

House Standing Committee on Education & Employment

To the Secretary

Dear Sir/Madam

As a submission in relation to the *"Inquiry into Workplace Bullying"* being conducted by the House of Representatives Committee I have enclosed the Tasmanian Magistrates Court – Coronial Division report associated with the untimely death of my brother in law, _____, in September 2006 along. The following synopsis is intended to link the events surrounding _____ death to the terms of reference of the enquiry and in particular, but not only, to the part *"the experience of victims of workplace bullying"*

_____ was a long term, 37 years, employee of _____ on the North East of Tasmania. At the time of his dismissal he was a supervisor and had been for several years. _____ was a self confident individual well respected in the community he served. His dismissal from _____ completely destroyed his self confidence.

I assert, as does my sister _____ that the employees of _____ involved in the unwarranted dismissal of _____ exhibited bullying tactics, i.e. intimidated, dominated and threatened _____ in their dealings with him. The employees involved were at the top level of management of the organisation which meant that they were responsible for setting the standards and the type of culture prevalent in that organisation. They failed to properly discharge their duty of care to _____ as an employee of the organisation.

As a consequence of the death of _____ my sister still does and is likely to forever suffer serious after effects. The death has placed enormous strains on her and her extended family causing great bitterness and emotional trauma. _____ and her children are, even after five and a half years, required to undergo ongoing psychological counselling, to take a variety of medications, suffer through loss of sleep and subsequently have a lesser quality of life due to the loss of _____.

My sister's family now suffers a high level of dysfunction, some of them, especially my sister, feel isolated because of loss of friends and companions, they have become non-trusting of others, dispirited, disenchanting, cynical and at times have been discriminated against because one of the family has taken his own life.

My sister is now reliant on others to perform many of the relatively basic home maintenance tasks. She also has a need to continue with a variety of medical interventions which she otherwise would not require. All this, of course, amounts to a higher level of cost in running a household and a lower level of future financial security. She can no longer look forward to a life of leisure in retirement with her beloved husband but is subjected to great loneliness and a solitary existence.

My sister has also been stalked at her home by one or more people. She has been required to install security devices to enable her to feel safe in her own home.

Added to all of the above factors is the statistic which indicates that those associates of people who have taken their own life are, themselves, at a higher level of risk of doing the same thing.

I am encouraged by the changes to the law in Victoria, known colloquially as "*Brody's Law*", which now makes workplace bullying a criminal offence. I don't consider this to be too harsh a penalty for people perpetrating workplace bullying. I have approached Tasmanian Government representatives about legislating change to Tasmanian law to align it with Victorian law but to this point in time, after two years of lobbying, no one has shown any particular interest in the matter of changing the law in relation to workplace bullying.

It appears to me that Australia requires, particularly in this modern era of businesses operating in multi-jurisdictions, consistent laws across states so as employers and employees know what expectations there are of them in workplaces no matter where they reside and work.

My professional role is associated with Human Resources and in particular Occupational Health & Safety. In this role I am aware of the occurrences of

workplace bullying. I could not honestly state that bullying is of a high level of prevalence but it certainly occurs. What I would state is that when bullying takes place the consequences are very serious, as instanced by my own family's example.

It is also my experience that businesses are generally not proactive in preventing bullying. All the effort commences after bullying has occurred, in other words when it is likely to be too late. The frequency of bullying also appears, from my experience, to be related to businesses which have not undertaken a comprehensive, defined, inclusive and well communicated change management process. They allow the status quo to remain with "old style" managers continuing with their out dated methods which bear little relevance to modern work places and culture. There is not sufficient proactive education concerning bullying.

If is deemed appropriate by the Standing Committee my sister and I are willing to appear before the Committee at the sitting in Hobart on July 12th 2012.

Yours sincerely