

Inquiry into workplace bullying Submission

by

[REDACTED]

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Summary

This submission is presented by an individual who is (i) a victim of workplace bullying and (ii) a doctoral scholar researching workplace bullying.

The submission suggests that detailed arguments about prevalence, no matter how academically robust, are, in the bigger picture, largely irrelevant – workplace bullying in Australia *is* a problem!

Importantly the submission argues that the experiences of ‘ordinary people’ may conflict with the (legitimate) research and ‘policy’ paradigm – and this must be considered. For example, as argued in the literature, one incidence of bullying is unacceptable, just as with sexual harassment or physical violence.

It is argued that, from case studies, workplace culture *certainly* influences the prevalence of bullying – both negatively and positively. Importantly, it is argued that this can be ‘managed’.

The submission suggests that there is *no* evidence to confirm that ‘policy and procedure’ approaches, of themselves, reduce or prevent bullying or that ‘good’ policy necessarily results in ‘good’ practice.

Community forums have potential, but should to listen to employee’s stories rather than ‘preach’ the dominant discourse. From this, it is suggested, might emerge examples of *what works*, potentially allowing us to reconceptualise how ordinary employees experience bullying and envisioning better ways to deal with the problem.

A number of recommendations are made, specifically that the Inquiry;

- does not get ‘bogged-down’ in arguments about prevalence and the perception vs reality arguments and accepts that bullying *is* widespread and *is* a problem
- considers not only the oft stated effects of bullying on targets but also the emotional pain behind such effects
- accepts that workplace culture can influence the prevalence of bullying but that this can be ‘managed’ by promoting strategies that include avoiding adversarial dispute about, for example, whether or not particular behaviours or circumstances meet arbitrary definitions
- is highly cautious about accepting the general mantra that policies and procedures will present an ‘answer’ for organisations with bullying problems and that they (policies and procedures) may even be counterproductive
- clearly distinguishes between *prevention* and *intervention*
- reviews how ‘schoolyard’ bullying is addressed with a view to learning from this
- considers community forums to listen to people and hear their stories rather than tell them what bullying “is” and “is not”, and so on
- does not to adopt the definition of workplace bullying provided in the SA Act.

1 Introduction

This is an individual submission.

I present the submission as:

- a doctoral candidate at the University of South Australia where my thesis is centered on workplace bullying;
- a victim of “workplace bullying”.

I am an employee of the [REDACTED] (Government of South Australia) and, as noted above, a student of the University of South Australia (UniSA). However, this submission is made by me as an individual and does not necessarily represent the views of those organisations.

My contact/personal details are:

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I am a Chartered Professional Engineer (MIEAust, CPEng). I hold Bachelors and Masters degrees in Civil Engineering and a Masters degree in Education Studies.

My position in the [REDACTED] is Manager, Program Evaluation.

I am in the ‘writing-up’ phase of my doctoral study, that is I am nearing the completion and submission of my thesis portfolio.

After more than 30 years in the workforce without any experience of workplace bullying I was subjected to “bullying” to a point where I thought I was going to die.

When I was given the opportunity to commence the doctoral program at UniSA, one of several fortuitous opportunities that contributed to ‘saving’ me from a bullying situation, I decided to research workplace bullying with the primary objective of making a contribution so that others might be saved from the torment that I, and those around me, suffered.

I have attended, and presented papers at, the 5th, 7th and 8th International Conferences on Workplace Bullying. I am preparing this submission immediately following the last of these which was held in Copenhagen from 12-15 June at which many of the issues in the terms of reference were addressed.

2 Terms of Reference, Item 1 – Prevalence of workplace bullying in Australia and the experience of victims of workplace bullying

2.1 Prevalence of workplace bullying in Australia

Internationally, the prevalence of workplace bullying is hotly debated. At the 8th International Conference on Workplace Bullying, Copenhagen, June 2012, the premier keynote speaker, the eminent American bullying researcher Suzy Fox, presented data from various academic studies that report (internationally) prevalence rates varying from 3% to 97% (Fox, 2012). Whilst it is widely recognised that the key difference between ‘low’ and ‘high’ prevalence rates depends on whether a definition (in some form) is provided Fox suggests that the wide variation depends on who is asking and who is being asked.

The variation in prevalence not only depends on whether or not a definition is provided but also on the ‘tightness’ of that definition. In a review of the workplace bullying literature commissioned by SA Health (Government of South Australia) the University of South Australia’s Associate Professor Verna Blewett (2009, p5) states, “possibly the most widely cited definition in recent years comes from Einarsen et al (2003) . . .” She then states this definition:

Bullying at work means harassing, offending, socially excluding someone or negatively affecting someone’s work tasks. In order for the label bullying (or mobbing) to be applied to a particular activity, interaction or process it has to occur repeatedly and regularly (e.g. weekly) and over a period of time (e.g.) about six months. Bullying is an escalating process in the course of which the person confronted ends up in an inferior position and becomes the target of systematic negative social acts. A conflict cannot be called bullying if the incident is an isolated event or if two parties of approximately equal ‘strength’ are in conflict.”

(Einarsen et al., 2003, p15)

When he presented a talk in Adelaide I asked one of the eminent researchers who had crafted this definition (Dieter Zapf) what he would call the treatment of a person over, say, four months that had driven that person to desperation. He said that he didn’t know, but “by definition it was not bullying”. Herein lies a major problem in determining prevalence.

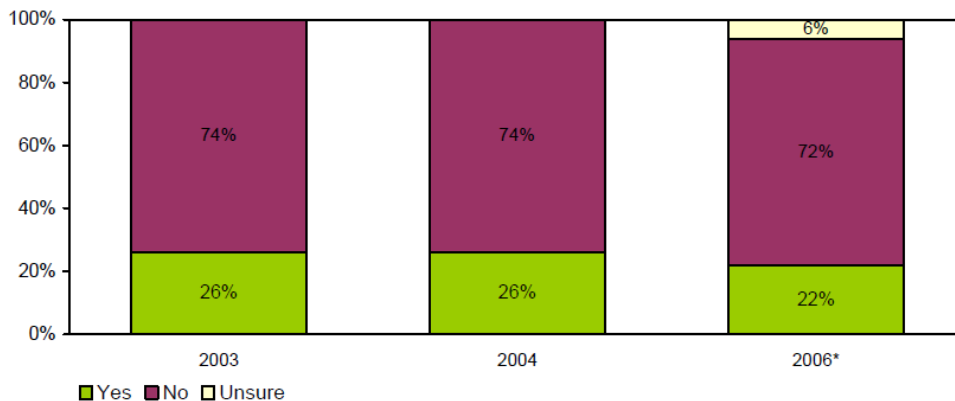
‘Tight’ definitions make it (relatively) easy for researchers to say that particular observable behaviour ‘is’ or ‘is not’ bullying. Researchers have one perception of bullying – for ordinary employees the reality can be quite different. This has been reported by various authors, for example, Liefoghe and Olafsson (1999). Employee accounts may be very, very different from ‘official’ accounts (Liefoghe and Mackenzie Davey, 2010).

Within Australia, the Australian Public Services Commission states:

This year, 18% of APS employees reported having been subjected to harassment or bullying in the workplace in the previous 12 months. This result was similar to last year’s result. (Australian Public Service Commission, 2011, Chapter 3)

In terms of ‘order-of-magnitude’ this is consistent with other public sector jurisdictions. For example in my own state (SA) the last available report (Walsh, 2006) indicates 22% of respondents experienced bullying during the previous 12 months as illustrated in the following figure.

Figure 54: Yearly Comparison of 'During the last 12 months have you experienced bullying or harassment in your workplace?'



Much argument is possible about the interpretation of surveys such as these including who has responded and the ever present argument that many of those who *report* experiencing bullying had not really been bullied – and that their experience was simply their “perception”.

I argue that, irrespective of arbitrary definitions crafted by academics for their own legitimate research purposes, for many their perceptions are reality for the individual.

I recommend to the Inquiry that it does not get ‘bogged-down’ in arguments about prevalence and the perception vs reality arguments and accepts that bullying *is* widespread and *is* a problem.

2.2 The experience of victims of workplace bullying

After some 35 successful and enjoyable years in the workforce I changed jobs in late 2003 and was ‘bullied’ to a point where I thought I was going to die.

Even with the ‘expert’ knowledge I now have about workplace bullying, it would still be very difficult for me to “prove” that I had been bullied. But I know I was!

Definitions talk of repetition – but single instances would remain with me constantly. Even after I had left the organisation and was ‘safe’, for example I would avoid going past the office (even though it was on my way home from many venues) because I would get knots in my stomach.

Another incident comes to mind when I was buying a ream of paper. I thought I must keep the receipt because “they” might accuse me of stealing it from work. This is of course highly irrational but at the time was devastatingly “real”. The experience illustrates that the perpetrators do not even need to “do” something to the target for that person to be traumatised.

Countless publications list the effects of bullying and there are increasing numbers of papers describing particular medical ramifications however few capture what being a victim of bullying is really like. A rare exception is the work of Tracy, Lutgen-Sandvik and Alberts (2006) who sought in their research to articulate and explore the emotional pain of workplace bullying by documenting what the effects are like from the point of view of the victim. Typically they found the effects of workplace bullying being described as feeling like *a battle, water torture, nightmare or a noxious substance*. The authors say “Targeted workers likened themselves to abused children, slaves, animals, prisoners, and heartbroken lovers” (Tracy et al., 2006, p171).

I recommend that the Inquiry considers not only the oft stated effects of bullying on targets but also the emotional pain behind such effects.

3 Terms of Reference, Item 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

3.1 The role of workplace cultures

I have no doubt that workplace culture can influence the prevalence of bullying.

I have studied a large public sector organisation in South Australia and have significant authoritative data to support my findings.

Rather than go into great detail I will summarise briefly. I describe the organisation as being in a state of denial – this despite overwhelming evidence to the contrary.

The organisation has a procedure for dealing with complaints which, of itself, is probably robust and executed ethically. However, the organisation chooses to adopt a definition of bullying which, I suggest, is almost impossible for a victim to ‘prove’.

This results in, despite many investigations, few (if any) confirmed cases. In turn, the consequences of this are that:

- well qualified and ‘in demand’ professionals leave the organisation
- general morale is adversely effected
- workers compensation claims are lodged
- bullies remain in the system, and, importantly
- the system does not change.

The organisation can be compared to another in the same jurisdiction. In this case the clear strategy was to avoid adversarial dispute about whether particular behaviour was, or was not, “bullying” and focus on sorting out the problem or issue – quickly. Significantly, the respectful workplace concept is supported by a wide range of supporting strategies.

I recommend that the Inquiry accepts that workplace culture can influence the prevalence of bullying but that this can be ‘managed’ by promoting strategies that include avoiding adversarial dispute about whether or not particular behaviours or circumstances meet arbitrary definitions.

3.2 The capacity for workplace-based policies and procedures to influence the incidence and seriousness of workplace bullying

While Blewett affirms that, “it is *intuitive* that developing policies and procedures . . . should contribute to improving the workplace” (Blewett, 2009, p19, emphasis added), the paucity of evidence to support the notion that policy driven approaches reduce workplace bullying is noted widely (Boucaut, 2001, Crawford, 2001, Høgh, 2005, Krestelica, 2005, Hoel et al., 2001).

Rhodes, Pullen, Vickers, Clegg and Pitsis (2010) go further suggesting that “there is *no* evidence to confirm that these approaches will help *and a growing body of evidence to suggest that they do not*” (p108, emphasis added). One such example is a recent South Australian exploratory study (Jenkins et al., 2011, Jenkins, 2011) which surveyed alleged perpetrators of bullying. The study challenges some “populist” (Jenkins et al., 2011, p44) views and illustrates profound negative outcomes for all parties, including organisations, from conventional procedural practices.

Also critically discussed in the literature is the essential assumption that 'good' policy necessarily results in 'good' practice (for example, Grogan and Dann, 2002).

I recommend to the Inquiry that it is highly cautious about accepting the general mantra that policies and procedures will present an 'answer' for organisations with bullying problems and that they (policies and procedures) may even be counterproductive (since organisations can 'hide' behind poor, or even good, policy).

4 Terms of Reference, Item 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

4.1 The adequacy of existing education and support services

I have no criticism of any individual education and support services. For example, in my own state (SA) the work done by the Working Women's Centre is important and highly respected. Some organisations are also being pro-active, for example, SA Health.

However, despite such individual effort there are no systemic systems in place that effectively address either prevention or intervention.

This situation is in marked contrast to "schoolyard bullying" where systemic structures exist both for *prevention* of bullying and for *intervention* (when cases of bullying present). An example of the latter (ie, intervention) is application (one or more) of the "six interventions" (Rigby, 2010).

I recommend the Inquiry to:

- clearly distinguish between prevention and intervention;
- review how 'schoolyard' bullying is addressed with a view to learning from this.

4.2 Are there further opportunities to raise awareness of workplace bullying such as community forums?

Yes! However, I am concerned that if the community is 'preached to' that what they (members of the community) are experiencing is not bullying because it must consist of quantifiable, observable acts that must have persisted for months and of which there must be hard evidence, more harm than good may eventuate.

I recommend that the Inquiry considers community forums to listen to people and hear their stories rather than to tell them what bullying "is" and "is not", and so on. Importantly, from this might emerge examples of *what works* potentially allowing us to reconceptualise how ordinary employees experience bullying and envisioning better ways to deal with the problem.

5 Terms of Reference, Item 4 – Whether the scope to improve coordination between governments, regulators, health service providers and other stakeholders to address and prevent workplace bullying

No submission.

6 Terms of Reference, Item 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

No submission.

7 Terms of Reference, Item 6 – Whether the existing regulatory frameworks provide a sufficient deterrent against workplace bullying

I am unaware of any evidence that robustly demonstrates that existing regulatory frameworks provide any deterrent to workplace bullying.

Notwithstanding this lack of evidence I am not suggesting criticism of federal regulatory frameworks.

However, within South Australia, I am critical of the provisions in the SA Occupational Health Safety and Welfare Act (1986).

It is possible, albeit that I am not aware of any evidence to this effect, that the provisions in the Act (in respect to bullying) may have helped a small number of South Australian employees. However, I am not aware of any evidence that it has had any significant (state-wide) 'global' impact in reducing bullying in SA.

As identified in a specific example described in section 3.1 above, evidence that I have clearly shows that adoption of the definition provided in the Act actually works against improving an anti-bullying culture.

I make a strong recommendation to the Inquiry not to adopt the definition provided in the SA Act.

8 Terms of Reference, Item 7 – The most appropriate ways of ensuring bullying culture or behaviours are not transferred from one workplace to another

No submission.

9 Terms of Reference, Item 8 – Possible improvements to the national evidence base on workplace bullying

No submission.

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