

Submission Addresses

- the prevalence of workplace bullying in Australia and the experience of victims of workplace bullying;
- 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;
- 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;
- 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;
- whether the existing regulatory frameworks provide a sufficient deterrent against workplace bullying;
- the most appropriate ways of ensuring bullying culture or behaviours are not transferred from one workplace to another; and
- possible improvements to the national evidence base on workplace bullying.

Dear Sir/Madam,

I wish to make an individual submission to the Inquiry into workplace bullying. I have been a victim of a very sinister workplace culture in the Government – in the education sector – to be more specific will identify me, which I prefer not to happen at this stage.

I wasn't going to make a submission and found it very hard to read any of the other submissions as it brought back the whole process that began in 2009.

I was a rising leader within my sector, and quite a prominent state-wide "go to" person in my field of expertise, and recognised by my department with a number of awards in leadership and workplace relationships.

I travelled to from another state – to build a blend delivery model in VET training and for the first 5 years it became a very successful revenue of about \$1.5M to the organisation.

During 2009 my line manager was changed and the new manager, decided she wanted to run the successful business her way. I advised but found it increasingly difficult to work with her – I continued to remain advising.

Also in that year the CEO was replaced and I met with him in the first couple of weeks to put my case for an organisational restructure – I wasn't aware at that time of the "personal" relationship he enjoyed with my line manager. As you can imagine there was no restructure.

Eventually in a period of 12 months, the restraints on maintaining our aspect of the business were becoming more and more difficult. It came to a head after a particular meeting with the CEO, a member of the executive, and my line manager. I was verbally abused at this meeting and made to feel quite intimidated.

The next day another member of that meeting made allegations to me via the phone purporting that I had misappropriated funds and misled the purchasing officer. I was incensed and lost my composure in the open plan office – standing and yelling into the phone. I had another staff member drive me to where my wife

worked as my heart rate would not subside. I suffer hypertension, since losing my kidney to cancer some years prior.

I took some time off and sought advice. I submitted a grievance to the Director General of the Department naming the CEO, the executive member and my line manager. During this time, I also sought Govt. employer provided psychological assistance on the recommendation of my GP. I made a Workcover claim to recover the lost sick time. The Grievance was investigated and resolved to be “unfounded” – however there were witness statements regarding the three named managers in the report that confirms they were overheard in a management meeting to say: “... is difficult, how are we going to get rid of him?”

As I had made a claim to Workcover against my government employer, the full resources available from Law Department (including the onsite HR Manager (don't kid yourself they are impartial)) the claim was vehemently denied by my employer and the decision appealed. I was left to defend my claim alone. I happen to be studying law earlier that year, as self-improvement process, and it was a godsend really as it allowed my mind to stop resulting into victim mode, and allowed another part of me to advocate on behalf of the victim.

During all these events I maintained a journal of every transaction I was involved in regarding the 3 officers – saving every communique –this is usually a weakness in any workplace bullying claim as victim in the middle of it is unable to keep a log of such awful incidents – it makes them relive it over and over. I still have to relive it now... just writing this.

Anyway my advocate sought copies of the 3 member's transactions via the Right to Information claim. And secured every email they had sent on the matters pertaining to me. (that made very interesting reading).

I reached some very dark times throughout that process – to the point of seeing the “black dog” one day – and wished it would all go away – I even had a plan how to do it at home. My wife and daughter – saved me that day – even though they had no idea what I was contemplating.

Eventually the Workcover claim was upheld (*a reasonable management action, done in an Unreasonable Management way*, was the finding) and all my bills were paid and sick leave reimbursed – (which was such a relief as my doctor had sent a letter of demand) (imagine how that felt – with all that had gone before).

I made the claim to Workcover as a record – I lost my kidney in 2001 through cancer, thought to be from stress – possibly from years ago before it was detected – making the claim may assist in any future health ailments.

The grievance report recommended mediation between me and the three officers. To date, this has never occurred nigh on 3 years now.

I knew that by making a grievance my career would not progress, within my organisation. I was right. I now don't get interviewed for any promotion positions, even though I have recently completed a Masters of Management. It's as if I'm the shunned one – because I spoke out. I have watched other staff with less qualification, management experience, and business acumen – be promoted – whilst I am moved sideways.

What became of the three executive officers? The CEO transferred out of the organisation to another site, The HR Manager moved onto another Government Dept, the officer on the phone – took a package to retire, the executive member who was the catalyst of this – recently accepted the latest round of redundancy packages, and that line manager – has gone onto destroy others and at times even a promotion within the organisation. Her current plan is to take over the team I currently am in – I will be moving again. The business I built – destroyed.

For me – I suffer from Post-Traumatic Stress Disorder, and remain in a state fluxing between a safe workplace, and hyper-vigilance. I am still study the Bachelor of laws, and hope one day to assist as an advocate for others who can't.

Workplace bullying becomes workplace mobbing, when it is as culture of the management of the organisation. I have a right to feel safe in my workplace – however, there are days I still find it very difficult to go through that front door – but I go through all my exercises and I get through those days.

Workcover's recognition of my injury hasn't rehabilitated me – in fact 3 years later, the perpetrators are still in their positions of power and have continued to go about their bullying behaviours to others – sure they left me alone – but it didn't stop them in their bullying ways with others. My employer did nothing, they hoped I'd go away... eventually.

A painful relive to write this, but I hope one that adds to the weight of submissions you have received.

Conclusion

If you're serious about workplace bullying reform – create a Commission – where EVERY case of workplace bullying can be “independently” investigated and brought to account. Educate employees at every level in their employment structures what a claim of workplace bullying means – PROVIDE the victim with the free resources to defend their claim. Make those who turn a blind eye culpable and where it's found management are the instigators or condone actions – make them accountable for their actions or inactions fine them and their organisation with public notification. Leaving them in the same organisation just makes it unbearable for the victim. Victim compensation does not heal the lifelong wound – it's just a way of society saying “sorry”.

Government Departments, who are probably the breeding grounds for these bullying activities, need to be accountable and liable. Mandate formal contemporary management training and stop rewarding bullies by allowing them to continue in their insidious practices.

I was very lucky that I kept records – and my claim was upheld. I empathise with the thousands of legitimate claims by people who *just want to have a safe place to work* – who are denied.

Thanks –