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**PART A**

**MY PERSONAL EXPERIENCE OF WORKPLACE BULLYING WITHIN A  
NOT-FOR-PROFIT COMMUNITY SERVICES ORGANISATION**

As a university graduate in psychology, I became a victim of workplace bullying after commencing work as a Community Mental Health Worker in a Not-For-Profit Community Services organisation based in Perth. This organisation is funded by state and federal government departments (Health Department and FaHCSIA) to provide mental health services to vulnerable people in the community affected by mental illness.

Whilst working in this organisation, I have experienced many forms of bullying both overt and covert, which included racial discrimination, victimisation and theft of private property.

In my first week of work, I was criticised by my manager about my dress and appearance whereby she stated, *"You look too much like a Government worker", "someone who works for DCP (Department for Child Protection" and that "Clients will feel intimidated by you".* Despite the fact that I adhered to the organisation's dress code, by wearing modest attire I was asked to "dress down" for the job *"similar to the way our clients would dress".*

Considering that the clients I worked with were of **diverse cultural** and **socio-economic** backgrounds, it was difficult to ascertain what was the **"typical"** standard of client dress, the manager was referring to.

I have never had an issue with my style of dress and appearance in the past. On the contrary, I have often been complimented by my previous employers and work colleagues on my appearance and choice of clothing which was always very neat and professional. Furthermore, clients did not complain or appear to be intimidated by my appearance in any way. I informed my manager that I believe my modest dress and attention to my personal grooming was **not detrimental to clients in any way and had no bearing on my ability to work as Mental Health Worker.** In fact, I believed that I was setting a good example for some clients who appeared neglectful of their personal hygiene and appearance.

Nevertheless, as per my manager's instructions, I "dressed down" and began wearing tracksuits and runners to work and clothing that I would normally wear when I am at home which did not feel right to wear at work. Once my attire became acceptable to my manager, I was then **criticized repeatedly** over a period of months about my appearance by my co-workers who labelled me as looking like a **"Barbie doll"** and a **"Circus"**. I was then told that

my choice of clothing was “Wrong”. On one occasion I was called a “Dog” and **on two occasions I was publicly labelled as having an eating disorder, i.e. anorexia.**

When I first complained about the name-calling to my manager (social worker), I was told that I may have “overreacted”. She then made an attempt at psychoanalysis by making references to my “shadows” (a Jungian psychoanalytic term in reference to “shadows of personality”) to justify my co-worker’s bullying behaviour toward me which she attributed to my so-called apparent lack of awareness of how I come across to “others” and the actions I allegedly incite in others through my unconscious behaviours. I found this extremely distressing as my manager basically blamed me for being bullied because of my own behaviour which was supposedly outside of my conscious awareness. This was completely false as I had not provoked or triggered bullying behaviour by anyone and if this were true, then I would have been bullied in every other workplace I have ever worked which was not the case. **Rather than validating my experiences of bullying and appropriately intervening in the situation, I was expected to take full responsibility for my co-worker’s bullying behaviour.** Not only was my manager’s assessment wrong (as a *social worker*, she is not qualified at psychoanalysis which requires many years of training), it was also inappropriate, unfair, and used simply as a “cop-out” to avoid taking any responsibility for addressing the bullying behaviours of my co-workers which was a significant source of stress resulting in my early exhaustion of sick leave and ongoing work absences. Whenever I disagreed with my manager’s conclusions regarding the bullying incidents, I was accused of being unwilling to accept “constructive criticism”. Ultimately my complaints of bullying were ignored by my manager and I felt very disempowered and disturbed by the response and careless attitude she demonstrated, basically leaving me to fend for myself.

I took the matter further up the line and complained to a senior manager (registered psychologist and a former nun) who made several attempts at rationalising the bully’s behaviour toward me and in response to my complaint stated my co-worker “**Wouldn’t have disrespected you if you respected yourself**”. I was then told that I would need to change *my own behaviour* toward the bullying co-worker in order to change theirs. **In other words, I was expected to take responsibility for stopping the bullying behaviour without any support or assistance from my employer. At no stage was any advice, training or support given to me on how to protect myself or manage the bullying behaviours of my co-workers.** I was devastated by the response I received from the senior manager who I had hoped would help stop the bullying but instead failed to offer any support. I walked away from the meeting feeling extremely distressed, helpless and isolated.

Since this meeting, I have requested my manager’s permission to attend an **assertiveness** course which she refused as she stated that there would be insufficient numbers of staff in the office (even though my job was to provide outreach community support services) and

that my co-worker (**bully**) has been given priority since she has worked in the organisation longer than myself. The manager then **enrolled herself** and the **bully** in the assertiveness course which they attended together.

The bullying continued and I made no further complaints to the manager about the incidents that followed due to her indifference and previous attempts at rationalising bullying behaviour. As I was expected to address the problem directly with the bully, I feared that I would be viewed as a failure and a weakling who is unable to “fight their own battles” and that this might reflect poorly on me as an employee.

Further examples of bullying I experienced was continual unsolicited and unjustified feedback about my work style and approach by bullying co-workers (**social workers**) including repeated negative judgemental and stereotypical comments about other professionals in my field of work, i.e. psychologists as well as psychiatrists. Spreading of negative gossip and rumours about me among the team which I was alerted to by a resigning co-worker, and aggressive and dramatic responses (i.e. tantrums) whenever I confronted a bullying co-worker regarding their behaviour, i.e. **yelling** at the top of their voice, **storming out** of the office and **slamming** doors behind them giving the impression to onlookers as though I had offended *them*, which was in fact the opposite. This was the same person who planned a social group activity for clients which involved watching a movie that was clearly labelled as having “**Violence and Torture Themes**”. I was strongly opposed to the idea of allowing my mentally ill clients, some of which had traumatic backgrounds to further expose them to trauma by watching such a film. I expressed my concerns about this during a team meeting and despite being verbally attacked by my co-worker in front of the team, I did have the support of the Acting Manager at the time, including a majority of the team who agreed that this choice of movie was inappropriate for clients of this service. The bullying co-workers personal friends however, supported and continued to support the movie selection. The issue was resolved when the Acting Manager directed the co-worker to select a different movie by compiling a list of movies of various genres which everybody in the team voted on.

Eventually bullying escalated to the point where comments of a racist nature were made in response to a photograph I brought to work of myself with Serbian World No.1 tennis player Novak Djokovic. The same worker I had previously complained about for bullying (name-calling) started spreading rumours about a Serbian man she knew of in Perth who was allegedly convicted of war crimes despite looking “innocent”. At first I didn’t think much of it, however a couple of days later while she was sitting at her desk and in the presence of other staff, for no apparent reason exclaimed: “***I can’t believe I met a SERBIAN war criminal. He looked SO innocent!***” She repeated the same story again the following week in front of the team and in my presence for **no apparent reason**. I felt extremely offended by

her negative comments about a Serbian man residing in Perth, who she alleged was convicted of war crimes for which there was no evidence, and the fact that she kept repeating this story over and over again knowing that I was the only Serbian person in the office. The repetitive, offensive allegations in reference to my “Serbian” race led me to feel that I was racially discriminated against.

Rather than complaining about this incident, I insisted on obtaining a transfer to another office which was granted. I got on well with the new manager and team who were very welcoming and was given a very positive work appraisal as evidenced by the 360 degree feedback from my manager, co-workers, clients and service providers. Soon after, my manager decided to step down from her managerial position to the more subordinate role of “Team Senior”. When I asked her why she decided to give up her job as Manager, she replied by saying “*I don’t like the politics*”, however I never asked her what she meant by that. She resigned from her position with the organisation at the end of the year.

Since the team was in need of a new office manager, the organisation decided to hire somebody who happened to be the female partner of the manager from the previous office I worked at. Before she came along, nobody said much about her apart from the fact that she was a social worker who was the other manager’s gay partner. Although she was civilised toward me initially, she soon started displaying hostility toward me which became quite apparent as witnessed by my co-workers, one of which had later expressed her concerns about this to the Team Senior prior to her resignation. I began to feel very wary of this over time and became increasingly anxious. Initially, I wasn’t quite sure that I was being bullied however I did express my concerns to my GP and my external supervisor who is a registered psychologist. At this stage, I was a trainee professional who recently commenced supervised psychological practice as required for a period of two years in order to gain full accreditation and registration as a psychologist.

The new manager had a habit of disagreeing with me on almost everything I said or did and wasted no time in undermining and dismissing my ideas and contributions in front of the team. At one point she approached me at my desk in front of co-workers to provide her negative feedback on my work reports which I was shocked and humiliated by, despite having supervision scheduled the next morning where she could have discussed this with me in private. When I disagreed with her feedback, she accused me of being unable to accept “*constructive criticism*” and also referred to my “*shadows*” to support her opinions and so-called constructive criticism of me using the **exact same terminology** as the **previous manager** which I found alarming and inappropriate.

On one occasion, she called me into her office to reprimand me for making “***inappropriate eye contact***” with a male co-worker during a team meeting at which I read a chapter from a



book called “Your Soul’s Purpose”. When I asked her to explain what she meant by her statement, she said that she noticed me “staring” at this particular male co-worker which may have felt “intimidating” to him. I asked her whether she has spoken to him directly and confirmed that was the case, but she refused to answer my question. I subsequently approached my co-worker to apologise to him just in case I had unintentionally “intimidated” him, however he was just as shocked as I was at the manager’s observation, stating that I did not specifically focus my attention on him during the meeting and that I did not make him feel intimidated or uncomfortable in any way whatsoever.

Further issues emerged with my manager, surrounding her interference in my work whereby she coerced an ex-client of the service unknown to me, to interfere with a client project I was working on together, and on behalf of a current client I was working with without the consent of my client and myself. On another occasion, she cancelled my plans to assist a co-worker to facilitate a client group activity without my prior knowledge and at very short notice, even though she had known about the arrangement which was confirmed at a team meeting at which she was present and did not voice any objections. She then emailed me to inform me she had “released” me from attending, that I am “no longer required” and had arranged for somebody else to replace me even though I was ready, willing and able to help my fellow co-worker as promised. I felt undermined, belittled and powerless.

My attempts to address the above issues surrounding my manager’s bullying behaviour with her directly were unsuccessful as she refused to accept any responsibility for her actions including the negative effects her actions were having on my work and self esteem. Consequently my health deteriorated and I became increasingly stressed and anxious as time went by. I continually kept tabs on where she was so that I could avoid having any contact with her as much as possible and minimised the amount of contact I did have with her. I felt nauseas at the thought of her and was afraid of coming to work each day wondering whether tomorrow will be another day in which she indulges in another bullying attack. I was also afraid that since she **openly** displayed her **hostility** toward me, my co-workers would eventually follow suit and start behaving in a similar manner such as my co-workers from the previous office I worked at. However, this was not the case. The manager was friendly and supportive to other staff.

The following incident set off a chain of events which resulted in the escalation of formal bullying practices and victimisation by my manager and her supervisor (the same supervisor of my previous managers who was aware of the bullying that occurred in the previous office) ultimately leading to my permanent departure from my workplace. During a supervision session with my manager, I brought to her attention an issue with regard to the

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unethical and unprofessional conduct of an employee from another department of the organisation regarding a mutual **client** who was **highly suicidal**.

I had a pre-booked appointment to see the client to support her during a particularly stressful period in her life with which she had difficulty coping, however the other worker who was an employment consultant, cancelled my appointment with the client without my prior knowledge. She then re-booked the appointment at my request but failed to cancel her own appointment with the client which she scheduled for the same date and time. This meant that the client was double-booked (i.e. had two appointments with two different workers at exactly the same time). The worker, who was well aware of this fact, proceeded with her appointment regardless thereby dishonouring our agreement. Due to the worker's actions, I did not see the client that day. The worker later expressed the client was feeling **highly suicidal** but DID NOT refer her to her treating psychologist or psychiatrist and she had already cancelled the client's appointment with me, her Mental Health Worker thus **jeopardising the client's safety and wellbeing**.

I subsequently emailed the worker and her supervisor expressing my concerns regarding the worker's behaviour which I described as "unprofessional" however I have never received a response from either the worker or her supervisor. The next day my manager called me into her office and reprimanded me for labelling the worker's behaviour as "unprofessional" and for approaching the worker's supervisor directly. She then stated that my use of the word "unprofessional" in my email to the worker was inappropriate, saying that "*Unprofessional is when a worker sleeps with a client*". I informed my manager that I stand by my statements regarding the behaviour of the worker and that I have written evidence to support my complaint which I offered to give her.

The manager then proceeded to make several attempts of coercing me to admit *what part I may have played* in the worker's behaviour. She then instructed me to think of ways in which I could improve *my relationship* with the worker. At this point, I was in dismay at what I was hearing and her reasoning which did not make sense. Having told her that I was unsure as to what she was asking of me, she instructed me to "*go away and think about it*".

After taking three days of sick leave, I had another meeting with my manager where we continued our discussion regarding my concerns about the behaviour of the worker. She asked me whether I had thought about what she said to me previously in relation to my alleged behaviour and ways of improving *my relationship* with the worker. I informed her that I did not understand why she was focusing on me and my behaviour when I hadn't done anything wrong. In fact by making a complaint about the worker's

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unprofessional behaviour, I believed I acted **in the best interests of the clients** I was supporting. I then gave her copies of all the written evidence in relation to my complaint and explained why I believed the worker's behaviour was unethical and unprofessional, ultimately leading to my decision to contact the worker's supervisor. I believed that based on the evidence I supplied to my manager regarding the worker's behaviour, an apology or at least an explanation from the worker would have been appropriate. Without hesitation, she sarcastically replied, "*I don't like your chances*". She then said that she will speak with her own supervisor and get back to me regarding the outcome of their discussion.

Instead of receiving a prompt and appropriate response to the concerns I raised, both my manager and her supervisor distanced themselves from my complaint and responded by making allegations about my behaviour and work performance. For example, following my complaint about the worker in question, I received an email from the manager's supervisor accusing me of excessive use of interpreting services for a client from a non-English speaking (African) background. I was then instructed to complete a payment request form each time an interpreter booking is made although this was not the usual procedure for booking an interpreter and in the two years I had been working at this organisation I was never informed of this process. Furthermore, the organisation never had any written guidelines, work instructions or policy with regard to the use of interpreting services. In fact at that particular time, they were in the process of developing a policy in relation to booking and use of interpreters which both the supervisor and myself were involved in. When I suggested that this form or at least a reference to it be included in the draft policy for use of interpreters, the supervisor bluntly rejected this idea stating that it is "*standard policy*" with no reference to the name of any particular policy. She then requested that I meet with herself and my manager to discuss my "behaviour".

As I was concerned about the agenda of this meeting and further exposure to bullying by management, I requested in writing, permission to bring a support person which was granted. I requested the presence of my external supervisor, an experienced psychologist and a Justice of the Peace, who was prepared to mediate and assist in the resolution of the dispute which had arisen in response to a complaint I made regarding the professional misconduct of a worker from another department. However, when I advised management of my supervisor's attendance I was informed that he is welcome to attend but "*will not be allowed to speak*". Further adding, "*We will be following workplace relations procedures*". According to the organisation's own **undated** and **unsigned** "Internal Parties Dispute Resolution Policy", "*Employees have a right to external representation at any stage of the dispute resolution process*". Therefore, not only was I entitled to bring a support person such as my external supervisor, I was also entitled (according to this policy), to have him speak on my behalf if necessary in order to assist in the resolution of the issues which



my manager and her supervisor appeared to be disputing. Basically, my employer was in breach of their own policy.

I was so shocked and distressed by the unreasonable and tyrannical behaviour demonstrated toward me (and my supervisor) by my employer, that I left work early as I could no longer concentrate on my work due to overwhelming feelings of fear and defencelessness from what appeared to be a further act of psychological intimidation by management. A co-worker who stopped me on my way out commented that I looked "terrible" and that my face looked "drawn".

During the time I was on **sick leave**, my **manager and her supervisor** started sending emails to my **personal** email address. **Whilst at home, I was threatened via email with disciplinary action and dismissal if I didn't come back to work and attend the meeting they wanted me to attend.** When I informed them that their actions were unjustified, unreasonable and inappropriate, the meeting was subsequently cancelled. Due to my traumatic experiences at this workplace I never returned to work. I have lodged a Workplace Bullying complaint with WorkSafe WA which resulted in a **Prohibition Notice being issued to my employer** and an order to develop a Bullying Policy within 30 days and made available to all staff within the organisation.

I also lodged a Workers' Compensation claim which was settled out of court after almost 2 years. Unfortunately, my claim was hindered by the inadequacy of the representation offered by my WorkCover Advocate who was an 80-year-old diabetic man who often struggled to stay awake, dozing off during conversation. When the matter was listed for an arbitration hearing which I was prepared to attend, my Advocate **strongly discouraged me from proceeding** stating, *"You wouldn't want to go through that"* and *"It's too much work"*. He then decided to charge me \$5,000 up front for his representation at the hearing which I could not afford (at that stage I was in severe financial hardship and at risk of losing my home) and was not informed of this from the outset when he accepted my case. I felt that I was deprived of a fair chance at justice, whilst my employer slipped through the system with minimal consequences.

Prior to settling the claim I requested the return of my private property from my employer which was left behind. My property was packed in a box by a co-worker and passed on to my manager as witnessed by another co-worker. At first, my employer denied having possession of it and it wasn't until I reported them to the Police and subsequently to my local member of Parliament that my employer started to produce my personal property, bit by bit over a period of months. I made another complaint to WorkSafe WA for further bullying by my employer, however they were unable to investigate or assist in the matter and informed me that **since I was no longer an employee, I was not covered by the**



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**Occupational Health and Safety legislation.** To date, my private property has been returned with the *exception* of the personal photograph of myself with Serbian World No.1 tennis player Novak Djokovic which **I had identified to my employer as being of significant sentimental value** and which was among 18 *other* personal photographs of myself with prominent Dutch mental health professionals I had met at an international congress I attended in the Netherlands, *ALL* of which they have returned. This was the same photograph which prompted **racist comments** by a co-worker, which was the subject of my workplace bullying complaint to WorkSafe WA resulting in the issuing of a Prohibition Notice to my employer.

## **PART B**

Workplace bullying a violation of basic human rights detrimental not only to one's quality of life, it represents a threat to life itself. Thus in my view, workplace bullying should be treated as a **crime against humanity** and therefore **criminalised** in every state, with severe penalties for those who instigate, perpetrate and fail in their duties of care to provide sufficient protection to their workers against workplace bullying in its various forms.

### **Recommendations for preventing and responding to workplace bullying**

#### *Legislation*

- 1) Criminalisation of workplace bullying to include criminal charges and jail terms for perpetrators of workplace bullying and their accomplices, reflecting the seriousness of the offence and injuries to the employee.
- 2) Workplace Health and Safety legislation to apportion legal responsibility to owners, directors and management of companies including a jail term for senior employees who have acted recklessly or in a grossly negligent manner in response to workplace bullying, leading to serious injury or death.
- 3) Bullied workers to have the right to initiate a prosecution against a company for a continuation of offences by employees committed outside of the workplace involving an explicit or implicit challenge to their safety, health or wellbeing.
- 4) Where a regulator fails to initiate a prosecution, a union or another party with an interest should have a right to initiate a prosecution.
- 5) Bullied workers to have the right to seek an independent review of the failure of a regulator to initiate a prosecution.
- 6) Change to Workers' Compensation law to enable **independent** medical assessments to be conducted by approved specialists **allocated and employed** by WorkCover (NOT by the employer's insurer).
- 7) Compulsory training of WorkCover Advocates in the nature and impact of workplace bullying on workers and relevant laws.
- 8) WorkCover to conduct regular performance reviews of WorkCover Advocates in relation to the quality of services provided to injured workers, i.e. via feedback surveys and interviews.



*Strategies for the prevention and management of workplace bullying*

- 1) Nationally accredited workplace bullying training tailored to the specific workplace or industry delivered at work sites.
- 2) Training for senior management and officers to include implementation of ethical bullying grievance investigation and management procedures.
- 3) Administration of psychometric and skills-based testing and assessments in the recruitment of senior management and those employed in leadership roles.
- 4) Active employment, promotion and support of workers from a diverse range of backgrounds, personal and professional, across the organisation and within individual work teams.
- 5) Implementation of transparent, equitable and merit-based recruitment processes within the not-for-profit sector.
- 6) Mandatory reporting within the not-for-profit sector of all workers' compensation claims and any actions, proceedings, applications or complaints, past or present in connection with occupational health and safety breaches or disputes to their relevant government funding body.
- 7) Not-for-profit organisations to supply evidence of adequate occupational health and safety and workplace bullying grievance policies to the relevant government body as a condition for obtaining governments grants.
- 8) Government to measure organisational performance within the not-for-profit sector via the collection and analysis of direct feedback gathered from a range of sources, internally and externally to the organisation, using a variety of methods i.e. staff and client satisfaction and wellbeing surveys and face-to-face interviews.
- 9) Regular monitoring and auditing of organisational accountability within the **not-for-profit sector**.
- 10) Active encouragement by employers for reporting workplace bullying by targets and employee reporting on behalf of targets.
- 11) Provision of clear guidelines for making formal complaints of workplace bullying and protocols for making it safe to do so.
- 12) Implementation of effective disciplinary actions and/or behavioural management interventions for perpetrators of workplace bullying where relevant.

- 13) Ongoing employment of risk management strategies by employers to include workplace bullying monitoring, prevention, assessment and training.

*Supporting victims of workplace bullying*

- 1) Development of a support group for victims of workplace bullying led by a survivor of workplace bullying and a qualified mental health professional experienced in trauma counselling and specifically the counselling of victims of workplace bullying. This would assist in reducing the social withdrawal and feelings of isolation experienced by many victims of workplace bullying and serve as an informal outlet for them to talk about their experiences in a supportive and non-judgemental environment which could help empower them.
- 2) Community education seminars which provide information and resources on workplace bullying held regularly throughout the year.
- 3) An advocacy, support and referral service for bullied workers that can provide support, advice and representation on behalf of the worker in dealing with their employer when required. They would also provide general counselling and guidance to workers with regard to identifying bullying behaviours and assistance making a formal (written) complaint to the relevant authorities. This type of assistance would be especially beneficial for workers from non-English speaking backgrounds.
- 4) Development of a national website and database dedicated to the research, study and prevention of workplace bullying.