

# Be Brave

## Dob in Bullying to the FSU

Help stamp out bullying in the workplace

- staffing
- stress
- targets
- pressure
- workload
- performance



**FSU Anti-Bullying Handbook**

# Be Brave

This handbook has been developed to help FSU members identify and address workplace bullying. Your workplace should have a workplace bullying and harassment policy, and this handbook provides general advice to complement your specific workplace policy.

The FSU takes a zero tolerance approach to bullying in the workplace. It has no place in a civilized society and demands urgent and decisive action to deal with the problem where it exists. FSU will prosecute employers and individuals who condone or engage in bullying.

As a member, you are entitled to seek the assistance of the union, and if you are experiencing bullying in your workplace I encourage you to contact the FSU Member Rights Centre for advice. **Call 1300 366 378 between 8am and 6pm Monday to Friday.**

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*FSU National Secretary*

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## What is workplace bullying?

Workplace bullying is repeated, unreasonable behaviour directed towards a worker or group of workers that creates a risk to their health and safety.

Bullying can occur in any workplace. It can be a threat to physical wellbeing and it can make life at work a misery.

The following types of behaviour, where repeated as part of a pattern of behaviour, could be considered bullying:

- Being overloaded with work or not given enough work;
- Being set impossible or inappropriate assignments;
- Excessive or unreasonable supervision;

- Excluding or isolating workers;
- Spreading gossip or false rumours about a worker;
- Offensive messages sent by phone, email or online;
- Damage to property or undermining a worker's performance;
- Unfair use of performance management processes;
- Implied threat of termination or being pressured to resign;
- Verbal abuse, derogatory language, ridicule or humiliation.

Definitions of bullying may vary slightly between Federal and State health and safety systems, but all systems require employers to ensure that the workplace is free from risks to a worker's health and safety.

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## Bullying, targets and performance management

A common practice in finance and insurance workplaces is setting performance targets. Targets can relate to calls, sales, referrals, policies, claims or behaviours and can be set and assessed on either an individual or team basis.

Target setting in itself is not bullying or harassment. Clearly communicating expectations in a workplace is a practice that should be encouraged, and targets can be a good way of tracking the degree of success of business strategies.

However, problems can arise when targets are not agreed, or are set without consultation with staff and become unreasonable or unachievable.

Setting an unreasonable or unachievable task can create stress. Stress created by unfair targets can pose a serious threat to workers' health.

When managers, team-leaders and co-workers are under pressure from senior management to ensure staff meet unreasonable targets it can lead to bullying.

If this is happening in your workplace, as a union member there are things you can do about it.

**FSU can help -  
call 1300 366 378**

**“Bullying is not always intentional, sometimes people do not realise their behaviour is harmful to others.”**



# Be Brave

## What are the responsibilities of employers?

Under workplace health and safety laws, an employer has the main duty for workers' health and safety. All workers have some responsibility for health and safety, but the employer is responsible for employees, contractors, designers and manufacturers who have anything to do with the workplace under their control. They must:

- Consult with workers and health and safety representatives (HSRs);
- Provide adequate and appropriate information, training, instruction and supervision;
- Identify, assess and remove hazards. Where certain hazards cannot be removed they must be controlled. This includes organizational structures and behaviours that may lead to bullying;
- Provide a workplace environment that is healthy and safe;

The FSU recommends that employers who have not already done so develop pro-active policies and procedures to ensure a workplace free from bullying.

A good policy, training of workers and supervisors and good communication can lead to cultural change in a workplace which makes bullying behaviour unacceptable.

A specific policy intended to stop bullying should:

- Include a statement of commitment by all levels of management, which defines bullying and makes it clear that it is unacceptable in the organisation.
- Be jointly developed and agreed by management, HSRs, the FSU and the workplace health and safety committee.
- Guarantee confidentiality, protection for the person raising the complaint against victimization and rapid resolution of issues;
- Provide for regular monitoring and review.

Many workplaces in the finance sector also provide policies on 'whistleblowers' which protect people who speak up about bullies and bullying.

Health and Safety Representatives (HSRs) and workplace representatives are protected from persecution under our industrial laws. This gives them the freedom to do their job without intimidation.



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## Bullying and the law

Some forms of bullying may involve criminal assault. These include incidents where a worker is physically attacked or threatened with violence.

Bullying is a breach of an employer's responsibility under workplace health and safety legislation for employers to provide a workplace free from risk of injury.

Anti-discrimination law may punish certain forms of bullying. Bullying which targets a person on the basis of their gender, race, colour, religion, physical or intellectual disability, age, or sexuality may be unlawful discrimination or a breach of industrial law.

Bullying on the basis of a person's trade union membership or union activity is also a breach of industrial law.

Loss of employment through termination or being forced to resign may be unfair dismissal which could entitle a worker to a remedy under industrial law.



Injury or ill-health resulting from workplace bullying may be the subject of a worker's compensation claim or a common law claim.

The FSU can provide advice about your legal options and assistance with some legal matters or can refer you to legal professionals where appropriate.

**“Some forms of bullying are outlawed by equal opportunity or anti-discrimination legislation.”**

# Be Brave

## What should you do if you are being bullied?

The FSU recommends a pro-active approach to ensure that the health and safety of our members is protected.



- 1. Know the rules:** In addition to your legal right to a healthy and safe workplace, most organisations have policies that specifically deal with bullying and harassment in the workplace. Make sure you are familiar with the guidelines that may apply. There may be a clause in your award or enterprise agreement that relates to promoting a bullying and harassment free workplace. To find out what rules apply to your workplace, **call the FSU Member Rights Centre on 1300 366 378.**
- 2. Keep a record:** Convincing your employer to accept that there is a problem with bullying or harassment requires evidence that repeated unacceptable conduct has taken place over time. Keep a record of what happened, when and where the bullying took place and who was involved. ***The last page of this booklet shows you what the records you keep should look like.***
- 3. Break the silence:** If you are experiencing bullying it is likely that you are not alone. There may be other people who are being targeted by the same bully or bullies. A powerful thing you can do is to talk to other people in your workplace about their experiences. You may be able to support one another or take action to stop the bullying together. **You can also report bullying to the FSU Member Rights Centre on 1300 366 378.** The Member Rights Centre can provide you with information, advice and support in relation to bullying.

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## Taking action to stop bullying

### Take action sooner, rather than later:

- The longer bullying remains unresolved, the greater the impact and the more difficult it becomes to resolve. Ask for help early from your health and safety representative, FSU workplace representative or organiser.
- Keep a diary
- Don't allow yourself to be isolated

### Personal Approaches

- Talk to others who you think might also be experiencing bullying for mutual support or to take action together.
- If you suffer ill-health effects seek medical help or counseling.
- Most employers have a worker assistance program that allows you to access a counselor for support, confidentially and free of charge.

### In your workplace:

- Ask for a copy of your employer's workplace bullying policy;
- If your workplace has no bullying policy, contact the FSU Member Rights Centre on 1300 366 378;
- If your workplace does have a policy, review it with your colleagues and your FSU workplace representative to see whether it is effective or not;



- Set agreed standards for behaviour in the workplace;
- Speak out when you see bullying behaviour;
- Enter the details of incidents in your bullying diary;
- Talk to your Health and Safety Representative, FSU workplace representative or FSU organiser about holding your employer to their obligations;
- Promote a safer and healthier workplace by supporting your colleagues and encouraging them to join the union.

### Workers Compensation

#### If you suffer ill-health effects from bullying:

- Make an incident report;
- Seek medical help from your GP and a specialist if necessary;
- Get advice from the FSU on the process to make your claim;
- Familiarise yourself with your employer's workers compensation procedures;
- Lodge a claim;
- Consult a solicitor (if you don't have a solicitor, the FSU can refer you to one).

# BULLYING DIARY

Keeping a record about the bullying you have experienced can be useful when you are talking to someone about how to fix it. Try to remember and write down as much detail as you can about what happened, when and where the bullying took place and who was involved.

Your Name: \_\_\_\_\_ Dept: \_\_\_\_\_ Phone: \_\_\_\_\_

Date & Time	What happened?	Who was involved?	Where did it happen?	Did anyone witness it?	Was anything done about it?