

## TITLE 10: CIVIL SERVICE COMMISSION

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### § 10-10-320 Anti-Bullying Policy

(a) The Commonwealth is committed to providing all employees a healthy and safe work environment. It is the policy of the government that workplace bullying will not be tolerated. All agencies shall maintain every workplace free from bullying. This policy shall apply to all excepted service employees, regardless of his or her employment status.

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(b) Bullying is defined as persistent, malicious, unwelcome, severe, and pervasive mistreatment that harms, intimidates, offends, degrades, or humiliates an employee, whether verbal, physical, or otherwise, at the place of work and/or in the course of employment.

(1) The following types of behavior have been interpreted to constitute workplace bullying. This list is not meant to be exhaustive and is only offered by way of example:

- (i) Staring, glaring, or other nonverbal demonstrations of hostility;
- (ii) Exclusion or social isolation;
- (iii) Excessive monitoring or micro-managing;
- (iv) Work-related harassment (work-overload, unrealistic deadlines, meaningless tasks);
- (v) Being held to a different standard than the rest of an employee's work group;
- (vi) Consistent ignoring or interrupting of an employee in front of co-workers;
- (vii) Personal attacks (angry outbursts, excessive profanity, or name-calling);
- (viii) Encouragement of others to turn against the targeted employee;
- (ix) Sabotage of an employee's work product or undermining of an employee's work performance;
- (x) Stalking;
- (xi) Repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets;
- (xii) Conduct that a reasonable person would find hostile, offensive, and unrelated to the employer's legitimate business interests.

(2) Workplace bullying must be addressed and corrected at its earliest stage before it becomes severe or pervasive.

(c) Any employee who feels that he or she has been bullied should immediately report such incidents to a supervisor at any level without fear of reprisal.

(d) An employer who receives a claim of bullying in violation of this policy shall take such complaint seriously and immediately advise the Director of Personnel or the Commonwealth Equal Employment Opportunity (EEO) Coordinator of the situation. The employer, with the assistance of the EEO Coordinator, will ensure that it is investigated promptly, privately, and with as much confidentiality as possible, consistent with the need to determine the facts. The investigation will be documented by an investigative report that will be retained in a confidential file by the EEO Coordinator. Any person accused of a violation shall be allowed the opportunity to rebut the charges.

(e) After determining the facts through the investigation, the employer shall take corrective action as required by the circumstances. This may include counseling any employee, whether or not a violation has occurred; imposing an appropriate sanction, including disciplinary action; making sure that this policy is reiterated to all employees or any group. An employer, or any supervisory staff, who does not take appropriate action also violates this policy and exposes the Commonwealth government to liability.

History: Adopted 35 Com. Reg. 34136 (Aug. 28, 2013); Proposed 35 Com. Reg. 33669 (June 28, 2013).

Commission Comment: The Commission inserted commas after the words "severe," "degrades," and "physical" in subsection (b), "glaring" in subsection (b)(1)(i), and "insults" in subsection (b)(1)(xi) pursuant to 1 CMC § 3806(g).