RESOLUTION TO ESTABLISH A FULTON COUNTY POLICY PROHIBITING
BULLYING IN THE WORKPLACE

WHEREAS, it is the policy of Fulton County to foster a work environment that
enhances productivity and promotes the mutual respect and personal dignity of all
Fulton County employees; and

WHEREAS, it also is the policy of Fulton County to maintain a safe and secure
workplace for employees that is free from threats of violence and/or acts of violence;
and

WHEREAS, Fulton County Policy and Procedure 100-30 prohibits all harassment
by supervisory officials, co-employees, non-employees, same sex employees, as well
as clients and customers; and

WHEREAS, “Workplace Bullying” is defined as repeated, health-harming
mistreatment of one or more persons that takes one or more of the following forms: (1)
Verbal abuse; (2) Conduct which is threatening, humiliating or intimidating; (3) Work
interference or sabotage which prevents work from being completed or performed; or
(4) Exploitation of a known psychological or physical vulnerability; and

WHEREAS, in 2007 and 2010, the Workplace Bullying Institute commissioned
the only scientific large-sample representative studies of American adults on the topic of
“Workplace Bullying”; and

WHEREAS, the 2010 study commissioned by the Workplace Bullying Institute
revealed that thirty-five percent (35%) of American adult employees report having been
bullied at work, that another fifteen percent (15%) of American Adult employees report
having witnessed acts of bullying, and that bullying in the workplace is four times more
prevalent in the workplace than sexual harassment; and
WHEREAS, the Fulton County Board of Commissioners finds that workplace bullying and harassment produce a climate of fear and intimidation and can inflict serious harm upon targeted employees, including feelings of shame and humiliation, severe anxiety, depression, and even suicidal thoughts or tendencies; and

WHEREAS, the Fulton County Board of Commissioners finds that abusive work environments can have other serious consequences for the workplace, including reduced employee productivity and morale, higher turnover and absenteeism rates, and increases in legal, medical and workers' compensation claims; and

WHEREAS, the Fulton County Board of Commissioners finds that the social and economic well-being of Fulton County is dependent upon a healthy and productive workforce; and

WHEREAS, the Fulton County Board of Commissioners finds that the existing Fulton County Anti-harassment and Workplace Violence Policy and Procedures are inadequate to fully address bullying in the workplace; and

WHEREAS, the Fulton County Board of Commissioners finds that the adoption and implementation of a policy prohibiting bullying in the workplace would promote a healthy and congenial workplace environment and result in a variety of benefits, including improved efficiency and productivity levels, increased employee job satisfaction and morale, and decreased turnover rates;

NOW THEREFORE, BE IT RESOLVED, that the Fulton County Board of Commissioners hereby enacts the following Anti-Bullying Policy and Procedure (Number 100-46):

Statement of Policy: It shall be the policy of Fulton County to provide a workplace that is free from violence, harassment, intimidation, and other disruptive behavior.
Scope of Policy: This policy shall apply to all Fulton County employees, department heads and elected or appointed officials paid by the Fulton County Finance Department (Payroll Division), including part-time and non-permanent employees.

Definitions:

"Abusive conduct" - Employee acts and/or omissions that a reasonable person would find hostile, based on the severity, nature, and frequency of the employee's conduct, including, but not limited to: repeated infliction of verbal abuse such as the use of derogatory remarks, insults and epithets; verbal or physical conduct of a threatening, intimidating or humiliating nature; the sabotage or undermining of an employee's work performance; or attempts to exploit an employee's known psychological or physical vulnerability. A single act normally shall not constitute abusive conduct, but an especially severe and egregious act may meet this standard.

"Assault" - To attack someone physically or verbally, causing bodily or emotional injury, pain, and/or distress. This might involve the use of a weapon, and includes actions such as hitting, punching, pushing, poking, or kicking.

"Intimidating Behavior" - Threats or other conduct that in any way create a hostile environment, impair departmental operations, or frighten, alarm, or inhibit others. Verbal intimidation may include making false statements that are malicious, disparaging, derogatory, disrespectful, abusive, or rude.

"Threat" - Any oral or written expression or gesture that would be interpreted by a reasonable person as conveying intent to cause physical harm to persons or property.

"Workplace Violence" - Any action, whether verbal, written, or physical aggression, that is intended to control, cause, or is capable of causing injury to oneself or others, emotional harm, or damage to property.

Employee Responsibilities:

Employees will treat all other employees with dignity and respect. Management will provide a working environment as safe as possible by having preventative measures in place and by dealing immediately with threatening or potentially violent situations. No employee will engage in threatening, violent, intimidating or other abusive conduct or behaviors.

Reporting and Investigating:

All County employees and officials covered by this policy and procedure shall immediately remove themselves from any threat as soon as possible. Employees shall immediately report any threats, physical or verbal, and/or any abusive, disruptive or intimidating behavior of any individual to their immediate supervisor or Appointing
Authority. Employees shall cooperate with any subsequent investigation of their complaints. **No attempt to engage or antagonize a person threatening violence shall be made.**

It is the supervisor’s responsibility to immediately investigate all reported incidents involving workplace abuse, intimidation, or violence and report findings to their appropriate Appointing Authority or designee who shall take immediate action as appropriate. Such investigation shall commence immediately and supervisors and Appointing Authorities are required to take reasonable steps to protect the alleged victim(s), including, but not limited to, separation of the alleged perpetrator(s) and victim(s).

Where it is an employee’s supervisor or Appointing Authority who has engaged in threatening, violent, intimidating or other abusive behavior, the employee does not have to report the behavior to their immediate supervisor or go through their supervisory chain of command. Rather, in such a circumstance, an employee is specifically authorized to bypass his/her supervisor (and supervisory chain of command) and report such conduct or behavior directly to the Office of the County Manager (or the County Manager’s designee).

**Disciplinary Action:**

Disciplinary action for violations of this policy and procedure shall be taken by the Appointing Authority concerned pursuant to the guidelines set forth below. Violations of this policy and procedure rising to the level of criminal acts shall be turned over to the proper law enforcement agency. In addition, violations of this policy may cause the violator to be immediately removed from the workplace.

While the County encourages all employees to raise any concern(s) under this policy and procedure, the County also recognizes that intentional or malicious false allegations can have a serious effect on innocent people. Individuals falsely accusing another of violations of this policy will be disciplined in accordance with the County Personnel Regulations up to, and including, dismissal.

**Acts of Workplace Bullying as defined in Policy and Procedure 100-46.**

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<tr>
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<th>MINIMUM</th>
<th>MAXIMUM</th>
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<tbody>
<tr>
<td>(1) First offense:</td>
<td>5 days suspension w/o pay</td>
<td>Dismissal</td>
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<tr>
<td>(2) Second offense:</td>
<td>Dismissal</td>
<td>N/A</td>
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<td>(3) Third offense:</td>
<td>N/A</td>
<td>N/A</td>
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BE IT FURTHER RESOLVED, that this Resolution shall be effective upon adoption by the Fulton County Board of Commissioners and shall be made a part of the Fulton County Policy & Procedures Manual.

SO PASSED AND ADOPTED by the Board of Commissioners of Fulton County, Georgia this 7th day of November, 2012.

SPONSORED BY:

William "Bill" Edwards, Commissioner
District 7

ATTEST:

Mark Massey, Clerk to the Commission

APPROVED AS TO FORM:

R. David Ware, County Attorney