

Bullying, Mobbing, Non-Code Harassment and Violence in the Workplace

Presenters:

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Objective of Workshop

- Discuss current trends and innovative ideas involving labour.
- Review bullying and related issues.



History

- European scientist have identified this issue, some 25 years ago
- Germany translation “PSYCHOTERROR”
- We refer to it as, psychological violence
- Pierre Lebrun case, Ottawa Transit Authorities
 - “going postal”

What is it

- Intentional, hurtful mistreatment
- Involving co-worker, co-worker(s)-mobs, employers, clients and the public
- Interpersonal hostility that is deliberate repeated and sufficiently severe as to harm the targeted person's health or economic status. Dr. Gary Namie

Bullying - what is it?

- Humiliation by comment or gesture
- Intimidation tactics
- Harsh and constant criticism
- Excessive yelling
- Belittling remarks
- Undermining work production
- Setting impossible deadlines

Other signs include

- Failing to give credit
- Making threats
- And even physical assault
- Bullying may be both verbal and non verbal

The Silent Epidemic


- Statistics indicate that bullying is 4 (four) times more prevalent than illegal forms of harassment
- The overwhelming majority of targets are females
- Currently, no laws prohibit protection class – blind harassment in the workplace

Damage to Targets and Witnesses

- Distraction from tasks
- Reduction in Psychological safety
- Loss of Motivation and energy
- Stress induced psychological and physical illness
- Possible impaired mental ability
- Prolonged bullying turns targets into bullies
- Absenteeism and Presenteeism
- Employee turnover
- Increased accidents
- fatigue

Damage to Bullies

- Targets and witnesses hesitate to help or cooperate or give them bad news
- Retaliation from victims and witnesses
- Failure to reach potential in the organization
- Humiliation when “ousted”
- Job loss
- Long term career damage



Consequences for management

- Time
- Management burnout, leading to decreased commitment and increased distress



Legal and H.R. Management Costs

- Anger management
- Legal cost for inside and outside counsel
- Settlement fees
- Compensation for consultants
- Health insurance costs



Bully Boss Cost

- Impairs improvements in systems
- Reduced innovation and creativity
- Reduced cooperation and cohesion
- Reduced discretionary effort
- Dysfunctional internal cooperation
- Costs of victims retribution towards the company
- Impaired cooperation from outside organizations and people
- Higher rates charged by outsiders – “combat pay” for working with bullies
- Impaired ability to attract the best and brightest talent

What to do

- Raise it at Labour Management meetings
- Joint Occupational health and Safety
 - Precautionary principles
- Employers develop and consistently maintain a Code of Conduct and or Policy on Bullying
 - Statement of Commitment
 - Definition of bullying and harassment
 - Prevention measures
 - Duties of managers and supervisors
 - Role of the trade Union
 - Information and training
 - JH&SC involvement
 - Complaints procedures and investigation
- Bargain Collective Agreement Language
 - Including “what is abuse” roles and responsibilities
 - Violence Prevention Program
 - Women’s Advocacy Program

Legislation

- Violence in the Workplace Regulations made under Section 82 of the Occupational Health and Safety Act (Nova Scotia)

Relevant Legislation Acts

SK	Occupational Health and Safety Act, 1996. Section 37.
B.C.	Workers Compensation Act: Occupational Health and Safety Act, 2003. Violence in the Workplace sections 4.27- 4.31
AB	Occupational Health and Safety Code. Workplace Violence, section 27
PQ	Labour Standards Act, 2004. Workplace Psychological Harassment, section 81.81
NS	Occupational Health and Safety Act, 2007. Violence in the Workplace Regulations, section 82.
Canadian	Occupational Health and Safety Regulations. Proposed Violence Prevention in the Work Place Regulations (Dec. 2007)

Ontario's Bill 168

Bill 168, *An Act to amend the Occupational Health and Safety Act (the Act) with respect to violence and harassment in the workplace and other matters*, outlines a wide range of new employer obligations including:

- preparing workplace violence and harassment policies to be reviewed at minimum annually, and
- preparing programs to implement these policies.

For workplace violence, employers will be required to:

- assess the risk of workplace violence,
- implement measures and procedures to control the identified risks,
- implement measures and procedures for reporting and summoning immediate assistance,
- develop investigation procedures, and
- provide worker training.

For workplace harassment, employers will be required to:

- implement measures and procedures for reporting incidents,
- develop investigation procedures, and
- provide worker training.

The proposed law would also finally allow most workers the right to refuse work if violence is likely to endanger the worker.