

Understanding bullying and harassment

Key points

- Some acts of bullying and harassment are easy to identify, but others may be more difficult to recognise and address.
- Sometimes a person can be unaware that their behaviour is a form of bullying or harassment, and they can also be unaware of the damage they are doing to their colleagues and the workplace.
- Information and awareness campaigns about bullying and harassment can be a good way to help a person recognise and take responsibility for their actions, and a good way to help the person being bullied or harassed to know what they can do.

Defining bullying, harassment and inappropriate behaviour

Workplace bullying or harassment don't have to be obvious to cause harm. They can happen in a variety of situations and circumstances.

Unless we better understand what behaviour contributes to an environment of bullying and harassment, we can't change things. The first step is to recognise what we can change.

Learn more about the definitions of bullying, harassment and inappropriate behaviour so you can know better.

Workplace bullying is repeated, unreasonable behaviour directed toward a worker, or group of workers, that creates a risk to health and safety. It can take place between a worker and manager/supervisor, co-workers or workers and another person in the workplace (eg a client).

Harassment includes behaviour such as telling insulting jokes about particular racial groups, displaying racially offensive or pornographic posters or screen savers, making derogatory comments about someone's race, making humiliating comments about a person's disability, or asking intrusive questions about someone's personal life.

Harassment can be against the law when it is discriminatory (discrimination), when it includes conduct of a sexual nature (sexual harassment) or when it causes a risk to someone's health or safety (occupational health and safety).

Sexual harassment is a distinct category of harassment that is prohibited specifically under anti-discrimination laws.

Sexual harassment is unwelcome sexual behaviour which could be expected to make a person feel offended, humiliated or intimidated. Sexual harassment can be physical, verbal or written.

Inappropriate behaviour at work covers a range of unacceptable, unprofessional, disrespectful or harmful behaviours that have negative consequences for individuals, teams and for organisations. Inappropriate behaviour includes bullying, discrimination, harassment and sexual harassment.

It also covers workplace violence or going to work under the influence of alcohol or drugs. However, it does not include reasonable management action.

Contributing factors

Risk factors that can increase the likelihood of bullying include:

Presence of work stressors

- High job demands
- Limited job control
- Organisational change
- Role conflict and ambiguity
- Job insecurity
- An acceptance of unreasonable workplace behaviours
- Lack of behavioural standards
- Unreasonable expectations

Leadership styles

- Where little or no guidance is provided
- Responsibilities are inappropriately, unfairly or informally delegated
- Abusive and demeaning behaviour that may include inappropriate or derogatory language or malicious criticism and feedback.

Systems of work

- Lack of resources
- Lack of training
- Inappropriate work scheduling and poorly designed rostering
- Unreasonable performance measures or time frames

Poor work relationships

- Poor communication
- Isolation
- Low levels of support
- Work group hostility

Workforce characteristics

New workers, interns, casual workers, young workers

- Injured workers and workers on return to work plans can be more at risk of being exposed to workplace bullying.

Can workplace bullying be an offence under legislation?

Workplace bullying may amount to a breach of the *Occupational Health and Safety Act 2004* (Vic) where:

- It has created a risk to a person's (including an employee's) health and safety, and the employer has failed to take all reasonably practicable steps to prevent and address it.
- An employee has acted in a way that fails to take reasonable care for the health and safety of themselves and others at work.

Workplace bullying may also be considered a criminal offence under section 21A of the *Crimes Act 1958* (Vic), also known as Brodie's Law, which applies to all forms of serious bullying, including physical, psychological, verbal and cyberbullying.

Am I contributing? Recognising the signs of bullying, harassment or inappropriate behaviour

- Examples of bullying
 - Verbal abuse
 - Intimidation and threats
 - Withholding information that is essential for someone to do their job
 - Excluding or isolating others
 - Interfering with someone's personal property or work equipment
 - Belittling or humiliating comments
 - Practical jokes
 - Unjustified complaints or unreasonable criticism that is not part of managing a person's performance
- Examples of harassment
 - Telling insulting jokes about particular racial groups
 - Sending explicit or sexually suggestive emails or text messages
 - Displaying racially offensive or pornographic posters or screen savers
 - Making derogatory comments or taunts about someone's race
 - Asking intrusive questions about someone's personal life, including his or her sex life.
- Examples of inappropriate behaviour
 - Swearing
 - Short, rude responses
 - Eye rolling
 - Throwing items in anger.

Some of this behaviour may not even be done consciously, but if it becomes normalised and accepted can lead to bullying and harassment.