

Resolution Title: Resolution to Protect Workers from Harassment and Abuse, Creating a Hostile Work Environment

Submitted by: Professional Staff Congress/CUNY

WHEREAS, federal, state, and local anti-discrimination laws have identified that a hostile work environment can also be discriminatory when such an environment leads to differential treatment based on race, sex, ethnicity, religion or sexual preference; and

WHEREAS, the EEOC has prosecuted thousands of cases on behalf of workers whose peers or supervisors have subjected them to harassment, abuse, humiliation or degradation based on their race, sex, ethnicity, religion, or sexual preference; and

WHEREAS, these cases document the kinds of supervisory behavior that constitute harassment and/or abuse and create hostile work environments; and

WHEREAS, anti-discrimination statutes hold employers liable for discriminatory behavior and hostile work environments whether the abuse is supported by peers, middle management, or workplace culture; and

WHEREAS, such abuse is often sanctioned directly or indirectly by human resource policies, including providing technical assistance to managers and managerial mentoring to avoid accountability; and

WHEREAS, only 15% of workers are covered by unions, and most collective bargaining contracts have difficulty addressing managerial excesses, due to a past practice of deferring to managerial prerogatives; and

WHEREAS, employers often have the power to be arbitrary and capricious in relation to hiring, firing and supervision; and

WHEREAS, the abuse of power by employers is quite common; a study indicates that one in six workers experiences bullying or harassment in a given year; and

WHEREAS, often the intent of sustained abuse or harassment is to drive an employee from a position for reasons other than just cause; and

WHEREAS, employers are responsible to provide work conditions that protect the health of employees; and

WHEREAS, good managers provide a climate that facilitates employees' productive completion of assignments, and

WHEREAS, workers subject to a boss's bullying behavior can suffer severe physical and mental health damages; therefore be it

RESOLVED, that NYSUT, with AFT and the AFL-CIO, seek legislation that protects workers from treatment that would create a hostile work environment based on the patterns established in the anti-discrimination statutes; and be it further

RESOLVED, that NYSUT research legislation that exists in other countries or states that prohibits staff mistreatment by supervisors.