

Final PSC Anti-Bullying Committee Report 2021-2022

Prepared for EC meeting on 9/6/2022 & presentation at L-M with CUNY

I. Introduction

Workplace bullying is repeated, unreasonable actions aimed at intimidating, humiliating, degrading or undermining an employee or group of employees (Clarion, June 2012). We know from testimony given during our DA and chapter meetings and through years of organizing that bullying is a real problem at CUNY. It's a difficult issue, not easily solved by an employer or a union.

CUNY management and the PSC agreed during the last round of contract negotiations to develop a joint campaign to address bullying in the workplace. That shared commitment was reaffirmed in Fall 2020, and the union is continuing this important work with the intention of further engagement with the University.

Like all our work, confronting workplace bullying requires collective action and active solidarity. PSC members need guidance about how to address bullying when they experience or witness it. But the culture of our CUNY workplaces must also be shifted so that bullying is universally unacceptable and our colleagues who are the targets of bullying feel empowered and supported, not alone or ashamed.

To guide our anti-bullying efforts, the Committee members turned to the set of Community Norms and Practices adopted by the PSC in July 2021, which call on us as PSC members and individuals to “nurture a work environment that is respectful and free from discrimination, harassment or bullying.” The commitments we make to each other in the norms and practices don't have to apply to just our community of unionists, they can and should apply to our entire university community.

II. About PSC Anti-Bullying Committee

On December 10, 2020, the PSC Delegate Assembly voted for the formation of a PSC Anti-Bullying Committee. The charge of the Committee is as follows: The committee will advise and participate in the anti-bullying campaign and consider, recommend and formulate policies for accountability and transparency related to workplace bullying and harassment. The PSC anti-bullying campaign will affirm workers' rights to be treated with dignity and respect in a safe and healthy environment.

The PSC Anti-Bullying Committee is composed of diverse members, representing various titles and campus affiliations and has met monthly since December 2020. Subcommittees of Advocacy, Workshops, Community Agreement, Communications, Legislation and Contract were formed. In order to carry out the charge, during the 2021-2022 academic year, the PSC Anti-Bullying Committee conducted monthly workshops and presentations, trainings, book group sessions and provided resources for those who experienced workplace bullying at CUNY campuses.

III. Existing CUNY Policies and Procedures

Although CUNY has several policies addressing abusive conduct (sexual harassment, workplace violence), missing is a corollary statement prohibitive of workplace bullying along with procedures to combat it.

a. Prevention

Positive, collaborative working environments are a deterrent to abusive conduct.

CUNY has policies and required trainings focused on violence in the workplace, sexual misconduct or disruptive behavior, but not bullying per se. The absence of examples of bullying behavior is confusing to those who try to address it.

Trainings, conducted by Human Resources personnel or other vendors, would help to prevent the rise of issues that may lead to bullying. Training for managers focused on effective performance management practices and conflict resolution as well as training for staff focused on policy and process awareness would also be helpful.

b. Reporting

Employees may be reluctant to report abusive conduct for fear of retaliation.

In the absence of a confidential line to report abusive behavior, the predominant modes of reporting are through phone, email, websites, or employee orientation. All members are strongly encouraged to report conduct believed to constitute bullying to a senior administrator, manager, supervisor, chairperson, HR, members of campus bullying prevention committee, PSC campus leaders, and PSC chapter chairs.

c. Dispute Resolution and Complaint Management

Currently at CUNY, there is no formal process for dispute resolution and complaint management of workplace bullying cases.

Complaints about bullying can take many forms. They may range in severity from situations where employees are unhappy with performance management to situations where employees are experiencing severe discrimination or harassment.

Campuses have different means of dealing with complaints of abuse that include but are not limited to reporting to a supervisor, Human Resources, Affirmative Action and nondiscrimination offices or Title IX offices. At some CUNY campuses, it is the Ombuds office, University counsel or campus security force.

IV. Recommendations

As a result of anti-bullying events and discussions with PSC members, the PSC Anti-Bullying Committee proposes the following recommendations and best practices to CUNY:

Statements and Definitions

- A statement that CUNY does not tolerate workplace bullying and strives to be an employer that fosters a positive and healthy work environment and culture so that all faculty, staff and students are treated with dignity and respect.
- A definition of abusive conduct or workplace bullying with examples.
- A statement that prohibits retaliation for reporting bullying.

Policies

- Amend existing policies that allude to bullying behavior to address it directly.
- CUNY Offices or entities that deal with workplace bullying must provide a transparent and accountable process that resolves complaints of abusive conduct.
- CUNY Offices or entities that deal with workplace bullying must provide clearly defined roles and responsibilities within the reporting and investigatory process for mediating disputes and complaints.
- CUNY Offices or entities that deal with resolving workplace bullying should be easily accessible to the CUNY community.
- CUNY Offices or entities assisting individuals shall maintain confidentiality and protect the privacy of individuals who file complaints of workplace bullying, except as required by law in emergency circumstances or on a need-to-know basis.

Communication / Website Development / Resources

- Existing policies, procedures, points of contacts and resources for resolving workplace bullying complaints should be accessible on all CUNY websites.
- Current approaches to addressing bullying should be outlined on the campus website.
- Campuses should develop and implement plans to prevent bullying on their websites.
- All employees should participate in annual respectful workplace training.
- Resources for professional training or self-guided learning should be made available to all employees.
- CUNY should engage with the CUNY community during National Bullying Prevention Month.

Early Intervention, Dispute Resolution and Mediation Strategies

- Refer the parties to counseling/coaching programs.
- Physically separate the parties, when appropriate.
- Change reporting lines, when appropriate.
- Provide mediation services, when appropriate.
- Suggest that the parties attend educational/training programs.
- Jointly determine best practices that are helpful to both parties.