

# DON'T BE FOOLED BY CHAMBER OF COMMERCE OBJECTIONS

## THE ANTI-BULLYING HEALTHY WORKPLACE BILL IS GOOD FOR BUSINESS

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### Chamber & Business Lobbyists say ...

- ▶ A hostile workplace is already illegal for everyone. Anti-discrimination and anti-harassment laws apply. No new laws are needed.

### But the FACTS are ...

Current laws apply in only 20% of bullying cases. Legal protections apply when the target is a member of a protected status group except in same-sex and same-race harassment which accounts for 61% of bullying. **The Bill closes the legal loophole.**

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- ▶ More regulations make businesses in our state less competitive and less likely to keep jobs here.

The Bill affords the aggrieved employee redress only by pursuing private legal action, bearing all expenses. **NO STATE REGULATORY FUNCTION OR DEPARTMENTS INVOLVED; NO FISCAL IMPACT.** Employers won't leave just because of this Bill.

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- ▶ Bullying is too subjective. Employers lose the right to criticize poor performers. This law undermines managerial prerogative.

The Bill prohibits **only extreme, health-harming abusive misconduct**, precisely defined, as confirmed by health professionals. Managers' rights are preserved. Only abuse is addressed by the Bill.

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- ▶ Compliance with enacted legislation will be costly. Risk of exposure to vicarious liability is high. The employer will be blamed for the bully's conduct.

Bullying is already costly and eroding productivity through turnover and absenteeism. **Bullies are too expensive to keep!** The Bill contains generous affirmative defenses for employers. Compliance is simple, a process familiar to Human Resources. Create an explicit policy prohibiting an abusive work environment, faithfully enforce it, then only the abusive individual will be accountable. Responsible employers with correction procedures in place will not be liable.

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- ▶ It's "Job Killer" legislation.

Bullies are the actual job killers. They terrorize co-workers & subordinates which creates stress, PTSD & endangers employee health. **Bullying threatens health, careers, witnesses, and affected families.**

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- ▶ Americans are not afraid of aggression. Sometimes a little bit of bullying motivates workers and does them good!

**A shameless argument. If an employer needs to be abusive at work, perhaps the company should not be in business!** Government employers have a stronger ethical obligation. Partner violence, student bullying, workplace violence have all been outlawed. The rest of the industrialized world has declared war on workplace bullying. Bullying makes our society uncivilized!