



**Senate Bill 1035
An Act Concerning Bullying In The Workplace**

Testimony of Commissioner Melody A. Currey

**Labor & Public Employees Committee
March 5, 2015**

The Department of Administrative Services (DAS) offers the following comments regarding **Senate Bill 1035, An Act Concerning Bullying in the Workplace.**

This bill defines "abusive conduct" as:

Any conduct of a state employee in the workplace that is (A) performed with malice, and (B) unrelated to the state's legitimate interest, that a reasonable person would find hostile or offensive considering the severity, nature or frequency of the conduct. Abusive conduct shall include, but not be limited to, (i) infliction of verbal abuse such as the use of derogatory remarks, insults and epithets; (ii) verbal or physical conduct that a reasonable person would find threatening, intimidating or humiliating; or (iii) sabotaging or undermining a person's work performance.

Section 2 of the bill would require DAS, in consultation with the Commissioners of the Departments of Public Safety and Security, Labor, and Mental Health and Addiction Services to create a Workplace Bullying Advisory Board. The bill also creates an annual reporting requirement for this board which includes 1) a summary of the number of complaints of workplace violence or abusive conduct annually, 2) recommendations for administrative or legislative action related to such complaints, and 3) any other information that the board deems necessary to reduce instances of workplace violence.

DAS appreciates the intent of the proposal and agrees that abusive conduct should not be tolerated within the workplace; however we respectfully suggest that the goals of this legislation are already addressed through existing policies, procedures and requirements prohibiting workplace violence. As used in these policies and

procedures, the term workplace violence includes not just violent physical actions but also any kind of threatening, harassing, or intimidating behavior in the workplace.

Since 1999 and the promulgation of Executive Order 16, DAS has been offering and coordinating workplace violence prevention training to state employees. In 2011, the legislature mandated that all state employees would be required to attend this training. (See C.G.S. § 4a-2a) In 2012, DAS, in consultation with the State-wide Security Management Council (created under C.G.S. § 4b-136), revised the Violence in the Workplace Policy and Procedures Manual. Among the procedures set forth in the manual are the obligation that every agency adopt a Workplace Violence Prevention policy, create a Threat-Assessment Team and complete a 12-point checklist attesting to their workplace violence prevention actions.

Also in 2012, the legislature revised section 4b-136 to require agencies to report biannually to the Council on the frequency, character and resolution of workplace violence incidents. In 2013, DAS implemented a Workplace Violence Electronic On-Line Reporting System, to facilitate this reporting requirement. At this time, 86% of agencies have submitted their biannual report, and we are in the process with following up with the agencies that have not yet filed. We are currently working on ways to improve the search-ability and reporting capability of this data base.

In light of the existing Statewide Security Management Council and policy, training and reporting requirements, DAS suggests that SB 1035 is duplicative and thus, unnecessary.

DAS thanks the Committee for the opportunity to provide comment.