

HB 1968-S - DIGEST

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that the purpose of this act is to define workplace bullying, encourage employers to voluntarily enact policies to eliminate workplace bullying, and conduct further study of the impacts on society related to workplace bullying.

Declares that nothing in this act creates a legal right or cause of action. Nothing in this act denies or alters any existing legal right or cause of action.

Provides that, for the purposes of this act, workplace bullying is conduct that: (1) A reasonable person would find hostile or offensive and unrelated to an employer's legitimate business interests; and

(2) Causes physical or psychological harm to the employee.

Declares that workplace bullying includes but is not limited to: (1) Repeated infliction of verbal abuse such as the use of derogatory remarks, insults, and epithets;

(2) Verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating;

(3) The gratuitous sabotage or undermining of an employee's work performance; and

(4) A single act of workplace bullying that is especially severe and egregious.

Encourages employers to develop and implement: (a) Educational programs designed to address workplace bullying; and (b) codes of conduct and internal enforcement processes that specifically address workplace bullying.

Appropriates the sum of forty thousand dollars, or as much thereof as may be necessary, from the general fund to the employment security department for the fiscal year ending June 30, 2006, to carry out the purposes of this act by conducting a study of workplace bullying, including but not limited to the incidence, frequency, scope, and effect of abusive work environments. The employment security department shall present the results of the study to the legislature by December 1, 2005.