

## WORKPLACE BULLYING

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The Bangor School Committee is committed to providing a respectful, safe and inclusive workplace for employees, one that is free from bullying conduct. All employees and students in the school unit, as well as parents, community members, and other involved with the schools are prohibited from engaging in workplace bullying as defined in this policy.

### DEFINITION

For the purposes of this policy, “workplace bullying” means intentional behavior that a reasonable person would expect to interfere with an employee’s work performance or ability to work. Generally, workplace bullying will involve repeated conduct. However, a single incident of egregious conduct could constitute workplace bullying.

Examples of workplace bullying include, but may not be limited to:

- Humiliating, mocking, name-calling, insulting, maligning, or spreading rumors about an employee;
- Shunning or isolating an employee or encouraging another person(s) to do so;
- Screaming or swearing at an employee, slamming doors or tables, aggressively invading an employee’s personal space; placing an employee in reasonable fear or physical harm; or other types of aggressive or intimidating behavior;
- Targeted practical jokes;
- Damaging or stealing an employee’s property;
- Sabotaging an employee’s work or purposely misleading an employee about work duties, (e.g., giving incorrect deadlines or intentionally destroying an employee’s work);
- Harassing and/or retaliating against an employee for reporting workplace bullying;
- Cyberbullying, which is defined in Maine law as bullying occurring through the use of technology or any electronic communication, including but not limited to, a transfer or signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted by the use of any electronic device, including, but not limited to, a computer, telephone, cellular telephone, text messaging device, or personal digital assistant.

### EXCLUSIONS

Workplace bullying does not include the following:

- When supervisors set reasonable performance goals or provide verbal or written counseling, direction, feedback, or discipline to employees in the workplace when the intent is to address unsatisfactory work performance or violations of law or school policy;
- When supervisors make personnel decisions designed to meet the operational or financial needs of the school unit or the needs of students. Examples include, but are not limited to changing shifts, reassigning work responsibilities, taking steps to reduce overtime costs, or transferring or reassigning employees to another building or position.
- Discrimination or harassment based on protected characteristics (race, hair style or texture, color, sex, sexual orientation, gender expression, gender identity, religion, age, ancestry, national origin, familial status, physical or mental disability, or genetic information). Such conduct is prohibited



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under separate policies and complaints shall be addressed under Policy AC – Nondiscrimination and Affirmative Action and Regulation AC Discrimination and Harassment Complaint Procedures.

- Disrespectful conduct by students directed at school employees that can be addressed through enforcement of classroom rules, school rules, and applicable Bangor School Committee policies.

## REPORTS AND INVESTIGATIONS

Employees who believe they have been bullied in the workplace, and other persons who believe they have witnessed an incident of an employee being bullied in the workplace, are expected to report the issue to the building administrator.

If the report is about the building administrator, the report should be made to any Bangor School Department administrator.

The building administrator shall promptly notify the Superintendent of all workplace bullying reports.

Any workplace bullying report about the Superintendent should be made to the Bangor School Committee Chair.

All reports of workplace bullying shall be investigated promptly and documented in writing. The person who was the subject of the alleged workplace bullying and the person alleged to have engaged in workplace bullying will be notified of the outcome of the investigation, consistent with confidentiality and privacy laws.

## DISCIPLINARY ACTION

Any employee who is found to have engaged in workplace bullying will be subject to disciplinary action up to and including termination of employment.

Students who are found to have engaged in bullying of an employee will be subject to disciplinary action in accordance with applicable student discipline procedures.

Parents/guardians and others who are found to have engaged in bullying of an employee will be dealt with in a manner appropriate to the particular circumstances.

## APPEALS

If dissatisfied with the resolution of the matter, the subject of the alleged workplace bullying or the person alleged to have engaged in workplace bullying may file a written appeal within fourteen (14) business days with the Superintendent stating the reason for the appeal. The Superintendent will review the matter and may conduct further investigation if deemed appropriate. The Superintendent's decision shall be final.

## RETALIATION PROHIBITED

Retaliation for reporting workplace bullying is prohibited. Employees and students found to have engaged in retaliation shall be subject to disciplinary action.



SUPERINTENDENT’S RESPONSIBILITY

The Superintendent shall be responsible for implementing this policy and for the development of any necessary procedures to enforce it.

Legal References: 20-A MRSA § 1001 (21); 6544 (2) (C)

Cross Reference: AC – Nondiscrimination, Equal Opportunity, and Affirmative Action  
ACAB-R – Bangor School Department Transgender Student Guidelines  
ACAD - Hazing

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