

# Jason Habinsky in XpertHR: Mets Behaving Badly: What to Do When Employees Don't Apologize

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**PRACTICES** Labor and Employment, Employment Litigation, Sports Law

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*XpertHR* quoted Haynes Boone Partner [Jason Habinsky](#) in an article about how employers should respond to workplace bullying behavior following a recent incident that occurred in the New York Mets locker room. After a miscommunication between the team's manager and member of the press, one of the players threatened a reporter and later refused to apologize.

Here is an excerpt:

New York City employment attorney Jason Habinsky, of Haynes Boone, didn't think much of the way the Mets handled the situation and wasn't impressed by the team's statement. "Words are just words. It's not enough to just give appropriate lip service," said Habinsky. "You need to follow through with action if employees are not complying."

While the Mets did reportedly dock both men \$10,000 in pay, the penalty was slight in terms of baseball economics. To put it in perspective, Vargas earns \$8.5 million so the penalty for him was the equivalent of \$850 and no suspension for embarrassing his employer and attracting negative headlines for the organization that led the sports news across the country.

"It was clearly a slap on the wrist," said Habinsky. "The Mets are sending a mixed message that may give other employees a license to cross the line." He noted that in the traditional employment context, the employees' actions may have been a fireable offense, but probably not in professional sports.

## **Workplace Bullying Behavior**

When an employer is confronted by a workplace bullying incident, Habinsky asserted that it can be a work-environment killer if not handled properly. This is especially true with a public-facing employer where such incidents can affect a business's bottom line. But all too often, apologies can fall flat which can lead to deeper ramifications.

"Even if something isn't actionable, it can be very detrimental to your workplace," Habinsky concluded. He added that when an incident occurs in which an employee threatens violence or workplace bullying occurs, the employer must act promptly and show that it does not tolerate the behavior.

To read the full article, click [here](#).