

***Workplace Bullying:  
The Ideal Response  
for Unions***

**HCBA  
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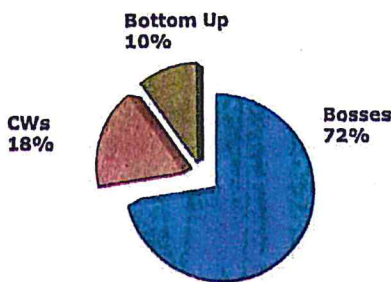
*workplacebullyingforunions.com*

**WORKPLACE  
BULLYING  
INSTITUTE**

The Workplace Bullying Institute (WBI) introduced the British term, Workplace Bullying, to Americans in 1997 and has since refined it to mean abusive conduct. It is now defined as repeated, health-harming mistreatment by one or more persons manifested as: verbal abuse, work sabotage, or behaviors perceived as threatening, intimidating or humiliating. It is a non-physical form of workplace violence.

**Prevalence & Key Characteristics**

WBI commissioned the first two national scientific prevalence surveys sampling all adult Americans. In 2010<sup>1</sup>, 35% of respondents (an est. 54 million people, the combined population of the 6 western-most states) reported being currently or historically bullied, 15% only witnessed it, while 50% had not ever experienced it.



Bullying is mostly top-down<sup>2</sup>, with perpetrators outranking their targets in the vast majority of cases, making the stereotype of the “bullying boss” real. Co-workers bully, too.

- Clinical depression (49%)
- Post-traumatic stress disorder (PTSD - 30%)

A pioneering researcher documented in the late 1980’s the causal link between mistreatment at work and PTSD<sup>8</sup>. Later, the severity of PTSD suffered from bullying most closely approximated PTSD from rape<sup>9</sup>.

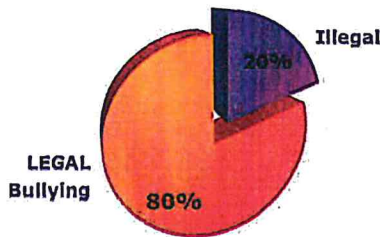
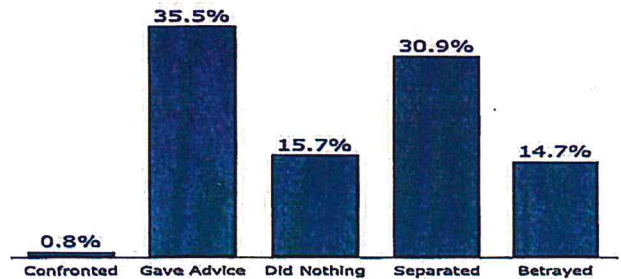
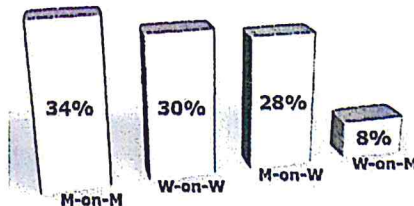
- Considered suicide (29%) ; had a plan (16%)

Prolonged, inescapable exposure to stress is the key causal factor in creating severe emotional injury. At the risk of jeopardizing their own health, 73% of targeted individuals stubbornly remain in their toxic environment for more than 6 months<sup>10</sup>.

**Impact on the Targeted Individual’s Social Relations**

- Strain in the family escalates through estrangement to dissolution
- Ostracism triggers negative emotional effects<sup>11</sup>
- Coworkers do not intervene; they abandon targets<sup>12</sup>

The pairings of bully and target gender shows that the majority of bullying (64%) is same-sex harassment, according to the 2010 WBI national survey.



In only 20% of bullying cases, the harassment was potentially illegal (actionable using anti-discrimination laws). Thus, bullying is 4 times more prevalent than illegal harassment<sup>3</sup>.

**Personal Financial Impact**

What made the bullying stop? Having the target pay the price. Voluntarily quitting, being terminated or constructively discharged. Even a transfer is a negative result. These are the findings from the 2012 WBI Strategies Effectiveness survey<sup>13</sup>. Once targeted, an individual has a 7 out of 10 chance of losing the job for no reason other than bullying. Note that the perpetrator (P) is rarely punished or fired.

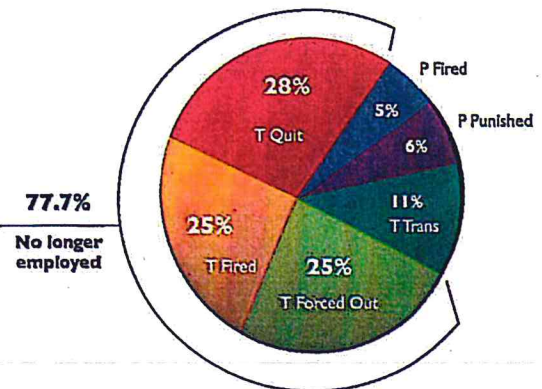
**Impact on the Targeted Individual’s Health**

Stress-related physical health consequences

- Cardiovascular problems -- hypertension (60%)<sup>4</sup>, coronary heart disease, strokes, death
- Gastrointestinal -- IBD
- Neurological structural changes, altered capacity<sup>5</sup>
- Accelerated aging from telomere shortening that interferes with DNA replication<sup>6</sup>

Psychological-Emotional health consequences from Psychosocial Stressors in the workplace<sup>7</sup>

- Debilitating anxiety (80%) & panic attacks (52%)



## Red Flags About Bullying Are Missed or Ignored

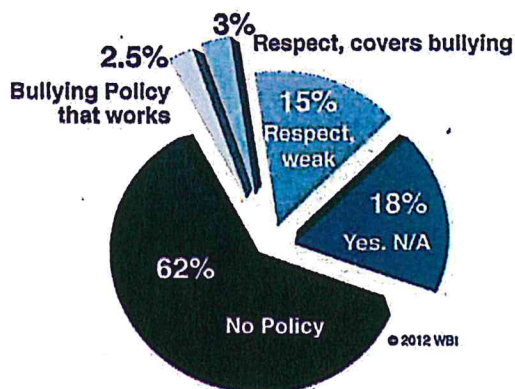
- ✓ Emotional targets are disbelieved and discredited
- ✓ Bullies' portrayal of events were accepted
- ✓ 'Personality clash' label misleads & excuses inaction
- ✓ Executive team protected from negative news
- ✓ Managerial prerogative given no limits
- ✓ Aggressive expressions of personal style go unchecked
- ✓ Personal bond between bully and executive sponsor trumps fiscal losses from bully's effect on the organization and fiduciary obligations
- ✓ No "duty of care" obligations for U.S. employers

## Employer Engagement With Bullying

Employers have dealt with illegal forms of discriminatory misconduct for decades to comply with federal and state laws. The protocol they follow is what needs to be done to address workplace bullying. Here are the components of an ideal comprehensive approach.

- Assess pre-initiative prevalence, the baseline
- Create a specific anti-bullying policy
- Devise informal & formal enforcement procedures
- Train an internal Expert Peer Team to specifically support bullied employees & provide informal resolution
- Educate all executives, managers & staff
- Incorporate measures into evaluation & hiring processes
- Measure, adjust, measure, re-train, measure

The reality, as reported by the actual customers of employer bullying-related policies and procedures, is that in 2012 only 5% of employers had adequate policies and procedures in place. The majority had nothing. A third had useless policies, According to a 2012 WBI survey<sup>14</sup>.



## Still Legal in the U.S. After All These Years

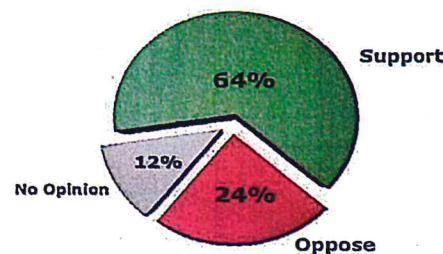
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It is clear that abusive conduct is rampant, present in epidemic numbers. It is a "silent epidemic" because it is still predominantly an "undiscussable topic" with employers and on contract negotiating teams.

According to Suffolk University Law Professor David Yamada, bullying is "status-blind" harassment that ignores the recipient's protected status group membership<sup>15</sup>. Legal protections are not granted at all to individuals who are not members of protected groups. And the courts' current threshold for "outrageous" conduct for the tort of intentional infliction of emotional distress is nearly impossible to satisfy. Thus, cruel, severe, abusive mistreatment at work is expected to be tolerated as routine in the American workplace. It's legal!

- ✓ Shortcomings of current U.S. laws/regulations/CBAs
  - Tort of outrage, American-style, "beyond bounds of civil society" is unattainable standard as is establishment of causal link
  - Bullying involves singling out, discrimination, but protected group status of aggressor confounds case
  - Contracts do not address bullying -- employers resist inclusion; unions overlook bullying as an undesirable working condition
- ✓ The availability heuristic<sup>17</sup> biases decisions -- judges and arbitrators without either direct or vicarious experience with bullying have difficulty believing or understanding it
- ✓ Adjudicators often commit the Fundamental Attribution Error<sup>18</sup> -- the overestimation of the role of dispositional/personality factors compared to work (psychosocial stressors) environment factors not in the complainant's control. Environmental factors are unseen and subtle.

In 2010, a majority of Americans supported the notion of specific anti-bullying laws (dubbed the Healthy Workplace Bill)<sup>16</sup>.



Taking care of our own

- ✓ Information source on the topic
- ✓ Clarification for members uncertain about their ambiguous experience
- ✓ Validation of afflicted members -- you're not crazy!
- ✓ Triage of emotionally wounded, referrals to safe mental health professionals
- ✓ Trainers & educators for membership
- ✓ Intervention assistance
- ✓ Re-socialization of members who are offenders
- ✓ Advocates for employer policy changes
- ✓ Advocates for legislation

Team member attributes

Trusted/Altruistic/Capable of confidentiality/Go-to people problem "fixer"/Good listener/Empathic/Respects others/ Not too judgemental/Advocate for the less powerful

References

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# the WORK DOCTOR.

Workplace Bullying Prevention & Correction  
Services for Employers  
[workdoctor.com](http://workdoctor.com)

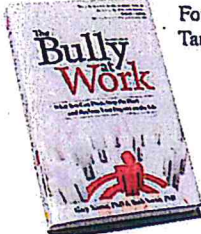
## WORKPLACE BULLYING INSTITUTE

The sole U.S. research & education organization  
dedicated to the eradication of Workplace Bullying  
[workplacebullying.org](http://workplacebullying.org)  
360.656.6630

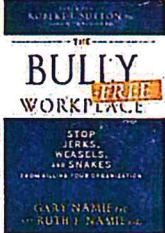
### HEALTHY WORKPLACE Bill

The Healthy Workplace Campaign to Enact the  
anti-bullying HWB in U.S. States  
[healthyworkplacebill.org](http://healthyworkplacebill.org)

*Books by Gary & Ruth Namie*




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