

Blueprint For A "Bullying-Free" Workplace

It makes good business sense to voluntarily adopt a proactive, preventive approach to bullying

By Gary Namie
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We laugh at jerks who are outrageous and perpetrators of incivility. Jerks annoyingly disrupt; bullies maliciously destroy people and organizations.

Bullying is intuitively understood, but a precise definition of workplace bullying is useful for employer policies and imperative for lawmaking purposes. Bullying at work is repeated, health-harming mistreatment that takes one or more of the following forms: verbal abuse; conduct that is threatening, intimidating or humiliating; or sabotage of work such that legitimate business interests are undermined.¹

The workplace bully label seems to be the most pejorative branding possible in corporate or government life. In an Indiana 2005 so-called "bullying" trial, an expert witness (this author) accused the defendant physician of being a "workplace abuser." The appellate court² said mention of bullying fostered a "danger of unfair prejudice, confusion of issues, and/or misleading (of) the jury" and reversed the lower court decision. Sounds a bit touchy, doesn't it? At recent state Supreme Court oral arguments in the case³, Chief Justice Shepard suggested an absence of confusion, positing that most adults have a familiarity with bullying from third grade on!

Bullying At Work Is Rampant

Without doubt, workplace bullying exists. According to the largest-ever scientific survey completed in September 2007, 37% of the American workforce has directly been bullied.⁴ Another 12% witness bullying. Effectively 71 million workers are affected by it.

According to the same poll, employers react to reports of bullying in their organizations by doing nothing (44% of incidents) or worsening situations (18%). Denials ring hollow in light of these data.

Our on-site anecdotal experiences as anti-bullying consultants mirror the empirical evidence. Employers defensively rally around their hyper-aggressors when exposed. Individuals who dare expose their tormentors are sacrificed. It makes little business sense, but that is the step most commonly taken.

Why Do Bullies Get Away With It?

It is paradoxical that bullying is at once so costly to employers and targeted individuals while being accepted as a normative, benign aspect of doing business. This is no accident. There are several explanations.

- Aggression's allure. "This country was built by mean, aggressive, sons of bitches," said Jeff Tannenbaum (of Littler Mendelson, San Francisco) ... "Some people may need a little appropriate bullying in order to do a good job."⁵ America's love affair with aggression is nearly an expectation. Societal norms are the context for all institutional conduct such as work. So, working in an aggressive society colors perceptions of work itself. Silly rationalizations like "That's why they call it work and not vacation" suggest that work should hurt to be meaningful.
- Machiavellian objectification and manipulation of others passes for normal and expected "ambition." We tend to admire, and not criticize, interpersonal gamesmanship. What works on TV reality shows is counterproductive in healthy organizations. The mandate to deliver ever-escalating quarterly profits coupled with an executive indifference about the means to accomplish the goal is a blank check to an abusive person.
- Bullies look like super-performers to executives. To subordinates (and 55% of those bullied are subordinates), bullies are recognized as thieves of credit for accomplished work and managers who rely on fear to compel work.
- Ingratiation by bullies to curry protection, if and when exposed, camouflages their undermining of business. Executive sponsors typically refuse to separate bullies when faced with evidence of the bully's destructive impact. We watched the director of a federal government bureau refuse to accept a division chief bully's self-imposed demotion because to the director the bully was "a great conversationalist and a lunch buddy." Bottom line be damned!
- Bullying ignores civil rights protected status group designations. Bullying is "status-blind" and four times more prevalent than illegal discrimination (according to the survey). Employers can afford to ignore it because it is legal, however costly. Employers create policies to be compliant with employment laws. No law, no reason for policies, no accountability to respond to employee complaints. Bullying's legality makes it relatively invisible.
- Employers' representatives—HR, senior managers, corporate counsel—do not know what to do to stop bullies who intimidate.

Create A Blueprint For A "Bullying-Free" Workplace

Let's say the decision is made to be a responsive organization rather than one mired in denial. The next choice is whether to purge bullies sequentially or approach the problem systemically, minimizing the role of personalities.

The "bad seed" theory is responsible for many expensive but short-term fixes. Sending the bully off to anger control or communication classes is fruitless since personalities are relatively unmalleable. This whack-a-mole game traps employers. Problems are certain to happen, but employers can never be sure where or when they will pop up next.

Instead, think of bullying as a systems problem, not just the invention of a few people. A bullying-prone workplace is built on three principles.

- First, employers provide opportunities for workers to mistreat each other in cutthroat ways. This is primarily inadvertent, though some bullying is done by mandate from above.
- Second, bullies read the cues and exploit others when they believe they can do so with impunity.
- Third, employers reward the mistreatment and lock in an abusive culture.

Also, bullies cultivate their successors so that when they are banished (and they rarely are—in only 23% of cases according to the survey), their legacy continues.

A comprehensive, long-run solution is necessary in order to both correct acute outbreaks of bullying and to prevent future misadventures.

Here are some pre-intervention assumptions to avoid post-intervention disappointment:

- You can only constrain workplace-relevant behavior, not re-engineer personalities;
- The governing Board and executive team must endorse the blueprint and be subject to its prohibitions;
- Employees will not trust the organization to change its approach to bullies until the first case is adjudicated fairly;
- Even bullies must have the chance to re-learn, so do not adopt a zero tolerance position;
- Do not count on HR to provide leadership to the internal anti-bullying campaign;
- Do not designate as leader a person not trusted by the majority of workers (despite your favorable impression of him or her).

Consider bullying a form of workplace violence, albeit primarily psychological, not effectively mitigated by traditional conflict resolution methods.

Correct And Prevent Bullying At Work In Four Steps

1. Change the policy. A group of employees representing all internal constituents—senior management, non-supervisory staff, unions, HR—should collaboratively create an explicit anti-bullying policy. Policies contractually obligate employers, whereas mission statements, with effusive generalities such as "respect for all individuals" do not obligate and are rarely credible. Define bullying precisely in a way that closes loopholes that unscrupulous bullies inevitably seek. Give some examples. Declare its unacceptability. Distinguish it from currently illegal discriminatory misconduct. Specify managerial responsibilities as well as ensure rights to manage without abuse. Apply the prohibitions to individuals at all levels. Count retaliation for filing a complaint a separable offense.
2. Enforce the policy. Simultaneously with policy development (over 2 to 3 days), have the group design credible enforcement procedures. Policies that are not enforced promote employee cynicism. Create the opportunity to complain either informally or formally. Trained and trustworthy (often peer) fact finders can conduct investigations. Timely responses are the goal; set deadlines for action. In cases of confirmed policy violations, remedies should focus less on punishment than on restoring health and psychological safety to affected individuals. Penalties can stiffen as the number of violations rise until termination is mandated. And everyone at all levels is subject to policy compliance and enforcement when violations occur. Apolitical enforcement, free from executive interference or override, is the most critical part of the Blueprint system. It is the employer's chance to show a genuine desire to change the culture of aggression.
3. Educate and train. Use traditional policy-rollout procedures. After the creation of an anti-bullying policy, employers need to provide training about the phenomenon of bullying, to convey the employer's new-found intolerance of it, and procedures in place to correct it. Provide supplementary training for specialty groups: HR, EAP, Executive team, and Board/Trustees. New employee orientation should also feature the anti-bullying commitment.
4. Provide restorative interventions. Bullying is not only more prevalent than illegal harassment; it more adversely impacts the psychological health of targeted individuals.⁶ Therefore, bullied individuals and affected work teams need special attention after policy complaints have been adjudicated. Participants in investigations deserve to know about results unlike the current shrouding practice by HR for the sake of confidentiality. Some individuals, targets and witnesses, will require help from mental health professionals, depending on the length of exposure to bullying. According to the 2007 survey, 45% of bullied targets suffer stress-related health consequences. Counselors connected with an employee assistance plan (EAP) can help if they understand bullying.

The above four-step blueprint is a proactive, preventive approach to bullying. It makes good business sense to adopt voluntarily.

However, the state-by-state legislative campaign to make workplace bullying legally actionable is gaining momentum. Since 2003, 13 states have introduced some version of the anti-bullying Healthy Workplace Bill.⁷ The passage of the first state law may be the incentive employers require.

FOOTNOTES

1. Definition from the [Workplace Bullying Institute](#) as codified in the text for the Healthy Workplace Bill adopted in several state legislatures.
 2. Raess v. Doescher, 858 N.E.2d 119 (Ind. Ct. App. 2006), aff'd on reh'g, 861 N.E.2d 1216 (Ind. Ct. App. 2007).
 3. Oral arguments heard Oct. 10, 2007, Indiana Supreme Court, Evansville, IN Lower court case number 49A02-0506-CV-490, Doescher v. Raess.
 4. Workplace Bullying Institute-Zogby International 2007 U.S. Workplace Bullying Survey.
 5. *San Francisco Business Times*, July 19, 1999
 6. Richman, J. A., et. al. (1999) Sexual harassment and generalized workplace abuse among university employees: Prevalence and mental health correlates. *American Journal of Public Health: 89* (3), 358-363.
 7. The Workplace Bullying Institute - [Legislative Campaign](#)
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