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# A BILL FOR AN ACT

RELATING TO THE WORKPLACE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 711, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§711-    Bullying in the workplace. (1) A person commits  
5 the offense of bullying in the workplace if the person  
6 intentionally subjects an employee or co-worker to abusive  
7 conduct in the workplace that causes physical or psychological  
8 harm to the employee or co-worker.

9           (2) Bullying in the workplace is a misdemeanor.

10          (3) A person convicted under this section shall be  
11 required to undergo a counseling program as ordered by the  
12 court."

13          SECTION 2. Section 711-1100, Hawaii Revised Statutes, is  
14 amended by adding a new definition to be appropriately inserted  
15 and to read as follows:

16          "Abusive conduct" means malicious conduct, whether by act  
17 or omission, that a reasonable person would find hostile,



1 offensive, and unrelated to an employer's legitimate business  
2 interests."

3 SECTION 3. This Act does not affect rights and duties that  
4 matured, penalties that were incurred, and proceedings that were  
5 begun before its effective date.

6 SECTION 4. New statutory material is underscored.

7 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

*Mel Carnall*

JAN 20 2011



**Report Title:**

Offenses Against Public Order; Bullying in the Workplace

**Description:**

Makes bullying in the workplace a misdemeanor offense and requires counseling for anyone convicted of the offense.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

