



# Shop Talk

United Public Service Employees Union

Newsletter for Unit Officers and Stewards

Volume 7 Issue 2

May 2009

[www.upseu.org](http://www.upseu.org)

## Workplace Bullying



Workplace Bullying is a silent epidemic that affects one in six workers. Bullying is something we all hope not to have to deal with much beyond the eighth grade. Unfortunately, workplace bullies are a problem many people face. Unlike playground bullies who often, not always, resort to using their fists, workplace bullies generally use words and actions to intimidate their victims.

### What is bullying?

Bullying co-workers is defined as the repeated malicious, health-endangering mistreatment of an employee by one or more employees. This mistreatment can take the form of psychological violence, including verbal and or strategic assaults which prevent the employee from either performing well or getting the work done.

### Bullying tactics can include actions such as:

Talking behind someone's back

Interrupting others when they are speaking or working

Flaunting status or authority

Acting in a condescending manner

Belittling someone's opinion to others

Failing to return phone calls or respond to memos

Giving others the silent treatment

Insults, yelling or shouting

Verbal sexual harassment

Staring, dirty looks or other negative eye contact

Use of condescending or demeaning language

### What can you do if you have a toxic co-worker or boss?

**1. Call your UPSEU Labor Relations Representative.**

**2. Stop listening to the bully's lies and verbal assaults.**

Too many people internalize the bully's actions, start

questioning their own skills and become steeped in self blame, just like a domestic violence victim. Realize that bullying is a form of psychological violence. You did nothing wrong and don't need to feel ashamed.

### 3. Take a timeout.

It's crucial to have a bully proofing period away from the workplace where the victim can talk to a counselor or get their health together. Procrastination ensures an outcome worse than the most feared. Employees may need to seek outside assistance from a professional counselor.

### 4. Look for new opportunities.

This may be a good time to begin a job search before your health deteriorates.

### 5. Begin bully busting.

• Assert your right to be treated with respect regardless of who you are and where you rank.

• Demand it directly from the bully whenever you interact. You owe it to yourself. Start by warning the bully that his/her behavior is unacceptable.

• Document the bully's misconduct. Report him/her to anyone who will listen. Break the silence.

• Rally witnesses and co-workers to help defend you and to shame the bully-tyrant.

## Memorial Day



Remember Those Who Served

## May Features

- Workplace Bullying
- Decision Making
- Your Rights in the Modern Workplace
- UPSEU Update

# Decision Making

Life involves choices. Decision-making skills are tools you can use to make choices in your life.

Skillful decision-makers enjoy the feeling of self-confidence that comes from knowing how to make good choices.



**TRY THESE STEPS toward learning how to make decisions and take action.**

## 1 Isolate The Problem

Often things aren't what they seem, so look at the problem from all angles, including its opposite. Avoid looking at the symptoms and try to get to the heart of the matter itself. You might find yourself defining the problem a number of different ways before you settle on something that feels right.

## 2 Decide To Take Action

Once you've identified the problem, ask yourself if you need to take action right now. (By the way, you're making a decision by answering "yes" or "no" to that question.) Sometimes the best decision is to do nothing, but don't confuse making a choice to do nothing with delay or avoidance of an uncomfortable situation.

## 3 Gather Resources

The ideal situation is to be able to get all the facts before you take action or to consult with an expert on the problem. But sometimes that's not possible. Gather as many resources as you can before you must take action, but don't delay making a decision solely because you don't have time to track down every single fact.

## 4 Make A Plan

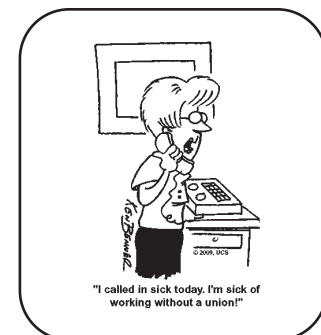
This is another way of saying "make a decision." Now that you have analyzed your problem and looked at it from many different sides, decide how you will carry out your decision.

## 5 Test The Plan

It is impossible to anticipate the outcome of any decision, so decision-making involves a certain amount of risk. You can, however, test your plan by visualizing the potential outcome of the decision. Don't be afraid to count on your intuition. If your decision doesn't feel right to you, it probably isn't.

## 6 Take Action

Doing decision-making exercises is not the same as making decisions. So now that you have made a decision, you might want to put it to work. The background work you've done will help you know that you're doing the right thing for you and you'll be able to maintain your confidence as you take action.



## Your Rights in the Modern Workplace\* By Matthew V. Bruno, Esq.

In today's modern and often complex workplace, it is often difficult to determine what rights you have as an employee. The following is intended as a general roadmap concerning your rights regarding age discrimination and leaving your job for any reason.



### AGE DISCRIMINATION

State and federal laws protect workers from discrimination based on age. The Federal Age Discrimination in Employment Act (ADEA) is the primary federal law that prohibits employers from discriminating against employees and applicants who are at least forty (40) years old.

The ADEA protects workers from age discrimination in every phase of the employment relationship, including job advertisements, interviewing, hiring, compensation, promotion, discipline, evaluations, demotion, training, assignments, and termination. The Supreme Court of the United States ruled that the ADEA prohibits practices and policies that seem neutral, but have a disproportionately negative impact on older workers, as well as those that explicitly treat older workers worse than younger workers.

Not only does the ADEA prohibit employers from discriminating against older workers in favor of those who are younger than 40, it also prohibits employers from discriminating among older workers. For instance, an employer cannot hire a 43-year-old rather than a 53-year-old simply based on age.

The federal Older Workers Benefit Protection Act (OWBPA) amended the ADEA to specifically make it illegal for employers to use an employee's age as a basis for discrimination in benefits and retirement. Like the rest of the ADEA, the OWBPA only protects people who are at least 40 years old.

The OWBPA prohibits age discrimination in the provision of fringe benefits, such as life insurance, health insurance, disability benefits, pensions, and retirement benefits. For some types of benefits, however, employers can meet this non-discrimination requirement by spending the same amount on the benefit provided to each group, even if older workers receive lesser benefits.

Many state laws also prohibit discrimination on the basis of age. Although some of these laws essentially mirror federal law state laws are broader and protect workers of all ages. State laws tend to apply to employers with fewer than 20 employees, so your employer might have to comply with your state law even if it isn't covered by federal law.

### LEAVING YOUR JOB

Whether you leave your job voluntarily or through termination or lay off, there are a number of loose ends you will want to tie up before you walk out the door. Most employers are not required to provide severance pay to employees who are terminated or laid off.

Nevertheless, many employers may offer one or two months' salary to employees who are forced to leave their jobs through no fault of their own.

A severance package can include more than just money. If you are in a position to negotiate a package, consider asking for these other benefits including;

- (1) insurance benefits,
- (2) uncontested unemployment compensation,
- (3) outplacement services, and
- (4) references.

The Consolidated Omnibus Budget Reconciliation Act (COBRA), and similar state laws provide for health insurance continuation when an employee quits, is laid off, or is fired for any reason other than gross misconduct.

Under COBRA, employers with 20 or more employees must offer them the option

of continuing to be covered by the company's group health insurance plan for a specific period (often 18 months) after employment ends. Continued coverage is also available for the worker's spouse and dependent children.

Unemployment insurance benefits may provide some financial help if you lose your job, temporarily or permanently. Benefits will be less than your former pay and generally last for only about 26 weeks. However, not all out-of-work individuals are entitled to unemployment benefits. You will be eligible only if you lose your job through no fault of your own.

Knowing and understanding your rights in the workplace will allow you to become a more confident, and hopefully more successful, employee.

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\*The above is intended to inform and not to advise. No one should attempt to interpret or apply any law without the aid of an attorney.

## UPSEU UPDATE

### Beneficiary Changes

As a reminder, if you have any change of life circumstance (e.g. divorce, death of spouse, etc.) make sure you make the necessary beneficiary changes for your retirement plan and any other life insurance policies you may have.

Notify UPSEU as well to change your beneficiary in your Accidental Death and Dismemberment policy.



### Do You Need Money for School?

UPSEU offers scholarships to both members and their dependent children. Applications are available on our website at [www.upseu.org](http://www.upseu.org) under member benefits.

For members who are registered on the website, you may also complete an application on-line. If you are not yet registered, go to log-in and Click here here to sign up. You will receive a confirmation within 72 hours.

You may also call the UPSEU office at 631-738-8773  
and we will mail an application to you.

**REMINDER:**  
**The Deadline for Scholarship Applications is July 1st.**



*Linda Pickwick, Shop Talk Editor*

*"We're Making a Difference in the Workplace"*

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