

Workplace Bullying

Is it the Next Employment Law Nightmare?

Maybe you thought it was just an oversight that you weren't included in the lunch outing by others in your department. Then you later learn that one of your coworkers used the lunch outing as an opportunity to criticize you about everything - from the clothes you wear to your work habits. And later in the week, this same coworker takes credit at a staff meeting for a project you recently completed (knowing you don't have the courage to speak up to dispute his statement).

All of this may remind you of similar antics pulled by bullies in grade school. One would think that the playground bullies would "grow out of it" and not continue this type of behavior in the workplace. Apparently not, as workplace bullying has affected about 35% of workers according to a [CareerBuilder survey](#).

What is a Bully?

Most of us can probably recall some examples of bullying from school days. It might have been the big kid who pushes the others around on the playground, or maybe the popular girl who ridicules classmates. Some of the characteristics may be the same in the workplace, but generally speaking a bully can come in any shape, size, gender, race, or socio-economic class.

On the school playground, bullies oftentimes use physical force to try to prove their power. That type of force isn't as prevalent in the workplace as bullies are more likely to be verbally abusive, causing emotional stress. Studies indicate that often those who tried bullying as a child and had success at it continue to bully throughout their adult life and bring that into the workplace.

What Does Bullying Look Like in the Workplace?

As mentioned earlier, bullying in the workplace is more likely to be in the form of verbal abuse. Some examples include:

- Unwarranted or invalid criticism
- Being sworn at
- Frequent put-downs
- Being treated differently than the rest of peers
- Excessive monitoring or micromanaging
- Deliberate isolation of an employee
- Falsely accusing an employee of mistakes
- Ignoring an employee
- Use different standards/policies toward target than others
- Constantly criticizing
- Yelling at by boss in front of coworkers
- Gossiping about

How bullying is defined is somewhat objective and varies by employees. However, most bullying is going to include common elements such as repeated, unreasonable actions of individuals (or a group) directed towards an employee (or a group of employees) which are intended to intimidate, humiliate, or undermine; or which create a risk to the health or safety of the employee(s).¹

Bullying is about power, and creating feelings of defenselessness and injustice in the target. The bully may even be the boss. In fact, some statistics indicate anywhere from 50% to 75% of bullying involves a manager targeting an employee, which often leaves the target in a defenseless position not knowing what to do.

One of the important differentiations of bullying as compared to aggression is the ongoing pattern of behavior. If a manager is “tough” or “demanding”, that doesn’t necessarily constitute bullying as long as they are respectful and fair. The manager’s motivation may simply be to set high standards of performance. Whereas a bully manager will abuse their position of power by creating a workplace that is disrespectful and unfair, such as setting unrealistic deadlines in order to portray the target in a bad light amongst their peers.

What’s the Harm?

You may be thinking that although bullying behavior is inappropriate, what’s the harm? After all, some employees may just take things too seriously or blow things out of proportion. Unfortunately, that has been the mindset of employers in some of these situations. Bullying is bad for business and typically at the heart of harassment and/or unlawful discrimination based on protected classes. It is prudent for an organization to respond to bullying because if ignored, the employer may be accused of negligent supervision which means they failed to reasonably monitor and/or respond to an employee’s inappropriate conduct. Such behavior could then turn into a lawsuit.

There are many ways that bullying may impact both the employee and the employer:

Employee:

- Post-traumatic stress disorder
- Phobias
- Depression
- Sleep and digestive disturbances

Employer:

- Turnover – cost if someone leaves because of bullying
- Cost of investigations leading to potential legal actions
- Increased absences due to physical and psychological impact
- Breakdown of trust within the organization
- Negative impact on climate and productivity

The targets of bullying are not the only ones impacted. An 18-month long Swedish workplace [study](#) of bullying indicates that women who were witnesses to bullying saw a 33.3% increase in clinical depression while male witnesses experienced about a 16.4% increase. This survey was sent to the entire workforce (from top management to the assembly line). A similar study published the summer of 2012 had similar

findings indicating that employees consider quitting a job if there is a bully at work – even if they aren't the target.

The [Workplace Bullying Institute](#) indicates that those who are bullying targets are often so miserable they quit their jobs because they feel forced to leave or develop physical ailments related to the stress of being bullied that lead them to no longer being able to work. The problem is especially severe for single working parents or those being bullied by a manager, who may have to work and feel they have no choice but to put up with it for fear of losing their job.

What Should You Do?

The initial reaction would be to report the bullying incidents to HR. Unfortunately, that may not produce the most effective results. According to the CareerBuilder survey, of the 27% of cases reported to HR only 43% felt action was taken whereas 57% said nothing was done. So what should happen?

There are recommended steps that should occur, according to [The Bully-Free Workplace](#) written by Gary and Ruth Namie. Workplace leaders and managers should do the following:

- Recognize bullying – The physical and psychological effects on the targets of bullying results in huge costs (i.e., absenteeism, health issues).
- Intervene – Advising the bully and target to “work it out” or “don’t take it personally” doesn’t work. Respond and address immediately, assuring no retaliation will occur for those reporting incidents. Appropriate measures, including disciplinary action, counseling and training, may be part of the intervention and resolution.
- Hold Leaders and Organizations Accountable – An anti-bullying policy should be in place, with leaders enforcing the culture. This often is tied into the “safe workplace” initiative, which will pay back for the organization making it a happier and more productive workplace for all.
- Training – A crucial part of addressing bullying is to not only have a policy but to ensure everyone knows and understands what it covers and how to report. Remember those who witness bullying are also affected? Training and integration affects the entire workplace.

What's Next?

According to the Associated Press, 10 states are now considering legislation that would allow workers to sue for on-the-job bullying that causes physical or emotional harm. It will only be a matter of time before one state takes the lead and passes a law, then other states will follow suit.

Until then, by recognizing bullying as a workplace detriment, we can implement policies and training to bring awareness to this issue.

Sources and Reference:

¹Washington State Department of Labor & Industries, Workplace Bullying and Disruptive Behavior: What Everyone Needs to Know. Report #87-2-2011. www.Lni.wa.gov/Safety/Research

Gary Namie & Ruth Namie (2009). The Bully at Work: What You Can Do to Stop the Hurt and Reclaim Your Dignity on the Job (2nd ed.), Naperville, IL: Sourcebooks

<http://www.workplacebullying.org/>
www.kickbully.com