

The Stern Report on Workplace Violence and Anti-bullying Programs in Federal Departments, 2013

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Overview

As of June 2013, of the 16 Federal Cabinet-level departments (including EPA), eight departments had workplace violence programs. The other eight had no departmental workplace violence program. Some of these had workplace violence programs in some sub-agencies.

Of the eight departments with workplace violence programs, six had put their programs on their public web sites. One provided its program, when asked. EPA insisted on a FOIA request to see their policy.

As of June 2013, five Federal Cabinet-level departments had programs addressing workplace bullying. The other eleven had no departmental anti-bullying programs. Some of these had anti-bullying programs in some sub-agencies.

The five departments that addressed workplace bullying had separate anti-bullying programs and/or workplace violence programs written to address psychological intimidation and harassment. However, the fact that bullying is covered in (some) workplace violence programs is not well known by employees, managers, and even Human Resources staff.

For example, the U.S. Department of Labor workplace violence program defines psychological intimidation and harassment in the Appendix to the program. (Some other departments have the same definition.) This coverage of harassment goes beyond the scope of EEO provisions, which are limited to people in protected classes.

USDOL is ahead of many others. Yet, the DOL workplace violence program and others like it are principally focused on physical violence. Such workplace violence programs define non-physical, abusive conduct, but provide little or no guidance on how to deal with psychological violence.

Status of Programs by Department

The Federal departments with no workplace violence program are: Commerce, Education, Energy, Homeland Security, Interior, Justice, Transportation, and Veterans Affairs.

The Federal departments with workplace violence programs on their public Internet sites are: Agriculture, Defense, Health and Human Services, Housing and Urban Development, Labor, and State.

The Federal departments with workplace violence programs that are not on their public Internet sites are: EPA and Treasury. EPA is a peculiar case. It has a detailed, written policy to develop local (HQ, Regions, and labs) workplace violence programs, but it did not finalize the programs called for by the policy. From a labor-relations perspective, since

employees and management can point to the detailed policy, EPA should be counted as having a program.

A few workplace violence programs mentioned harassment without defining it or making clear that it applied to workplace bullying/psychological abuse. A program which implied that harassment entails physical intimidation was not counted as covering bullying.

The Federal departments that had neither a workplace bullying program, nor a workplace violence program which covered psychological violence are: Commerce, Education, Energy, Environmental Protection, Homeland Security, Housing and Urban Development, Interior, Justice, Transportation, Treasury, and Veterans Affairs.

The Federal departments that had either a workplace bullying program or a workplace violence program that covered bullying (psychological violence), and made such programs visible to the public are: Defense, Health and Human Services, Labor, and State.

The Federal department with a workplace bullying program not visible to the public is Agriculture. It is a good program and should be shared with the public.

Transportation does not have a program *per se*. With effort one can find a good slide presentation on bullying on their web site. It is not evident that the slides are their policy.

Veterans Affairs has no departmental anti-bullying program, but vast numbers of VA sites have such programs, with strong anti-bullying messages to staff, visible to the public.

Historical Perspective

EPA Order 1400.1 A1 of 2003, "EPA's Policy for Preventing Violence in the Workplace," refers to an interagency working group on violence in the workplace, set up by the Office of Personnel Management (OPM) in 1994. The OPM group preceded the Interagency Security Committee, ISC, established by Executive Order 12977 of October 19, 1995, which also set up a working group on workplace violence.

In 1998, OPM issued "Dealing with workplace violence—a Guide for Agency Planners" (Office of Workforce Relations OWR-09). The OPM guide focused on physical violence. It mentioned bullying, but was weak on the issues of psychological intimidation and harassment.

In 1998, OPM wrote that it was highly advantageous to have a written workplace violence program. (See <http://www.opm.gov/policy-data-oversight/worklife/reference-materials/workplaceviolence.pdf>.)

In June 2013, fifteen years after the issuance of the 1998 OPM guide, the eight departments without workplace violence programs do have security at the doors. But they have not established and communicated workplace violence policies to their employees.

Even more important is that 11 departments have not communicated what constitutes psychological violence to their employees, managers, HR, and employee assistance programs. So, employees and managers do not have a policy to point to, or to guide them.

The absence of these programs means that senior leaders in security and human resources have not been required to learn and to apply recognized “best practices.”

Consequences of inaction

What does the inaction-to-date imply? It is a cloud over the prospects for the Interagency Security Committee’s (ISC) “*Violence in the Federal Workplace: A Guide for Prevention and Response, of April 2013.*” (See <http://www.dhs.gov/publication/interagency-security-committee-violence-federal-workplace-guide-april-2013>.)

The new ISC guide has substantial improvements over the 1998 OPM guide. Its valuable insights and guidance will do no good, if they are ignored for another 15 years. In view of the current status of programs in the cabinet-level departments, the new ISC guide seems likely to be ignored unless the ISC, OPM, or GAO periodically publicizes which departments have taken action to follow the new ISC guidance.

The April 2013 ISC guide gives needed attention to bullying and emotional/psychological abuse. This is important, because incidents of such emotional/psychological violence are much more common than incidents of physical violence.

A USDOJ sponsored site says, “Bullying **is** psychological **violence**” (emphasis in the original). That site is <http://www.adr.gov/events/2010/jan14-2010-materials-bullying.ppt>. But this is not a new idea. About 1500 years ago, the Babylonian Talmud, at Bava Metzia 58b, stated, “Whoever shames another in public is like one who sheds blood.” Bullying may prompt physical violence, because bullying is psychological violence.

We know that we can hurt people with words openly directed at them or with words hidden behind their backs. The new April 2013 ISC guide recognizes this. It falls short in attention to the many covert, non-verbal ways used by bullies to undermine, demean, and marginalize people—including purposeful inaction. So, there is room for refinements. (See bullying on the Canadian occupational safety and health site.)

Many researchers in this area concur that the targets of psychological aggression are often people with more knowledge, experience, education, social skills, motivation, or good looks than their tormentors. Insecure, envious people with power drive away talented employees (from low GS to SES). So, bullying costs agencies the loss of talent, knowledge, and motivation. Bullying hurts the targeted individuals, and it also hurts the mission of the agencies. Many people have, or should have, seen this.

The new guidelines are fine work. Federal departments should not delay another 15 years to put them into effect. ISC and OPM should alert the departments that are behind in workplace security and civility.

[A table of program status by department follows.]

Table 1 -- The Presence and Visibility of Workplace Violence and Bullying Programs by Cabinet-level Federal Department, June 2013

Federal Department	Workplace Violence Program/Policy	Anti-Bullying Program/Policy
Agriculture	YES. On the Internet	YES. Not on the Internet
Commerce	NO.	NO.
Defense	YES. On the Internet. ¹	YES. ¹ On the Internet
Education	NO.	NO.
Energy	NO.	NO.
EPA	YES. ² Not on the Internet	NO.
Health & Human Services	YES. On the Internet. The best.	YES. On the Internet. The best.
Homeland Security	NO	NO.
Housing & Urban Development	YES. On the Internet. (Dated 1995)	NO.
Interior	NO.	NO.
Justice	NO.	NO.
Labor	YES. On the Internet	YES. On the Internet. WVP defines psychological intimidation and harassment
State	YES. On the Internet	YES. On the Internet. WVP also covers “verbal-mental abuse and bullying.”
Transportation	NO	NO.
Treasury	YES. Not on the Internet	NO. WVP focuses on physical violence
Veterans Affairs	NO. ³	NO.

1. On the basis of the “Defense Civilian Personnel Advisory Service Guide: Workplace Violence Prevention and Response, May 2012.” I count the DCPAS Guide as covering bullying/psychological violence, because DOD asserted in email that it does.
2. This counts EPA’s detailed policy to establish programs, although the programs were not finalized
3. VA occupational safety and health program says agencies/sites should develop workplace violence prevention programs. It offers no guidance, so it is not counted as a policy or program.

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