

# RESPECT IN THE WORKPLACE: A MODEL FOR MITIGATING THE HAZARDS OF WORKPLACE BULLYING AND HARASSMENT

Presented to the Petroleum Safety Conference May 2, 2019

Pat Ferris, Ph.D.

# OBJECTIVES

- ▶ Review the history of psychological safety in the workplace
- ▶ Define workplace bullying and harassment
  - ▶ What it is and is not
- ▶ Review the hazard of bullying and harassment
  - ▶ Understand the injury
  - ▶ Identify the behaviors and risks
- ▶ Review the Process Model of Managing Bullying and Harassment
  - ▶ Preventing strategies
  - ▶ Monitoring strategies
  - ▶ Intervening/Investigating strategies
  - ▶ Repair strategies
- ▶ Create a psychologically safe work climate

# HISTORY OF HUMAN RIGHTS

- ▶ 1689, English Bill of Rights affirmed free elections, freedom of speech and freedom from “cruel and unusual punishment”
- ▶ The belief that all human beings possess rights and freedoms, simply because they are human, resulted in the “Universal Declaration of Human Rights in 1948
- ▶ Saskatchewan was the first province to pass a Bill of Rights in 1946 followed by Ontario (1962), Nova Scotia (1963), Alberta (1966), New Brunswick (1967), Prince Edward Island (1968), Newfoundland (1969), British Columbia (1969), Manitoba (1970) and Quebec (1975)
- ▶ The federal government enacted the Canadian Charter of Rights and Freedoms as part of the Constitution Act of 1982.
- ▶ Embedded rights to be free of discrimination based on ‘protected grounds’
  - ▶ Harassment is a form of discrimination
  - ▶ Harassment not based on a protected ground is not covered

# EXPANDING TO THE CONCEPT OF HARASSMENT TO PSYCHOLOGICAL INJURY

- ▶ ***Berg v. Cowie (1918)***, a decision of the Saskatchewan court. Mr. Berg was called a "cur" and a "bastard" several times and subsequently quit his job. The court ruled that ... "entitled to decent treatment at the hands of his master...and a master has no right to make the conditions of living, on the part of his servants, intolerable to a man of decent feeling."
- ▶ Prior to OHS legislation, cases of psychological harassment and injury in Canada have been dealt with through Arbitration, Civil and Criminal Courts
- ▶ Voluntary national standard "Psychological Health and Safety in the Workplace" was introduced in 2013
- ▶ Provinces begin revising Occupational Health and Safety legislation to include harassment and bullying e.g., Manitoba (2007), B.C. (2012), Saskatchewan (2007), and most recently Alberta (2018)

# TYPICAL LEGAL RESPONSIBILITIES OF EMPLOYERS REGARDING HARASSMENT

- ▶ Protect workers
- ▶ Hazard Assessment
- ▶ Policy
- ▶ Procedures
- ▶ Training
- ▶ Incident Reporting
- ▶ Incident Investigation
- ▶ Worker Support
- ▶ Due Diligence

# Harassment and Bully Defined

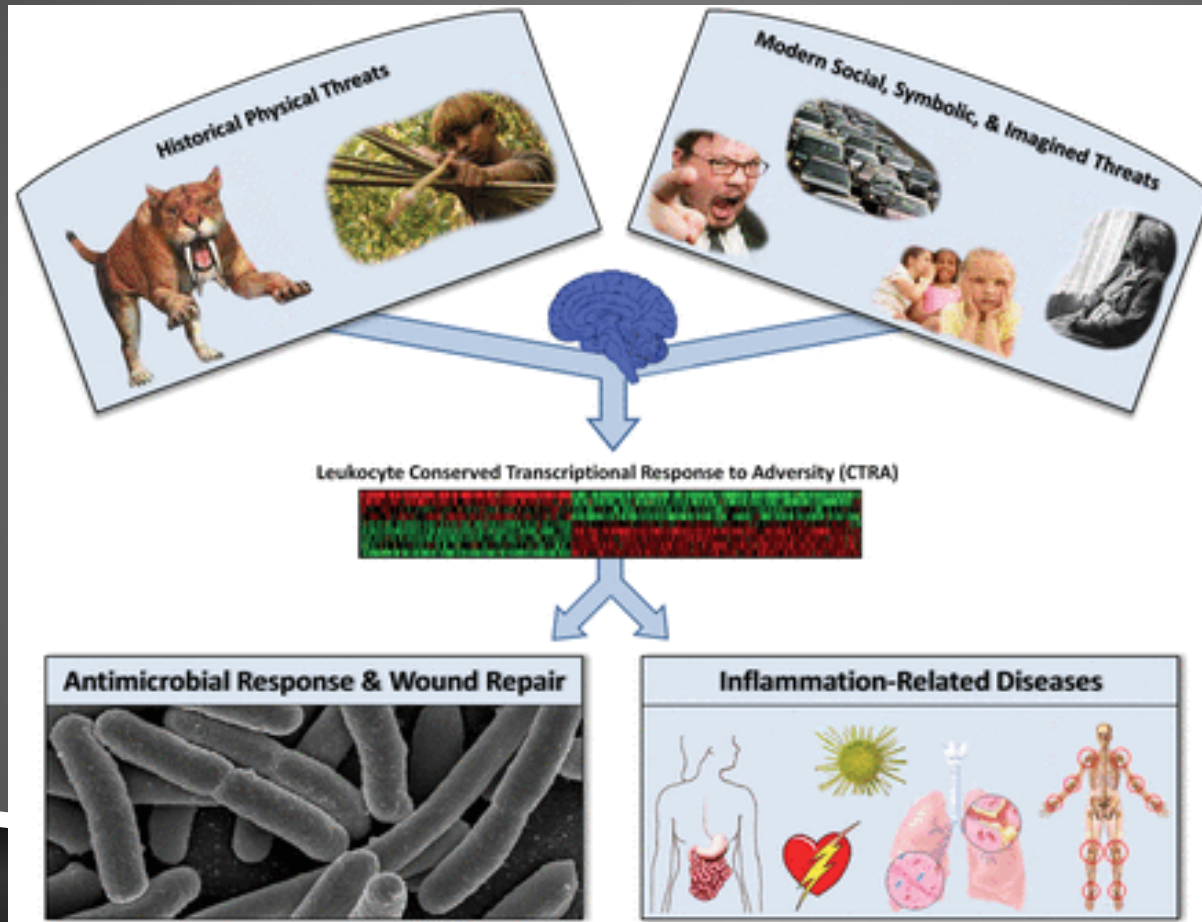
## Harassment

- ▶ Harassment is considered a form of discrimination
- ▶ Harassment is a pattern of offensive behavior, directed from one person against another person or a group targeted at prohibited grounds issues such as gender, race or religious beliefs, sexual orientation, age, disability
- ▶ The behaviors can be words or actions and are generally known by the actor to be unwelcome, or should be known to be offensive
- ▶ Protected grounds defined by each province

## Bullying

- ▶ Bullying is repeated hostile and deliberate behavior from one person/s to another with the intent to harm or threaten harm to the target
- ▶ Bullying is marked by an imbalance of power where the target feels incapable of withdrawing or addressing the perpetrators
- ▶ Bullying is typified by exclusion, ostracism, verbal abuse, and rejection by a person or persons toward another person or persons

# UNDERSTAND THE INJURY

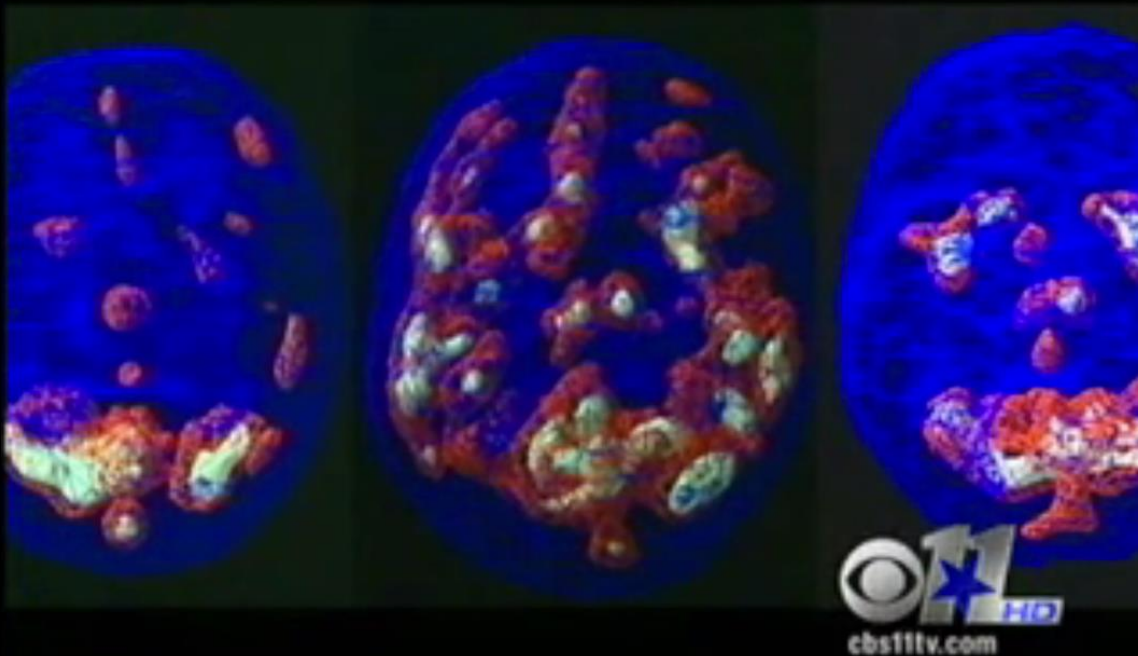




# THE HEALTH AND SAFETY RISK

Normal brain    Bullied brain    PTSD brain

CBS 11 - Todd Clements - Clements Clinic - PTSD and Bullying



- Inability to focus
- Inability to concentrate
- Inability to think
- Increased emotions
- Difficulty interacting
- Avoidance
- Anxious
- Depressed
- Inability to learn
- Irritable

▶ ⏪ 🔊 1:04 / 2:13





# A SAFETY HAZARD MODEL OF HARASSMENT

Identify  
Hazards

Evaluate Who  
Is Being  
Harmed

Evaluate Risks

Introduce  
Controls

*“hazard” means a situation, condition or thing that may be dangerous to the safety or health of workers*

Risk Assessment  
Field Observations

Ask how workers  
experience  
psychological safety

Who goes off for  
mental health reasons  
What do you observe  
about impact of  
exposure

Detect and correct  
Support  
Coach  
Report

## Hazard Priority Setting: Bullying

	Very Likely – could happen at any time 1	Likely- could happen sometime 2	Unlikely-could happen but very rarely 3	Very unlikely- could happen but probably never will 4
Kill or Cause permanent disability or ill health 1	Yes	Yes		
Long term illness or serious injury 2	Yes	Yes		
Medical attention and several days off work 3	Yes	Yes		
First aid needed 4	Yes	Yes		

# SAFETY PERSONNEL RISK ASSESSMENT

- ▶ Who is at risk for harassment/violence
  - ▶ Women, minorities, race, gender identity and expression, new workers?
- ▶ What has been the nature of previous incidents
  - ▶ Verbal aggression, physical assault, sexual harassment/aggression, exclusion?
- ▶ What has been the severity of the incidents
  - ▶ Have people been hurt and off work
  - ▶ What type of treatment was needed
  - ▶ Did they return to work
- ▶ How often, how many reported incidents in a year
- ▶ What are the factors that may have contributed to the incidents
  - ▶ Workplace change, work pace and overload
  - ▶ Poor supervision, specific units
  - ▶ Trend around time or production, time of year
  - ▶ Security of the environment
- ▶ Do supervisors/foremen etc. know how to identify a worker who has potential to harass or be violent

# HARASSMENT HAZARD IDENTIFICATION

- ▶ Serious or repeated rude, degrading, offensive remarks, insults or put-downs
- ▶ Repeatedly singling out a worker or giving them demeaning or belittling jobs
- ▶ Threats, intimidation or retaliation against a worker
- ▶ Unwelcome social or sexual invitations/advances-implicit or explicit
- ▶ Intimidation, threats, blackmail, yelling or shouting
- ▶ Attempts to isolate or exclude a person
- ▶ Invasion of personal space
- ▶ Criticism of work without providing methods of correction
- ▶ Overloading one person
- ▶ Making performance feedback personally insulting

# WHAT IS NOT HARASSMENT/BULLYING

- ▶ Carrying out managerial duties in a respectful and professional manner
- ▶ Allocating work
- ▶ Following-up on work absences
- ▶ Requiring performance to job standards and making constructive criticism
- ▶ Taking corrective or disciplinary measures when justified
- ▶ Exclusion of individuals for a particular job based on specific occupational requirements
- ▶ A social relationship welcomed by both individuals or friendly gestures among workers
- ▶ Supervisory mistakes
- ▶ Work-related stress and conflicts
- ▶ Conditions or constraints of work or study

<https://www.canada.ca/en/treasury-board-secretariat/services/healthy-workplace/prevention-resolution-harassment/harassment-tool-employees.html>

# SEXUAL HARASSMENT HAZARD IDENTIFICATION

- ▶ Displays of sexist, racist, or other offensive pictures, materials, posters
- ▶ Unwelcome social or sexual invitation or advances whether implicit or explicit
- ▶ Touching, groping grabbing
- ▶ Flirting even if both parties agree
- ▶ Disrespecting gender identity and expression
  - ▶ Change rooms and washrooms
  - ▶ Verbal put downs
  - ▶ Not referring to the identity a person identifies with



# VIOLENCE HAZARD IDENTIFICATION

- ▶ Working alone, working after hours
- ▶ Access to facility – can dangerous people get in, catching a thief
- ▶ Interactions with landowners
- ▶ Attendance at parties and after hours events with alcohol
- ▶ Rough housing, hazing rituals, fighting on or off site
- ▶ Verbal rages, severe irritability

# VIOLENCE HAZARD IDENTIFICATION CONTINUED

- ▶ Angry former worker
- ▶ Threats: email, verbal, cyber
- ▶ Intimidation
- ▶ Physical aggression/assault e.g. pushing and shoving
- ▶ Sexual assault

# WHEN TO CALL THE POLICE

- ▶ When violence is in progress e.g., throwing things, hitting someone, appearing with a weapon
- ▶ When someone has made a serious threat
- ▶ When someone won't leave the premises when asked
- ▶ When someone is emotionally out of control

# Process Model Managing Bullying and Harassment



# SAFETY PERSONNEL PREVENTION STRATEGIES

- ▶ Observe and share observations Joint Occupational Health and Safety Committees, make suggestions
  - ▶ The work climate seems to be rude and incivil – I see the following behaviors ...
  - ▶ I recommend conflict resolution/respect training
  - ▶ I recommend psychological safety coaching for Foremen and Super Intendents
- ▶ Have a ‘Psychological Safety’ moment at meetings
  - ▶ “Can anyone share a time when they felt insulted or bullied and what you did that resolved the problem
  - ▶ Remind of the policies and reporting options
- ▶ Champion training
  - ▶ Respect, conflict resolution, coaching for civility, building culture



Preventing

# MONITORING: BEST PRACTICES IN HAZARD ASSESSMENT

- ▶ What do you see and hear
- ▶ Create a 'Psychological Safety JHA'
  - ▶ Are workers violent: yelling, screaming, making threats
  - ▶ Is someone showing irritability, aggression, incivility and rudeness
  - ▶ Do people insult, put down, exclude, make fun of others in general or on prohibited grounds (e.g., race, religion, gender)
  - ▶ Do people work alone
  - ▶ Do people feel safe
- ▶ Survey workers annually more formally

**Monitoring**



# INTERVENING

- ▶ Do not touch a person who is angry or aggressive
  - ▶ Ask to take a moment to get centered
- ▶ Provide feedback where behavior is questionable or harmful
  - ▶ “I noticed you said, did, acted ...
- ▶ Step in when you observe harmful interactions
  - ▶ “Please stop that behavior now, it is unacceptable
- ▶ Step in after an observations
  - ▶ “Your behavior with .... Made me feel uncomfortable, please stop
  - ▶ “I witnessed x treat you with disrespect, I would encourage you to ask him/her to stop ... or I will help you approach ... or you can complete a report to me which I will take forward. We will need to let X know of the complaint
- ▶ Provide support to the target
  - ▶ How can I help, I felt uncomfortable too



Intervening

# INVESTIGATING

- ▶ Have an abuse reporting form
- ▶ Undertake promptly
- ▶ Maintain confidentiality
- ▶ Interview only those necessary for information and ensure their confidentiality
- ▶ Assess the safety of the complainant
- ▶ Who do I report to in the organization
- ▶ Does a more formal or external investigation need to take place

# WHEN TO REPORT

- ▶ Understand your organizational policy and procedure
- ▶ OHS generally believes that all incidents should be reported or acted on within the organization
- ▶ When the behavior is severe and has a strong impact
  - ▶ “This was a serious breach of safety and I need to take this forward.”
- ▶ When a person requests an intervention
- ▶ When an injury has occurred e.g. , depression, PTSD

# REPAIRING: PSYCHOLOGICAL FIRST AID

- ▶ Listen, validate, support
- ▶ Debrief workers exposed to harassment/violence
  - ▶ What supports do they need
  - ▶ Ensure support from team and management
  - ▶ Ensure safety – do they need to be off work,?
- ▶ Refer to treatment early
- ▶ Restorative processes for teams
- ▶ Debrief your learning with committees/organization

Repairing

# CREATE A PSYCHOLOGICALLY SAFE CULTURE

## **E: Engage**

- ▶ At every level know your people
- ▶ Be present: Attend meetings and gatherings
- ▶ Support initiatives

## **D: Discuss**

- ▶ Tell stories at every meeting that reflect demonstrating respectful behavior

## **I: Intervene**

- ▶ Monitor behavior and intervene early in concerning behavior
- ▶ Reward positive behavior
- ▶ Provide adequate resources

## **T: Train**

- ▶ Train everyone on respectful behavior and how to build respectful culture

# RESPECT MATURITY CULTURE

**Involving Culture**  
Everyone is involved in making this a respectful culture

**Devolving Culture**  
People believe we're serious and are taking responsibility

**Directing Culture**  
Respect is important and we need to get people to follow the rules

**Reacting Culture**  
We should manage this in order to get funding and avoid law suits

**Complaining Culture**  
Why should we spend time and money on this?

Increasing Maturity

Increasing Respect



# MANAGE YOURSELF

“Lt. Gen. David Morrison (Australian Navy)

<http://www.npr.org/blogs/thetwo-way/2013/06/14/191684468/australian-generals-frank-talk-on-sexual-abuse-wins-fans>

*“The standard you walk past is the standard you accept.”*

# ADDITIONAL RESOURCES

## ▶ Risk assessment

- ▶ Government of Canada. (2015). *Is it harassment. A tool guide for employees*. Available from <https://www.canada.ca/en/treasury-board-secretariat/services/healthy-workplace/prevention-resolution-harassment/harassment-tool-employees.html>
- ▶ <https://www.guardingmindsatwork.ca/resources>

## ▶ Sample reporting forms

- ▶ [https://www.shrm.org/resourcesandtools/tools-and-samples/hr-forms/pages/lcms\\_019885.aspx](https://www.shrm.org/resourcesandtools/tools-and-samples/hr-forms/pages/lcms_019885.aspx)
- ▶ [https://www.exec.gov.nl.ca/exec/hrs/working\\_with\\_us/Harassment%20Complaint%20Form%20-%20Static.pdf](https://www.exec.gov.nl.ca/exec/hrs/working_with_us/Harassment%20Complaint%20Form%20-%20Static.pdf)
- ▶ <https://www.coaa.ab.ca/COAA-Library/WFD-WRS-RPT-01-2011-v1%20Workplace%20Respect.pdf>

## ▶ Violence management information

- ▶ <https://www.alberta.ca/workplace-harassment-violence.aspx>

## ▶ Harassment and bullying resources

- ▶ <https://www.albertahumanrights.ab.ca/Pages/default.aspx>
- ▶ CPHR Albert (2019). How to conduct an investigation on workplace harassment. Available from <http://www.cphrab.ca/how-conduct-investigation-workplace-harassment>
- ▶ Alberta Bullying Research, Resources and Recovery Centre: [www.arbc.ca](http://www.arbc.ca)

Watch For Energy Safety Canada's  
Guideline Document and  
Upcoming Courses On Managing  
Workplace Bullying and Harassment  
<http://www.energysafetycanada.com/>





Questions?



Pat Ferris, Ph.D.

403-269-9600

[pferris@janusassociates.ca](mailto:pferris@janusassociates.ca)

Thank You