



Workplace bullying

What is workplace bullying?

Workplace bullying is a form of repeated unreasonable behaviour, which threatens, intimidates or humiliates a person or a group of people in the workplace and creates a risk to their health and safety. The bully can be anyone within the workplace including a manager, a supervisor or a co-worker. Bullying can affect anyone at all levels of employment.

Bullying behaviour may be subtle and not easily observed by other people, or it may be overt and noticeable to others. It may include verbal abuse, constant 'put-downs' and aggression. Persistent, unreasonable criticism of work performance or unreasonable work demands are also common bullying behaviours. Inappropriate comments about personal appearance, work performance and verbal abuse can also be bullying. Assault, both physical and threatened can be a factor. Workplace bullying is inappropriate and unacceptable behaviour in the workplace, and should not be tolerated. Workplace bullying is sometimes also called workplace harassment or mobbing.

Examples of workplace bullying can include:

- Constant nit-picking, fault-finding and criticism of a trivial nature. Often the criticism is based on distortion, misrepresentation or fabrication;
- Simultaneous with the criticism, a refusal to acknowledge you and your contributions and achievements;
- Ongoing attempts to undermine you;
- Being singled out and treated differently from co-workers;
- Being isolated and separated from co-workers;
- Being belittled, demeaned and patronised, especially in front of others;
- Being humiliated, shouted at and threatened, often in front of others;
- Being overloaded with work, or having all your work taken away and replaced with either simple menial tasks or with no work at all;
- Finding that your work – and the credit for it – is stolen and plagiarised;
- Having your responsibility increased but your authority taken away;
- Having annual leave, sick leave, and especially compassionate leave refused;
- Being denied training necessary for you to fulfil your duties;
- Having unrealistic goals set, which change as you approach them;
- Being subjected to inappropriate disciplinary procedures.

What is not workplace bullying?

It is important to understand the difference between a person's legitimate authority at work and abuse and bullying. All employers have a legal right to direct and control how work is done and managers have a responsibility to monitor workflow and give feedback on performance in a respectful and fair way. If an employee has obvious performance problems, these should be identified and dealt with in a constructive and supportive way that does not involve personal insults or derogatory remarks. In situations where an employee is dissatisfied with management practices, the problem should be raised in a manner that does not involve personal abuse.

How does it affect an employee?

Workplace bullying is very subjective, and therefore the impact may vary greatly.

The most commonly reported effects are:

- Stress and anxiety;
- Feelings of isolation at work;
- Loss of self esteem;
- Loss of financial security;
- Loss of or damage to personal relationships;
- Physical symptoms of stress such as headaches, backaches, stomach cramps, sleep disorders and depression.

What does bullying do to my health?

Bullying can impact your health in many ways. Many women report the following symptoms:

- Constant high levels of stress and anxiety;
- Frequent illness such as viral infections especially flu and glandular fever, colds, coughs, chest,





- ear, nose and throat infections (stress plays havoc with your immune system);
- Aches and pains in the joints and muscles with no obvious cause; also back pain with no obvious cause and which won't go away or respond to treatment;
- Headaches and migraines;
- Tiredness, exhaustion, constant fatigue;
- Sleeplessness, nightmares, waking early, waking up more tired than when you went to bed;
- Flashbacks and replays, not being able to get the bully out of your mind;
- Irritable bowel syndrome;
- Skin problems such as eczema, psoriasis, athlete's foot, ulcers, shingles, urticaria;
- Poor concentration, can't concentrate on anything for long;
- Bad or intermittently-functioning memory, forgetfulness;
- Sweating, trembling, shaking, palpitations, panic attacks;
- Tearfulness, bursting into tears regularly over trivial things;
- Uncharacteristic irritability and angry outbursts;
- Hypervigilance, being constantly on edge;
- Hypersensitivity, fragility, isolation, withdrawal;
- Shattered self-confidence, low self-worth, low self esteem;
- Feeling suicidal;
- Reactive depression, lethargy, hopelessness, anger, futility.

Is it against the law?

In some cases bullying may be dealt with under existing laws. Where bullying involves sexual harassment or discrimination on the basis of personal characteristics, such as disability, gender, race or age, a claim may be made under discrimination law.

Where the bullying includes actions which alter your position, or otherwise injure you in your employment, and it is based on a personal characteristic or because you exercised a workplace right, then you may be able to make a complaint to the Fair Work Ombudsman. Check the Factsheets on Discrimination and Sexual Harassment and Adverse Action for more information.

Sometimes bullying includes physical assault. This is a criminal offence and should be reported to the police immediately.

If the effect of the bullying makes you so sick that you can't work, you may be able to lodge a claim for worker's compensation. Your employer has obligations under the *Workplace Health and Safety Act 2007 NT* to provide a safe work environment as well as under general law. If you consider your workplace fails to meet these requirements a complaint may be lodged at NT WorkSafe.

If bullying results in you being dismissed or leaves you no other alternative but to resign, you may be able to lodge a claim for unfair or unlawful dismissal through Fair Work Australia. If you feel forced to resign, it is important that you seek advice before doing so. See the Termination of Employment Factsheet for more information.

What can I do if I'm being bullied?

1. Keep a diary of events.

Write down what bullying behaviours occurred and include dates, times and witnesses. This can be used at a later date if you choose to make a complaint. The act of writing down what has happened can have therapeutic benefits also. Keep copies of any emails or letters that demonstrate the bullying behaviours.

2. Seek support.

Severe workplace bullying is a traumatic experience and should be taken seriously. Talking to a professional counsellor or trusted friend can help you manage your stress whilst you consider your options.

3. Don't blame yourself.

You are never to blame for bullying behaviours of another person.



4. Avoid being alone with the bully.
It is important to ensure your safety as much as possible.

5. Avoid justifying yourself to the bully.
When responding to deceptive, unfair or untrue criticisms and allegations avoid explaining, justifying, elaborating or apologising as such responses gives the criticism or allegation validity it does not have. Put the onus on the bully to provide substantive evidence to justify the accusation.

6. Check grievance procedures in the workplace.
Your workplace should have appropriate policies and procedures that tell you who you complain to and how you do it. You should, if possible, follow these procedures.

7. Talk to a trusted colleague.
Bullying can be so subtle, co-workers may not even notice it happening. If however you have spoken to a co-worker and asked them to pay particular attention, they may witness bullying behaviours and look out for you.

8. Seek advice.
If you are a member of a union, you should contact them to help you make a complaint and advocate on your behalf. If you are not a union member, you may wish to contact the NT Working Women's Centre, a lawyer or an industrial advisor. Seeking advice is particularly important if you are thinking about making a complaint directly to your employer or to an authority such as NT WorkSafe, NT Anti-Discrimination Commission, the Australian Human Rights Commission, the Fair Work Ombudsman or Fair Work Australia.

9. Remain confident in your own ability and judgement.
It is a myth that bullies pick on weak people. Bullies pick on strong and capable people, because people who bully are insecure and inadequate. The bully's behaviour is unacceptable, not yours.

10. Look after yourself.
Eat well, exercise, watch your alcohol intake and be kind to yourself.

11. Further information.
There is lots of information on the internet in relation to workplace bullying. Some of it is very useful, interesting and supportive and some is of poor quality. Simply do a search by typing in the terms 'workplace bullying' and choose what you are most comfortable with.

Writing a letter of complaint

Deciding whether to write a letter of complaint directly to your employer or to an authority can be a difficult decision. The NT Working Women's Centre recommends that you seek advice prior to writing a complaint so that you can be well prepared.

Two of the most important things when writing a complaint is to keep the letter brief and stick to the facts. This may be very difficult for you if you have experienced intense emotions during your experience of the bullying and feel a strong need to write your emotions down. If you are feeling this way, we recommend you start the process by writing a long letter for yourself that is filled with all the emotions you felt. Once you have done this you may find it easier to write a factual letter to your employer.

Here are some tips for writing a complaint letter:

- Keep the letter brief (maximum 2 pages);
- Confine your letter to facts;
- Remind your employer that they have a statutory duty of care under section 55 of the *Workplace Health and Safety Act 2007 NT* to ensure that your workplace is healthy and safe;
- The letter should include a short description of the bullying behaviours. If you need more space to detail a whole series of events you should refer to them in your letter and attach them as a separate timeline;
- The letter should describe the impact the bullying has had on you but protect yourself by not giving information that is too personal;
- The letter should clearly state what outcome you are seeking within a suggested time frame. Eg; you might request a written response to your letter that gives details of any investigation that will take



- place, an apology, that the bully is kept away from you etc;
- You should sign and date the letter and make sure you have written the address you would like your response to be sent to if you want one;
- Finally, you should keep a copy of the letter for your records.



Unfortunately, in the experience of the NT Working Women's Centre, many employers who receive letters about workplace bullying do not respond. But by describing the bullying you have experienced you are a part of a movement of people all around the world who are working to expose the serious effects of workplace bullying.

Note that NT WorkSafe will only conduct enquiries when the bullying is still occurring and you have exhausted all avenues to stop the bullying, such as reporting the hazard to the employer and trying to resolve the issue. It is NT WorkSafe's role to enquire into and determine whether all parties have met their obligations under the Act, not to become involved in the specific details of the alleged bullying activities or to mediate between the aggrieved person and the alleged bully.

Where can I get more help?

The NT Working Women's Centre

Ph: 8981 0655

Freecall: 1800 817 055

Web: www.ntwwc.com.au

The NT Working Women's Centre is an excellent first point of call if you are a woman in the NT experiencing bullying. It can provide an initial appointment to give information on the range of services available and discuss options. The NT Working Women's Centre may be able to assist or represent you if you choose to make a complaint.

Counselling Services

Severe workplace bullying is a traumatic experience and should be taken seriously. Talking to a professional counsellor can help you manage your stress while you consider your options. If you need someone to talk to there are a range of confidential options that are available. If the cost of counselling is beyond your means please discuss payment options with the counselling service.

Lifeline

Ph: 13 11 14

Web: www.lifeline.org.au

This is a free confidential 24 hour telephone counselling service.

Relationships Australia

Darwin Ph: 8923 4999

Local call: 1300 364 277

Alice Springs Ph: 8950 4100

Katherine: Telephone the Darwin number or freecall as listed above.

Web: www.relationships.com.au

Telephone counselling can be provided if you live outside of these areas.

The cost of counselling is determined by the income you earn.

Employee Assistance Service Australia (EASA)

Darwin Ph: 8941 1752

Freecall: 1800 193 123

Alice Springs Ph: 8953 4225

Katherine Ph: 8971 2764

Nhulunbuy and Jabiru: Telephone the Darwin number or freecall as listed above.

Web: www.easa.org.au

Counselling is free for Government employees, employees whose workplaces have a contract with EASA and employees with drug and alcohol issues. For other employees there is a fee for service.

Anglicare Resolve

Darwin Ph: 8946 4800

Freecall: 1800 898 500



Nhulunbuy Ph: 8987 2711.
Counselling is \$30 per session. If this cost is beyond your means discuss payment options with the counsellor.

Somerville Community Services
Darwin Ph: 8920 4100
Palmerston Ph: 8935 1500
Katherine Ph: 8972 5100 (the Katherine office provides counselling for young people aged 12-24 or parents of young people aged 12-24).
Web: www.somerville.org.au
Counselling is free.

Holyoake
Alice Springs Ph: 8952 5899.
Provides individual and group counselling.
It costs \$30 for the initial appointment (cash only, non negotiable). The cost of subsequent appointments will be determined between you and the counsellor and may be up to an amount of approximately \$30.

CAAC - Social and Emotional Wellbeing Branch
Alice Springs Ph: 8951 4457
Provides free counselling and support for Aboriginal people, including specific programs for adults and young people. Self-referrals accepted.

CatholicCare NT
Darwin Ph: 8944 2000
Alice Springs Ph: 8958 2400
Katherine Ph: 8971 0777
Tennant Creek: 8962 3065
Web: www.catholiccarent.org.au
The cost of counselling is determined by the income you earn. If you are concerned about the cost please discuss payment options with the counsellor.

Your GP
You should keep your doctor informed as workplace bullying can have a significant impact on your stress levels and health.

Look under Counselling in the Yellow Pages for a list of Private Counsellors in your area.

Other agencies that can help

Your Union
Unions NT
Ph: 8941 0001
Web: www.unionsnt.com.au
Contact your union directly. If you are not already a member you have the right to join. They can help you make a complaint and advocate on your behalf. If you are unsure which union you can join contact Unions NT.

Your HR Department
Check grievance procedures in the workplace. This will tell you who to complain to and how to do it.

Office of the Commissioner for Public Employment (OCPE)
Promotion Appeal Board and Section 59 Reviews
Ph: 8999 4129
Web: www.ocpe.nt.gov.au
If you work for the NT public sector and have followed agency grievance procedures without success you can refer your grievance and request a Section 59 Review.

NT WorkSafe
Darwin Ph: 8999 5141
Katherine Ph: 8973 8416
Alice Springs Ph: 8951 8682
Freecall: 1800 019 115
Web: www.worksafe.nt.gov.au



Responsible for the regulation of occupational health and safety, rehabilitation and workers' compensation. Worksafe assist with matters that fall under the Workplace Health and Safety Act such as ensuring that workplaces are healthy and safe and free from workplace bullying.

Australian Human Rights Commission
Ph: (02) 9284 9600
Complaints Infoline: 1300 656 419
General enquiries and publications: 1300 369 711
Web: www.humanrights.gov.au

You can make a complaint to the Commission if the bullying involves acts of sexual harassment or discrimination on the grounds of an attribute such as race, age, sex, sexuality, marital status, pregnancy, disability, and political or religious belief. Complaints need to be made within 12 months.

NT Anti Discrimination Commission
Ph: 8999 1444
Freecall: 1800 813 846
Web: www.adc.nt.gov.au

You can make a complaint to the Commission if the bullying involves acts of sexual harassment or discrimination on the grounds of an attribute such as race, age, sex, sexuality, marital status, pregnancy, disability, and political or religious belief. Complaints need to be made within 6 months.

Fair Work Australia
Ph: 8936 2800
Local call: 1300 799 675
Web: www.fwa.gov.au

If bullying results in you being dismissed or leaves you no alternative but to resign, you may be able to lodge a claim with Fair Work Australia. Claims must be made within 14 days of the termination.

Fair Work Ombudsman
Ph: 13 13 94
Web: www.fwo.gov.au

If bullying results in injury to your employment, such as being denied training, and it is because of a personal attribute such as your race, sex or age, you may be able to lodge a complaint with the Fair Work Ombudsman.

NT Police
Ph: (emergency) 000
If calling from a mobile: 112
For non-emergency crime incidents and general enquiries: 131 444
If the bullying involves physical assault this is a criminal offence and should be reported to the police immediately.

Telephone Interpreter Service
Ph: 131 450

National Relay Service (for people with a hearing and/or speech impairment)
Ph: 133 677
Freecall: 1800 555 677



**The NT Working Women's Centre provides free and confidential information, advice and assistance to women about work related matters.
Contact us on 1800 817 055, or www.ntwwc.com.au**

Thanks to Chiggy's Place of Art & Design and Clayton Utz. The NT Working Women's Centre gratefully acknowledges the support of the Northern Territory Government in funding this factsheet. The information, opinions and advice contained have been prepared with due care and are believed to be correct at the time of printing. The publishers expressly disclaim any liability whatsoever to any person who suffers any loss arising from the contents of, errors in, or omissions from this publication. This factsheet is not intended as a substitute for legal advice. Please seek advice for further information about your situation.

Printed May 2010.