



Workplace Bullying

Overview

Workplace bullying exists in various forms. Bullying involves behaviour that can intimidate, degrade or humiliate a worker.

What might workplace bullying include?

Bullying may include abuse of power, isolation of workers, verbal abuse, yelling, screaming, offensive language, insults, teasing, pranks, and practical jokes, displaying written or pictorial material which degrades or offends you. Assault, both physical and threatened can also be a factor.

There are bound to be occasional differences of opinion, conflicts and problems in working relations – these are part of working life. But when the behaviour is unreasonable and offends or harms you, then workplace bullying exists and should not be tolerated.

Workplace bullying is unacceptable and a strong union in your workplace is vital to ensure it doesn't occur.

Where bullying involves assault or threat of assault it may become a police matter – contact Member Assist immediately for advice.

The impact

The impact of workplace bullying can be enormous. Stress, anxiety, social isolation at work, loss of self-esteem, loss of financial security, loss or deterioration of personal relationships, physical symptoms of stress such as headaches, backaches, stomach cramps and depression are all possible outcomes of workplace bullying.

What can you do about workplace bullying?

The first matter you should do is consider who else is affected by the workplace bullying.

Are they members of your union and if not they should join. If you're the only one affected, your union can still help.

Check for a workplace bullying policy. Check whether your employer has a policy and complaint procedure for workplace bullying. Information on workplace bullying at your workplace may be included in induction programs, awareness sessions, in-house newsletters; displayed on noticeboards; discussed at staff meetings and team briefings; available in community languages.

Next, check the formal grievance or dispute resolution procedure in your award or union agreement.

Workers should be aware of their rights and how to ensure those rights are respected. Any worker has the right to union representation at all stages of the procedure.

How can I resolve this with the help of my Union?

Your union can intervene to assist members if we are provided with the facts.

Some larger workplaces provide resources such as Worker Assistance Officers, Sexual Harassment Referral Officers, Equity Officers, Workplace Health and Safety Advisers and Medical Services, etc. These resources should be used in an effort to resolve the situation. Take comprehensive notes regarding incidents of bullying. Bullying can be very difficult to define and address and at times, very difficult to prove. It is very important to keep a diary of events, recording incidents in detail. This diary should also contain the names and addresses of people willing to support your claims. This can be used at a later date to assist with proving cases and may be seen as valid evidence in a Court of Law or Tribunal.



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Is your situation covered by anti-discrimination or industrial relations legislation?

Some forms of bullying are covered by the provisions of the Queensland Anti-Discrimination Act or the State and Federal Industrial Relations Acts. Where it can be established that a person is being treated differently because of an attribute (e.g. sex, race, age, religion, etc) relief may be sought through these channels.



Is workplace bullying a workplace health & safety issue?

Yes, under the Workplace Health and Safety Act, an employer has an obligation to protect workers from all acts of violence and may be held vicariously liable for the actions of their workers, or failure to take appropriate action to resolve the situation.

Vicarious liability means that the employer may be held responsible for the actions of workers in the workplace, where those actions may affect the health and wellbeing of others.

Can Workplace Health and Safety Committees help?

Yes, if there is not a workplace health and safety committee at your workplace, you are legally entitled to set one up. Talk to your workplace delegate or contact United Voice Member Assist for advice.

Work Cover

Where it can be established that a psychological injury has occurred due to workplace bullying, you may be entitled to make a claim under Work Cover. For a claim to be successful you need to prove that work was a significant contributing factor to the injury and was not caused by "reasonable management action".

Due to the increase in stress related claims under Work Cover legislation, there may be delays or difficulties with the processing and acceptance of your claim.

Workplace bullying is unacceptable

It is important that a person subjected to workplace bullying is assured that it is unacceptable behaviour and should not be tolerated. As such it should be investigated and treated in the same way as any other complaint.

ALWAYS REMEMBER, WHEN YOU ARE A UNION MEMBER YOU ARE NOT ALONE

Contact us

For more information on any of these topics, please see the other United Voice fact sheets. If you are unsure or require further advice, please contact your union delegate or call United Voice Member Assist on 3291 4600 or 1 800 065 885 outside of the Brisbane area. Alternatively you can now lodge a request for information or assistance at www.memberassist.org.au

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worth joining for