

ENGAGE PEO

TODAY IN HR



DEALING WITH CYBERBULLYING IN THE WORKPLACE

Bullying is not new. We have all witnessed or experienced it in one way or another. With the advent of the internet, bullying emerged in the digital space as cyberbullying. Intimidating or embarrassing emails, texts, videos, and memes are easier than ever to send to just about anyone. Though more light has been shed in recent years on the impact of bullying and ways to prevent it, the issue persists, including in the workplace. Since the pandemic, with more people working remotely, cyberbullying is becoming a growing problem for employers.

In a virtual or in-person work setting, cyberbullying can come in the form of an angry email from a coworker or a social media post that insults or demeans a colleague. Sexual harassing behavior can infiltrate the workplace in texts, chats, or video messages. These acts not only affect the individuals who are the subject of the attacks, they can create a hostile work environment across an organization, hamper productivity, and impact a company's brand and reputation.

On the legal front, cyberbullying attacks that touch on protected categories such as race, sex, national origin, and disability can violate Title VII of the Civil Rights Act of 1964 and some state and local laws, exposing an employer to significant liability. If a complaint is filed, it will require some type of response. This will eat up valuable time and company resources, not to mention potentially involve high out-of-pocket costs for legal fees, settlements, or EPLI insurance deductibles.

A cyberbullying incident may not only violate discrimination laws but criminal ones as well. According to the Cyberbullying Research Center, 44 states have criminal sanctions laws making it a criminal offense to send an email or other computerized communication with intent to frighten, intimidate, threaten, abuse, or harass another person.

So, the question is, what steps can business owners and HR managers take to prevent cyberbullying? Here are a few:

Put it in writing. Make sure handbook policies and workplace procedures are in place with clear language that conveys that bullying and other disruptive behaviors are against company policy, even if conducted electronically or through social media. Employees should know that violators may be subject to disciplinary action, including termination.

Have clear policies regarding communication tools and whether non-work-related discussions can occur using company resources and online tools. Employers may want to consider reducing non-work-related discussion groups

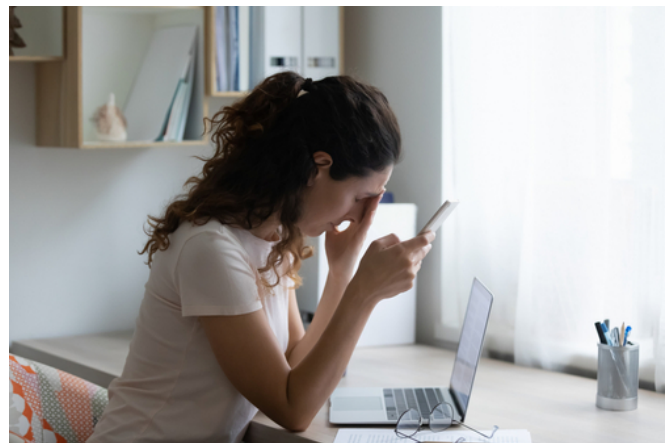
Lead by example. It seems like an obvious point, but worth repeating. Business owners, leaders, and HR managers are responsible for setting the tone of behavior within an organization. Through their actions, they set an example for how employees should treat one another. For instance, if a lower-level manager or an employee sees a senior leader or supervisor repeatedly demean subordinates or make inappropriate jokes at an employee's expense – in person or in an email – some may take it as a cue that such behavior is acceptable, part of the company culture, and maybe even encouraged.

Consider conducting trainings to help managers and supervisors recognize and prevent bullying

behaviors and how to manage conflicts in the workplace.

Investigate /Address complaints. If someone reports an incident of cyberbullying, it should be immediately investigated by HR management. Have your IT department preserve all documentation for e-discovery purposes.

The company should address the cyberbully's behavior directly through training, coaching, or other interventions. Also consider that a cyberbully may be dealing with issues outside the workplace that trigger abrasive responses with coworkers. These issues may be addressed through Employee Assistance Program (EAP) services. In other cases, disciplinary measures up to and including termination may be required.



Support services and resources should also be provided to the cyberbullying victim, such as offering mental health counseling. Employees need to know that their voices matter, their complaints will be taken seriously, and all incidents will be investigated.

As with any potential workplace threat, it's up to company management and HR leaders to stay vigilant to keep employees safe. If cyberbullying is reported, employers should be swift and proactive when addressing complaints, lead by example and clarify the type of behavior that will not be tolerated, and take preventative measures such as training to mitigate and eliminate future risks.