

Workplace bullying, 2023

What is not workplace bullying?

The following behaviours are not considered to be harassment or bullying:

- friendly banter, light-hearted exchanges, mutually acceptable jokes and compliments;
- friendships and relationships where both people consent to the relationship;
- issuing reasonable instructions and expecting them to be carried out;
- warning or disciplining someone in line with organisation policy and procedures;
- insisting on high standards of performance in terms of quality, safety and team cooperation;
- legitimate criticisms about work performance (not expressed in a hostile, harassing manner);
- giving critical feedback, including in a performance appraisal, and requiring justified performance improvement;
- assertively expressing opinions that are different from others;
- free and frank discussion about issues or concerns in the workplace, without personal insults; and
- targeted EEO policies, parental leave provisions, or reasonable accommodation and provision of work aids for staff with disabilities.

What is bullying?

Bullying is a persistent misuse of power, whether formal or informal. It is ongoing offensive, abusive, intimidating, malicious or insulting behaviour.

It may make the recipient or target feel upset, threatened, humiliated or vulnerable and undermine self-confidence. It may have a detrimental effect upon a person's dignity, safety and well-being and may cause them to suffer stress.

Bullying can be overt or covert. Bullying can be perpetrated by anyone in any position in an organisation.

Overt bullying can include:

- threats, intimidation, stand over tactics and coercion;
- verbally abusive or degrading language or gestures;
- shouting, yelling or screaming;
- unexplained rages;
- unjustified criticism and insults, nit-picking and fault-finding without justification;
- constant humiliation, ridicule and belittling remarks;
- unjustified threats of dismissal or other disciplinary procedures.

Covert bullying can include acts such as:

- deliberately overloading an employee with work and imposing impossible deadlines;
- sabotaging someone's work by withholding required information;
- hiding documents or equipment;
- constantly changing targets or work guidelines;
- not providing appropriate resources and training;
- isolating or ignoring someone on a consistent basis;
- malicious teasing, practical jokes, gossiping;
- excessive criticism on a regular and systematic basis;
- Intentional exclusion, freezing out or not speaking to someone

What can you do about it?

Deal with issues early

Sometimes communication issues and personality clashes may exist rather than a bullying situation. If this is the case, talk to your manager about a facilitated meeting, communication training or team building. If the issues relate to your direct manager you can go to the person they report to.

To address bullying informally you can:

- tell the person verbally that their behaviour is offensive and request that it stop;
- send an email to the person, it is important this email says the following:
 - ✓ Observation
 - ✓ Feeling
 - ✓ Need
 - ✓ Request
- speak to the person with a support person of your choice requesting that the behaviour stop;

Before discussing or emailing the issues with the person directly we recommend you call the NZNO Member Support Centre and speak to a MSC Advisor first on 0800 28 38 48 (press option 1).

The longer a bullying situation is left the harder it may be to resolve. If both parties agree to settle the complaint informally then the matter is resolved. Sometimes mediation may be an appropriate way to resolve the issue. Contact Member Support Centre for more information on raising a formal complaint.

Support each other to deal with the issue collectively

Bullying is not just an individual issue. It is an issue for all staff. Bullying affects the culture, environment, communication, trust and relationships within a workplace.

You can ask a third person, a friend, colleague, NZNO delegate or member to help resolve the situation. If you wish to try this we recommend you speak to an NZNO Call Adviser first.

Be a role model and help create an environment where bullying is not acceptable and does not happen by supporting colleagues to resolve the issue, and asking for support when you need it.

Raise it with your employer

Bullying in the workplace is a health and safety issue. Your employer has an obligation under Section 36 of the Health and Safety at Work Act 2015 to:

- Take reasonable care of their own Health & Safety.
- Take reasonable care of someone else's Health & Safety.
- Use safety provisions correctly.

If bullying arises in the workplace your employer has Health and Safety at work Act obligations to address this and take measures to stop it . They can only deal with the problem if they are aware of it.

Follow the policies and procedures in your workplace on how to raise a claim of bullying. If there are no policies, send a letter setting out the allegations to the relevant manager and keep a copy yourself. Before making a complaint refer to the NZNO fact sheet 'Workplace bullying: the complaints process'.

Suggest to your employer ways you can be made to feel safer in the workplace. You may want talk to your employer about accessing EAP (Employee Assistance Programme) or other counselling. If you are stressed you may need time off on sick leave.

Guidelines for a fair process include:

- principles of natural justice
- transparency and fairness of the procedure
- taking a complaint seriously and acting on it quickly
- maintaining confidentiality
- informing a complainee of the allegations against them
- giving a complainee the opportunity to respond to the allegations
- keeping both parties informed about the progress of an investigation
- ensuring the safety of the complaints process for both parties
- giving both parties a full opportunity to read/see and respond to all evidence collected in an investigation before a decision is made
- considering all the evidence carefully before deciding whether there is substance to the complaint
- concluding the investigation in a timely manner
- prioritising the problem resolution procedure and responding quickly
- ensuring any disciplinary action is proportionate to the level of behaviour complained of and in line with the organisation's policy.

Care should be taken during the investigation of any complaint of alleged harassment and afterwards to prevent disadvantage to the complainant or complainee.

Retaliation against people who have been involved in a harassment complaint in any way is unacceptable. Any work difficulties experienced by people involved in the complaint process should be reported to a manager or to the appropriate human resources staff.

Where can I find out more?

You can speak to the NZNO delegate on your ward

You can read further in your employment agreement or the policy documents at your workplace

NZNO fact sheet '[Workplace bullying: the complaints process](#)'

Worksafe Resource: [Toolkit](#)

NZNO Member Support Centre 0800 28 38 48 (press option 1)

Date adopted: March 2014
Review date: February 2023

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Mission statement

NZNO is committed to the representation of members and the promotion of nursing and midwifery. NZNO embraces Te Tiriti o Waitangi and works to improve the health status of all peoples of Aotearoa/ New Zealand through participation in health and social policy development.

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