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

A Personal Submission to the Inquiry into Workplace bullying

Thank you for the opportunity to make this submission.

I submit that

**an independent body is needed to investigate allegations of workplace bullying. In house investigation does not work.*

**bullies and the bullied where possible, should undergo mediation to allow understanding, growth and opportunity for reconciliation.*

**bullies who rise in the ranks of an organisation use the concept of "confidentiality" to hide their behaviour.*

Here follows my recent experience with workplace bullying (considerable nastiness, has been left out in the interest of brevity) ~

Bullying is not a  matter

In 2011, I was an elected representative of my union's sub-branch, at my workplace. I enjoyed my work. I prided myself on working well with my colleagues, focussing on improving processes and systems to achieve great outcomes for all.

After working happily and productively with the last 3 bosses, the New Boss (NB) arrived mid-way through 2011. The selection panel was pleased. The NB had a wide experience in similar positions, at various locales within our organisation, and a great sense of humour.

The union rep component of my work load soon began to escalate. I become the regular 'support person' at meetings with the NB, for staff members who have displeased the NB. Confidentiality is always emphasised in these meetings. A letter detailing the behaviour goes on personal files, stamped confidential, threatening further action if the behaviour is to continue following the '**Complaints Processes section**' of our organization's '*Guidelines for Managing Complaints, Unsatisfactory Performance and Misconduct.*'

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I encourage the NB to consider using informal feedback, as an initial response. I write up minutes of each meeting for the staff member and together we counsel each other on what has been discussed.

The yearly negotiations at my workplace for our 'local agreement' between sub branch and management are robust; the NB makes decisions that are within the bounds of our Enterprise Bargaining Agreement.

Shortly after the negotiations are complete, I am called to a meeting with the NB, with Boss Consultant also present. The NB does not approve of my style of negotiation. The NB is emphatic that enough has been heard of my views and describes me as '**haranguing**'. They finish by handing me a brochure detailing where to get assistance for stress.

I leave the meeting dismayed, go to the doctor and require 3 days of sick leave.

At the beginning of 2012, I do not accept nomination for election to any position in our sub-Branch. I am no longer a local rep at my workplace. In staff meetings, when the NB is present, I sit quietly and do not comment unless asked to do so.

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Early in 2012 I make 3, polite, I think important, Occupational Health and Safety (OH&S) reports, on serious matters unrelated to anything above, on the organization wide employee OH&S reporting database.

The NB does not like my reports. The substantive issues are dismissed, as the NB uses an 'OH&S database managerial response' to make a scathing personal attack on my handling of difficult situations faced in the course of employment.

- The 1st response referred to me as 'this staff memembr' (sic), in a spray that accuses me of 'inappropriate actions'.
- The 2nd response commences with the statement 'No action can be taken on this reported issue, as nothing actually happened.' before claiming that I had 'set back the welfare team's progress.'
- The 3rd response is dismissively concise 'No action taken, No action required.'

For me, the penny drops. 'My boss is a bully.' I ask the NB that the responses be amended and request an apology.

I am called to the NB's office and handed a letter in a sealed envelope.

There is to be no discussion. I am to read the letter after I leave. A copy goes on my file. The letter is headed 'Confidential'. It claims I 'engaged in unnecessary and excessive attacking and disrespectful conduct and communication towards' the NB. The letter confuses the OH&S issues with my performance months ago, as an elected union official. Statements I have made are unfairly edited or taken out of context.

The letter is an upsetting stain on my personal file a record of over 20 years.

I want to discuss the letter with the NB. Over the next few days I become more distressed and make an email complaint to the Regional Manager. I ask the 2nd in Charge (2IC) to come in with me to talk to the NB about the letter to help the two of us communicate. The 2IC refuses.

I go on sick leave for 2 weeks.

Mediation is offered by the Regional Manager.

Mediation is rejected by the NB; repeatedly.



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Eventually, I do get a meeting, not mediation, with the NB and the 2IC. This time I bring support. The NB listens but is steadfast; the odious letter remains on my file.

I make a formal complaint to the Regional Manager: 14 pages, of which 12 are incontestable evidence from emails, minutes of meetings and reports.

There is an investigation. The importance of confidentiality is emphasised. The investigation involves a half hour interview with me.

The NB is completely exonerated. The letter containing the Regional Manager's determination emphasises the '**confidentiality requirements of the complaints process.**' The letter offers mediation '**limited to rebuilding the relationship between**' the NB and myself. I wait for this mediation to occur. I am still waiting, months later.

I remain in fear of further bullying. I fear the next letter on my file. I fear for my work future. I try to get on with work and avoid trouble.

However, despite the ubiquitous emphasis on 'confidentiality', it is impossible not to hear the mostly reliable tea-room hearsay: 'the NB is trying to get rid of all the older staff; 2 staff members have gone on extended leave due to stress; another staff member has accumulated 4 letters on their personal file; and yet another obnoxious, unnecessary letter has been handed to a revered member of staff on the verge of retirement.'

All the best, I hope your inquiry makes a positive difference.

Yours Sincerely

23/8/2012

