

Toolbox Safety Talks

Inappropriate workplace behavior

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Talk about safety at work

Take ten minutes at 10am, or at any other time of the day, to talk with your team about workplace safety. This training resource is designed to help you deliver short presentations covering a series of work health and safety topics.

READ OUT

Here are two examples of inappropriate workplace behaviour.

Scenario 1: An example of inappropriate workplace behaviour that does not meet the Fair Work Act definition of bullying (i.e. repeated and unreasonable behaviour resulting in a risk to the health and safety of a worker or a group of workers)

Background: Jo and John have been work colleagues for the previous twelve months. Both are passionate fans of football, but support rival teams in the Australian professional league.

Jo and John have previously had a number of respectful and considerate discussions around the water cooler about the football results that occurred over the course of the previous weekend, which usually involved well-intended banter. On these occasions, neither worker felt offended and willingly participated in the discussions.

On the last occasion that they spoke about the weekends football results, which was on the previous Monday morning whilst both were making their coffee in the kitchen, things became heated. After her team lost, Jo had intentionally offended John by calling him a 'fool' for supporting his beloved Reds and that he was an 'idiot' for continuing to support them. John was offended, immediately informed Jo of the offense, and asked that she no longer speak to him in such a disrespectful manner. As a result, Jo agreed to refrain from using such language, the conversation ended soon after and Jo apologised to John.

Summary: despite the fact that Jo's behaviour was unreasonable in John's mind, and may have created a risk to his health and safety, Jo's behaviour did not meet the definition of workplace bullying as it was not repeated. However, these types of interactions should be addressed immediately once they are identified, as they may be a symptom of an underlying dysfunctional organisational system, and of further conflict yet to come.

Scenario 2: An example of inappropriate workplace behaviour as per the Fair Work Act definition (i.e. repeated and unreasonable behaviour resulting in a risk to the health and safety of a worker or a group of workers)

One week later, Jo and John crossed paths in the kitchen and discussed the weekend's football results whilst making their coffee. John was concerned that Jo might speak to him disrespectfully again, but had hoped that it was a once off. Unfortunately, the conversation soon became heated as the performance of Jo's beloved team was discussed, and Jo took offense of John characterising the players as 'cheats'. Jo again called John derogatory names for supporting a team like his beloved Reds. John was again offended, and immediately informed Jo of this, which only enraged her further. Jo stated that she didn't care if John was offended, and that she wouldn't be talking to him about the football results again, anyway.

The conversation between the two co-workers left John feeling low due to the offense caused by Jo's use of derogatory language. It also caused John to feel singled out because of his support for his beloved Reds. In John's mind, he had only ever spoken to Jo respectfully and couldn't understand why she had become so abusive on the two most recent occasions that they had discussed the football.

After the second incident, John had a confidential chat with his manager, who was also Jo's manager. John reported what had happened. John made it clear that he did not yet want to take the matter further (i.e. lodging a complaint) if it could be resolved informally, but alleged that Jo had breached the businesses respectful workplace behaviour policy. Upon hearing about the incidents, John's manager downplayed the significance of the incidents, told John to 'suck it up' and told John that he would speak with Jo about the matter. However, over the coming week, the manager never spoke to Jo which left the conflict between Jo and John unresolved.

A few days later at an all of staff lunch time BBQ, whilst seated at a table with a large group of colleagues, Jo again offended John by singling him out for his support of his beloved Reds, and by using the same offensive language that she had used on the previous two occasions. John was made to feel embarrassed in front of his work colleagues, anxious that it would happen again in the near future, and fearful of all future interactions with Jo. On this occasion, John again informed Jo that her behaviour towards him was offensive and asked her to stop. Jo laughed and ignored John's request.

Summary: this meets the definition of workplace bullying as it is repeated and may have created a risk to John's health and safety. This type of interaction should be addressed immediately once they are identified, as they may lead to further and possibly escalating conflict.

What is inappropriate workplace behaviour?

Occasional differences of opinion, conflicts and problems in working relationships are part of working life. But when treatment of another person is unreasonable or offensive and is repeated, workplace bullying may exist and should not be tolerated.

Bullying at work can be defined as repeated, unreasonable or inappropriate behaviour directed at a worker, or group of workers, that creates a risk to health and safety.

Identification of repeated and unreasonable behaviour needs to be addressed. The PCBU has a legislative obligation to eliminate risks to health and safety, so far as is reasonably practicable, or to minimise those risks if elimination is not possible. It needs to be shown that the hazard exists and therefore a pattern of behaviour is the indicator of the hazard in the workplace to be addressed.

One-off scenarios like assault and sexual harassment are better dealt with by the police or by the Equal Opportunity Commission.

While some workplace bullying may involve verbal abuse and physical violence, bullying can also involve subtle intimidation. Workplace bullying can be carried out indirectly, for example via letters, emails or telephone text messages. Initiation practices are also a form of bullying.

An individual or a group may instigate bullying. The term workplace mobbing is sometimes used to refer to abusive group behaviour that may include upward bullying, where a group of workers exhibit bullying behaviour towards a manager or person in authority.

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What isn't inappropriate workplace behaviour?

A manager who lacks planning skills, is a poor communicator, indecisive and inconsistent, might cause stress to workers, but this is not bullying. All PCBUs have a legal right to direct and control how work is done, and managers have a responsibility to monitor workflow and give feedback on performance.

If a worker has obvious performance problems, these should be identified and dealt with in a constructive and objective way that does not involve personal insults or derogatory remarks. In situations where a worker is dissatisfied with management practices, the problems should also be raised in a manner that remains professional and objective.

ASK THE QUESTION

What are some of the possible effects of inappropriate workplace behaviour on the business and the individual?

Possible answers:

- stress, anxiety, sleep disturbance
- panic attacks or impaired ability to make decisions
- incapacity to work, concentration problems
- loss of self-confidence
- reduced output and performance
- depression or a sense of isolation
- physical injury.

The costs to an organisation include:

- reduced efficiency
- unsafe work environment
- increased absenteeism
- poor morale
- increased workers compensation claims or civil action.

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What can you do about it?

If any form of bullying happens to you, say something! Remaining silent enables the intimidation.

Refer to the inappropriate workplace behaviour policy and use the grievance procedure

Seek advice from your grievance officer, health and safety representative, human resources officer or union official. You should not make allegations about bullying behaviour or harassment to people not involved in the handling of complaints, as outlined in your workplace complaint procedure. All people are entitled to natural justice, are protected by confidentiality provisions in law and may be able to take action if the complaint is not handled properly.

Keep a record

Make a detailed record of what happened – place, date, time, people involved, what was said or done, date the matter was raised and with whom. Ensure that your records are accurate.

Consider approaching the bully

A decision should be made as to whether to approach the bully. Your records may help in deciding which approach to take. An informal approach can be used to attempt to resolve bullying issues with minimal stress to both parties. However, if the bullying continues, formal procedures should be used.

Use a counselling service *(only mention this if you have one in your workplace)*

Counselling may help you to develop ways of dealing with a bully or the effects of bullying.

Formal procedures involve lodging a written complaint and may be required if the informal procedures are not successful or in situations where the allegations are more serious. An independent person or grievance officer who is not involved in the particular situation should carry out the investigation, and you should be advised of the outcome. Mediation may be suggested to find a resolution that is acceptable to everyone involved.

ASK THE QUESTION

Before I finish, is there anything that we could be doing better in this business to combat inappropriate workplace behaviour?

Take notes about suggestions ... don't panic if there aren't any takers!

READ OUT

OK, unless anyone has any questions, thanks for participating.