

Bullying and harassment in the workplace – An Australian Perspective

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Objectives for the Session

- To discuss what constitutes bullying and harassment in the workplace - their definitions, effect and implications
- To examine the legislation and strategies which can be used and adopted to develop awareness
- Your role in optimising a bullying and harassment- free working environment.



Some facts and figures

- De Martino (2002) believes workplace violence affects more than half of all health care workers (HCWs).
- A Morgan Gallup poll showed 46% of all Australian workers reported being bullied by workmates – 50% by the public whilst working.
- Anecdotally, bullying, harassment and horizontal violence are prevalent although under-reported and surrounded by a culture of silence



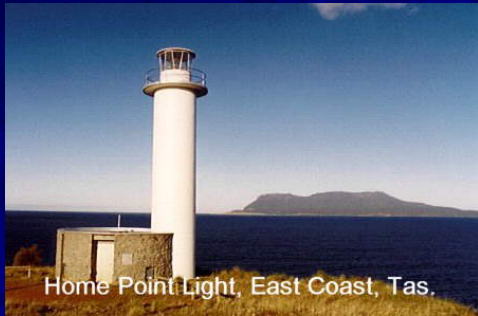
Definitions of bullying

- Various definitions result in confusion and lack of clarity
- People have differing ideas about what constitutes bullying, particularly in the workplace
- Most highlight bullying behaviour as negative to recipient, it is persistent and long term in nature

ILO/ICN/WHO/PSI definition*

- Repeated, and over time, offensive behaviour through vindictive, cruel or malicious attempts to humiliate or undermine an individual or group of employees (2003).

*ILO=International Labour Organisation
ICN = International Council of Nurses
WHO = World Health Organisation
PSI = Public Services International



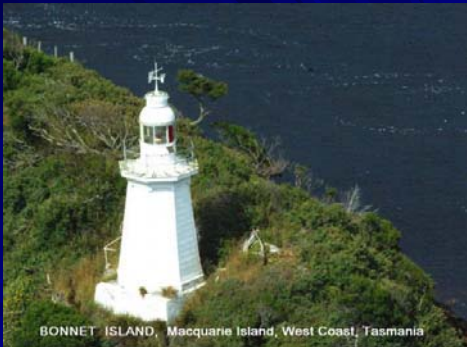
Home Point Light, East Coast, Tas.

Who?

- Usually in a position of authority, power, responsibility and trust.
- Men and women bully equally
- Managers account for some of the bullies, however....
- Colleagues also bully as often as managers

How? Some examples

- Overruling of decisions
- Public humiliation
- Undervaluing and belittling of staff/ colleagues
- Ignoring or excluding staff or colleagues
- Failure to acknowledge a job well done
- Lack of autonomy
- Constant criticism
- Withholding of information
- Shouting
- Target of gossip
- Deliberately impeding progress/development



Harassment

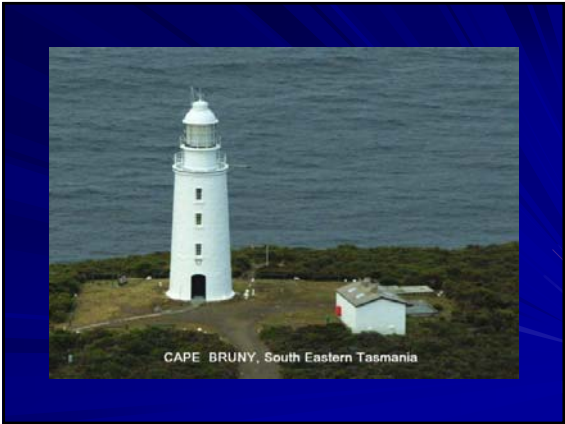
- Like bullying, harassment is part of a wider issue, that of occupational violence;
- It has been prevalent but unrecognised in nursing for long time;
- There is research evidence within perioperative and other nursing specialties stretching back at least two decades;
- There is a lack of clarity and consistency around the terminology.

Definition of harassment

Behaviour that is unwelcome, unsolicited, usually unreciprocated and usually (but not always) repeated. It makes the workplace or association with work unpleasant, humiliating or intimidating for the people or the group targeted by this behaviour. It can make it difficult for effective work to be done (Australian Public Service Commission definition, 1994).

Types of harassment

- Harassment can be verbal, physical or sexual.
- It can have a racial or disability overlay, that is the physically or mentally disabled or those of minority races (compared to the dominant culture) are targeted more than others.

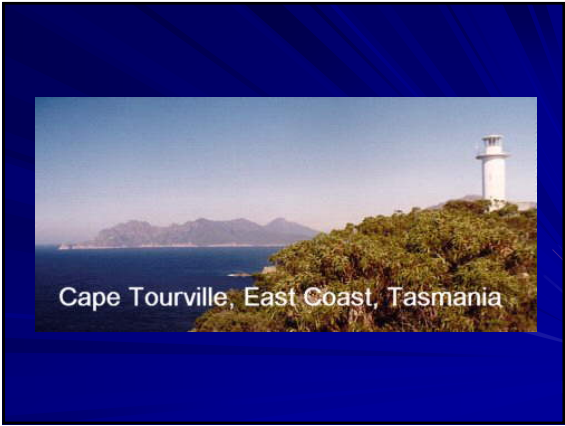


Why don't we hear more about it ?

- Under-reported and frequently surrounded by a culture of silence;
- Victims do not realise they are being bullied or harassed;
- Do not know what to do about it, or
- They believe nothing can be done to improve the situation.

Why don't we hear more about it ?

- Additionally, nurses think they will not be believed or taken seriously;
- They fear retaliation (Birman, 1999) or
- When they have complained, it has not dealt with properly (NATN, 2002);
- Non-reporting also reflects the influence of organisational culture (Mayhew, 2002);
- As in other occupations in Australia and elsewhere , it is difficult to estimate their incidence or severity. Bullying, harassment and horizontal violencewere not acknowledged less than a decade ago



Distinguishing harassment from bullying

- Harassment can be a one off event;
- Bullying tends to be repeated over time, often escalating in intensity;
- Harassment can have a physical component or a sexual connotation;
- Bullying is primarily psychological in nature, at least initially.

Comparisons (continued)

- Harassment, in some instances, particularly when associated with assault, or sexual harassment, can have a criminal element;
- This tends not to be the case with bullying.



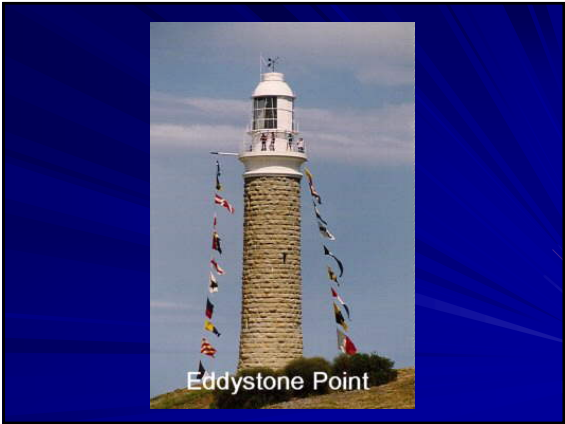
Cape Wickham, King Island,
Tasmania.

Importantly...

- Harassment and bullying are similar concepts, in that both are an abuse of power in the workplace;
- There tends to be a gendered aspect to both bullying and harassment. Women are victims more often than men, however...
- Women are also perpetrators of these unacceptable behaviours;
- Now cyber violence is being reported, with people being harassed and/or bullied via the telephone and email.

Legislation related to harassment

- There are various Acts and Codes of Practice within Australia, such as NSW *Occupational Health & Safety Act (2000)* and the Tasmanian *Workplace Health & Safety Act (1995)*
- The Australian Human Rights and Equal Opportunity Commission *Sexual Harassment Code of Practice. (2001)*



What to look for

Physical symptoms	Psychological symptoms
■ Disturbed sleep	■ Loss of confidence/ self esteem
■ Loss of appetite	■ Acute anxiety
■ Headaches	■ Self doubt
■ Inability to relax	■ Paranoia
	■ Depression

Taking action!

- You can advise them to confront the bully directly and tell them to stop;
- Ask if they have talked to colleagues, to see if they are experiencing the same (but caution needed);
- Make them aware of local policies;
- Suggest they keep a diary (especially if you feel it is not a one of from a normally reasonable colleague)
- Be accepting and non-judgemental



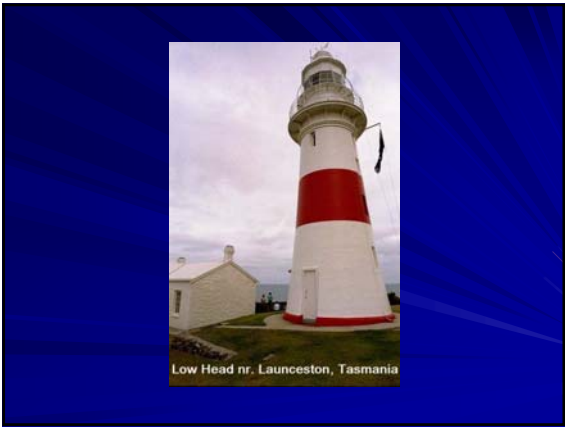
Continued

- Talk to *your* manager/ HR and seek advice
- Keep a record of the meeting
- You may need to intervene and talk to the alleged bully, seek their version of events
- If you are satisfied their behaviour is inappropriate a warning may be necessary, along with clear instructions on the behaviour expected
- More formal education may be required

Taking action - formally

- If a staff member wants to pursue their complaint formally, then you can advise:
- Write a formal grievance letter to you or the relevant manager or
- Make an individual or group complaint to Union such as NSW NA, ANF representative or staff organisation
- Go to human resources dept directly, they will immediately act on sexual/ racial harassment

- Reassure them that the complaint can be made without fear of reprisal, victimisation, further distress or embarrassment
- Alternatively, note they can go outside the Organisation – for example, to Whistle Blowers anonymous or talk to the Ombudsman



- Explain it is a stressful process, choosing to tackle unacceptable behaviours formally
- But note you take their complaint seriously, will investigate it and continue to support them

Duty of care

- Fundamental principle that all employers have to observe
- Bullying and harassment at work can damage employees health and the NSW *O H & S Act (2000)* and Tasmanian *Workplace Health & Safety Act (1995)* note employers are responsible for maintaining a safe workplace; this includes psychologically safe
- Clear defined policies are necessary, as is strong leadership
- We also owe a "duty of care" to our colleagues to work with them collaboratively and cooperatively in a reasonable manner.



Maatsuker Island, Tasmania

Rock and a hard place

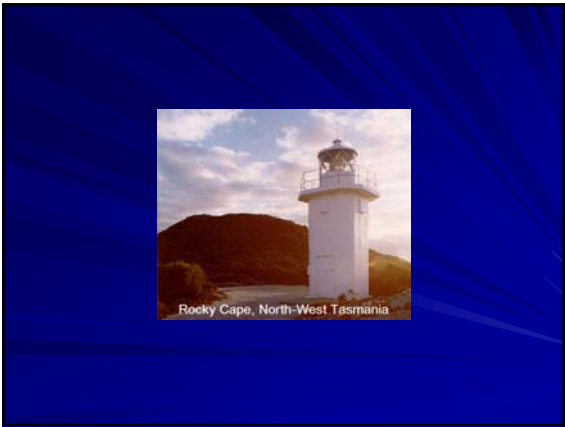
- The dilemma for managers is that they have responsibility for their employees, and yet they may not even be aware that bullying is happening between and/or amongst their staff or..
- They may be aware of what is going on but have insufficient information to act or victims refuse to pursue the issue

- Additionally, they may try to address it via their own manager or HR department only to receive an unsympathetic response
- It is particularly vexatious to deal with bullying adequately, if the perpetrator is in a powerful position , for example, a surgeon
- The need to take a proactive approach and try to *prevent* bullying (e.g. via enforceable policies), as well as take a zero tolerance approach if it is detected, is not easy!!

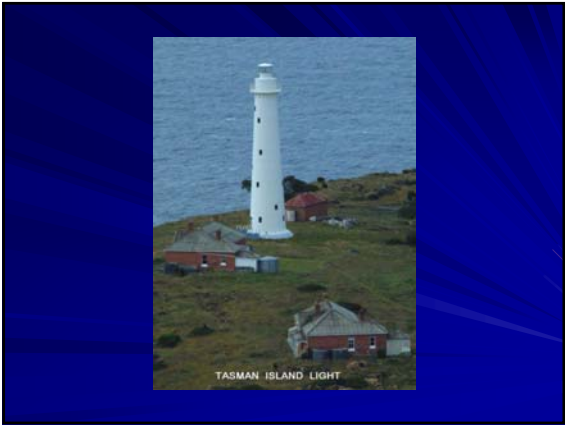


- ### Taking a leadership role..
- Heighten awareness of issues
 - Policies need to be available to all
 - They should contain clear definitions
 - Organisations should adopt a policy of zero tolerance of unacceptable behaviours and foster a supportive work environment
 - Policies need enforcing

- Role model the behaviour you expect of your staff
- Training sessions need to be offered, which spell out acceptable AND unacceptable behaviours
- Act immediately if you have any concerns –in line with staff grievance procedure



- Always act by the rules of natural justice – that is:
- Confidentially
 - Impartially
 - Fairly
 - Sensitively
 - Seriously
 - Fast
 - Without victimisation.



In conclusion



- Bullying and harassment are on the increase
- Nurses are the healthcare organisations prime asset- a healthy organisation has healthy assets but only if they are protected from unsatisfactory behaviours.
- The manager has a clear role but one that is not always possible to enact!

