



**HOUSE OF REPRESENTATIVES COMMITTEE**

**INQUIRY INTO WORKPLACE BULLYING**

**AHEIA SUBMISSION**

**28 June 2012**

The Australian Higher Education Industrial Association (AHEIA) is the registered employer association for Australia's Higher Education sector. AHEIA represents 31 of Australia's public universities.

AHEIA is a registered organisation under the *Fair Work (Registered Organisations) Act 2009* and is not affiliated with any other national organisation.

AHEIA is unclear as to the ultimate purpose of the current inquiry, and particular, the relationship (if any) between the current inquiry and the recent call for submissions regarding the Model Work Health and Safety Codes of Practice and the Fair Work Act Review.

However, further to AHEIA's response to the Model Work Health and Safety Codes of Practice, AHEIA makes the following submissions in relation to the Inquiry's terms of reference.

- **The prevalence of workplace bullying in Australia and the experience of victims of workplace bullying**

As noted in AHEIA's submission in response to the Model Work Health and Safety Codes of Practice, it is important to recognise that bullying can occur through different media. It appears that, with the increasing use of email, SMS and social networking, the risk of cyber bullying is becoming (and will continue to become) greater.

- **The role of workplace cultures in preventing and responding to bullying and the capacity for workplace-based policies and procedures to influence the incidence and seriousness of workplace bullying**

All universities have policies and procedures in place designed to prevent and to deal with workplace bullying, supported by training and detailed complaint mechanisms.

These mechanisms are important, but must be supported by early intervention mechanisms, such as school education programs.

- **The adequacy of existing education and support services to prevent and respond to workplace bullying and whether there are further opportunities to raise awareness of workplace bullying such as community forums**

See above.

AHEIA also notes the importance of raising awareness in the community, not only of what behaviors may or do constitute bullying, but also what behaviours do not.

This view is supported by reports in mid-2011 that, while complaints to WorkSafe Victoria of bullying at work had “..more than doubl(ed) to 6000 in the past year...most fell well short of what constitutes workplace bullying under the law.” (*Most workplace bullying claims fall short*, Sydney Morning Herald, July 24, 2011).

As noted in AHEIA's submission in response to the Model Work Health and Safety Codes of Practice: “*The worker may not have received the outcome they sought, but this will not automatically constitute 'bullying'.*”

- **Whether the scope to improve coordination between governments, regulators, health service providers and other stakeholders to address and prevent workplace bullying**

No submission.

- **Whether there are regulatory, administrative or cross-jurisdictional and international legal and policy gaps that should be addressed in the interests of enhancing protection against and providing an early response to workplace bullying, including through appropriate complaint mechanisms**

No submission.

- **Whether the existing regulatory frameworks provide a sufficient deterrent against workplace bullying**

No submission.

- **The most appropriate ways of ensuring bullying culture or behaviours are not transferred from one workplace to another**

No submission.

- **Possible improvements to the national evidence base on workplace bullying**

No submission.