

Frequently Asked Questions

Is there currently a US law against Workplace Bullying?

No.

What about employment discrimination laws?

In only 20% of bullying cases do anti-discrimination laws actually apply. In order to claim sexual harassment, racial discrimination, or hostile work environment, the recipient of the mistreatment **must** be a member of a protected status group (based on gender, race, religion, disability, age, etc.).

Shouldn't existing company policies be adequate?

Sadly, statements of vision, mission, values, ethics, and conflict-free work zones are not taken seriously by organizational leaders. Specific anti-bullying policies are rare because there are no laws to encourage them.

Isn't the bully just a jerk?

The Healthy Workplace Bill allows for action only when mistreatment is so severe that it impairs a worker's health. This makes the perpetrator more than a harmless, laughable jerk. Those health-harming bullies are walking occupational health hazards.

For more questions visit our website at healthyworkplacebill.org

History of the HWB

Introduced in 21 states since 2003

California: 2003

Connecticut: 2009, 2008, 2007

Hawaii: 2007, 2006, 2005, 2004

Illinois: 2009

Kansas: 2006

Maryland: 2011

Massachusetts: 2009, 2007, 2005

Minnesota: 2011

Missouri: 2006

Montana: 2009, 2007

Nevada: 2011, 2009

New Hampshire: 2010

New Jersey: 2010, 2009, 2007

New York: 2011, 2010, 2009, 2008, 2007, 2006

Oklahoma: 2009, 2007, 2004

Oregon: 2009, 2007, 2005

Utah: 2009

Vermont: 2011, 2009, 2008, 2007

Washington: 2011, 2008, 2007, 2005

West Virginia: 2011

Wisconsin: 2010

Please help enact the Healthy Workplace Bill in your state. Making it the first law in the USA. Join the over 200 state legislators of both political parties who have sponsored and co-sponsored the anti-bullying Healthy Workplace Bill.

Interested in sponsoring the bill? Please give us a call at 360.656.6630.

Healthy Workplace **Bill**

Healthy Workplace **Bill**
the Healthy Workplace Campaign

We are a network of citizen activists working in over 30 states to pass legislation encouraging employers to address workplace bullying.

Gary Namie, PhD
National Coordinator

360.656.6630
namie@healthyworkplacebill.org
healthyworkplacebill.org

What is Workplace Bullying?

Workplace Bullying is repeated abusive mistreatment. It is not simply incivility, rudeness or misperceptions.

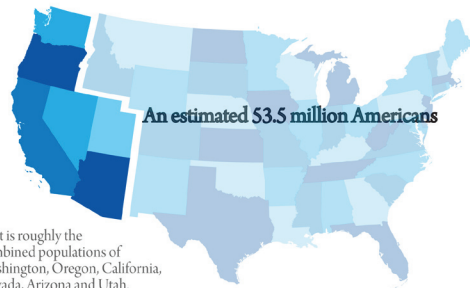
It is either:

Verbal abuse, threats, humiliation, intimidation, work interference or sabotage. All of which prevent work from getting done and harm employee health.

Prevalence in the US

According to the Workplace Bullying Institute's national scientific survey (WBI-2010), 35% of adult Americans (est. 53.5 million workers) report having been bullied at work; an additional 15% witness and are affected by it.

35% of the U.S. workforce
report being bullied at work



That is roughly the combined populations of Washington, Oregon, California, Nevada, Arizona and Utah.

Current Laws are Insufficient

Current laws are "status based" in that the target of bullying must be a member of a protected status group - based on gender, race, ethnicity, religion, etc. - in order for the harassment to be illegal. Illegal harassment by law requires discriminatory mistreatment. Bullying is 4 times more prevalent than illegal harassment (WBI-2007).

The

HEALTHY WORKPLACE Bill

What the Bill does for employers

- Precisely defines an "abusive work environment" — it is a high standard for misconduct.
- Requires proof of health harm by licensed health or mental health professionals.
- Protects conscientious employers from vicarious liability risk when internal correction and prevention mechanisms are in effect.
- Gives employers the reason to terminate or sanction offenders.
- Requires plaintiffs to use private attorneys.
- Plugs the gaps in current state and federal civil rights protections.

What the Bill does for workers

- Provides an avenue for legal redress for health —harming cruelty at work
- Allows you to sue the bully as an individual
- Holds the employer accountable
- Allows for restoration of lost wages and benefits
- Compels employers to prevent and correct future instances.

What the Bill does not do

- Involve state agencies to enforce any provisions of the law
- Incur costs for adopting states
- Require plaintiffs to be members of protected status groups (it is "status-blind")
- Use the term "workplace bullying"

The Healthy Workplace Campaign

We began the push to enact anti-bullying laws state-by-state for the workplace in 2001, thanks to Suffolk University Professor of Law David Yamada who drafted the text of the Healthy Workplace Bill. The original bill grew out of his seminal legal treatise on workplace bullying and the need for "status-blind harassment" laws.

The power of our movement derives from its united message and the fact that regardless of state, we begin with the same bill language.

Lawmakers, Sponsor the Bill

The Healthy Workplace Bill, written in legalese by our affiliated law professor, carries no employer mandate, no fiscal impact for the state requiring state agency engagement, and a high threshold of evidentiary proof to assure that only the most serious and egregious cases become lawsuits.

Join the over 300 state legislators of both political parties who, in 21 states since 2003, have sponsored and co-sponsored the anti-bullying Healthy Workplace Bill.

Interested in sponsoring the bill? Please give us a call at 360.656.6630. We will provide you with the necessary materials you may need and answer any questions you might have.

Become Involved in the Campaign

There are many ways you can contribute to the Healthy Workplace Campaign, from a simple letter to the editor, to becoming a State Coordinator, everything helps. Visit our website to learn how you can get involved.

healthyworkplacebill.org