

SIDE LETTER AGREEMENT
Between County of San Mateo and
AFSCME Local 859 and Service Employees International Union Local 521
Re: Anti-Bullying Policy

This Side Letter Agreement is entered into by and between the County of San Mateo ("County") and the American Federation of State, County and Municipal Employees (AFSCME) Local 859 the Service Employees International Union (SEIU) Local 521 ("Unions").

This letter is effective immediately upon approval of a 2018 successor MOU by the San Mateo County Board of Supervisors and shall expire upon the County's adoption of a County-wide Anti-Bullying Policy. By this side letter, the parties agree as follows:

The County proposes to adopt the following new County-wide policy. The County will present the proposed policy to all labor organizations and will offer the opportunity meet and confer as provided by law through a joint process involving all participating labor organizations. Until such time the County adopts a County-wide, Anti-Bullying policy, the following terms shall be in effect for employees represented by the Unions:

Anti-Bullying Policy

The County of San Mateo considers workplace bullying unacceptable and will not tolerate it under any circumstances. It is the policy of the County that all employees should be able to work in an environment free of bullying.

It is the County's expectation that all communication and interaction between County workers will, at all times be professional, courteous and respectful.

Workplace bullying is behavior that harms, intimidates, offends, degrades or humiliates an employee, possibly in front of other employees, clients or members of the public.

Examples of bullying include, but are not limited to;

- Profane or disrespectful language
- Hostile and rude behavior and speech directed at a co-worker
- Derogatory remarks or comments about a co-worker's appearance or job performance, angry outbursts or yelling
- Name calling
- Throwing anything at or toward a co-worker
- Retaliation against any person who has reported disruptive behavior

Managers and supervisors must take reasonable measures to prevent workplace bullying, and to respond promptly if it is identified to address and prevent future instances.

The County has processes and investigative procedures to deal with workplace bullying. Any reports of workplace bullying will be treated seriously and investigated promptly, confidentially (within limits) and impartially. All employees are encouraged to report workplace bullying. Retaliation against any employee who is a target of bullying behavior, as well as any employee who makes complaints about or participated in any investigation or administrative process related to a complaint of workplace bullying is prohibited.

Employees who feel they are being bullied should report any such activity to their supervisor immediately. If the employee is not comfortable reporting the activity to their supervisor, or the supervisor is the subject of the complaint, the employee should report the conduct to their manager.

If the issue is not resolved at this level, the employee may submit a written statement to the next level manager or to the EEO or Employee Relations Divisions of Human Resources who will oversee an investigation of the allegation. The written statement should include factual information of recent event(s) including name of employee raising the complaint, dates, times, witnesses (if any) location and the circumstances of the event. Human Resources may not be able to investigate allegations that are more than twelve (12) months old, or those which do not contain the name(s) of the reporting party, or sufficient specifics to be properly investigated. Human Resources may contact the reporting party for additional information if necessary and will work with departments to investigate and resolve complaints.

Disciplinary action, up to and including dismissal from County service, may be taken against anyone who bullies a co-worker or retaliates against an employee that has reported workplace bullying.

San Mateo County:

Michelle Kuka / Michelle Kuka
(Signature / Printed Name)

Dated: 3/16/2020

SEIU Local 521:

Sandra Floyd / Sandra Floyd
(Signature / Printed Name)

Dated: 2/12/2020

AFSCME:

John Tucker / John Tucker
(Signature / Printed Name)

Dated: 2/12/2020