

Impact Statement Session 8/8/2012 to the House of Representatives enquiry into bullying

With less than two days' notice, I was misled as to the nature of a meeting, at which I received an agenda and the Performance Management policy. I was convicted and sentenced at the conclusion without every knowing the evidence used to justify this (so called) First Performance Management meeting (PIP). Can you imagine my shock and frustration I felt about the way my unprepared responses were flippantly dismissed.

Simultaneously a series of workplace practices evolved that isolated me in the workplace, by changing my duties without my knowledge resulting in more accusations and isolation. I was continually accused (unsuccessfully) of not being able to perform my work and harassed every day. This PIP was replaced due to some procedural errors – never explained.

One of the managers initiating the 2nd PIP harassed me about my work from his first day 23/2/2011, and through the 2nd PIP process he threatened, bullied, and intimidated me. He accused me of being “dishonest” and threatened me with misconduct for disobeying a direct order from a superior officer, when I again declined to respond in writing to hearsay allegations at a PIP meeting.

It was his vexatious / mendacious file notes I discovered in January 2012 on the unofficial file with 179 documents dating back to 2008. The Unofficial file compiled by the department has been used to vilify me and to justify allegations that I am vexatious and possibly paranoid. I now have proof I have been discriminated against since 2008.

Throughout this entire process I have never been provided any substance to the allegations and management has continually REFUSED to do so. Despite the rhetoric I have never had the opportunity to response to any allegations against me.

Finally, I lodged a grievance with 152 examples of bullying and have been threatened with misconduct for protesting about my employer not going to following policy regarding its review - email 23/8/2011.

I have been threatened with misconduct for pursuing my OHS concerns raised in the grievance - email 21/12/11.

I have been threatened with misconduct by the General Director if I don't cease my request for information on the accusations against me or lodge any more letters requesting explanations. The DG is proven now be colluding with the bullies in his department by his intimidating and threatening letter which included more baseless and hearsay allegations in its content.

On a daily basis I was physically ill on numerous occasions on my way to work in dreaded anticipation of my work being criticised. I have had chest pains for many months, often combined with heavy sweating - even in an air conditioned office. My stress levels over the threatening abuse, bullying, harassment, etc have resulted in my

blood pressure reaching 200/120. My doctor advised that if this continues I could have a stroke / heart attack or both with a possibility of dying. I am now on medication for the rest of my life. I had no pre-existing medical condition prior to the bullying.

I am perpetually fearful, don't sleep well and don't generally talk to anyone at work due to this continuing fear that another accusation will be made against me for a perceived indiscretion. Once I was gregarious and happy, now I am very solitary and isolated.

I lodged a workers compensation claim which was declined 10 months later, due to a psychiatrist's report saying I had a "pre-existing Personality Disorder not otherwise determined." The legacy of this I believe will significantly impact on my search for another job.

I am now 55 years of age with no prospects in my current workplace, with the stigmatism that will follow me forever associated with my declined workers compensation claim and vexatious accusations that have been spread to at least one other government department. As I get older, the extent of the physical, social and economic damage I have suffered is still to be determined, though I am sure it will not be beneficial.

I have lost friends, had arguments with my family, given up many social activities I once enjoyed, given up my pastime of reading history, lost my career and my health has suffered.

It is extremely difficult to convey the sense of deep personal hurt I have suffered in my attempts to restore my name and integrity. The venom of the attacks I have had to suffer and the subjective, bias and intimidating attitude of management leaves me with anxiety as to what next will my employer do to harm me further. I have devoted an extremely large amount of effort following policy and procedure, all in my own time, trying to obtain justice. My employers' arrogance and hypocrisy supports my intuition that the system is designed to utterly destroy me or ensure I leave as soon and cheaply as possible. History of my case shows the process in seeking justice is designed to never bring my accusers and perpetrators of bullying against me to any forum for accountability or suffer any consequence of their actions.

I have attached a chronology of some of my attempts to obtain justice from late 2011. I have several thousand documents to support my complaints.

5/11/2011 Complaint to Worksafe with 152 examples of being bullied and supporting evidence.

12/11/2011 Grievance lodged with the PSC

16/11/2011 Phone call of over 30 minutes from Worksafe. Conclusion was that I had received a response (about my grievance – not my OHS issues) from the Department – even though unsatisfactory – Worksafe won't investigate.

17/11/2011 Complaint to Ombudsman about 2 PIP's and bullying.

23/1/2012. Obtained a copy of my unofficial file with 179 documents of vexatious, mendacious, incomplete or misleading file notes and emails from 2008.

11/3/2012 Complaint to Information Minister about my unofficial file.

11/3/2012 Letter to PSC asking for review of the decision not to investigate my grievance of the 13/7/2011.

11/3/2012 Letter to my employer asking for explanation of unofficial file.

22/3/2012 Received acceptance of my complaint about the contents of the 179 documents on my unofficial file from Information Minister.

2/4/2012 My employer provided "adequate" response to Executive Director's justification of my Unofficial File – Inadequate explanation by DCP - explanation requested again 5/5/2012

11/4/2012 11.21AM. Received PSC email offering me 2nd opportunity to discuss my concerns as a response to my letter of the 11/3/2012.

23/4/2012 Meeting with PSC to discuss my letter of the 11/3/2012.

30/4/2012 Called State Records Office about unofficial file – advised to write again to employer asking for an explanation for the unofficial file.

3/5/2012 Sent email to PSC pointing out my employer and PSC have not investigated my Grievance of the 13/7/2011 but more likely my complaint of the 4/2/2011 as a response to the meeting minutes of the 23/4/2012. (Evidence obtained through FOI my grievance not investigated and my evidence missing. Also reference to over twenty documents found on my unofficial file – all secondary sources and none provided to me for a response.

5/5/2012 Second letter to my employer requesting an explanation from unofficial file. – Refused by no response.

22/5/2012. I sent email to PSC asking for likelihood of a response to meeting of the 23/4/2012.

22/5/2012 Email to PSC attaching my original Grievance to point out the failure of it being investigated. (Not actioned as letter received 28/5/2012 declining my application)

22/5/2012 Ombudsman declining to investigate my complaint due to it having jurisdiction with the PSC.

28/5/2012 PSC second response declining investigation as it does not investigate Performance Management issues– but making three general recommendations. Note: Ombudsman WA declined to investigate and defers to PSC jurisdiction. PSC declines as not able to investigate Performance Management issues and advises it's an Industrial Relations matter, but as a State Public Service employee I am apparently unable to go to IR as excluded under IR Act 1979 Section 80E (7) - so no organisation is now investigation or willing / able to investigate my complaint.

30/5/2012 Enquiry to Crime and Corruption Commission (CCC) on how to expose misconduct in 6 managers.

9/6/2012 I lodged a complaint about my unofficial file with CCC, PSC, Ombudsman, Worksafe, CPSU and State Records Commission.

11/6/2012 Response from CCC to my letter asking for advise on how to expose misconduct in 6 managers and my 135 unanswered / un-investigated OHS complaints. CCC referred me back to my employer / Worksafe to resolve my issues.

12/6/2012 Stephanie from PSC called to discuss my letter of the 9/6/2012 and repeated the option of Industrial Relations. See section 80 of the IR Act.

13/6/2012 State Records Commission corrected Executive Director of the Department by stating my file is a "Corporate Record" and will look into the Record Keeping Plan (RKP) of the department. Pending

18/6/2012 Ordered to meeting with _____ and _____ and received warning letter from DG.

18/6/2012 Handed my letter to MC and DB for the DG at meeting 18/6/2012.– attached unanswered OHS and harassment by MD including complaint about my brother (deceased)

20/6/2012 Receive a reminder Warning letter from _____ .

24/6/2012 My response to PSC.

1/7/2012 Reminder to Information Commissioner.

5/7/2012 Letter from (CCC) referring to DCP's excuse that my grievance has been investigated and no misconduct found. My letter was about the unofficial file not my

grievance. I did not know of my unofficial file until 6 months after I lodge my grievance of the 13/7/2011. See letter to PSC 24/6/2012 – CCC didn't discuss it with me. I will response as soon as possible.

6/7/2012 Email received from Worksafe acknowledging many concerns.

7/7/2012 12.35AM My Worksafe response 1
8/7/2012 5.57PM. My Worksafe response 2

11/7/2012 Meeting with Manager about my future career. Pointed out I have not had Reaching Forward for 1 ½ years – he advised as AOP's don't have Reaching Forward any more – Contradicted by Director in email of the 24/7/2012

26/7/2012 – Called Worksafe. advised difficult to investigate with only one person's complaint. acknowledge that MH had contacted] (this makes 2 people) VL lodged 10 testimonials this make 12 people.] advised will do some enquiries.

30/7/2012 Meeting with Director and Finance Manager so they can help me get another job - No positive support and generalisations / criticism from Director – none of my Items on my agenda answered.

2/8/2012 Discovered through FOI evidence about training course allegations from the 28/4/2011 based on hearsay email from third party HR Consultant - only. No statements or evidence found. This allegation was a central theme of the second PIP.

3/8/2012 Letter from Information Minister advising my complaint still not assigned for investigation after 5 months.

Historical Background:

With the release of the report into Accounts Payable in 2007 making many recommendations and pointing out remedial action for the work load and associated stress, and the introduction in June 2008 of two policies, called "Reaching Forward" (In-house training needs) and "Pathway" (long term career path training) I attempted to get management to implement in-house training for the level 1's (so they could perform their duties more accurately, as the burden of work was primarily falling on the level 2 staff, which included me.) Previously there was a career path policy but it was never implemented.

This was the opportunity (I thought) where I could finally have the opportunity to get staff training and a career – but alas it was a sham and very little resulted from the occasional meetings. Staff worked during lunch hours, no support from management, long delays in employing new staff (all on 1 month contract), and an increasing workload was the situation from when I first started in 2004. Combined with a supervisor being promoted (in April 2010) who had no supervisory skills, was extremely resistant to support staff, and repeatedly was very abrupt and rude to junior staff.

At this time AP were advised that our positions would “go” with the transition to Shared Services in 2009 and the section was going to be disbanded. So there was no real interest by Management to invest in the remaining permanent staff future careers (contractors where not going to have their contracts renewed) – we were all going to have to get another job.

Another factor affecting our heavy workload from June 2010 was the premature implementation of a new computer program that went live too soon (10/3/2010) and was simultaneously in construction. Management’s only response (work was now 5 months in arrears) was to remove flexitime, then 6 weeks later allowing only one day per month. In breach of the General Agreement 2008 and staff needs for coping with the stress at work. This was when I was labelled “difficult” for asking for the changes to be in writing. I lost my acting on the grounds I “don’t talk to people nicely”, and was placed on performance management (PIP) 16/12/2010 (initiated by the Director Finance), who used my supervisor’s naivety (who was hostile to me) to implement the PIP –and supported by PPB (the Manager who had taken offense at my requesting the changes to flexitime to be provided in writing – which still has not been provided).