



# Bullying at Work

Bullying at work is any form of behavior, which is offensive, intimidating, malicious or insulting or is an abuse or misuse of power intended to undermine, humiliate, denigrate or injure individuals or groups. Bullying leads to stress and then to illness and behavioral problems if prolonged. A very high proportion of people subjected to bullying change their job as a result.

A survey ran by University of Wollongong returned the disturbing results of almost 1 in 2 Australians have experience workplace bullying during their lives. Further on these results, of those bullied, 40% of people experienced workplace bullying early in their career and between 5% and 7% had been bullied in the previous six months.

Bullying is often done by a person who has power or influence over another person, but can be done by co-workers or groups of co-workers, managers or employers, clients and customers, students, teachers or friends. Bullying happens in daily life, at work, school or in social situations.

Bullying is discrimination and can occur to a person because of their sex, relationship status, pregnancy, breastfeeding, parental status or family responsibility, age, race, impairment, religious belief or religious activity, political belief or activity, trade union activity, lawful sexual activity as a sex workers, gender identify, sexuality or association with or relation to a person identified on the basis of any of the aforementioned attributes.

## **Bullying can take many forms:**

- Abusing or yelling at a person (usually when others are present)
- Humiliating a person through gestures, sarcasm, criticism and insults, often in front of others.
- Undermining a person's achievements continually.
- Making hurtful remarks or verbal attacks, making fun of a person's work, or the person themselves (e.g. their race or culture, impairment, sex, sexuality)
- Making a person perform meaningless or unreasonable tasks or setting unachievable targets
- Sabotaging a person's work, deliberately withholding or giving incorrect information, hiding documents or equipment, not passing on messages, getting a person into trouble in other ways;
- Making repeated threats to dismiss a person for no good reason.
- Hurting a person physically, pushing, shoving, tripping
- Subjecting a person to initiation ceremonies, making a person do humiliating or inappropriate things to be accepted as part of a group

- Criticizing about petty, irrelevant or insignificant matters
- Excluding or isolating a person from activities or an online group
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- Getting back at a person to punish them for a personal affront
- Spreading gossip, false or malicious rumors about a person with intent to cause harm
- Posting photos or videos using social media to embarrass or hurt a person
- Undermining responsibility

Bullying at work is a health and safety, employment rights and a trade union issue. It causes job insecurity and adverse health effects and often arises out of an imbalance of power in the workplace, which a trade union can address.

## **Health and Safety representatives (HSRs) have a central role in curbing bullying at work by:**

- Raising awareness and providing education
- Supporting members who are being bullied
- Negotiating anti-bullying policies with management
- Organizing union action over bullying

## Education and awareness

HSRs and your Union can provide education on bullying in a number of ways:

- Providing leaflets, feature articles and posters. Many unions now provide these materials for members.
- Organizing meetings to discuss the topic, perhaps with an invited speaker, and to draw up a union policy
- Conducting a survey of the incidence of bullying

Some workers blame themselves for being bullied, developing feelings of guilt and inadequacy about their performance rather than identifying the bully as the cause of the problem. This factor should be taken into account in developing an education program.

Surveys should be strictly confidential and the results should be published. They work best as part of a broader plan of raising the issue with the management.

## Support for workers

Safety representatives can provide invaluable support:

- Providing advice and guidance for people who believe they are being bullied, e.g. suggesting that they keep an 'incident' diary.
- Representing workers in any proceedings.
- Raising the issue with management outlining procedures which may be instrumental in getting it resolved.
- Assisting workers to obtain medical and other professional help.

Surveys show that victims of bullying have better success in getting a satisfactory outcome by allowing union or health and safety representatives to handle the matter for them than by trying to tackle it themselves. Many sufferers are reluctant to complain, for obvious reasons, but the chances of dealing with the problem successfully are better if the union is involved.

## Anti-bullying policies

A policy should be negotiated in consultation with health and safety committees, unions and workers. The policy should include as a minimum:

- A statement of commitment against bullying
- Acknowledgement that it is a problem
- A statement that it will not be tolerated and may be treated as a disciplinary offence
- Examples of unacceptable behavior

- Steps to be taken to prevent bullying
- Responsibilities of supervisors & managers
- Confidentiality of complaints
- Reference to investigative, grievance and disciplinary procedures with timetables for action
- Protection of complainants from victimization
- Provision of counseling
- Training for managers
- How the policy is to be implemented, reviewed and monitored

Representatives can build on this by adding the provision of information to employees, the extent of union involvement in procedures and ensuring that the timetable for procedures reflects the interests of victims rather than bullies.

## Organizing union action

**Union delegates and/or Health and Safety Representatives should:**

- Ensure that instances of bullying are brought to the attention of members, if the victim agrees. Publicity can be a powerful deterrent. In the final analysis, if other methods have failed, members can choose to take action to defend a colleague.
- Inform their fulltime official if there is a likelihood of proceedings or a dispute. A timely intervention from outside the organisation can be effective.
- Ensure that members are properly advised if they need to access union legal or other services and that any internal union procedures are properly carried out.

## The legal situation

The legal definition of bullying (as per the Fair Work Act) is as follows:

A worker is bullied at work if:

- A person or group of people repeatedly act unreasonably towards them or a group of workers
- The behavior creates a risk to health & safety

**The Fair Work Act 2009** - This involves lodging an application for a workplace bullying order.

**The NSW Work, Health and Safety Act (2011)** – Imposes a general duty on employers to protect the health, safety and welfare of their employees. This includes psychological, as well as physical wellbeing.

## Other useful sources of information

**Human Rights & Equal Opportunity Commission**  
1800 021 199

**NSW Anti-Discrimination Board** 1800 670 812

**Unions NSW** 1800 688 919

### For further information and advice contact the Workers Health Centre

*The Workers Health Centre provides a range of quality services in occupational health and safety including:*

➤ Medical Screenings & Health Checks	➤ WHS Training
➤ Hearing Tests	➤ Rehabilitation & Return To Work
➤ Workplace Assessments	➤ Related Services In Psychology, Acupuncture And Massage Therapy

*For further information and advice ring us on 02 9749 7666*



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WHC acknowledges support in the production of these Factsheets, from the Western Sydney Local Health District (WSLHD), a Division of the NSW Ministry of Health.

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