

ADDRESSING BULLYING IN THE WORKPLACE. by Dept Enterprise Trade & Employment 2002

Code of Practice.

For the purpose of this Code of Practice the definition of workplace bullying is as follows:

“workplace Bullying is repeated inappropriate behavior, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual’s right to dignity at work. An isolated incident of the behavior described in this definition may be an affront to dignity at work but, as a once off incident, is not considered to be bullying.”

There are two approaches to this problem; informal and formal.

Informal Procedure

While in no way diminishing the issue or the effects on individuals, an informal approach can often resolve matters. As a general rule therefore, an attempt should be made to address an allegation of bullying as informally as possible by means of an agreed informal procedure. The objective of this approach is to resolve the difficulty with the minimum of conflict and stress for the individuals involved.

(a) Any employee who believes he or she is being bullied should explain clearly to the alleged perpetrator that the behavior in question is unacceptable. In circumstances where the complainant finds it difficult to approach the alleged perpetrator directly, he or she should seek help and advice, on a strictly confidential basis, from a contact person. This person should listen patiently, be supportive and discuss the various options open to the employee concerned. In this situation the approach of the contact person to the perpetrator should be by way of a confidential, non-confrontational discussion with a view to resolving the issue in an informal low-key manner.

Formal procedure

- (a) the complainant should make a formal complaint in writing to his/her immediate supervisor, or if preferred, any member of management. The complaint should be confined to precise details of actual incidents of bullying.
- (b).The alleged perpetrator should be notified in writing that an allegation of bullying has been made against them. They should be given a copy of the complainant’s statement and advised that they shall be afforded a fair opportunity to respond to the allegation.
- © The complaint should be subject to an initial examination by a designated member of management, with a view to determining an appropriate course of action. An appropriate course of action at this stage, for example, could be exploring a mediated solution or a view that the issue can be resolved informally. Should any of these approaches be deemed inappropriate or inconclusive, a formal investigation of the complaint should take place with a view to determining the facts and the credibility or otherwise of the allegation.

Investigation

The investigation should be conducted by either a designated member or members of management or, if deemed appropriate, an agreed third party. The investigation should be conducted thoroughly, objectively, with sensitivity, utmost confidentiality, and with due respect for the rights of both the complainant and the alleged perpetrator.

The investigation should be governed by terms of reference, preferably agreed between the parties in advance.

The investigators should meet with the complainant and alleged perpetrator and any other witnesses or relevant persons on an individual confidential basis with a view to establishing the facts surrounding the allegation. Both the complainant and alleged perpetrator may be accompanied by a work colleague or employee/trade union representative if so desired.

Both parties should be given the opportunity to comment on the findings before any action is decided upon by management.

The complainant and the alleged perpetrator should be informed in writing of the findings of the investigation

Outcome

Should management decide that the complaint is well founded, the alleged perpetrator should be given a formal interview to determine an appropriate course of action. Such action could, for example, involve counseling and/ or monitoring or progressing the issue through the disciplinary and grievance procedure of the employment.

If either party is unhappy with the outcome of the investigation, the issue may be processed through the normal industrial relations mechanisms.

.IRISH NURSES ORGANISATION (INO) POLICY ON BULLYING

Bullying in the workplace, regardless of who bullies who, is now well recognized as a form of harassment. As with all forms of harassment, bullying is totally unacceptable and there is no excuse for any worker, regardless of their position, treating a colleague worker with anything less than their due dignity.

Signed by P.J. Madden General Secretary

In the INO booklet, workplace bullying is defined as repeated aggression – verbal, psychological or physical – conducted by an individual or group against others. It is persistent and blatant abuse of power, designed to make another person feel inadequate, hopeless or incompetent.

In 1993 the INO published a ‘Bill of Rights for Nurses and Midwives’ which recognizes “*The right to be treated with dignity and respect by fellow nurses, medical and ancillary colleagues*”.

Threats of disciplinary action, humiliation in front of others, unjustified criticism of work and being denied access to opportunities as the most common forms of bullying.

Other sources state that a significant number of nurses are being intimidated or bullied by colleagues. Bullying has also been identified as one of the major sources of work-related stress. Bullying manifests itself in many forms, including niggling, undermining comments, verbal abuse and silent treatment.

Complaints of Bullying made by INO members.

1. Persistent criticism of work performance.
2. Constant comparing with their colleagues.
3. Threats of insubordination by managers, if an attempt is made to explain or reason.
4. Removing areas of responsibility.
5. Being denied fair access to duty rosters, annual leave or job sharing.
6. Criticizing a colleague in front of others.
7. Excluding others by talking solely to third parties to isolate another.

Emotional & Physical effects of being bullied reported by INO members:-

Worry / anxiety, depression, anger, loss of confidence, guilt, feeling undervalued, fear of job loss, over-sensitive, loss of appetite.

Physical effects:- crying, nausea, insomnia, headaches, increase in the use of alcohol, gynecological problems, bowel changes.

What to do if you believe you are being bullied.

If you are in any doubt as to whether an incident which has occurred to you constitutes bullying, you should not hesitate to contact your staff representative. Your representative will be able to advise you on how to approach the matter and whether the incident merits further action.

It is good practice to keep a written record of events of any incidents, such as what happened, when it occurred, whether there were any witnesses etc. Nurses are urged to keep a record of events should they be subject to any form of harassment.