

**Submission Number: 234.1**

**Date Received: 10/9/2012**

FE.

Standing Committee of  
Education & Employment  
House of Representatives  
PO Box 6021  
Parliament House  
Canberra ACT 2600

A 2<sup>nd</sup> Personal Submission to the Inquiry into Workplace bullying

Thank you for the opportunity to make this further submission.  
I further submit, with more experience, that

*\*mediation can be a very helpful process.*

## mediation

2 days after making my previous submission to this inquiry. I receive a letter in my pigeon hole, at work, from the NB. It inquires as to whether I still want to participate in mediation. I reply with a yes.

The NB arranges the mediation at a venue away from work. The NB gives me the name of the mediator (M) and explains that on Friday I will meet with M for an hour at 11, the NB will meet with M at 12 and we will all get together at 1 o'clock to complete the process.

M

M is a forensic psychologist who specialises in mediation and work cover cases. M also gives professional development sessions to leaders in our organisation, as part of wellbeing and resilience workshops on the topic of dealing with difficult and toxic individuals. A 'power point presentation' used for one such session details examples of difficult individuals: Unsackable Andrea, Helen from Hell, Zack the Zealot and Ernie the Entitled. I wonder if one is a bit like me? The only mention of 'mediation' in the 'power point presentation' is that Ernie demands it, I guess I'm Ernie.

Slides giving sound advice, include the dot points: 'Growing the mongrel in you'; and 'Bullying: isolation and subtle intimidation.' I feel some disquiet but have waited months for mediation with the NB.

What follows are some of my recollections of the

## mediation

### My 1 hour meeting with M

I meet with M who briefly describes what's to happen. I already have a pamphlet from the earlier mediator: no anger, be ready to listen, confidentiality is important, and so on. M explains that individual mediators have different styles and preferences. M for example does not like working on mediation where 'support people' are present.

M asks me a number of questions about my upbringing, family life, and health and work history explaining that this will assist M to mediate. M says the process will be the same with the NB, with whom there has been no prior communication regarding the details of this mediation.

M asks why I have sought the mediation. M asks what I want to achieve from the mediation. I state that: I want to see my personnel file, to ensure that all the paper work is correct; that I would like to return to a couple of duties that I had carried out in 2011, that I enjoy and think important; and that I would like to return to work without fear of further bullying. M agrees with the 1st couple of requests but counsels that as the NB was exonerated of my complaint of 'bullying' by the NB's boss, the last request is unreasonable.

The NB meets with M, as I go for some lunch.

### M, the NB and I meet

When I return, the discussion is very helpful.

The NB agrees to let me see my file soon, and is happy for me to return to the 1st duty; and will consider my return to the 2nd. On discussion of the 2nd duty, which involves the logistics of our work place; M asks me to consider whether it is really my business to worry about duties from which I have been relieved; whether I have considered the health implications of the additional stress.

I am able to tell the NB that I and 4 other colleagues who have received 'letters detailing various behaviours the NB disapproves of' on their files, found such letters a 'real gut punch'.

The NB, in turn, is able to report considerable dismay on receiving my formal complaint of bullying. The NB was particularly concerned that I had cc'ed the complaint to number of other parties (another of the NB's bosses, the regional union rep, one of the heads of my union, my family doctor & a workplace counsellor).

I was not aware that the NB would be given an actual copy of my complaint, as part of the investigation process. M explains that this is due process; the NB to answer my allegations has a right to know what they are.

I am surprised, but very pleased the NB got to read it. I should have included the NB on the cc list too.

There is wide ranging discussion. I state that I remain available to be support person to any member of staff who is called to account by the NB. M asks me, as I am no longer the local union rep, if it is really my business to continue to support other staff members in such a fashion? Whether it is a healthy behaviour for me to engage? I answer that I have always assisted my work mates.

The NB would like me to be happier at work. My silence at staff meetings is deafening and is not good for morale. I agree to brighten up.

The NB explains concern that I had put too much into the organisational OH&S database giving details that should have only go onto our local database that, in addition to OH&S matters, details client behaviour. I explain that I had 'cut and paste' from the one database to the other, that I try to keep data consistent.

The NB & I have a final 5 minute session with M, separately

M asks me if I would like a follow up session. No, I think I'm good. I explain my misgivings about the concept of 'confidentiality'. I like all cards on the table and all parties fully informed. M who often works in the courts assures me of the importance of 'confidentiality' and poses a question. "Would I like it, if M were to circulate the medical information I divulged to M as part of the consultation process? I say 'no problem.' M poses another hypothetical, "If M was my Doctor and I had a venereal disease, would I be happy if M were to tell my wife?" I say that if that were the case I'd be much obliged, but I can see what M is getting at.

We go our different ways. I will be happier arriving at work on Monday.

All the best, again, I know your Inquiry will make a positive difference. It has for me.

Yours Sincerely

9/9/2012

