

**Sent:** Monday, 16 July 2012 6:33 PM  
**To:** Committee, Reps (REPS); Committee, EEWorkplaceBullying (REPS)

**Attachments:** Allegations.docx; Bullying Harassment & Violence (Part 1) 11.12.2011.docx; Bullying Harassment & Violence (Part 2) 22.12.2011.docx; Bullying Harassment & Violence (Part 4).docx

Correct file attachments should be as follows:

1. Allegations
2. Bullying Harassment & Violence (Part 1) 11.12.2011
3. Bullying Harassment & Violence (Part 2) 22.12.2011 - *please substitute Part 2 for Part 3 (and vice versa) in the original text*
4. Bullying Harassment & Violence (Part 4).

With apologies

Kind regards

*My name is \_\_\_\_\_ and my position is Taxation and Insurance Accountant at the University of \_\_\_\_\_ . Because of the lack of time to make this submission, my responses are brief but I have attached some reports that I have written and submitted to other bodies. Although the four reports attached are supported by numerous other attachments, these other attachments have not been included, but are available if requested. I have worked at the University for over nine years and the associated problems of bullying, harassment and cronyism are rife and deep seated. Although we are fortunate to have a new Vice Chancellor, appointed earlier this year, who has stated that she will not tolerate bullying and harassment, to date this has not provided any relief to many of us as the same senior management personnel are still in power.*

*In mid 2011 another employee of the University became a whistleblower to expose some serious malpractice, and although two investigators were eventually appointed to investigate and report back to the \_\_\_\_\_ , this employee was bullied and harassed, setup on trumped up charges etc. As a result I prepared four reports entitled "Bullying Harassment and Violence" parts one, two, three and four which I submitted to the two investigators. I have attached the first, third and fourth of these reports (report two has not been included as it consisted only of an attachment, being a letter of apology from WorkCover \_\_\_\_\_ to a former employee mentioned in part 1).*

*Because I have attempted to speak out against this culture and also provided witness statements for two other employees (mentioned in the above reports) I have undergone severe bullying and harassment personally. The new Vice Chancellor recently gave me the opportunity to lodge a formal **Allegation** of Bullying and Harassment against four managers in my Finance department, but because of the involvement of the Human Resources division in this deceptive and toxic behaviour, nothing has changed for me and I*

continue to be micromanaged and bullied and harassed and prevented from carrying my professional duties.

Terms of Reference:-

- 1. The prevalence of workplace bullying in Australia and the experience of victims of workplace bullying:** *Since being employed in the tertiary education sector in the last nine years I have experienced numerous forms of workplace bullying and harassment (please see **Allegations** document attached, being my formal allegations made against four managers in my department, and which details the many and various forms of both bullying and harassment that I have been subjected to). This forty page document was lodged with the University in June 2012. The Chief Operating Officer of the University had encouraged me to lodge a written complaint concerning information being withheld in order to have the problem addressed (see paragraph 47 and onwards). Since then the bullying and harassment has escalated dramatically, seriously affecting my health. Since that time I have required regular medical treatment for stress, including sleep disorder and acute gastritis. One of the doctors in the medical clinic which I attend questioned me for 1.5 hours about the situation before finally prescribing sleeping tablets for me. This doctor then told me that over the last eight years she has treated on average at least one patient a year with serious health problems which were connected with the University and the Human Resources (HR) department. If that is the experience of just one doctor treating University staff, then what is the true extent of the problem in this one organisation with other doctors across this region?*
- 2. 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:** *Over the last five years I have attempted to address the problem of bullying and harassment at the University through the normal official channels such as facilitated meetings with HR staff, working on the Enterprise Bargaining Committee as staff delegate, then later the Staff Consultative Committee, but these measure have been fruitless as the senior management of the University, and especially the Human Resources department, have denied that there is any problem with the culture of the University. Culture is set at the top of an organisation and then filters down. If senior management will not recognise the problem, and especially if senior management are able to harness the toxic culture to their own purposes, then there can be no change for the better. The University has wonderful sounding policies and procedures on anti-discrimination and harassment, but these policies are only ever cited and not implemented to protect non-managerial staff.*
- 3. 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:** *Current education and support services are totally inadequate. Until bullying and harassment are comprehensively defined, there can be no solution. In my **Allegations** document I have quoted from a Canadian study, undertaken in the tertiary sector, "**Workplace Bullying in Academia: A Canadian Study**" 18th March 2008 by Ruth McKay, Diane Huberman Arnold, Jae Fratzi, Roland Thomas. This study not only comprehensively defines bullying and harassment but also identifies what they call an "Institutionalised element", that is where ethical values are stated but not acted upon, while non-ethical values are operational but unstated.*
- 4. Whether the scope to improve coordination between governments, regulators, health service providers and other stakeholders to address and prevent workplace bullying:** *Refer **Bullying Harassment & Violence (Part 1)** where an employee applied for workers compensation for stress induced work-related injury, but although WorkCover acknowledged the injury was work-related, the claim was disallowed. However the former employee was able to provide evidence that false and misleading information was supplied to defeat his claim, and WorkCover wrote to apologise for not properly investigating the claim and to acknowledge that the employee had provided proof of the false and misleading information. Unfortunately WorkCover has advised the employee that they are not able to review their own decisions, so if he wants justice he will have to fight it out with solicitors in various tribunals.*

5. **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:** *The gaps are currently huge. Take for example the Whistleblowers situation, the minute they open their mouths they are bullied and harassed and discredited and where possible sacked. The University had a whistleblower report certain "mal-practices", and within a matter of weeks, there was a trumped up charge levelled against her, an internal MisConduct Investigation undertaken, and then after months of trauma for her, she was sacked anyway and had to pay huge legal fees to fight the University in the courts for unfair dismissal. Refer to **Bullying Harassment & Violence (Part 3)**.*
6. **Whether the existing regulatory frameworks provide a sufficient deterrent against workplace bullying:** *No, there is no deterrent under the existing framework as the definitions are not sufficiently comprehensive for an employee to defend themselves. Please see definitions provided in my **Allegations** document and also **Bullying Harassment & Violence (Part 4)**.*
7. **The most appropriate ways of ensuring bullying culture or behaviours are not transferred from one workplace to another:** *There needs to be more open discussion, more unity in definitions across jurisdictions and states; there needs to be some form of name and shame as well as more teeth in legislation to prosecute intentional and serial offenders.*
8. **Possible improvement to the national evidence base on workplace bullying:** *Organisation need to document all types of incivility and bullying and harassment in order to benchmark the true situation across various industries.*

I apologies that this is so brief and a little cryptic, but because of lack of time to prepare and edit, I am submitting this document as is.

Kind regards