



BULLYING AND HARASSMENT POLICY

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Bullying & Harassment & Sexual Harassment Definition

Employers have a responsibility to take measures to prevent incidents of bullying occurring through awareness raising and training, reacting speedily to resolve issues early, progress investigations and/or initiate control measures such as procedures on how to deal with this behaviour at work if it arises.

The Task Force on the Prevention of Workplace Bullying defined bullying as: "Repeated inappropriate behaviour, direct or indirect – whether verbal, physical or otherwise – conducted by one or more persons against another or others at the place of work or in the course of employment – which could reasonably be regarded as undermining the individual's right to dignity at work."

The definition of harassment outlined in the Equality Act 2004 provides further clarification of the term, "dignity" – when it states that behaviour and conduct which violates the dignity of a person does so by failing to consider that person and by "creating an intimidating, hostile, degrading, humiliating or offensive environment for the person."

When and if bullying occurs, employers should prevent the risk of injury to the health of employees by providing and implementing support and assistance throughout the process,

Managers and supervisors have a particular responsibility to promote dignity in the workplace for all. They should be alert to the possibility of bullying behaviour and be familiar with the policies and procedures for dealing with allegations of bullying. Managers, supervisors and those in authority should be aware of their own behaviour at work and not engage in improper conduct in any form as their behaviour may be modelled by others and considered acceptable.

Many forms of behaviour may constitute harassment including:

- Verbal harassment - jokes, comments, ridicule or songs
- Written harassment - including faxes, text messages, emails or notices
- Physical harassment - jostling, shoving or any form of assault
- Intimidatory harassment - gestures, posturing or threatening poses
- Visual displays such as posters, emblems or badges
- Isolation or exclusion from social activities
- Pressure to behave in a manner that the worker thinks is inappropriate, for example being required to undress or to dress in an inappropriate manner.

The definitions of sexual harassment and harassment have several common concepts. There is an objective and subjective element to the different parts of the definition.

Other forms of bullying and harassment

Physical violence is one of the more obvious and extreme examples of harassment. But it can also take more subtle forms in the workplace, including: humiliation, intimidation and verbal abuse, victimisation, exclusion and isolation, intrusion or pestering, spying and stalking, repeated unreasonable assignments to duties that are obviously unfavourable to

an individual; repeated requests giving impossible deadlines or impossible tasks; and taking credit but not blame.

Harassment, including sexual harassment is also any act or conduct including spoken words, gestures or the production, display or circulation of written words, pictures or other material if the action or conduct is unwelcome to the worker and could reasonably be regarded as offensive, humiliating or intimidating.

What are the effects of bullying and harassment?

Bullying behaviour can have a devastating impact on an individual and his/her immediate family. This may involve physical, psychological and behavioural effects on individuals and families – and even on organisations and communities. In some cases, these effects may even be life-threatening – where a victim may be driven to attempt self harm.

Among the health problems reported by victims of bullying are: headache, fatigue, nausea, sleeplessness, posttraumatic stress disorder, irritable bowel syndrome, depression, loss of self-esteem, lack of motivation and irritated/distracted behaviour.

Effects on employments – where staff are bullied – may include increased absenteeism, low employee morale; loss of job satisfaction; reduced productivity; negative publicity for the employer; and diversion of management time and energy into seeking settlements of bullying cases.

What to do Guide for Taking Action on Bullying

In principle, the best way of dealing with workplace bullying is to confront it. But even if you are in a position to confront the perpetrator directly, it is rarely advisable to do so in the first instance.

The best way to deal with problem is by following these four stages:

1. Preparation

Even if you feel you are in a position to confront the offender directly, you should still seek support from another person at the earliest possible stage. Choose a trustworthy person who will take the issue seriously. Keep a written record – including details of all incidents, dates, times and noting the names of any witnesses. This will be important if you later decide to make a formal complaint. Write down how you felt and how you responded at the time of each incident. This may also be important if you later decide to make a formal complaint. Talk to your union representative at work or your union official.

2. Confrontation

Once you have prepared your records and spoken to your trusted colleagues and advisors, it is advisable to confront the alleged bully directly.

Explain to him/her that you have already sought support and that you have spoken to a third party or parties.

If you feel you cannot confront the bully directly yourself, you should either:

(a) seek help from a competent person who can act on your behalf and confront the transgressor for you or (b) write to the bully saying that you object to his/her unreasonable or threatening behaviour towards you and that you want it to stop; and point out you have discussed the matter with a third party.

If you decide to write, keep a copy of your letter and any replies. Avoid being alone with the bully and, if possible, try to find witnesses to the bullying.

3. Response

If you are dealing with someone who was simply unaware that his/her behaviour was causing problems, you may find that simply by bringing the issue to his/her attention, the situation is resolved. In such cases, an apology together with a promise not to repeat the behaviour may solve the problem.

If, on the other hand, the bully denies or rejects the criticism, you may have to make a written or verbal complaint to his/her line manager or stage manager.

When making a written or verbal complaint, be sure to stick strictly to the facts. At this point your record of previous instances of harassment becomes important. You should also talk to colleagues about what is happening to find out if others have had similar experiences or if you are the only person suffering in this way.

4. Resolution

Depending on the circumstances of the case, it may be possible to resolve the issue through mediation (using the services of a properly qualified mediator). This would generally be the most preferable course of action to follow. Your union official should be able to give you advice on how this could be put in place.

However, in cases where mediation may not be appropriate, the issue should be dealt with through an investigation by a competent person or persons jointly agreed by production management and the union. If the investigation finds that bullying has taken place, the bully should then be subject to disciplinary sanctions and penalties in keeping with the seriousness of the offence – up to and including dismissal.

Where necessary, victims of bullying should seek professional help – at their employers' expense – to deal with any physical, psychological or behavioural problems that may have developed as a result of the bullying

Remember: Equity is here to support you and you can share your experience with us in complete confidence. Contact us equity@siptu.ie or 01 858 6403 to make an appointment to speak with one of our team.