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Raised Bill 6188
An Act Concerning State Employees and Violence and Bullying in the Workplace

Labor and Public Employees Committee
February 10, 2009

The Department of Administrative Services appreciates and shares the Committee's desire to prevent violence and bullying in the workplace and would like to offer the following information to the Committee as it considers **Raised Bill 6188, An Act Concerning State Employees and Violence and Bullying in the Workplace**.

As the Committee is aware, the Departments of Public Safety, Public Works, Mental Health and Addiction Services, and Administrative Services, together with the Office of Policy and Management, have developed the *Violence in the Workplace Policy and Procedures Manual* in order to provide direction to Human Resource personnel in preventing and/or responding to incidents of workplace violence or a perceived threat of violence in the workplace.

DAS recognizes the Committee's interest in codifying this manual; however, we are concerned that taking this step could **inadvertently undermine** the State's efforts to prevent workplace violence. As a statewide policy, the Manual can be revised and improved easily and quickly to ensure that state employees are properly protected against violent, threatening or abusive conduct, and to reflect the most up-to-date information and practices in the field. If the Policy is codified by statute, however, it will be much more difficult to make these improvements when they are needed.

DAS is also concerned that the definition of "abusive conduct" may inadvertently result in **lowering the current bullying/workplace violence standards**. Under current law and practice, agencies investigate all reports of threatening, intimidation, or humiliating conduct, not just conduct so egregious that it rises to the level of "abusive conduct."

Finally, DAS would like to point out that state employees already have **multiple avenues for redress** if they believe that have been subject to workplace violence or abuse. Currently, if bullying or intimidation occurs in a state agency, the agency's human resources office will investigate the complaint or incident and, if the allegations are substantiated, take progressive disciplinary action against the wrongdoer. If the conduct continues or is particularly severe or egregious, an employee faces discipline up to and including termination. In addition to lodging a complaint with their own agency human resources office, employees also currently have the ability to file grievances with their unions, or file whistleblower complaints with the Auditors or the Office of the Attorney General.

DAS would be happy to meet with the Committee at any time to discuss these issues further.