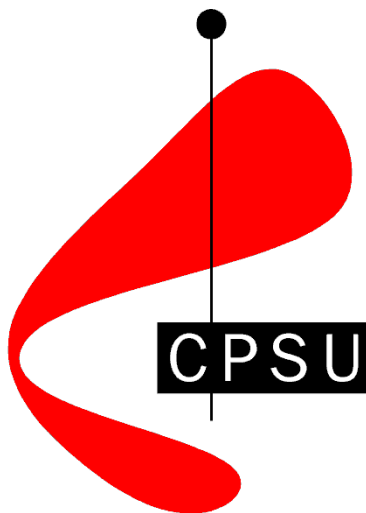


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CPSU Submission to:

**House of Representatives Inquiry into
Workplace Bullying**

July 2012

Introduction

The PSU Group of the Community and Public Sector Union (CPSU) is an active and progressive union with approximately 60,000 members. The CPSU represents employees of the Australian Public Service (APS), the ACT Public Service, the Northern Territory Public Service, CSIRO, ABC, Telstra, the telecommunications sector, call centres, employment services and broadcasting.

The CPSU recognises that bullying can be a serious problem in some workplaces and is pleased that the Government, through this inquiry, is committed to better understanding the problem and developing effective measures to prevent workplace bullying.

The CPSU submission is not intended to be comprehensive. This submission concentrates on the industries in which we operate and the factors relevant to bullying issues when they arise in the workplace. The CPSU notes that the ACTU submission is making a comprehensive submission on behalf of affiliates.

In our experience, the most effective way to combat workplace bullying is through preventative action. This includes creating working environments that are not conducive to bullying behaviour and where employees feel comfortable and supported.

Bullying as an issue

Bullying is an issue in a number of workplaces where CPSU members work.

In the APS, the Australian Public Service Commission has reported on this issue through the State of the Service Report. That Report found that 18% of APS employees reported having been subject to harassment or bullying in the workplace in 2010-11.¹

In the majority of these cases, the bullying was not reported. Common reasons cited for not reporting the bullying include:²

- believing no action would be taken (5% of all APS employees);
- fear that it could affect their career (4%); and
- not wanting to upset relationships in the workplace (4%).

In 2010-2011, where the alleged bullying was reported 114 people were investigated for harassment and bullying allegations and 46 were found to have breached the APS Code of Conduct³.

The statistics in the State of the Service Report suggest that bullying has a greater impact on certain groups of employees. Female employees (20%) were significantly more likely to say that they had experienced harassment or bullying than male employees (15%), as were Indigenous employees (23%) compared to non-Indigenous employees (18%) and employees with disability (33%) compared to other employees (17%).

¹ Australian Public Service Commission, State of the Service report 2010-11, p 74

² Ibid p 75

³ Ibid p 71

The Australian Public Service Commission also investigated the relationship between employee experiences of harassment or bullying and employee engagement. The Report found that employees who were subjected to harassment or bullying were significantly more likely to have lower engagement levels⁴. This finding suggests that harassment or bullying is not simply an issue between individuals, but has a flow-on effect to employee morale and the overall performance and capacity of the APS.

Bullying can also be costly to employers. The Safety Rehabilitation and Compensation Commission reports that 'mental stress' was the cause of 12% of workers compensation claims by employees of the Commonwealth and ACT governments 2010-11. 43% of these claims were due to work related harassment and bullying (a total of 181 claims).⁵ The statistics suggest it is a growing problem, with the number of mental stress claims increasing by 20% since 2008-09.⁶

Mental stress claims are more costly than other types of claims. In 2010-11 mental stress claims, which include but are not limited to bullying claims, were responsible for 32% of total claim costs with an average cost of \$200,691 per claim, compared to an overall average of \$77,515.⁷

In the 2011 Northern Territory Public Service (NTPS) staff survey, 26% of employees stated that they had been bullied or harassed in the previous 12 months. Of those 87% said they had reported it and only 27% of those who said they had reported it were satisfied by the way the matter was dealt by their employer.⁸

For employees who reported experiencing bullying and/or harassment, the most common source of bullying or harassment behaviour was from managers/supervisors, closely followed by other colleagues. About 3 per cent of employees reported that their experience of bullying and harassment came from an external source (i.e. clients).⁹

The Australian Capital Territory Public Service (ACTPS) does not report bullying in the same way. While the APS and NTPS ask employees in an annual staff survey if they have been bullied, the ACTPS only reports on formal complaints. In 2009 there were 29 reports of bullying in the ACTPS. Of those 20 were investigated and 4 substantiated.

Similar public data are not available for the private sector enterprises in which CPSU members work.

Workload Pressure

Through our Member Service Centre the CPSU provides specialist support to members dealing with a range of individual grievances, including bullying matters. In many of these matters, there is a link

⁴ Ibid, p 75

⁵ Safety Rehabilitation and Compensation Commission, *Compendium of OHS and Workers' Compensation Statistics, December 2011*, p 20

⁶ Ibid, p 23

⁷ Ibid p 20

⁸ Office of the NT Commissioner for Public Employment, *Northern Territory Public Sector Employee Survey Report 2011*, pp 49-50

⁹ Ibid p 52

between workload pressure and instances of workplace bullying. Pressure from high workloads can breed stress which may be borne out in the form of bullying behaviour.

Bullying is raised as an issue more often in workplaces where there are high workloads, strict controls on time and narrow performance targets, as exists in service-delivery agencies and call centres. Such work environments can place undue emphasis on individual performance targets at the expense of collaboration and workplace cohesion.

Workload pressure can also contribute to situations of bullying in other sorts of work areas, such as those dealing with policy advice to government. In these workplaces pressure arising from budget cuts, increasing workloads, increased hours (often in the form of unpaid overtime) and reduction in training opportunities can lead to difficult working relationships and a rise in bullying-type behaviour. The pressure on managers to deliver outcomes in these circumstances leads to stressful situations for all in the workplace.

Productive Workplace Culture

The most effective way bullying behaviour can be prevented is through productive workplace culture. Building productive workplace relations and a workplace culture that does not tolerate bullying are essential elements to preventing and effectively managing workplace bullying before it escalates. A workplace culture where all staff are valued and their contributions encouraged is therefore important.

In addition to creating an atmosphere not conducive to bullying conduct, workplace culture and leadership attitudes that support staff to report poor behaviour they experience or they witness is also important.

A key part of creating a positive work environment is ensuring workplace issues are dealt with appropriately and workplace representatives have adequate rights to support and represent other workers. The role of Health and Safety Representatives (HSRs) and Committees are critical in achieving these aims.

Training

To ensure harmonious workplace culture, managers should be trained about how to build productive workplace relations and workplace culture, and how to respond to complaints of bullying when they arise.

Staff should also be provided with information and training about productive workplace relations, recognising risks that can give rise to bullying behaviour and dealing with instances of bullying in the workplace

In general, the APS provides general training on APS Values which includes creating a workplace that is free from discrimination and is fair, flexible and safe. However, employees generally only undertake bullying specific training after a complaint has been made about that employee.

Therefore the focus of this training is more on correcting bullying behaviour that has been identified rather than preventing the behaviour arising in the first place.

While the provision of remedial training is valuable, training on identification and prevention of bullying should also be provided on a regular and consistent basis as a preventative measure from an occupational health and safety perspective.

Controlling Known Risks

It is important that workplaces have bullying and harassment policies. It is however equally important that these should be implemented and used. Bullying and harassment should be managed by management and HSR Committees like other occupational health and safety issues, by identifying psychosocial risks and working to control known risks.

It is essential that union delegates are involved in joint processes to review and implement strategies to prevent bullying and harassment in the workplace. Staff will be more willing to trust a wellbeing strategy when their representatives are involved in both its formulation and implementation. A recent positive example of this occurring was at CSIRO, where CPSU (CSIRO Staff Association) delegates were involved in developing the Psychological Health and Wellbeing strategy.