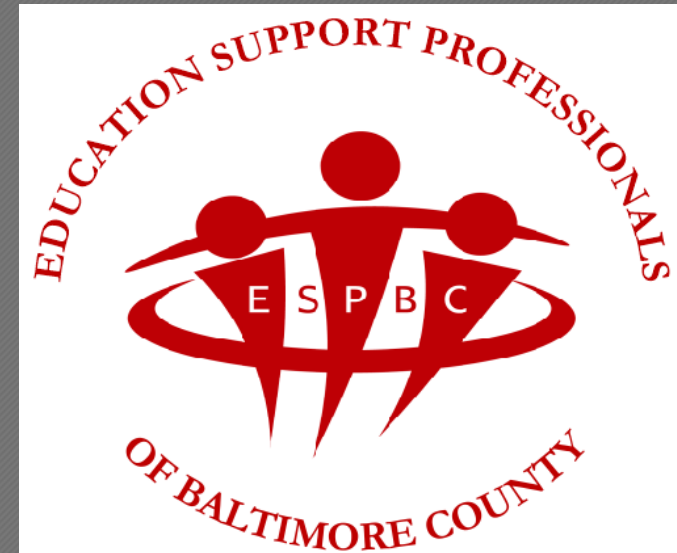


**Annual Association Representative Training
and Association Representative Assembly**

**Wednesday, August 25, 2021
8:00AM - 1:30PM**

Fear Factor and Contract 101

**Glen S. Galante
TABCO/ESPBC Executive Director**



What are you afraid of?



What are you afraid of?

1. Fear of losing your job.
2. Fear of being yelled at or reprimanded in some way.
3. Fear of speaking up.

Workplace Bullying

- **How normalized has workplace bullying become?**
 - 30% of adult Americans are bullied at work
 - 76.3 million workers affected
 - 61% of bullying is same-gender bullying
 - 43% of remote workers are bullied
-
- Statistics from the [2021 WBI U.S. Workplace Bullying Survey](#)

What is workplace bullying?

Workplace bullying is repeated, health-harming mistreatment by one or more employees of an employer: abusive conduct that is either verbal abuse; or behaviors which are threatening, intimidating, or humiliating; or work sabotage, in some combination.

What protections do you have?



TABCO Contract Language

- Article III - Association's Rights, Privileges and Responsibilities pg 4
- Member Protection
- 3.1 There will be no retaliatory, arbitrary, or capricious actions of any kind taken against an educator as a result of his/her proper exercise of authority and responsibility in performing assigned duties as an educator, membership in the Association, acting as a representative of the Association, participation in any of its legal activities, or participation in the grievance procedure provided in this Agreement.

TABCO Contract Language

- 3.1.2 The Association and Board consider workplace bullying unacceptable and will not tolerate it under any circumstances. Examples of bullying behavior include, but are not limited to unwanted, offensive, humiliating, or undermining behavior towards an individual or group of employees. If an employee believes that he or she is the target of bullying behavior, a formal complaint should be lodged with the Office of Investigations.

TABCO Contract Language

- Article V - School-Based Participatory Decision Making pg 5
- 5.1 Both parties to this agreement endorse participatory decision making at the school level. This is an opportunity for educators to have shared decision-making at the school where they work.
- 5.2 Educators serving on a school-based participatory decision management team must be approved by the faculty at the school. The procedure for such approval shall be determined by the faculty.

TABCO Contract Language

- Article IX - Protection of Educators pg 11
- Just Cause
- 6.3 No educator shall be disciplined, reprimanded, reduced in compensation, or deprived of any professional advantage as defined in this Agreement, by anyone other than their immediate supervisor/administrator without just cause.

ESPBC Contract Language

- ESPBC
- 3.1 Members' Protection
- There will be no reprisals of any kind taken against an employee as a result of his/her proper exercise of authority and responsibility in performing assigned duties, membership in the Association, participation in any of its legal activities, or participation in the grievance procedure provided in this Agreement.

ESPBC Contract Language

- 6.1 Just Cause
- No employee will be discharged, disciplined, reprimanded, reduced in rank or compensation, or deprived of any employment advantage without just cause. Inherent in the concept of just cause is “corrective counseling and progressive discipline.” Progressive discipline is generally applied sequentially and consists of corrective counseling, warning letter, official letter of reprimand, suspension, and discharge. Early steps may be skipped depending on the nature and the severity of the infraction.

ESPBC Contract Language

- 6.9.8 Workplace Bullying
- The Association and the Board consider workplace bullying unacceptable and will not be tolerated under any circumstances. Workplace bullying is persistent, repeated, or ongoing behavior that follows a pattern. It is the health-harming mistreatment of one or more persons by one or more perpetrators. It can be verbal abuse or abusive conduct that is threatening, humiliating, intimidating, and prevents work from getting done. Any employee who believes he or she is being bullied in the workplace shall submit a formal complaint to the Office of Employment Dispute Resolution.

ESPBC Contract Language

- 6.17 Representation
- When a meeting with an employee is being convened for the purpose of discipline (i.e. Warning Letter, Official Letter of Reprimand, suspension, demotion, or discharge) or for the purpose of being interviewed as part of an investigation, the employee shall be advised of his/her right to representation prior to the beginning of any such conference or meeting and shall be given two (2) duty days to arrange for representation.

Signs of workplace bullying.



Signs of workplace bullying.

- There are things you don't talk about, can't talk about, or don't feel comfortable talking about.
- Employee mistakes are met with some sort of punishment or unwanted consequence.
- Leaders are micromanaging.
- Sided and/or One-way Communication.

How do we stop workplace bullying?



1. Let the Bully know the behavior is unwelcomed
2. Report the misconduct
3. Document the behavior
4. Exercise your rights under the Master Agreement
5. Start legal action (Grievance, EEOC)