

**CITY OF LAUDERHILL
HUMAN RESOURCES AND RISK MANAGEMENT DEPARTMENT**



BULLYING

HR POLICY NO. HR-04
February 12, 2024

SUMMARY OF REVISED, DELETED, OR ADDED CONTENT

Revision	Date	Responsible Department	Description of Change
1	February 12, 2024	Human Resources and Risk Management	Initial Release

APPROVAL

City Manager Signature

Date

BULLYING

1.1 PURPOSE

The City of Lauderhill is committed to providing a work environment that is free from workplace bullying. The purpose of this zero-tolerance policy is to provide public officers and employees with general guidelines in order to identify inappropriate behaviors that may constitute workplace bullying and to provide a mechanism by which public officers and employees may report such behavior in order to exercise reasonable care to prevent, investigate, and promptly correct any prohibited behavior.

1.2 SCOPE

This policy applies to all City of Lauderhill public officers, employees, volunteers, and persons associated with the City while on City property, in City vehicles, or while conducting business on behalf of the City. All public officers, employees, volunteers, and persons associated with the City are expected to be respectful of all co-workers and members of the public, with the understanding their behavior affects all those around them. This policy extends to conduct which occurs at any location reasonably regarded as an extension of the workplace, such as off-site city-related conferences or social events, or facilities where City business is being discussed.

1.3 REFERENCES

1. Discrimination and Harassment Policy
2. Retaliation Policy
3. Violence in the Workplace Policy
4. Code of Conduct for Public Officers, Code Section 2-166

1.4 DEFINITIONS

For the purposes of this policy, understanding the following concepts is important:

1. **Bullying**: The repetitive and deliberate mistreatment of a person (the target) by one or more persons (the offender(s)) in order to gain power, control, and/or domination over the target. This mistreatment includes engaging in conduct that is threatening, intimidating, harassing, malicious, insulting, sabotaging, humiliating, and/or exclusionary, for the purpose of harming, controlling, and/or preventing the target from fulfilling his or her duties or to drive the target from the workplace. Bullying may be verbal, non-verbal (for instance, gestures or facial expressions), and/or physical. Physical bullying is in violation of the City's workplace violence policy and may also have criminal implications.
 2. **Charter Officer**: A position created and defined through the City Charter. In the City of Lauderhill Charter, the following positions are defined as charter officers: City Attorney, City Clerk, and City Manager. The aforementioned charter officers are all to be included in the definition of "employee" solely for the application of this policy.
 3. **Employee**: Individuals employed by the City of Lauderhill in a full-time, part-time, or seasonal status, including interns and charter officers solely for the application of this policy.
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4. **Public Officer:** Any person elected or appointed to hold office in any agency, including any person serving on any city board, committee or advisory body.
 5. **Protected Class:** Defined by the Equal Employment Opportunity Commission as groups protected from employment discrimination by law. These groups include men and women on the basis of sex; any group which shares a common race, religion, color, or national origin; people over 40; and people with physical or mental handicaps.

1.5 POLICY

The City is committed to ensuring a workplace in which public officers and employees can work free of workplace bullying, which can decrease employee productivity and morale. This policy has been implemented as a measure of protection for public officers and employees who experience inappropriate treatment at work but who are not considered a member of a protected class.

Holding persons uniformly accountable for poor work performance using specific and articulable examples does not constitute workplace bullying, neither does being direct or assertive when speaking to an employee or public officer. The City vehemently discourages rude or discourteous behavior. Such behavior violates other City policies that require professionalism and courtesy to be demonstrated by public officers and employees.

No public officer, employee, volunteer, or person associated with the City shall engage in any form of behavior that may constitute workplace bullying or verbal or physical conduct against another person. Nor shall any public official, employee, volunteer, or person associated with the City engage in any form of retaliation against any other employee who filed, assisted, supported, or cooperated in the investigation of any workplace bullying allegation. Such behavior directly undermines the City's objective of maintaining an environment free of workplace bullying, and is strictly prohibited.

All public officers, employees, volunteers, or persons associated with the City are responsible for ensuring that they adhere to the policy set forth.

It is the intention of the City to set a high standard of conduct and discourage all inappropriate behavior. While the City may discipline a public officer or employee for any violation of this policy, it is not the intention of the City that a violation of this policy will be rendered actionable if it is not otherwise actionable under applicable law.

Types of Prohibited Conduct:

The following examples are meant to be merely illustrative and do not represent all examples of bullying and therefore, prohibited conduct:

- Persistent singling out of one person to embarrass or intimidate them
 - Shouting or raising one's voice at an individual in public or in private
 - Using obscene or intimidating gestures
 - Personal insults and/or use of offensive nicknames
 - Public humiliation of any form, including the use of social media
 - Constant criticism on matters unrelated or minimally related to the person's job performance or description
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- Repeated unfounded or baseless accusations
- Spreading rumors and gossip
- Deliberately excluding an individual or isolating them
- Making threats
- Intimidating physical or verbal behavior

1.6 PROCEDURE

Reporting a Complaint of Bullying:

Public officers or charter officers who feel that they are being subjected to any action, decision, or behavior that is bullying in nature, or who witness others being bullied or retaliated against must report such alleged conduct to the City Manager and/or the Human Resources Director.

Employees, other than charter officers, who feel that they are being subjected to any action, decision, or behavior that is bullying in nature, or who witness others being bullied are urged to report such alleged conduct in writing to their supervisor, Department Head, and/or the Human Resources Department. In the event that a supervisor or Department Head receives a bullying complaint from an employee or public officer, the supervisor or Department Head must immediately report the complaint to the Human Resources Department.

Prior to reporting workplace bullying, public officers or employees may decide to put the offender on notice by politely confronting the offender or they may request that a supervisor or representative from the Human Resources Department advise the offender that their actions are not welcome and that they must stop said actions.

Investigation of Complaints:

Upon receipt of the complaint, the Human Resources Department shall consult with the City Manager to ensure swift action, which include the assessment of concerns and taking appropriate measures to ensure the safety of staff. The City will determine actions necessary to address the concerns through various methods, such as, but not limited to facilitating employee relations meetings and conducting an investigation on the matter. The investigative process may include interviews of witnesses, including the complainant and the subject of the allegations, and/or review of records and documentation. Interference with the performance of an investigation shall be grounds for disciplinary action, up to and including termination.

An independent investigator will be responsible for conducting the investigation of all complaints reported by, or against, a public officer and/or charter officer. The investigative report will be provided to the City Manager and the City Commission. The City Commission will determine whether disciplinary action is appropriate based on Code of Conduct for Public Officers, Code Section 2-166.

In some instances, the investigation may be conducted in conjunction with an Internal Affairs investigation, as there are circumstances under which certain policies/laws, such as a Police or Fire Department Bill of Rights dictate course and scope of investigations for the respective groups of employees. An Investigation conducted in conjunction with Internal Affairs must be completed in accordance with the parameters and timeframe set forth by the corresponding Bill of Rights.

A complaint of bullying may be withdrawn in writing at any time by the complainant. Prior to closing the investigation, the Human Resources Department and the City Manager must determine whether

corrective action should be taken to address any inappropriate conduct, and in doing so, may continue the investigation.

Retaliation:

This policy prohibits retaliation against public officers and employees who report complaints of workplace bullying or who assist in investigating such complaints. Public officers and employees who report bullying or assist in the investigation will not be adversely impacted in terms and conditions of employment. Public officers and employees shall not take any action against a complainant that is intended to discourage the complaint.

Disciplinary Action:

Public officers who violate this policy and/or retaliate against employees who filed, assisted, supported, or cooperated in the investigation of workplace bullying allegations are subject to disciplinary action in accordance with the Code of Conduct for Public Officers, Code Section 2-166.

Employees who violate this policy and/or retaliate against employees who filed, assisted, supported, or cooperated in the investigation of workplace bullying allegations are subject to disciplinary action up to and including termination.

ACKNOWLEDGEMENT OF RECEIPT

I hereby acknowledge that I have read and understood the foregoing policy, rules and conditions governing the use of the City of Lauderhill’s Bullying Policies & Procedures. I understand that a violation of the Policy (HR-04) or any Human Resources policy may result in disciplinary action, including possible termination, and/or legal action.

Employee Signature

Employee Name

Date

Witness/HR Representative Signature

Witness/HR Representative Name

Date
