

ADULTS GET BULLIED TOO



What People With Disabilities and the People Who Support Them Can Do About It



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ADULTS GET BULLIED TOO – WHAT PEOPLE WITH DISABILITIES AND THE PEOPLE WHO SUPPORT THEM CAN DO ABOUT IT

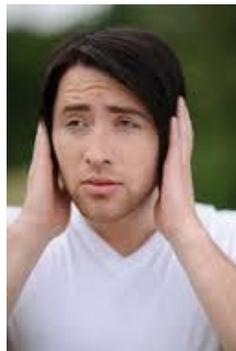
INTRODUCTION

Many people think bullying only happens in schools and that it stops when a student finishes high school. Unfortunately, that is not the case. Bullying can happen at any age. It can happen to anybody whether they have a disability or not. And it can happen anywhere: at home, at work, in social settings, or anywhere else in the community.

In recent years, the issue of bullying in schools is receiving lots of needed media attention. But what about adults? Adult bullying deserves attention too. That is the purpose of this booklet. It will explain more about adult bullying and workplace bullying and will describe some things you can do about it.

This booklet is for adults with disabilities. If you need help reading it, ask someone you trust to help you. The sections about workplace bullying are just a start. It is a very complex topic. If you feel you are the victim of workplace bullying, you may need to meet with a lawyer who specializes in labor and employment law.

We know that bullying will not go away completely, but we hope some of the ideas in this booklet will help to improve your situation.



WHAT IS ADULT BULLYING?

Adult bullying happens when one adult is mean to another adult for any reason. Sometimes a group of people can be bullies. The person or group of people who are bullied are called the victims or the targets.

Usually bullying :

- is done on purpose (to upset the victim),
- is repeated many times, and
- happens because the bully wants to feel more powerful.

Here are a few examples of adult bullying. You may have more to add to this list:

- Someone calls you bad names all the time, like “retard” or “cripple.”
- Someone whispers things about you to other people and they all laugh while you are in the same room.
- Someone always picks on you in front of others.
- A neighbor makes fun of you every time you walk by.
- Your aunt often puts you down.
- The leader of your self-advocacy group never calls on you when you raise your hand.
- You found out that your friends were having a party and didn’t invite you.

Adult bullying is mostly verbal, using words to hurt someone by name-calling, threatening, insulting, ignoring, or spreading rumors. Bullies often choose victims because of differences or because they are threatened by them. Many adult bullies were bullied or abused when they were younger. Because of that, they feel insecure, and putting the victim down makes them feel more powerful.

The bullying can happen at home, in groups, or anywhere in the community. Statistics vary, but estimates are that between 37% and 45% of Americans say they have experienced some form of bullying as adults.

Victims of bullying often have feelings of anger, shame, anxiety and depression. Bullied adults also might have sleep problems, headaches, stomach aches, eating or other medical disorders.

If you are bullied, don’t blame yourself or take the bully’s behavior personally. Keep reading for some steps you can take to reduce or stop the bullying.



HOW TO STOP ADULT BULLYING

Later this booklet will talk about bullying at work, but first let's talk about some steps you can take to stop the kind of bullying described on the previous pages. Choose the ideas that are comfortable for you.

1. Tell someone you trust. It can help you feel better to tell someone what has been happening to you. The person can be a friend, family member or therapist. They might have helpful suggestions.



2. Calmly tell the bully to stop. This takes courage. But by not saying anything, the bully may think it's okay to continue bullying. Use direct words (not emotional or aggressive) to tell the bully what words or actions are unacceptable to you. One example might be "I want you to stop calling me names." Never do this if you feel the bully will physically hurt you or if you think it would make the situation worse.



3. If that doesn't work, do your best to ignore the bully. This is hard to do. But it sends a message to the bully that he or she is not getting a reaction out of you and the bully might stop.



4. Practice taking slow, deep breaths and have confident body posture. Visualize yourself remaining relaxed when you see the bully. Bullies want to see you get upset and angry. They don't expect a calm, cool response. Confident posture is a lifted chin, a straight back and shoulders back.



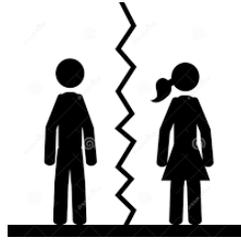
5. Document everything. Write down or ask someone to write for you: the names, times, places, who said what, about each bullying incident. This will help you remember all the details if you need to contact police or other authorities.



6. Use humor when it feels right. Practice some comeback lines that you can use. Some bullies might stop their behavior when they realize how clever you are. For example, if someone teases you about having seizures, you could say, "Wow. You discovered I'm different than you."



7. Consider ending the relationship. Only you can decide if the bully is someone you must be around. Are you getting anything out of the relationship to make it worth the pain it is causing you? This is a personal choice for you to think hard about.



8. Prevent cyberbullying. Cyberbullying is using computers or cell phones to bully someone. It can be insulting, embarrassing, sexual or obscene messages, texts or photos. The bully often uses social media sites like Facebook or Twitter. Block the bully's profile by changing your privacy settings. Ask for help if you don't know how to do this. And never give your password to anyone.



9. Contact the police (call 911) if you feel threatened or if there has been any physical harm such as someone hitting you or showing any kind of weapon.

**IN CASE OF
EMERGENCY
CALL 911**

10. Support others if they are being bullied. If you see someone getting bullied, you can be a helpful bystander and say something to the bully. For example: “That’s mean.” Or “Why do you think it’s okay to say that?” Or “What are you doing?” Or “That’s not cool.” You are exposing the bully and he or she might stop. Supporting and defending the victim can make a huge difference.



Hurtful bystanders are the opposite. They are the ones who encourage the bully and participate in the gossiping, whispering about, laughing at or other mean treatment of the victim.

WHAT IS WORKPLACE BULLYING?



Workplace bullying is found in all professions. The targets are often people who are good at their jobs who pose a threat to the bully. They may also be chosen due to differences such as having a disability or belonging to a different religious group. Workplace bullying is more psychological or social, making it harder to prove. It focuses on a person rather than a task.

Here are some examples of workplace bullying:

- Leaving you out of important meetings
- Leaving you out of social gatherings of co-workers
- Putting unreasonable workloads or deadlines on you
- Boss yelling at you when co-workers are present
- Denying you days off or training opportunities that could help you advance
- Threats of being fired
- Someone else taking credit for the work that you did
- Ignoring you
- Criticizing your work
- Not giving you all the information you need to do a good job
- Micro-managing you when there is no problem with your work

There will always be people at work you don't like. A demanding boss is not necessarily a workplace bully. A selfish co-worker is not necessarily a workplace bully. It is not workplace bullying unless the disrespectful actions are directed towards one individual or group and it happens over and over.

As with any bullying, people bullied at work report problems with sleeping, headaches, stomach issues, low self-esteem, increased stress, anxiety or panic attacks, depression, and sometimes more serious health problems. Your well-being is worth fighting for.

WORKPLACE BULLYING AND DISABILITIES



Federal laws make it illegal to unfairly treat certain “protected classes” which include race, color, sex, national origin, religion, age, pregnancy, and disability. California law also adds protections for ancestry, sexual orientation, gender identity, medical conditions, and marital status. For this booklet, we will only be discussing protections for people with disabilities.

Workplace bullying described on the previous pages becomes disability harassment when the bullying targets a person just because of his or her disability and it becomes severe enough to create a work environment that is hostile or abusive. (Source: www.eeoc.gov)

Examples:

- An employee with cerebral palsy being made fun of due to the way they speak
- An employee with an intellectual disability having lunches stolen from them
- Co-workers calling a person with a disability “cripple”
- Co-workers tampering with a person’s wheelchair
- Intentionally bumping into a person with a visual impairment

Disability discrimination at work is when you are treated unfavorably by your employer because of your disability, and it affects the job itself or job benefits.

Examples:

- Being denied a job just because of your disability
- Not making the same amount of money just because you have a disability
- Not getting a promotion just because you have a disability

Harassment has more to do with people treating you badly because of your disability. Discrimination has more to do with unfair job actions that result because of your disability.

Some people worry that they will be punished by their employer if they complain. That is called retaliation. Retaliation can include any negative job action, also called an adverse action, such as being fired, demoted, getting a cut in pay or fewer work hours. It can also come in the form of an unexpected poor performance review, micromanaging you, or excluding you from staff meetings. Retaliation is very hard to prove. Most employers will deny it. Harassment, discrimination, and retaliation are all illegal.

A hostile work environment is created when the actions or words of a boss or co-worker discriminate against you because of your disability, last for a long time, and are so severe that it makes doing your job impossible. If the employer does not investigate it and resolve it effectively, they can be in legal trouble.

All of these terms are very closely related. Don't worry if it is confusing. A labor and employment professional can help you sort it out if needed.

It is also important to at least mention reasonable accommodations. While not the focus of this booklet, this can become an issue of harassment or discrimination if denied. Reasonable accommodations are anything that would help an applicant or employee with a disability to perform a job, such as a special computer keyboard or a different work schedule. Keep in mind that an employer is required to provide reasonable accommodations unless the accommodation would represent a hardship to the business.

WHAT IS SEXUAL HARASSMENT?

Another challenging type of workplace behavior to be aware of is sexual harassment. This means unwelcome sexual touching, requests for sex and other verbal or physical conduct that is of a sexual nature. At work, it could be from your boss, a co-worker or any other employee, or even a customer. If that person threatens your job because you refuse them, that is illegal. It is also illegal if it affects your job performance because it is so frequent and severe that it creates an uncomfortable, hostile work environment.

Examples:

- Telling direct jokes or talking about one's sexual activity in front of others
- Making comments about your body or using insulting words to describe you
- Displaying sexual drawings, pictures or photos
- Unwanted letters, phone calls, emails or texts with sexual/romantic content
- Staring or looking at you from head to toe or making sexual gestures
- Offering employment benefits (like a raise or promotion) in exchange for personal interaction or dates, or sexual favors
- Unwanted touching, hugging, kissing, or sexual intercourse

In some cases, the harasser may or may not realize their behavior is bothering you. Let them know their actions are offensive. In some cases, this might solve the problem. If not, it should be reported right away. No one should tolerate this behavior. The law requires employers to take all reasonable steps to prevent this from occurring.



The next section lists suggestions for you to try to reduce workplace bullying and all types of harassment.

HOW TO STOP WORKPLACE BULLYING, HARASSMENT AND DISCRIMINATION

This is a time when strong self-advocacy skills are very useful. Read the ideas on page 7 to 10 in this booklet about some ways to try to stop adult bullying of any kind. These also apply to work situations. A few are repeated here because they are so important, along with more suggestions about workplace bullying. You don't have to and you should not put up with mean and unfair behavior at work.

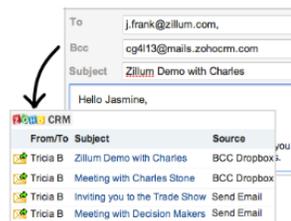
1. Tell the bully to stop unless you feel it is unsafe or dangerous. Most employers will ask you if you did this before they will take further action. Take someone you trust with you if needed.



2. Document all bullying incidents including dates, times, and witnesses. This helps to establish a pattern if you end up reporting this. This is crucial!



3. Save items you might need to prove what is happening. This can include: emails, performance reports, or work samples. The more evidence you have to support your claim, the better.



4. Seek a friend at work, like a trusted co-worker. Tell them what is happening and ask their ideas about what to do.



5. Notify your supervisor right away. If the supervisor is the bully, then go to his or her supervisor or higher up if needed. This includes going to the Human Resources Department if there is one. Your employer must have the opportunity to investigate the situation and put an end to the bullying.



6. Do not sign anything without legal advice. Be careful of documents that say you agree not to file a complaint.



7. Find out if your employer has a policy about harassment. It should include reporting procedures, timelines, how it will be investigated, a guarantee not to retaliate against you, and a promise to protect your privacy. Many companies have a “zero tolerance” policy for bullying and harassment. That means it is *never* allowed and is

punished severely, often with firing the bully or harasser. Keep a copy of the policy so you can read it later if you need to.



8. Get professional help if you have physical or mental symptoms because of workplace bullying. Many large companies have an “Employee Assistance Program” (EAP) where you can get help. They must protect your privacy. Otherwise see a doctor or therapist.



9. If you have a union, contact a union representative. They can provide support, help you file a grievance and sometimes work out a solution with your supervisor.



10. If you feel you have no other options, you can file a discrimination claim with one of these government agencies:
 - The California Department of Fair Employment and Housing (DFEH) – For people who work at a company with 5 or more employees. (If the claim is for harassment, then it is okay to file even if the company

has less than 5 employees.) The claim must be filed within one year of the date you feel you were discriminated against.



- The U.S. Equal Employment Opportunity Commission (EEOC) - For employers with 15 or more employees. You must file your claim within 180 days of the date you feel you were discriminated against. In some cases, this may be increased to 300 days.



If these agencies cannot settle your complaint with your employer and they decide that you have a valid complaint, they will provide a “right to sue” letter to you. This letter means that you may now file a lawsuit in the court system. Courts will usually not hear these cases if you have not gone through either the DFEH or EEOC process first.

The contact information for both agencies is listed on the Resources page at the end of this booklet.

11. Filing a lawsuit is a last resort to consider if nothing else works and if you have a “right to sue” letter. If you get a “right to sue” letter from EEOC, you must file a lawsuit within 90 days. If you get a “right to sue” letter from DFEH, you have one year to file a lawsuit.

You would need to meet with a lawyer who specializes in labor and employment law. This can be a stressful process so it helps to bring a supportive person who can help you.

By filing a complaint with DFEH or EEOC or by filing a lawsuit, victims of disability discrimination may be entitled to: back pay, hiring, promotion, reinstatement, payment for emotional pain and suffering, attorney's fees and court costs, among other remedies.



12. Consider changing jobs. Even though it is unfair that you should have to leave, it might be better to do it on your terms and when you choose, than to stick it out and be in constant stress. Think about what is best for your future.



FINAL THOUGHTS

As much as we would like, we know we can't get rid of all bullying. This booklet has listed some ideas to improve the situation, but it is always important to keep in mind that bullying is not your fault.

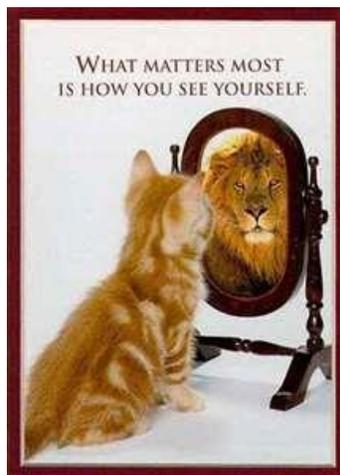
When minor joking around gets out of hand, the teasing can quickly become bullying. Bullying can become discrimination or even worse, abuse. Your physical and mental health and your safety are at risk.

All of the suggestions in this booklet point to four main actions: Stay calm. Tell the bully to stop. Then ignore or stay away from the bully (as much as possible). And get help.

If someone doesn't believe you or support you, don't give up. Think about who else you can go to – a family member, a friend, a pastor, your regional center service coordinator, a doctor, or other people in your life.

Also, remind yourself about all of your good qualities, the things that you are proud of and the things that people like about you. No one can take that away from you.

When you take a stand to stop adult bullying or workplace bullying, you might be helping other people too. Because you stood up for your rights, maybe the bully will think twice before doing it again to someone else.



RESOURCES



REMINDER ABOUT REPORTING

If bullying becomes dangerous and you suspect abuse or domestic violence, report it immediately to the following phone numbers (for anywhere in Los Angeles County):

Adult or Elder Abuse in family home or independent living:

Adult Protective Services
213-738-4004 (during business hours)
877-477-3646 (after hours)

Adult or Elder Abuse in a group home, care facility, or nursing home:

Long Term Care Ombudsman
800-334-9473 (during business hours)
800-231-4024 (after hours)

Child Abuse

Child Protective Services:
800-540-4000 (24 hours a day)

OR Call 911 and report the abuse to local law enforcement.

Many of the following resources were used in the development of this booklet:

***For More Information and for Filing Claims of Harassment or
Discrimination:***

California Department of Fair Employment and Housing
800-884-1684
www.dfeh.ca.gov

U.S. Equal Employment Opportunity Commission
800-669-4000
800-669-6820 (TTY)
www.eeoc.gov

For General Advocacy Assistance:

Disability Rights California (DRC)
213-213-8000

www.disabilityrightsca.org

Office of Clients Rights Advocacy (of DRC)
213-213-8020

<http://www.disabilityrightsca.org/about/ocra.htm>

(Ask for the Clients Rights Advocate for your specific regional center.)

State Council on Developmental Disabilities

Los Angeles office

818-543-4631

www.scdd.ca.gov

Helpful Websites About Adult Bullying:

No Bullying

<https://nobullying.com/adult-bullying/>

Band Back Together

<http://www.bandbacktogether.com/adult-bullying-resources/>

Achieve Solutions

<https://www.achievesolutions.net/achievesolutions/en/Content.do?contentId=10627>

Helpful Websites About Workplace Bullying:

National Collaborative on Workforce and Disability

<http://www.ncwd-youth.info/information-brief-29>

Workplace Bullying Institute

www.workplacebullying.org

Workplace Fairness

www.workplacefairness.org

Laws About Disability Harassment and Discrimination:

Americans with Disabilities Act (Title 42, section 12101)

<https://www.ada.gov/pubs/adastatute08.htm>

California Government Code, section 12940

<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=gov&group=12001-13000&file=12940-12951>

Rehabilitation act of 1973, sections 501 and 505)

<https://www.eeoc.gov/laws/statutes/rehab.cfm>





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