

# GOLDEN OPPORTUNITIES

NERAOC 2015  
SAN DIEGO, CALIFORNIA  
MAY 3 – 6, 2015

WORKPLACE BULLYING: DEFINE, RECOGNIZE & RESPOND

CHIQUITA MCALLISTER, PRESENTER  
NORTH CAROLINA A&T STATE UNIVERSITY



# INTRODUCTION

***“Bullying is the sexual harassment of 20 years ago; everybody knows about it, but nobody wants to admit it.”***

**Lewis L. Maltby, President, National Workrights Institute**

In surveys conducted by the Business Research Lab during 2002 and 2003, 40% of respondents stated they had been victims of workplace bullying and 59% had observed someone else being bullied at work. According to a study released by the Employment Law Alliance in 2007, 45% of respondents reported they had worked for an abusive boss. According to the Workplace Bullying Institute, in 2014 49% of adult Americans have bullied or witnessed it. 80% of bullying is legal. 72% of bullies outrank their targets.

According to David Maxfield, coauthor of the books “Crucial Conversations and Influencer”, 96% of American employees experience bullying in the workplace. 62% of employees ignore the problem.

# OBJECTIVES

**At the close of this session, you will be able to:**

- ▶ **Define workplace bullying.**
- ▶ **List forms of bullying behavior.**
- ▶ **Tell the difference between workplace bullying, illegal discrimination and harassment based on protected group status.**
- ▶ **Give reasons why it is important to confront and stop workplace bullying.**
- ▶ **Cite ways to stop this offensive behavior.**
- ▶ **Identify components of a policy on bullying.**

# DEFINITION OF WORKPLACE BULLYING

Workplace bullying, as defined by the Workplace Bullying and Trauma Institute, is the repeated mistreatment of one or more employees with a malicious mix of humiliation, intimidation and sabotage of performance. According to the Institute, it is more common than sexual harassment or verbal abuse.

It is the deliberate, hurtful, repeated mistreatment of employees driven by a desire to control.

Bullying behavior may exist at any level of an organization.

Bullies can and often are managers and supervisors as well as co-workers.

# DEFINITION OF WORKPLACE BULLYING (CONT'D)

**Workplace bullying can generally be considered as negative acts directed toward employees. These include:**

- ▶ **Intimidating or undermining employees by demeaning their work standards, not giving them credit, setting them up for failure and constantly reminding them of old mistakes.**
- ▶ **Threatening employees' personal self-esteem and work status.**
- ▶ **Isolating employees from opportunities, information and interaction with others.**
- ▶ **Giving impossible deadlines, creating undue pressure and stress, and overworking employees.**

# FORMS OF BULLYING BEHAVIOR

- ▶ **Serial Bullying**
- ▶ **Secondary Bullying**
- ▶ **Pair Bullying**
- ▶ **Gang / Group Bullying**
- ▶ **Vicarious Bullying**
- ▶ **Regulation Bullying**
- ▶ **Legal Bullying**
- ▶ **Pressure / Unwitting Bullying**
- ▶ **Corporate Bullying**
- ▶ **Organizational Bullying**
- ▶ **Client Bullying**
- ▶ **Cyber Bullying**

# “KISS UP KICK DOWN” BULLYING EXAMPLE

Often, a workplace bully will have mastered kiss up kick down tactics that hide his/her abusive side from superiors. As a consequence of this strategy:

- ▶ A bully's mistakes are always kept concealed or blamed on others
- ▶ A bully keeps the target under constant stress
- ▶ A Bully's power base is fear, not respect
- ▶ A bully withholds information from subordinates; keeps information flow top-down only
- ▶ A bully blames conflicts & problems on subordinate's poor attitudes & character flaws
- ▶ A bully creates an unnatural work environment where people constantly walk around on eggshells & are compelled to behave in ways they normally would not.

# BULLYING IS CHARACTERIZED BY:

- ▶ **Repetition (occurs regularly)**
- ▶ **Duration (is enduring)**
- ▶ **Escalation (increasing aggression)**
- ▶ **Power Disparity (the target lacks the power to successfully defend themselves)**
- ▶ **Attributed Intent**

# THE ROOTS OF BULLYING

- ▶ **Who Gets Targeted?**
- ▶ **Who Are The Perpetrators?**  
**(Personality Disorders & Dysfunctional personality traits)**
- ▶ **How Does Bullying Happen?**
- ▶ **Stress Related Health Impairment**
- ▶ **Social Harm**
- ▶ **Economic Harm**

# DIFFERENCE BETWEEN WORKPLACE BULLYING AND ILLEGAL DISCRIMINATION AND HARASSMENT

**Workplace bullying is inappropriate and unacceptable behavior, but it is not prohibited by any federal or state law.**

**Illegal discrimination and harassment covered by Title VII of the Civil Rights Act and under state fair employment laws pertain to discrimination and harassment based on protected group status such as age, race, gender, ethnic origin, disability and religion.**

**While workplace bullying may result in a hostile work environment, it is not the same illegal hostile work environment created by, for example, the employer allowing pornographic photos and objects in its workplace.**

# DIFFERENCE BETWEEN WORKPLACE BULLYING AND ILLEGAL DISCRIMINATION/HARASSMENT: QUIZ

For each of the following, state whether the behavior is workplace bullying or illegal discrimination/harassment.

Example 1 – John Smith, production line manager, calls Mary Adams, one of his assembly line workers, “sweetie pie” in a group meeting in front of her co-workers. Most of her co-workers are men. He continues, saying that she makes lots of mistakes and is slower than everyone else, but she looks really cute in her work overalls and hard hat. He calls her into his office after the meeting and says if she will go out with him, he will give her a desk job to get her off the assembly line.

Is this workplace bullying or illegal discrimination and harassment?

# DIFFERENCE BETWEEN WORKPLACE BULLYING AND ILLEGAL DISCRIMINATION AND HARASSMENT: QUIZ (CONT'D)

**Example 2 – Joan Downing yells and curses at her co-worker, Paul Jones, who has a cubicle next to hers. She makes fun of his new haircut and the way he walks. She constantly criticizes his work performance and gossips to other employees about phone conversations between Paul and his girlfriend.**

**Is this workplace bullying or illegal discrimination and harassment?**

**Example 3 – Kurt Brown, who manages the accounting department, sends nasty e-mail messages to his employee, Peter Marks. He blames him for the backlog in the department and threatens to demote or fire him if the department does not meet its goals. He glares at him and makes fun of questions Peter asks in staff meetings.**

**Is this workplace bullying or illegal discrimination and harassment?**

QUESTIONS? COMMENTS?

# REASONS TO CONFRONT AND STOP WORKPLACE BULLYING

**Employers must confront and stop workplace bullying because of significant effects and damage to both employees and to the company.**

- ▶ **Workplace bullying results in employees suffering from significant physical and emotional problems, including anxiety, depression, gastrointestinal disorders, headaches, insomnia, cardiovascular disease, poor concentration, substance abuse and lowered self-esteem.**
- ▶ **Costs to the employer include turnover, higher health care costs, low productivity, absenteeism, low morale and retaliation that may reach levels of aggressive and violent behavior.**
- ▶ **Above all, tolerating workplace bullying makes it impossible for employers to reach the goal of treating all employees with respect and dignity.**

# REASONS TO CONFRONT AND STOP WORKPLACE BULLYING (CONT'D)

- ▶ **There is no specific federal or state anti-bullying legislation in the United States, but that does not mean that employers may not be held liable for tolerating bullying in their workplaces.**
- ▶ **If the offending behavior is pervasive enough to be considered threatening, intimidating or creating an environment full of hostility, there is potential for a claim of constructive discharge, intentional infliction of emotional distress or relating the bullying to protected class discrimination.**

# WAYS TO CONFRONT AND STOP WORKPLACE BULLYING

## To confront and stop workplace bullying:

- ▶ Establish an anti-bullying policy that explains what bullying is and that it is unacceptable behavior.
- ▶ Train managers and all other employees on the policy.
- ▶ Establish processes for reporting, investigating and resolving complaints.
- ▶ Conduct periodic employee attitude surveys to determine if workplace bullying is not being reported.

# POLICY ON WORKPLACE BULLYING - EXERCISE

QUESTIONS? COMMENTS?

# SUMMARY

Workplace bullying is the deliberate, hurtful, negative, repeated mistreatment of one or more employees driven by a desire to control.

Some of the forms it takes are constant and unfair criticism, teasing, yelling, insulting, malicious gossiping, and aggressive behavior.

Workplace bullying is inappropriate and unacceptable behavior, but it is not prohibited by any federal or state law, unlike illegal discrimination and harassment covered by Title VII of the Civil Rights Act and under state fair employment laws.

# SUMMARY (CONT'D)

Employers must confront and stop workplace bullying because of significant effects and damage to both employees and to the company. These include physical and emotional problems suffered by employees, high turnover, low productivity, low morale and employer liability under federal and state fair employment laws.

To confront and stop workplace bullying, employers must establish an anti-bullying policy; train managers and all other employees on the policy; establish processes for reporting, investigating and resolving complaints; and conduct periodic employee attitude surveys to determine if workplace bullying is not being reported.

# ADDITIONAL INFORMATION:

**mcallist@ncat.edu**

**336.285.4654**