

BULLYING VERSUS HARASSMENT

and the thin line between

It can be difficult to know when disruptive behavior has crossed the line from bullying into a type of harassment. Paths to remedy vary between the two - one might take an informal route, the other could offer legal options. This document is meant to assist you in identifying the overall differences; however, everyone's situation is different - always reach out.

THE DEFINITION

Bullying

unwanted and unwelcome offensive behavior intended to undermine an individual or group through persistent, negative attacks.

typically, there is an element of vindictiveness to the calculated behavior with the goal to patronize, ¹humiliate, intimidate, or demean the recipient(s).

Harassment

unwelcome conduct that is based on race, color, religion, gender, national origin, age, disability, sexual orientation or genetic information

it becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.²

THE TARGET

individuals or groups are selected arbitrarily; however, there may be a component of jealousy

individuals or groups are targeted based on their belonging to a protected class like gender, race, or ethnicity

EXAMPLES OF TYPES

threats to personal standing - personal attacks, rumors, invalid or baseless criticism, public reprimands, explicit language

threats to professional standing - denying access to resources, sabotaging workstations, withholding information, toxic emails

control or manipulation tactics - setting unrealistic goals, conflicting work expectations or demands, threatening job loss or demotion, inequitable treatment

quid pro quo harassment - a tangible employment decision based on the acceptance or rejection of unwelcome sexual advances or requests for sexual favors, but it can also result from unwelcome conduct that is of a religious nature.

hostile work environment - unwelcome conduct of supervisors, co-workers, customers, contractors, or anyone else that victim interacts with on the job, and the unwelcome conduct renders the workplace atmosphere intimidating, hostile, or offensive.³

THE PATH TO REMEDY

if you are being subjected to bullying treatment you should remember the steps:

- assess the situation
- report the situation
- document the behavior
- contact CAPS or file a complaint
- take care of your mental health

if you are subjected to workplace harassment, you should follow the steps:

- assess the situation
- document the behavior
- report the situation immediately by filing a complaint with your Office of Civil Rights or your Equal Employment Officer

THE OUTCOME

The outcomes between the bullying and harassment cases can be very different. Be sure to know the difference!

If you have questions about your own work situation, CAPS can help guide you. Contact CAPS today!

1. Modified definition. Check your Department's Workplace Violence Prevention Policy.

2. US Equal Employment Opportunity Commission

3. United States Department of Labor

