

# Introduction

Staff at UniSA have the right to be treated with dignity and respect and to work in a safe and harassment free environment.

This resource has been developed by the People, Talent and Culture team to assist staff and managers to recognise and manage bullying in the workplace.

## University policies, procedures, and forms

The following policies and procedures are important tools in dealing with bullying behaviour:

- [Staff Code of Conduct](#)
- [Equal opportunity policy](#)
- [Sexual harassment policy](#)
- [Health safety and injury management policy](#)
- [Discrimination and harassment grievance procedures \(staff\)](#)
- [By-law 7, Disorderly or Offensive Behaviour](#)
- [Incident or Hazard report](#) (password protected)

Workplace bullying is recognised as a workplace hazard and so must be prevented and managed in accordance with the duty of care obligations under the work health and safety laws and the Fair Work Act 2009. Aspects are also covered under State and Federal anti-discrimination legislation.

# What is workplace bullying?

Australian law defines workplace bullying as *repeated* and *unreasonable behaviour* directed towards a worker or a group of workers that creates a *risk to health and safety*.

**Examples of workplace bullying or harassment may include but are not limited to:**

- **Verbal communication, such as**
  - abusive, insulting or offensive language
  - persistent teasing or regularly making someone the brunt of practical jokes or ‘initiation ceremonies’
  - spreading rumours or gossip or innuendo of a malicious nature
  - constant and unreasonable criticism or complaints or trivialising of achievements.
- **Manipulating the work environment, such as**
  - isolating someone from normal workplace interaction
  - deliberately denying someone access to information or resources required to complete work or providing incorrect, incomplete or delayed information
  - setting impossible deadlines or workloads
  - intentionally under-utilising someone and their relevant skills and experience
  - setting tasks that are unreasonably beyond a person’s ability and requirements of the position.
- **Psychological manipulation, such as**
  - unfairly blaming a person for mistakes or delays
  - chastising someone in front of other people
  - setting someone up for failure
  - deliberately excluding someone from normal workplace activities
  - excessively supervising or monitoring someone
  - allocating humiliating and demeaning tasks unequally.
- **Cyber bullying**
  - using electronic technology (ie mobile phones) or communication tools (ie social media sites) to engage in bullying activities.

**The key words are** *repeated, unreasonable and a risk to health and safety*

# What is not workplace bullying?

Not everything that makes someone feel upset at work is workplace bullying.

A single incident of unreasonable behaviour does not qualify as bullying, although it may be inappropriate under the:

- [Staff Code of Conduct](#) and other [University policies](#) such as the
- [Acceptable use of information technology \(IT\) facilities](#) or
- [Inclusive language](#).

A manager providing reasonable, legitimate and appropriate feedback on an individual's work performance and setting performance goals and deadlines is not workplace bullying.

It is also not workplace bullying to communicate a negative performance evaluation or inappropriate workplace behaviour(s) in a reasonable manner.

Further information can be found in [Providing Quality Feedback: A Manager Essentials Guide](#).

Reasonable workplace decisions such as implementing organisational change or restructuring, the rostering of working hours, changing work allocations or workstations do not normally constitute bullying.

**The key word is *reasonable***

# Consequences of bullying or harassment

The impact of workplace bullying will affect individuals differently and will vary according to the circumstances.

Some of the consequences of bullying in the workplace may include:

- increased stress for the person and other employees who witness the behaviour
- a rise in personal distress, anxiety, sleep disorders, mood swings or depression
- deteriorating work relationships that may flow onto personal, home and family life
- an increase in personal, team, area or organisational frustration when bullies use their power inappropriately
- lack of confidence or trust in the process or the University when employees witness or know about the bullying especially if it appears that nothing or very little is being done to address the situation
- increased absenteeism and erratic timekeeping
- low morale and erosion of staff loyalty and commitment
- a reduction in staff productivity
- an increase in resignations
- adverse publicity or poor public image for the University.

**Bullying affects women and men at all levels within an organisation.  
No one is immune from bullying because of their position or status.  
Bullying can be manager to staff member; peer to peer;  
or employee to manager.**

There may be significant direct or indirect financial implications for an organisation when bullying occurs. These could include costs associated with:

- counselling
- employee assistance
- mediation
- management time
- workers' compensation claims
- recruitment, selection and training of new staff
- rebuilding of a healthy team culture or a positive work environment
- lost productivity and missed key deadlines
- penalties for failing to comply with legislative provisions
- civil and/or criminal action.

# What can you do about it?

It can be hard when you are feeling stressed or upset to be objective about what is happening. It is important to get sensible advice and help and to find out if what you are experiencing is workplace bullying.

## If you think you are being bullied...

- complete the [self-audit checklist](#) (copy at the end of this resource) and read Safe Work Australia's [Dealing with workplace bullying - a workers guide](#) to help you define your concerns and determine if you may be being bullied
- keep an accurate, confidential record of times, dates and places when you experience the behaviours and names of witnesses, if any
- if you feel safe and comfortable to do so - calmly approach the person and explain that you object to the behaviour and clearly identify what it is they are doing and ask for it to stop
- tell your manager about your concerns as soon as possible or if it relates to your direct supervisor speak with their manager
- seek advice from [People, Talent and Culture](#)
- contact the staff [Employee Assistance Program](#) (EAP)
- consider submitting an online [Incident or Hazard report](#) (password protected).

## If a colleague or staff member tells you they are being bullied...

- reassure the person that UniSA takes bullying and harassment seriously
- ask the person what they want to do about the situation
- seek advice from [People, Talent and Culture](#)
- speak with a contact from the [Employee Assistance Program](#) Manager Assist Program
- refer the person to People, Talent and Culture (and the EAP).

## If you observe bullying...

- if you feel comfortable and safe to do so - approach the person(s) and tell them that you believe their behaviour is inappropriate, describe what you witnessed and request that it stop
- keep a confidential, accurate record of what you observed
- recommend that the person being bullied speak to their manager or to People, Talent and Culture (and the EAP)
- if you are the manager of either or both parties, then seek advice from People, Talent and Culture and implement a process to prevent the behaviours continuing.

## If you are accused of bullying...

- try to keep composed and listen carefully to what is being said
- complete the [self-audit checklist](#) (found at the end of this resource) and read Safe Work Australia's [Dealing with workplace bullying - a workers guide](#) (particularly the section on 'what to do if you are accused of workplace bullying')
- speak with your manager or someone you trust
- contact the staff [Employee Assistance Program](#) (EAP)
- seek advice from [People, Talent and Culture](#)
- be aware that a formal investigation may take place.

# Contacts

## People, Talent and Culture

- phone: 8302 1700
- website: <https://i.unisa.edu.au/staff/ptc/contacts-and-feedback/>

## Employee Assistance Program (EAP) counselling service

- phone: 1300 277 924
- website: <https://i.unisa.edu.au/staff/ptc/safety-and-wellbeing/wellbeing/employee-assistance-program/>
- manager assist: <https://i.unisa.edu.au/staff/ptc/safety-and-wellbeing/wellbeing/employee-assistance-program/faq/content/manager-assist-program/>

**Wellbeing Gateway** – 24/7 sms chat for professional support

## External Agencies

- website: <https://i.unisa.edu.au/policies-and-procedures/external-agencies/>
- Safe Work Australia: <https://www.safeworkaustralia.gov.au/safety-topic/hazards/bullying>
- Fair Work Commission - *anti-bullying*: [www.fwc.gov.au/disputes-at-work/anti-bullying](http://www.fwc.gov.au/disputes-at-work/anti-bullying)

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- Curtin University of Technology: Bullying guides (password protected)
- University of Melbourne: Bullying toolkit (password protected)



# Self-audit checklist: for the complainant of workplace bullying

Experiences of bullying can be difficult to define and evidence may differ between people and work situations and can evoke a range of emotional responses. Not everything that makes someone feel upset or offended at work is workplace bullying. It can be hard when you are feeling stressed or upset to be objective about what is happening - it is important to get advice and help.

This checklist has been developed to assist you to reflect on your situation. It may help you to define the problem, consider options for help, identify relevant university policies and possible actions, and determine if your experience may be workplace bullying. Be aware that using this checklist and ticking all or most of the boxes is not 'proof' that you are being bullied, nor is it recorded or reviewed by any other person unless you choose to share it.

## In considering options to resolve your situation you could reflect on the following:

- ☐ Have I read the UniSA [Recognising and managing workplace bullying](#) resource and Safe Work Australia's [Dealing with workplace bullying - a workers guide](#) as a basis for defining bullying and understanding University policy and procedures?
- ☐ Having read these resources - do I think the behaviour I am concerned about fits the definition of 'workplace bullying' as *repeated* and *unreasonable behaviour* that creates a *risk to health and safety*?
- ☐ Would a 'neutral' person consider the behaviour to be offensive, humiliating, intimidating or threatening?
- ☐ Has the behaviour I am concerned about been repeated or was it a single instance?
- ☐ Could the behaviour I am concerned about be part of the normal disciplinary or performance feedback procedure at work?
- ☐ If I do not believe my experience can be defined as 'bullying', could the behaviour be seen as workplace conflict or a form of harassment? If so, have I explored the options available to resolve these issues?
- ☐ Can I resolve the situation or stop the behaviour by talking to the person directly?
- ☐ Have I informed the other person that the behaviour is unacceptable in terms of the University's policies and procedures and ask that it stop?
- ☐ If I am unable to discuss the matter directly with the person, could I discuss the matter with his or her supervisor/manager?
- ☐ Have I kept a diary about the behaviour including times, places, names of witnesses?
- ☐ What are the possible consequences of making a complaint?
- ☐ What do I want to achieve from making a complaint?
- ☐ How do I cope with the behaviour if I decide not to make a complaint?
- ☐ Have I discussed the situation and options with someone I trust? *This may include People, Talent and Culture.*
- ☐ Do I need to seek support through the [Employee Assistance Program](#)?
- ☐ Should I consider submitting an online [Incident or Hazard report](#) (password protected) to report the situation?



## Self-audit checklist: for the person accused of workplace bullying

Experiences of bullying can be difficult to define and evidence may differ between people and work situations and can evoke a range of emotional responses. For a person accused of bullying this can come as quite a shock and be distressing. It is important to keep calm, to listen to what is being said, and to be prepared to change your behaviour.

This checklist may assist you to reflect on your situation, consider if any of your behaviours may be *perceived* as bullying and determine any changes you could make to your behaviour(s). It could also assist you to identify relevant university policies, options for resolution and resources available to you. It is not recorded or reviewed by any other person unless you choose to disclose it.

**In considering options to resolve your current situation you could consider or discuss the following:**

- ☐ Have I read the UniSA [Recognising and managing workplace bullying](#) and Safe Work Australia's [Dealing with workplace bullying - a workers guide](#) as a basis for defining bullying and understanding University policy and procedures?
- ☐ Having read the resources, could any aspect of my behaviour be perceived as fitting the definition of bullying as *repeated* and *unreasonable behaviour* that creates a *risk to health and safety*?
- ☐ Could a 'neutral' person consider any aspect of my behaviour to be offensive, humiliating, intimidating or threatening?
- ☐ Is it possible that the tone or volume of my voice or my body Language could be perceived as offensive, humiliating or threatening?
- ☐ Could someone else perceive my communication or management style as offensive, humiliating, intimidating or threatening?
- ☐ When I feel angry, stressed, or anxious could my feelings be exhibited in a way that others may find offensive, humiliating, intimidating or threatening?
- ☐ Could someone else perceive the way in which I provide feedback on people's work or monitor their performance as overly critical or excessive?
- ☐ Could targets or deadlines I have set be perceived as deliberately impossible to achieve?
- ☐ Have I excluded a particular person from essential information or meetings?
- ☐ Is it possible that I have repeated my alleged behaviour towards the person?
- ☐ was the behaviour that has been perceived as bullying part of the normal disciplinary or performance feedback procedure?
- ☐ Have I been accused of bullying in the past?
- ☐ Could I resolve the situation by talking to the person directly and is this appropriate?
- ☐ Have I discussed the situation and options in a confidential manner with someone I trust?  
*This may include People, Talent and Culture.*
- ☐ Do I need to seek support through the [Employee Assistance Program](#)?