteran, without VA services at the time, which put me at greater risk of committing suicide than the average person.

I CANNOT BELIEVE I survived this!

I am happy to say I am on the other side of this and am surrounded by my fellow veterans who have taken it upon themselves to help me rebuild my confidence and grow into the best version of myself possible.

I can only hope that my story can help somebody get through their hard time as well.

During this time, I quit drinking. I now have over three years of sobriety and have never been more grateful in my life.

A restaurant I used to work at was run by seemingly brainwashed people who all thought along the same line. If you disagreed with them, they either fired you on the spot or they made life difficult. A lot of people quit.

Most of the staff (except the select) were miserable at work:

- One employee was fired on a rumor that she said something unflattering about the owner.
- Meanwhile one male employee failed to show up for a shift but he kept his job. When the female employee did the same thing (she had a flat tire), she was fired on the spot.

- One employee was fired for making a mistake with a credit card. (This was one month after the brand new restaurant opened).
- One employee was threatened with termination because she came in late when her daughter's dental appointment ran late.
- A rumor was started that two employees were sleeping together, and the female only was reprimanded.
- Another rumor started that an employee was huffing hairspray. A raid of her belongings turned up pump hairspray (not aerosol), and she was publicly reprimanded. (Her only crime was looking good at work.)

At one point, the manager decided to test everyone on their menu knowledge, and a consequence of failure was immediate suspension until the employees retook and passed the test. When it was pointed out that if even one person was sent home, the workload increased for the rest. If more than one was sent home, it would be critical. Test day came, and a few things happened:

- Two employees were so nervous and stressed that they quit.
- Management learned they did not print enough tests for all employees to take the test on the same day.
- There were questions on the test that only Back of House (BOH) would know, yet this was a Front of House (FOH) test on menu knowledge (but these answers were not on the menu.)
- Answers were marked incorrect if they were "not right enough." For the question, "What is a banger?" I answered "a banger is a fat, English sausage." This was not considered to be right enough. The answer they were looking for was "a banger is an English sausage made with meat and whey."

Our beer menu literally changed daily, yet we were required to know the beers in the flights (on test day, the current flights were different than the flights I had memorized. We needed to know the current flights.)

The test was much worse for the bar staff. Their recipes were literally removed days BEFORE their test. At least the servers could use a takeout menu at home.

Any mistake was exaggerated and distorted to the point of lunacy. Once, a table of mine had to wait 5 minutes before I got there to greet them. (I was busy with other tables.) The hostesses assigned that table to another server (a select). The server apologized for the ten minute wait (within my hearing range). The people at the table were unfazed, said they understood it was busy and it was only a five minute wait. This server took their order and went to the bar, telling the manager at the bar that the table she had to take over was unhappy and that they had a 20

minute wait. What this server was unaware of is that the hosts note the seating time, and it was only four minutes.

Once, the manager found all the servers rolling silverware (except the select) before shift. This angered her and caused her to immediately declare that servers were not allowed to roll silverware until they were cut from the floor. We told her very timidly (we did not want to lose our jobs) that such a policy would result in us running out of silverware during rush. This logical presentation of facts left her unfazed, and we ran out of rolled silverware during rush.

The conduct of the manager, BOH manager, and owner was unusual. The owner would take beer into the kitchen with him and drink while on the expo line. After the rush, he could be found listening to the band and getting very drunk. The manager would drink after shift at the bar, flirting with her boyfriend and getting drunk, frequently putting her head down and resting. The BOH manager was sadistic. He magnified all mistakes and hammered his point home, publicly calling out servers who made mistakes and making them appear stupid. Getting yelled at, having rumors started about you, and public humiliation were literally all part of a day's work.

When workplace bullying remains unchecked, it gets remarkably out of control and borders on ridiculous. But we targets lived it. We went to work in near-constant terror. Would we lose our jobs today? Would the select start new rumors? What would we be accused of now? Would the owner get drunk and be mean? What new horror would find us unprepared? Truly, it sent me into therapy.

I work at a state mental health hospital. My position is in administration. I work making sure the hospital is in compliance with state and federal rules and regulations.

The bullying began early on. I was called names and threatened with being fired to the point I was told I was suspended and told to leave. I wasn't suspended, and with the union's help, I returned to work. Initially it started with public ridiculing and suggestions that this job was not a good fit. I was offered a severance bonus and a good reference if I quit, all of which was bogus. I was told I wasn't allowed to speak to anyone and, if I did, it would get back to the boss — and it did. I would be discussing work, and the boss would follow up asking me why I was talking to so-so on this date and time.

(This job was what I had been working toward for a long time; the pay and the hours were good, and I was still in school with young kids. It was not a good time to switch jobs. I was hoping to put in a respectable amount of time and move on until I saw how truly hostile the environment was and how unhappy people were.)

I feel cheated; I was never given a chance to excel at the job because the boss kept changing the rules. The boss would ask for one thing then publicly degrade me that everything was wrong

with random, nonsensical statements like “This doesn’t make sense!” The boss would rant and rave, asking questions but not allowing for answers.

I was not the first nor will I be the last; before me, the boss/bully did the same to another administrator. He eventually quit. I have witnessed this boss curse and make fun of people’s clothes and speech. Other administrators, a psychologist, a psychiatrist, and MDs witness the boss’ abusive erratic behavior and say nothing. I have heard screaming in the hallways: this boss targeting some poor soul. People shrug and return to their office.

It started as subtle hints and public taunts and moved on to ignoring and publicly snubbing: gossiping, complaining about nonsense, and telling people I am a bad parent. I was shut out of computer programs I needed to do my work. Then it graduated to name-calling and outright threats of being fired (both times behind closed doors).

The HR department refused to speak with me because I was in a union. The union has filed multiple grievances against this boss for more than 10 years for similar complaints up to and including blackmail. There have been court cases ordering reinstatements. The union admits that the hospital refuses to address this person’s behavior, so there is nothing they can do.

The first time the bullying occurred, I was still new. I figured I didn’t have a prayer, so I would just ride it out until I got fired. I needed the paycheck and experience. Everyone who witnessed the bullying and me come out the other side verbalized being impressed with my strength. My coworkers admitted to first thinking I would never survive and that from all the abuse they had witnessed except for one other, I gotten the worst of it. Coworkers told me stories going back ten years: what they witnessed and experienced from name calling to threats of physical abuse and lies.

After being reinstated, the boss/bully left me alone for a while. But it began again with ignoring me and canceling meetings. When we finally met, I was told that the plan was to get rid of me and that nothing would get in the way. The impact has been utter disbelief in the level of hostility and the number of licensed professionals who stood by and said nothing. Absolute helplessness and hopelessness at the possibility of moving on after such brazen abuse complains were escalated to the highest level of the department for years and nothing was done. Over and over again. Friends and family can’t believe what happens at this facility. And moreover that it is legal. I’m out on an extended leave due to the stress; I have three medical professionals recommending I not go back to such hostile environment for my health’s sake.

The overall impact on the hospital is that the bare minimum gets done. Morale is in the toilet. It always has been, I’ve been told. The turnover is high and continuous. Every new hire is told not to trust or speak to anyone — by the boss/bully all the way down. The boss/bully told me if I said anything to anyone, it would get back to them. Any and all questions only go to the boss. The

boss' admin and another worker make regular rounds and report everyone's whereabouts and to whom they're talking. No one is allowed to

discuss anything with anyone without checking in with the boss first, including the most mundane work-related topics.

Workplace bullying legislation is necessary for people to be able to work in a collaborative atmosphere toward agreed upon goals and not have to worry about personal agendas to threaten and demean others, regardless of class, color, race, etc..

I was a registered nurse at the a hospital from 2014-2016. During that time, I was injured by a patient on the job. I had previously been involved in speaking out for patient safety and staff safety through our union. We were highlighted in a news story on tv on the unreasonable amount of violence occurring at the hospital and the leadership's unwillingness to address the issue. After this, the bullying by the director of nursing, assistant director of nursing, and the worker's compensation manager who was handling my claim became worse.

I was denied pay for about 4-5 weeks, with no reason given other than my documentation was insufficient (it was not). I retained an attorney who assisted me in navigating through the claims process, had two surgeries to correct the injury to my left knee, and am now left partially disabled. I was accused of 'faking my injury' so that I could 'take time off for school' (I had started an *online* masters program in nursing). I wasn't allowed to interview for a job I applied for and was fully qualified to do. I was also blocked from leaving the hospital to go to a facility in Boston also run by the state. I was told that my assistant director of nursing told the facility that I wasn't interested in the job and was just kicking tires, which was not true.

While I was able to get the medical services I needed and the back pay I was owed, I never was able to address the bullying that occurred.

I ended up leaving for the private sector briefly and then returned to employment in September of 2017. I am happy with my new job and new facility, but I still think of the bullying every day. I needed a second surgery in 2017, which was approved by an administrative judge, and it was proven that I was in fact injured on the job as I said I was. Yet in December of 2017, I received a call from the worker's compensation manager asking me if I "do this at every job I go to now just to get attention or money." I was floored and didn't know what to say. I couldn't believe that someone whose job it is to handle injured workers claims would say this.

I am certain that I was bullied because I spoke out and seemed to threaten the "old guard," the senior leadership team at the hospital.

I was employed as a BERS (Benefit, Enrollment, and Referral Social Worker) A/B from March-July 2015. My position was to process applications. I loved this job, and it was the best paying position I'd ever had.

At the beginning of June 2015, I was called in my manager's office and asked, along with two other members of my team (both men), to help "shadow" new hires (provide them with help). I and one of the men expressed some doubt as to whether we were qualified, but our manager assured us that Quality Control had monitored our work.

I began helping new hires shortly afterward. They sat with me, and I coached them through the applications process. The first day I began doing this, the woman sitting next to me walked out and never came back. She angrily said to me "I think I should have been asked to do the shadowing." I had considered this woman a friend of mine. Another woman who sat diagonally across from me (I could stand up in my cubicle and touch her computer) abruptly stopped speaking to me and would not tell me why. I also considered this woman a friend. I bought a \$20 Dunkin Donut gift card and wrote "if you would like to talk, I would like to listen," and placed the gift card on her desk.

This woman walked over to me, put the gift card on my desk, and walked away without saying a word. She then loudly told the women sitting near her that I had "thrown" the gift card at her, and she was "not putting up with" my "attitude."

I went to my manager and showed her the gift card and explained that the woman would not speak to me. My manager spoke with her, then told me "don't approach her. We're going to let this blow over."

My heart sank when my manager said "we're going to let this blow over," as I knew this would not do anything to help the situation. I stopped trying to speak to the woman, who then loudly began to talk about me in derogatory ways to the women sitting near her, i.e., "She doesn't even know what she's doing," "She thinks she's so great — she's wearing a suit again," "She never wears dresses — I think she's a lesbian." There were a few men on our team, and sometimes they would stop to talk to me. When this happened, the woman said "It's disgusting. She flirts with every guy in here."

I requested in writing to be moved to another team (we occupied four floors of the building, so I did not see this would be a problem). My manager would not allow me to do this.

I tried to call both HR and my union representative, who did not return my calls. Finally, I approached one of the women with whom the woman was loudly gossiping about me. This

employee informed me that “some people” felt I was “not qualified to coach new hires.” Then this same woman said to me “and you don’t go running to management.”

I was shaken by this conversation and emailed my resignation to my manager at the end of that workday.

The Department of Unemployment approved my claim. The woman I spoke with there was the only person who listened to me. She assured me that she had read everything I had sent, including copies of my emails to my manager when the woman first began harassing me and a copy of my email requesting to be moved to another team.

I have not experienced anything so juvenile since I was in the seventh grade.

Amy was bullied through interrogation and intimidation at a school outside Boston. She felt disrespected, attacked, blindsided, scared, uncomfortable, sick to her stomach, and threatened. Here’s her story in her words:

It started in February 2018. I was in the main office asking my principal a question, as he was handing out February vacation assignments to our custodians. One particular custodian was staring at me, and the principal had to get his attention by hitting him with the piece of paper and waving it at him while calling his name. I thought it was bizarre but didn’t think anything of it.

A couple minutes later, I left the main office. The custodian asked me if I would be in my office after school. It seemed odd because we have never really said more than a “hi” passing through the hallway.

He came to my office at 2:45pm while I was with a 4th grade student and said “I’ll come back.” At 3pm, he came in and asked me if I had plans over vacation and wanted to know if I wanted to hang out. I declined his offer and told him I was getting married in two months. I had told my assistant principal and co-counselor what had just occurred. They were both as shocked as I was.

About a month later, I arrived in my office, and there was a post-it on my computer screen with a smiley face on it. I showed my assistant principal, and he said that’s a guy’s handwriting and thought he might know who it is (both of us recalling the custodian who asked me on a date).

A week later, I arrived in my office and there was another post-it, this time a drawing of a flower with the same smiley face in the middle. I showed my assistant principal, and again he thought he knew who wrote it. He said he would talk to the custodian’s sister, a history teacher at another local K-8 school whom he worked with in the past.

Another week later, I arrived at school. I noticed some of the items on my desk were shifted and a drawing of a garden containing the same flowers with smiley faces in them. I immediately brought it to my assistant principal and told him that I was extremely uncomfortable and crept out. (He kept all these pictures and post-its in his drawer.) He said he would speak to this particular custodian's sister and make sure this stops.

I met with the assistant principal and principal and told them the situation. My principal told me he would speak to the custodian after school after I left the building.

A few days later, my principal came into my office and asked to come meet with him about the incidents that occurred. I entered our main office conference room and was greeted by the assistant superintendent, assistant principal, and principal.

I greeted them and sat down. The assistant superintendent asked if there was an issue with the custodian and asked me if I was telling people he asked me on a date. He said it was going all around the administration building and the schools. His demeanor and tone were completely inappropriate, acting like I did something wrong.

I told him the only people who knew what had gone on the past couple weeks were in the room and I hadn't told anyone. The only other person who knew outside the room was my co-counselor, who was in our office suite when he came by.

His follow up question was "why does everyone at administration know about it and also other schools? People are talking about it."

I asked "are you implying I'm telling people?"

He said "well everyone is talking about it, so I'd like to figure out where it's coming from." He never asked me if I was ok, what happened, or if I felt comfortable. All he cared about was who I told.

I responded saying I would like to know too since the only people who know are in this room. Then I mentioned the picture and post-its. I asked if he knew about the pictures.

His response was "WHAT PICTURES?"

The assistant principal got up and went to his office, returning with the post-its and picture and gave them to the assistant superintendent.

He asked if people knew about them. I said no one know except the people in this room and that even my own fiancé doesn't know.

The meeting abruptly ended with him saying “I’d like to know how everyone knows he asked you on a date and I am going to get to the bottom of it.”

I responded with “me too.”

He was unprofessional, disrespectful, and out of line. His tone was not ok. He took his authority and position and used it against me, making me feel like I did something wrong when I was being harassed in my own work environment.

I later found out through my own investigation that he met with the custodian after me, and the custodian admitted to the actions.

My principal agreed his approach was not good and that he could have handled it differently. He even stated to our Human Resources employee “I informed him of what had occurred that Friday after school to make sure I followed the right protocol and to see if there was anything I needed to do.”

My principal checked in with me daily throughout the weeks to make sure I was ok. I said no. I wasn’t happy with the results. The assistant superintendent is supposed to be our TITLE IX Coordinator but he completely disregarded protocol and the law. I called my supervisor (who happens to be my principal’s sister and is the director of guidance). She’s also been checking in with me.

Meanwhile, the assistant superintendent showed up to my school weekly with no update, no apology, and no communication. He never followed up with me and was at the school weekly over the course of the end of the school year — 12 days I have a record of. His “friend” who was my secretary stopped talking to me, made the workplace uncomfortable, gave me yes or no answers, and, at times, wouldn’t even look at me when speaking with her.

I developed high anxiety and dreaded waking up to drive to work. I felt attacked and threatened. There was no apology given. I did what I felt was right. I told the people who I thought could help, but my issue got swept under the rug.

For the rest of the school year, I was sick to my stomach and upset about coming to work. My mind was completely consumed with this. I was uncomfortable in my position and felt unsafe in my own environment.. The custodian admitted everything and still works here, and I would go out of my way not to bump into him. Not once did the assistant superintendent check back in with me to make sure I was ok. Every time I would see him, I would immediately feel anxiety and rage.

I later found out that this custodian had asked out two other employees: one who is our building rep. She was recently widowed, and the custodian had sent her a Facebook message. She was stunned and told her friend at the school where his sister works. We figured out that assistant

superintendent heard about HER DATE. It wasn't even me, but he'd never met with that teacher to threaten HER. He also interrogated another teacher, who left the meeting in tears, not knowing what the assistant superintendent was talking about, and had to leave school for the day because she couldn't pull herself together. The situation also made her feel uncomfortable and constantly on edge for the rest of the school year.

Our incidences was brushed under the rug along with others than happen behind closed doors.

Many people have mentioned the assistant superintendent has taken his new role as assistant superintendent to a new level. He was extremely unprofessional, out of line, and disrespectful for using the tactic of psychological intimidation.

Something needs to happen. This can't happen and shouldn't happen to anyone. People should feel comfortable coming to work and feel safe in their own environment.

I was married to a coworker. We were both employed at a prison as corrections officers. After we divorced, he broke in and held me hostage at gunpoint for 12 hours. He beat, raped, and sodomized me, then tried to kill me by choking me. He put the gun in my mouth and pulled the trigger. The gun jammed, and he panicked and fled the house.

Then he tried to kill himself by overdosing. The police found him hours later. He was arrested at the hospital after being treated.

After he was indicted for the crimes against me, I asked for a domestic violence transfer to another facility many miles away from him, as is the state's policy on such matters. Instead, they refused me, and I was bullied by coworkers who took his side.

Supposedly if you are convicted of a felony, you forfeit your pension. The state allowed him to retire and collect his pension while he was in prison.

Finally after being harassed repeatedly, I was moved to another facility — where the bullying was tenfold. The bullying was daily: name calling, threats, refusing to work with me, off-color jokes, and outright accusations of sleeping with captains and lieutenants who tried helping me. I kept reporting the bullying, and no one helped me or bothered to try.

My PTSD was getting worse— triggered by the bullying.

I went out on workers' comp. I had my doctors verify my claim. Their doctors verified my claim. Independent doctors verified my claim. I filed for an early retirement based on my injuries. They separated me from service based on my injuries.

Five years later after repeated calling, writing, and begging for my accidental disability retirement, they still refused me.

I was forced to take out what meagre amount of money I had to avoid homelessness and now I have nothing. The state gets away with it. In March 2018, they forced me to write a letter saying that by taking out my pension, I waived my right to my accidental disability claim.

I had worked in state government for about 18 years after having graduated from Boston College.

I had been given a supervisory role within an IT group. Three months later, my director got transferred to another group, and another employee got promoted to be the director of my group.

I thought it was just a personality conflict at first. He started subtly criticizing everything I would do. He made me doubt my ability to do my job. He would ask me to do research, and then when I approached for clarification, he would say he didn't tell me to do that. He would dictate how I supervised my team of 11 people and insisted on approving every request for vacation. Although I wrote out the performance appraisals for my team, he would not allow me to give the grades I thought were deserved. I was not allowed to put that anyone "exceeded expectations," only "meets expectations," even though I disagreed that some deserved the higher comment. In August of 2016, I received "exceeded expectations" on my own performance appraisal from him.

During this time, I began to realize that I was not the only person that my boss was "rubbing the wrong way" and that he was violating the bullying clause of union's collective bargaining agreement. I met with some others in the group, and we decided we were going to complain about him. Having never had any friction with anyone else in my 18 years in the job, we did not know the process, so I contacted an admin I trusted, and she set up a meeting with HR. Five of us met with HR, and notes were taken.

Five days after this meeting — and one month after having received an excellent performance appraisal — I met with my boss for a weekly check-in. He told me that he was considering a change and removing me from my supervisory position and placing me back as a team member. Oh, and I was also to trade my office for a cubicle as well after this demotion.

After doing some research, I filed a retaliation charge and agreed to mediation. The employer's representation immediately agreed to return me to my supervisory position if I wanted. But I did not want to work for the same boss. I wanted to transfer. There was an open position within the state that I had already noticed. I was able to transfer directly into that job within almost two months. My former boss was able to stay in his position, and I was concerned that the

perception amongst colleagues was that I was demoted or did something wrong in some way. Why would anyone else ever lodge a complaint if they see that I got transferred out of the group while the perpetrator stayed in his position?

Shortly after transferring to my new team, I was contacted by HR to share my story as part of an investigation into my former boss because another complaint was filed against him. Three of us decided to compose a letter to the head of the division and outline the fact that there have been several complaints against this boss as well as several people who had transferred to different groups to get away.

Before sending this letter to the division head, it came to light that this exact situation happened in 2004-5 with an investigation into my former boss. A colleague who was working under him at that time contacted a bunch of people from back then, and

several written complaints surfaced. Several people during 2004-5 wrote out complaints about my former boss similar to those complaints from the current team including one letter to the Lt. Governor at the time. We included all of these complaints with our letter to the division head.

Upon receipt of the letter, the division head assigned two people to investigate. This was September of 2017. They interviewed us and several other people, and another grievance was filed against my former boss as the investigation continued. It closed at the end of January 2018, with the investigators making some recommendations as to what should be done.

The investigation concluded at the end of January 2018 and as of the end of August 2018, the Commonwealth is refusing to produce the findings of the report. We are working with the union to file an Unfair Labor Practice complaint to force them to produce the report.

I am lucky because I have transferred out, but I have colleagues and friends who still work for him. I am fighting for them and others who may find themselves in a similar circumstance.

My son was two years old when I was a temp for a company. It was near to impossible to get hired. I impressed HR so much that within two months, I was officially a full-time employee. For 16 years, I worked as a scheduler for one of the top 30 companies on Fortune 500. For 14 of those years, I was considered an above average or exceptional employee. I was an employee who always stepped up when a new project was on the horizon.

In March 2015, I was TOLD to perform a task that was unethical and against company policy and procedures by a newer member of HR. My company has mandatory training for the Code of Conduct and Ethics Policy. Every employee must sign agreeing to comply. Along with my own integrity and ethics, I refused the instructions and adhered to what I had signed. The decision to

follow my companies' policies was the beginning of the most mentally, emotionally, and financially devastating years of my life.

To cover up the mistake and lack of knowledge by HR, I was escorted off of my company's property. The level of humiliation as I was forced to walk past my office building was overwhelming. I was only allowed to return by signing a discipline letter acknowledging an investigation was done. I went to my supervisor to show all policies and procedures in order have the false discipline letter removed. I did everything by the book, going up the chain of command, to no avail. A month later, I received an email from HR employee stating "I was correct." Again, I asked to have letter removed, to no avail.

It was evident that I was being targeted. It started getting more stressful once the HR employee wanted to supervise the schedulers. As a direct report, I started to experience harassment/bullying daily. It ranged from being berated for hours behind closed doors to being singled out for my attire in front of my peers. Every day I would come into my office, I had to let my supervisor know I was there. I started to hate going into my office.

I made a formal complaint to her supervisor, the HR manager. On several occasions, I asked for some type of help to stop the bullying and berating by my supervisor. I made complaints to the Ethic Hotline. The company investigator did nothing. I continued to beg for relief to the HR manager, who did nothing. The more I asked for help, the more bullying was done. The HR manager was now telling me I wasn't to speak to the local company manger. It became a war ground, and I realized that no one was going to stop it. I worked in HR, and **THEY** allowed the behavior. HR generally gives the training on ethics and ensures employees are behaving in accordance to the Companies Code of Conduct. They're the department you are instructed to go to if you're harassed. HR was not only allowing it. They were the bullies, the harassers, and the employees not adhering to the policies.

It finally broke me when I was told to either do as I am told or be terminated. I sat in my vehicle in hysterics for four hours unable to move. I called the company's Employee Assistance Program as I couldn't take the hostile and toxic environment anymore. That day I had thoughts of suicide. I couldn't understand why this was happening or why my company was allowing it to happen. I started seeing a company-approved therapist who would send monthly updates of my status.

In the two years since that day, the bullying and coverup of the unethical behavior didn't stop. I received FMLA letters stating my job was being filled, only to find out two months later that the letter was fabricated as I had been FMLA protected. I was denied on returning to work. I then reached out to Executive Board Employee for assistance as well as the corporate HR manager, the person who oversees ALL HR mangers. I requested a face-to-face meeting to eliminate any confusion. His response was to deny me a bonus and give me a non-performing review. I reached out to the CEO and sent him documentation that showed I had adhered to company

polices and was being harassed and bullied daily. The Chief Compliant Officer threatened me to not contact anyone within the company again.

Here I sit alone, still an employee but not allowed to contact my employer and denied any form of income. I am an employee who was diagnosed by two separate therapists with C-PTSD and PTSD, a diagnosis that everyone from the local HR manager to the CEO was aware of and continued to not acknowledge along with the unethical treatment and mental abuse from the bullying and harassment. I have experienced nightmares, insomnia, depression, hostility, hopelessness, weight gain, financial devastation, and foreclosure of my home. I have lost my self-esteem and confidence and don't go out in public due to shame. The legal definition of murder is the taking of one's life. It doesn't define life as physical. My life has been taken — emotionally, mentally, and financially. My employer has no less than committed murder.

A bully is defined as a person who uses strength or power to harm or intimidate those who are weaker. A synonym to bully is a tormenter. A tormenter is defined as someone who inflicts severe mental or physical suffering on someone. Then harassment is defined as aggressive pressure or intimidation. Bullying is much more severe. How is it that we have laws that forbid someone being harassed at work due to protected class but no laws for someone bullied? Per the EEOC, you **MUST** prove it is due to race, color, religious creed, national origin, sex, sexual orientation, age, ancestry, or protected whistleblower status. How would someone know **WHY** they are being harassed or bullied? Yet to get any help under The Civil Rights Act, a victim **HAS** to prove it was for one of the reasons listed.

Huge corporations almost always have an Ethics Policy, and part of that policy is keeping employees in a safe work environment. Then the public companies have investors, SEC, etc. to be accountable to, too. Yet who is holding the company accountable for the ethical treatment of the employees by the company?

Bullying is a severe enough epidemic that we have foundations/organizations for kids. We have campaigns on TV. While we want to keep kids safe and from harming themselves, what about their parents? Neither kids nor adults know why they have become a target. Kids and adults feel the same emotions. The only difference is that the adult has not one place to turn for help. My job, my livelihood for 16 years, has been taken from me by a company of bullies who are in management positions, covering up for one another and their unethical behavior. When we can no longer provide for our families and have been mentally broken by bullies, it can lead to families destroyed. The employee either must face it daily or, in my case, mentally break down and go on disability. Some of us actually believed in our companies' policy, the speeches, and the CEO to keep us safe.

The employees who are victims of bullying all share identifiable traits. Many studies and surveys have been done, and those traits are "**skilled,**" "**hardworking,**" "**truthful,**" "**very competent,**" "**intelligent,**" "**professional,**" and "**ethical.**" These are the people we are not protecting? How is that even possible? Shouldn't these be traits that Americans and employers find valuable? In

2017, according to the EEOC reports, there were a total of **340,332** *worker* complaints. Also in 2017, per a Workplace Bullying Institute survey, there were **15 MILLION** workers who experienced bullying and **4.35 MILLION** who contemplated suicide. There are more people who are **NOT** protected because they can't tell anyone the reasons why they are being bullied and abused. Just because a victim of a bully doesn't know the reason for the abuse shouldn't make the abuse acceptable.

Legislation needs to protect EVERYONE. Attorneys won't take cases against companies unless they have one of those "reasons," at least not on a contingency. Then when you don't have income to pay an attorney, where does that leave you?

My life has forever been changed by bullying. Even though I am an American citizen who *should* be protected by The Civil Rights Act, I am not. Would government act if they woke up and found out that every citizen living in New Hampshire, Delaware, Rhode Island, and Vermont had committed suicide? If action would be taken to ensure that that many lives were not lost, then action needs to be taken to protect those bullied in the workplace as there are more people who have contemplated suicide in 2017 due to workplace bullying than who live in those four states.

I would like to be able to give advice to anyone else who is a victim of workplace bullying. I have read many articles, and most say to document, document, document. That doesn't matter. I have an 8-inch binder of documentation including policies, procedures, and admissions of guilt. Yet no one helps. I have contacted all the government offices, state-elected officials, and the Health and Labor Board, and **NO ONE** will help.

The only thing that will make a difference is for a law to be put in place to assist.

We shouldn't have our lives devastated because of bullies. We shouldn't have to give up good-paying jobs for relief.

I'm a 54-year old psychiatric RN day charge nurse who worked for the same employer for over 23 years. I had a perfect record on all my evaluations up until about two years ago, when my supervisor of many years resigned after management asked her to do unethical things.

The new young male supervisor sided with bullies and believed whatever they said. The bullies hated me because I would not be a part of their unscrupulous tactics. The new supervisor loved one of the young, pretty nurses. After she would leave his office, he would dance around me singing "out with the old and in with the new!" This nurse, the secretary, and another nurse would constantly ask me "what would you do if you lost your job?" and "don't you want to stay home with your new grandson?"

The harassment, ostracizing, and mind games came about swiftly. My schedule was changed from dayshift to 12-hour shifts. One of the main male bullies was moved to the dayshift. I was outnumbered by all the bullies at that point. Everyone on the dayshift wanted me out. My supervisor micromanaged me, stopped talking to me, sent his bullies to undermine my authority, and would put his hand in my face or point a finger in my face. He would tell me "I don't want to hear it. One finger pointed at others, three fingers pointed at you, and if you ask me one more time about getting your day shifts back, I will put you on nights!"

One of the male nurses was abusive to me and the patients, didn't do his work, and stayed on break. I knew he was in the clique but I reported him anyway. He was fired.

The bullying got worse after that. No one would help me. I was unable to eat or go to the restroom hardly. It was so busy that a couple of times I held it in too much and I urinated on myself. I had to go shower and put on hospital scrubs. No one would get up to help the patient, so I had to. I had papers or binders slammed on my desk angrily by the secretary or the male nurse who was eventually fired stating "here you go, charge nurse." I was the only one not invited to the activity therapist's birthday party. She came the next day sarcastically asking "did you see the great pictures of me taken at my birthday party? Oh, I forgot, you weren't invited."

I was ridiculed for my faith in God. I had a photo of the sacred heart of Jesus taped on my desk. The supervisor would laugh and say "huh, Jesus!" He would mock and laugh. The activity therapist told me "that picture of Jesus won't help you!" When I would get in, my picture of Jesus would be covered up by another picture of Jesus with possums crawling over him, wearing a black leather vest smoking a cigarette. When I would get there in the morning, the techs would ignore me and never look up.

My supervisor's supervisor told me she finds older nurses have trouble with change. I said "if I had trouble with change, I wouldn't have handled being sold to three companies in the same hospital." I was called into my supervisor's office. He was rude, loud, and with an angry tone asked "are you going to quit? Are you sure you are not going to quit?" I told him "I am not a quitter." The next day, I was called into his office with the chief nursing officer and put on possible termination following the outcome of the termination meeting. I asked them if they could call me on the phone to fire me since I did not want to cry and be upset while getting escorted out with the security guard like so many of the department heads and nurse managers who had been there the longest and were fired or forced to resign not long before.

He called me on Monday and fired me. I was devastated.

It has been close to a year, and I am just able to think more clearly and not cry all the time. The nightmares are less frequent.

I loved my career. The patients and the psychiatrists loved me. My job was my passion. It came naturally to me to give an abundance of love, caring, compassionate, and mercy to my patients and others.

No matter how badly I was treated, I always gave back kindness.

It all started with this guy who hired me out of college. He was a big man with a heavy Irish accent. At first he was charming and patient. Then as the year went by, he had another agenda. He would rub my shoulders and try to touch me every chance he could get when I was alone.

Then there was several times he ran at me when I was in the elevator. He tried to grope me, and I was able to escape his grasp by closing the elevator. Several times, he tried to buy me lunch and dinner and showered me with gifts from Bergdorf Goodman — usually short skirts and jewelry, which I would always return. He was sleeping with the other three women in the office — but not me. I used to hear him having sex with them through the vent in my office. I always took a long lunch.

Then he started a new method of torturing me by dumping more responsibilities and work on my desk. I was forced to stay late everyday. He also dumped my coworkers' (six people) work onto my desk.

It got increasingly bad with the abuse and harassment. He screamed at me, telling me I'm no good and worthless. Then came the final straw at the office holiday party. He groped my pregnant coworker on the dance floor. I was horrified when she ran off in tears. I decided from then on I was done. I got sick from the stress and had to be admitted to the hospital because I was dehydrated and underweight. It was one of the worst experiences of my life. I sent in my resignation letter, yet he called me for weeks leaving messages and empty promises.

I've also been assaulted at work — pushed in the showroom by a coworker. I called that worker out and told my boss at the time about it, but he turned a blind eye and didn't reprimand or fire the guy. I only worked there for two months.

In one job, I worked retail six days a week. It was exhausting. One Saturday, my fiancé became ill, and I told my boss I had to leave immediately to go to the hospital to see him. But my boss told me I wasn't allowed to leave.

I worked for an employer texted and called me 24/7. It was riding into my personal life and affecting my well-being. I had a full-blown, crippling anxiety attack where I was covered in hives from head to toe and finally broke down. He was mistreating me, calling me a worthless, no-good, awful employee while I was the only one who was working late and taking on extra tasks during the weekend. It wasn't until he grabbed my wrist, came up close into my face, and

called me a “disappointment” at the end of the day that I decided to call it quits. I’ve developed PTSD. I was having nightmares from all the abuse, waking up in cold sweats during the night.

I’ve finally decided to throw in the towel and work for myself. I make less money, but my sanity and health are more important than being abused. All that matters is being happy, and I won’t let anyone take that away from me.

No more working for toxic bosses.

I am a former employee of nine years of a nonprofit serving individuals with disabilities. I assisted developmentally delayed adults in their homes to become more independent in the community and their home.

The bullying began after some shift changes. At the same time, we got a new residential manager. My bully, an older woman, wanted things done her way and when she said. Since I worked in a different way, she didn’t like me. I worked a 36-hour week by myself most of the time. I went to working with her on two of those days, a total of eight hours a week.

She also had a fellow employee who worked at the home who she was friends with. She would call her during our shifts to complain about me, saying I was lazy, did nothing, and played games with the ladies. (The reason: she did all the work. When I asked what I could do to help, she’d say “oh, you’re fine, dear” in a sweet voice.) The fellow friend employee usually relieved me at 12am and would be less than kind or quiet and ignore me.

These two worked together prior to shift changes, which I assumed they were upset about — not me. Wrong! The older one continued to harass me on our shifts by yelling at me as soon as I came in the door or slamming around the kitchen and then slamming the door when she left, scaring our residents.

When I complained to the manager, I was told I was a liar. I told my manager daily about the incidents, and she assured me she would take care of it. When I asked her what she did, she lied to me to appease me. I learned that the manager and my bully would make fun of me when I wasn’t there. They made fun of my mental state and left a flyer for me for an in-service on how to be less emotional at the workplace.

When I found that my manager was lying to me about what she had done, I went to the Executive Director, whom was less than compassionate. She directed me to someone else. They helped me to a point, but the woman would come to the home whenever she wanted and bully. For example:

- **Ignoring requests.** The new manager would tell me she had handled things the first time and that it wouldn't happen again.
- **Micromanagement.** She'd come in and ask me what I was doing for the day. She'd ask me: wasn't I supposed to go out with the women? Why were we home? I was the only worker in the home with four residents on Sundays. I could not leave anyone alone. They were in my care. If one of the elder women of the home didn't want to go anywhere, we didn't go anywhere. Yet my bully would complain I wasn't doing my job and that I was being lazy. I'd asked for help on Sundays, and the manager would tell me she was working on it. They hired someone, yet that person would only work half a day and wasn't certified to take people out or watch them alone.
- **Insults.** The bully called me a liar for complaining to the boss, saying I was lazy, too emotional, and not capable of doing the work, yet my previous shifts were three 18-hour shifts that I worked most of by myself. (I would come in at 3pm, assist the ladies with coming in and from the day, and do daily chores like laundry, showers, and cooking — all under scrutiny. I helped residents be independent, whereas the bully just did the chores for them and treated them like children.)

My boss didn't want to lose the bully because the bully did most of the boss' work. The boss would clock herself in on Sunday mornings and never show up. When I called, she had an excuse each time, and the HR director asked me if she was coming in those Sundays. I said no. When she complained to the director, she told him to mind his own business.

At one point, a resident stood up for me by telling the bully she was the problem. I loved those residents.

I was not the only person she bullied. I put many names on my complaint to the EEOC of former workers whom she had bullied.

All I wanted was for someone to tell the bully she was behaving poorly, and it was affecting the residents in their own home. I wanted the bullying to stop.

I was doing my job, and no one seemed to care what went on in the home during shifts. The residents were often afraid to speak up because they were afraid of the bully.

I experienced a lot of physical complications because of this treatment. I had loss of work due to exacerbated fibromyalgia symptoms, excessive migraines, and even a gallbladder attack that required surgery. I became suicidal and started therapy when I started thinking of how I would kill myself.

I have since left this job of nine years due to physical injury of another matter. Since then, I struggle to find adequate employment for my financial needs. My employer didn't suffer much except they lost a very caring, compassionate, and empathetic employee.

I took my issue to the EEOC, and they decided for my employer because of the age of my bully: 74 years old.

I am still angry and believe they decided wrong but decided to move on rather than try to fight their decision. They didn't seem concerned in the long run.

I want workplace bullying legislation to pass because good people who work hard for a living need to be respected in their place of work.

Businesses need to start taking this issue seriously.

DD worked as a bus driver for seniors.

Several staff members, including one supervisor, bullied her through name-calling, ignoring her when she asked questions directly, and pushing (she was pushed into a coat closet because she wasn't moving quickly enough).

"They treated me like I didn't exist and didn't matter," she explained.

The supervisor would use her position to intimidate. "When speaking to us, she would be aggressive and condescending," she said.

Some of the power moves involved screaming at employees for taking sick time. "She would yell at us if we called in sick. I called in once in a great while. I had 420 hours of sick time, but she would still make me feel guilty for using it. Her attitude was that no matter what, we needed to be there," explained DD.

The supervisor also withheld positive feedback. "My riders would send me thank you cards, yet I never saw one in the seven and a half years I worked there. They would ask me if I received their cards," she said.

Revenge was not beneath her supervisor. "My supervisor was vindictive. When we tried to talk with her about her actions, she'd triple our workloads the next day. She said to me 'If you're not happy, go find another job,'" DD added.

DD felt angry, violated, anxious, depressed, abused, hurt, unheard, unprotected, ganged up on everyday, and tormented. She went to urgent care with pain on the left side of her neck going down to her heart due to stress from the bullying.

Her employer listened but did nothing. “Then I spoke with my legislator, and nothing has been done politically either,” she explained.

“There should be repercussions in place when an employee bullies to tell employees loud and clear that there will be zero tolerance of bullying. The victims should not be the ones who get punished,” DD said. “No one should ever have to put up with any type of abuse. I will never ever be the same. The physical pain will always be there as a reminder of the abuse. Where is the justice for me?”

My name is Susan, and I worked at a large retailer as a sales manager for almost six years. My store manager made my life miserable.

I was in charge of women’s apparel, lingerie, and kids’ clothing. I also oversaw other departments when coworkers were out. I trained and managed 25 employees. I monitored and provided coaching on selling behaviors, which resulted in significant productivity improvements. I resolved customer complaints regarding sales and service, reviewed operational records and reports to project sales, and determined profitability. I resolved conflicts and determined salaries.

Here’s how the abuse from my store manager played out:

Spying. On numerous occasions, the store manager hid behind clothing racks to spy on my meetings while I went over sales plans with my team. She later asked me what I was talking about with my associates. She seemed to hate the fact that my associates loved working on my team and that we had fun together. I made my team members feel comfortable and listened to their concerns.

Harsh reprimands. My store manager did not want us to speak Portuguese, yet the majority of our customers spoke Portuguese and no English, so we’d have to translate and help them to pick out outfits. It was okay for us to make the sales goal for the store and to make the bonuses for her, but I had to reprimand my associates for speaking Portuguese. It got to the point that I went into work everyday not knowing what I’d be reprimanded for that day. I was afraid of her. She was intimidating and loved power and control. She knew she could do whatever she wanted without consequences. She wanted everybody to know she was boss. Meanwhile I felt worthless and was ready for a nervous breakdown.

Unreasonably heavy work demands. One day after the holiday season, I was in my office trying to finish an inventory project under a deadline. My store manager interrupted me to tell me she needed me on the sales floor for supervision. So I planned to finish the project during lunch break the next Sunday but wasn't able to take a lunch break due to our shorter hours. I left a note for the store manager saying I wasn't able to finish the project, so she called me at home on my day off and asked me to come to work to finish the project. I went in and gave her my two weeks notice. I couldn't take it anymore. I went to unemployment and didn't get a check for about a month, but they let me collect for six months. I struggled financially. I finally found a new job making a third less than what I previously made. I went to see a lawyer. They denied my claim even though I had witnesses.

My store manager still works there. Many employees call Human Resources about her with no action from management, while I haven't been able to get interviews for a new job. It's not ok for people to abuse others and cause pain. Don't let anyone make you feel like you're worthless. Your feelings matter.

Derek worked in a museum as a Museum and Gallery Assistant. He considered his line manager a serial bully. "The bullying was covert. It took me five years to understand that I was being bullied at all," he explained. "Bullying tactics ranged from a blame culture to micromanaging. The controlling bully got some type of kick from seeing his staff suffer and struggle under their large workloads. He would often come in late, do little work, panic, and then spread that panic onto others. He was lazy and manipulative, hiding his incompetence by taking credit for other people's work yet putting their work down."

The bullying made Derek feel stressed out, tired, and that his work was never good enough. He developed constant headaches.

Then the bullying escalated.

"Once I confronted the line manager on his behavior and made a formal grievance a few years later, his bullying escalated. The bully acted like the victim and called me a bully," Derek said.

Even worse, the employer took the bully's side. "Human Resources made a plan to get rid of me. I was called the troublemaker. Five other managers made up false statements and a well-being report about me. They claimed I made managers ill and had to be terminated. HR isolated me from my workplace for an 'investigation' — all dragged out over 18 months. A complete farce," he added.

Meanwhile, Derek's health only got worse. His doctor put him on antidepressants, which made him drowsy and bedridden. When on sick leave, his employer made up more lies and got rid of him.

The impact: the employer lost a competent staff member and kept an incompetent one who went on to bully others.

“Workplace bullying should be a crime,” said Derek. “It is mental violence that ruins lives and careers, and currently, managers are unaccountable in the workplace and can treat their staff like trash. This problem must change.”