

White Paper on Workplace Bullying – Killing People & Profits?

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Employers! You could be held accountable (morally & financially) for suicide linked to bullying at your organization. Evidence from national and international research shows Ireland has a significant problem with both bullying and suicide and that these issues are frequently linked, with 25% of suicides believed to arise from workplace bullying. The total direct cost of bullying in Ireland and of bullying related suicides is estimated at €1.5 billion per annum. Research shows that current approaches to managing bullying and suicide in the workplace are ineffective and that BIS & CASPER's Health & Safety Approach reflects current evidence for effective practice.

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Introduction

Every year in Ireland approximately 525 people die by suicide with 25% of Irish suicides being linked to workplace bullying.^{1 2}

In addition to the well documented human and social costs of bullying and suicide, an increasing body of evidence shows they also have significant economic impacts both for Irish businesses and the Irish economy.

Bullying and suicide are risks to a company's profitability, with workplace bullying giving rise to an estimated cost of + €1.3 billion per annum and workplace bullying related suicides costing an estimated + €229 million.

Programmes which **assist** employers to identify bullying and suicide as a workplace hazard, and to manage those hazards using established Health & Safety processes, have the potential to save both individual businesses and Irish society over **€1.5 billion** per annum³ which could be spent on job creation, increased production and other forms of economic growth.

Prevalence of Bullying in Irish Workplaces

Estimates of the prevalence of bullying in the Irish workforce vary amongst studies and range from 8 to 30%. A 2005 survey of junior doctors working in south and western regions of Ireland found a bullying rate of 30%⁴ while an Irish telephone survey conducted in 2007 of a nationally representative sample of

¹ <http://www.headline.ie/news/headline/2008/oct/21/workplace-bullying-link-25-suicides/>

² It is difficult to assess the accuracy of this figure, provided by the authors of the *Organizational Response to Bullying Manual* and separately at an anti-bullying conference at Trinity College in 2008. It appears to be based on anecdotal rather than empirical evidence. In the absence of more concrete figures and recognizing the knowledge and expertise of those working in the front line of anti-bullying and suicide prevention programmes however, we include the figure as the only available evidence of the proportion of completed suicides arising from workplace bullying

³ 1,306,091,088 (economic cost of workplace bullying) + 229,457,652 (economic cost of suicide) = 1,535,548,740. Our calculations for the cost of suicide take the lower 2002 cost of €835,662,917 and divide it by the number of suicides in that year to arrive at a cost per suicide of €1,748, 248.80 per suicide. Using estimates that 25% of suicides arise from workplace bullying, this figure is multiplied by a quarter of the number of recorded suicides in the latest official suicides statistics, a total of 131 people. The result is an estimated cost of +€229 million in 2011. To compensate for the possible overstatement of the percentage of suicides related to workplace bullying we have used the costs calculated for 2002 without adjustment for inflation. **We note that the official suicide statistics for countries such as Ireland are estimated by the World Health Organization to be 30% lower than the true numbers of suicides.**

⁴ Cheema, S., Ahmad, K., Giri, S. K., Kaliaperumal, V. K., & Naqvi, S. A. (2005). Bullying of junior doctors prevails in Irish health system: a bitter reality. *Irish medical journal*, 98(9), 274-275.

3,500 workers found 20% had taken sick leave as a direct result of bullying.⁵ This survey, conducted for the Department of Enterprise Trade and Employment, found an average bullying rate of 8.4% across the Irish workforce with significant differences between industry groups.

The differences in figures from that report (below) may reflect the level of awareness of bullying rather than the true incidence of bullying, with those working in sectors where policies, training and open discussion in relation to bullying having higher reporting rates than those in industries where the issue is less visible.

Incidence of bullying classified by economic sector	
Sector	%
Agriculture	0
Traditional Manufacturing	4.6
Hi-Tech Manufacturing	6.7
Construction	4.6
Wholesale/Retail	10.9
Business services	4.1
Transport & Communications	11.1
Financial Services	8.0
Public Administration	13.3
Personal Services	10.1
Education	14
Health & Social Work	13
Average	8.4

Incidence of bullying classified by occupational group	
Occupational Group	%
Managers and administrators	8.4
Professional	10.1
Associate professional and technical	8.2
Clerical and secretarial	10.8
Craft and related	3
Personal and protective service	11.4
Sales	13.1
Plant and machine operatives	10.1
Other	2.6

⁵ O'Connell, P. J., Calvert, E., & Watson, D. (2007). Bullying in the Workplace: Survey Reports, 2007. The Economic and Social Research Institute. <http://workplacebullying.ie/wpcontent/uploads/2012/11/Bullying-and-harassment-ESRI-2007.pdf>

Human & Social Cost of Workplace Bullying

Individuals who are bullied have been shown to have poorer health, less satisfying relationships and lower overall quality of life than those who are treated with respect and dignity in the workplace.

Bullying undermines the ability of people to achieve the satisfaction associated with meaningful employment and with being acknowledged for the contribution they are making. The physical and psychological effects of bullying impact relationships and functioning outside of the workplace, leaving victims less able to fulfil their roles as spouses, parents, friends and citizens in the way they would were they not subject to the stress, insomnia, loss of confidence and ill-health bullying has been shown to cause.

Those who are bullied are more likely to incur medical costs and require income support from the state. They are less likely to participate in voluntary work and undertake civic responsibilities. Their ability to achieve their potential as human beings is undermined by workplace bullying.

This represents both a loss to the individual and their family, friends and community and to society.

Economic Cost of Workplace Bullying

The economic costs of workplace bullying comprise a number of direct and indirect costs. Direct costs include the costs associated with absenteeism, staff turnover and loss of productivity. Indirect costs include loss of reputation and perception as an employer of choice, lost opportunity, the cost of time, costs associated with psychological and physical distress for both victims and witnesses or bystanders.

Economic analyses of the direct costs of workplace bullying have identified absenteeism, staff turnover and loss of productivity as comprising the largest proportion of direct costs to employers where staff are bullied.

The literature on calculating the economic cost of workplace bullying suggests two key methodologies – deductive or inductive with the former involving deduction of costs from estimates highlighted in the stress and violence literature, and the apportioning of a proportion of the total to costs associated with bullying. The latter approach involves attributing costs to individual outcome measures such as sickness absenteeism and turnover and then accumulating them to arrive at an overall figure.⁶ It is important to note that the economic cost of suicide is a cost not mentioned in the literature on workplace bullying but is a relevant cost which has been assigned an economic value and should therefore be included in calculations of the cost of workplace bullying.

⁶ Giga, S. I., Hoel, H., & Lewis, D. (2008). The costs of workplace bullying. *University of Manchester Institute of Science and Technology*.

Recent analyses of the cost of workplace bullying have adopted the methodology of Hoel which reflects approaches adopted for measuring the cost of more tangible hazards such as accidents and is based on a view that overall costs should consider losses attributable to the individual, the organisation as well as to society.⁷

A research study undertaken by the University of Manchester in 2008⁸ identifies the costs of workplace bullying to businesses as requiring calculation of the cost of the following factors

- Sickness/ absence
- Replacement costs incurred by employee turnover
- Reduced productivity/performance
- Knock on effects on witnesses or observers of bullying
- Premature retirement
- Grievance and complaints
- Litigation and compensation
- Organizational intervention
- Presenteeism
- Brand image and public goodwill
- Corruption, fraud, sabotage and theft
- Impact on quality of products and services
- Employers of choice

The authors suggest that the most significant economic costs associated with workplace bullying are the costs of sick leave, presenteeism where employees are present at work but their performance is impaired due to decreased output, reduced standards of production, additional training time, errors and mistakes, the recruitment and training costs associated with employee turnover and reduced availability of quality labour associated with loss of status as an employer of choice.

For the purposes of this paper, we have limited ourselves to calculation of the direct costs associated with staff turnover, absenteeism and loss of productivity and therefore providing a very conservative estimate of the costs of workplace bullying by excluding a range of less easily quantifiable costs.

⁷ Giga, S. I., Hoel, H., & Lewis, D. (2008). The costs of workplace bullying. *University of Manchester Institute of Science and Technology*.

⁸ Giga, S. I., Hoel, H., & Lewis, D. (2008). The costs of workplace bullying. *University of Manchester Institute of Science and Technology*.

Staff Turnover costs

In calculating the costs of bullying related staff turnover, we use the methodology employed by, University of Manchester researchers Giga et al.⁹ These researchers cite studies showing 25% of bullied employees are likely to leave as a result of their experiences. They then adjust this figure to reflect the fact that not all these employees will leave immediately and arrive at an estimated turnover rate of 6.25%. In assigning a cost value to staff turnover, we rely on CIPD (2007) figures suggesting that the main costs incurred as a result of turnover relate to administration, recruitment and selection, temporary cover and induction training. We use the CIPD figure of turnover cost per employee of €9690. Based on a prevalence figure of 8% and taking the above costs, we can estimate that in 2007 staff turnover as a result of workplace bullying in Ireland cost + €105million.¹⁰

Loss of Productivity

In estimating the economic cost of productivity loss, Giga et al calculate the loss of wage/salary costs using evidence of a self reported reduction in performance of between 1.5 and 2%., Using the central statistics office figure of 2,170,700 people in employment in Ireland and assuming they work 5 days per week for 46 weeks per year when annual leave and bank holidays are excluded, we can calculate that 7.4 million working days are lost annually due to bullying related decreases in productivity and that this costs Irish employers + €1 billion.¹¹

Absenteeism

Hoel & Cooper (2000) found employees who are bullied take an average of 7 days more sick leave than their colleagues.¹² Using this figure we can calculate that if 8% of workers are bullied and those workers take 7 days additional sick leave, this represents a cost of 2,170,700 (no. of employees) X 8% (number of bullied workers) X €137.98 (daily earnings based on weekly earnings of €689.88) X 7 (number of additional sick leave days) = €167,630,137. The total direct cost of bullying in Ireland, calculated as a product of turnover, loss of productivity and absenteeism, is estimated at € 1,306,091,088 per annum.

⁹ Giga, S. I., Hoel, H., & Lewis, D. (2008). The costs of workplace bullying. *University of Manchester Institute of Science and Technology*.

¹⁰ 10,853 employees (approximately) left organisations as a result of bullying

$$2,170,700 \times 8\% \text{ (prevalence)} \times 6.25\% \text{ (turnover)} = 10853$$

$$10,853 \text{ (number who leave)} \times €9690 \text{ (average cost per employee)} = €105,170,415$$

¹¹ 2,170,700 (no. of employees) X 46 (no. of working weeks assuming 6 weeks annual leave and bank holidays) X 5 (working days per week) X 1.5% (loss in productivity) = 7,488,915

$$€689.88 \text{ (average earnings per week)} / 5 \text{ (working days per week)} \times 7,488,915 \text{ (days of lost productivity)} = €1,033,290,536$$

¹² O'Connell, P. J., Calvert, E., & Watson, D. (2007). *Bullying in the Workplace: Survey Reports, 2007*. The Economic and Social Research Institute. <http://workplacebullying.ie/wpcontent/uploads/2012/11/Bullying-and-harassment-ESRI-2007.pdf>

Industry Specific Direct Economic Costs

Rates of reported bullying by industry sector vary considerably. Using Central Statistics Office data on the numbers of employees in each industry group in Ireland, average salary figures, bullying rates of 8% and 20% and the research estimating an additional 7 days sick leave taken by bullied employees; it is possible to estimate the cost of bullying related absenteeism by industry in Ireland.

Cost of Sick Leave Arising From Bullying by Industry					
Economic Sector	Apr-Jun 13	8% sick leave	20% sick leave	Cost of 7 days sick leave for 8% staff @ average weekly earnings of €689.88	Cost of 7 days sick leave for 20% staff @ average weekly earnings of €689.88
Agriculture, Forestry & Fishing	103,400	8,272	20,680	€5,706,687	€14,248,520
Industry	238,400	19,072	47,680	€13,157,391	€32,851,520
Construction	102,700	8,216	20,540	€5,668,054	€14,152,060
Wholesale & Retail Trade; repair of motor vehicles and motorcycles	271,500	21,720	54,300	€14,984,194	€37,412,700
Transportation and storage	86,000	6,880	17,200	€4,746,374	€11,850,800
Accommodation and food service activities	129,600	10,368	25,920	€7,152,676	€17,858,880
Information and communication	80,400	6,432	16,080	€4,437,308	€11,079,120
Financial, insurance and real estate activities	98,900	7,912	19,780	€5,458,331	€13,628,420
Professional, scientific and technical activities	108,000	8,640	21,600	€5,960,563	€14,882,400
Administrative and support service activities	58,000	4,640	11,600	€3,201,043	€7,992,400
Public administration and defence; compulsory social security	95,100	7,608	19,020	€5,248,607	€13,104,780
Education	150,300	12,024	30,060	€8,295,117	€20,711,340
Human health and social work activities	244,600	19,568	48,920	€13,499,572	€33,705,880
Other	101,800	8,144	20,360	€5,618,383	€14,028,040
Total Labour Force	2,170,700	173,656	434,140	€119,801,801	€299,122,460

Using the same workforce figures and bullying prevalence estimates, calculations of the costs of staff turnover and lost productivity by industry and individual business could also be made.

Suicide in Ireland

Ireland has the fourth highest rate of suicide in the European Union with those aged 34-45 years being the highest risk group and male deaths outnumbering female by a ratio of 5:1.

The last reported official suicide figures showed 525 suicide deaths in 2011 a figure over three times that of road traffic fatalities. In Ireland a child under 18 dies from suicide every 18 days and suicide deaths across ages total 10 per week.

Human & Social Cost of Suicide

Suicide is the final act of someone whose life has become intolerable. It represents the ultimate loss for that person and an unimaginable tragedy for those who love them.

Death by suicide is unlike other deaths and research shows clearly its impact on those left behind – family, friends and colleagues - is greater and persists for longer than where a death is from illness or accident. Depending on methodology used, it is estimated that between 6 and 32 survivors exist for each suicide.¹³ Recent research has shown that those who identify themselves as being bereaved by suicide do so based not on their biological relationship or physical closeness to the deceased but on perceived psychological closeness.¹⁴ Anticipating who may be most affected by a suicide death is therefore often difficult.

Those who experience suicide bereavement often become isolated as a result of the stigma, secrecy and shame associated with suicide deaths.¹⁵ Unable to concentrate and to sleep, fearful of blame and rejection, those bereaved by suicide often leave their workplaces and are unable to work for significant periods of time.

While 75% of those who die from suicide are not in the labour market, the loss of a loved one to suicide whether a child, spouse, parent, or friend has a significant impact on employees and their ability to function in the workplace.

¹³ Berman, A. L. Estimating the population of survivors of suicide: Seeking an evidence base. *Suicide and Life-Threatening Behavior* 2011. 41(1), 110–116.

¹⁴ Cerel, Julie; Maple, Myfanwy; Aldrich, Rosalie; van de Venne, Judy Exposure to suicide and identification as survivor: Results from a random-digit dial survey. *Crisis: The Journal of Crisis Intervention and Suicide Prevention*, Vol 34(6), 2013, 413-419

¹⁵ Cerel, J., Jordan, J. R., & Duberstein, P. R. (2008). The impact of suicide on the family. *Crisis: The Journal of Crisis Intervention and Suicide Prevention*, 29(1), 38.

Economic Costs of Suicide

In 2007, research from Department of Economics, NUI Galway calculated the economic cost of suicide in Ireland at €906 million in 2001, and over €835 million in 2002 (in 2001 prices).¹⁶ These figures are an aggregate of direct, indirect and intangible human costs. Direct costs included were funeral expenses and the costs of emergency services and medical treatment. Indirect costs included the value of lost output or production associated with paid and unpaid work and intangible human costs related to the value placed on a human life.

	Males (n = 429)	Females (n = 90)	Total (n = 519)
Lost market output	192,502,644	13,411,353	205,913,997
Lost nonmarket output	32,118,952	13,500,259	45,619,211
Human costs	540,130,305	113,314,050	653,444,355
Direct costs	1,504,965	180,308	1,685,273
Total	766,256,866	140,405,970	906,662,836

Table 1: Total cost of suicides in Ireland in 2001¹⁷

	Males (n = 387)	Females (n = 91)	Total (n = 478)
Lost market output	177,186,406	15,618,513	192,804,919
Lost nonmarket output	30,374,299	15,323,068	45,697,367
Human costs	482,181,489	113,381,177	595,562,666
Direct costs	1,390,657	207,309	1,597,965
Total	691,132,851	144,530,067	835,662,917

Table 2: Total cost of suicides in Ireland in 2002¹⁸

To assess the cost of lost market output, suicides in 2001 and 2002 were categorized by age and gender with the analysis taking lost earnings in the year of death and projecting lost earnings based on the assumption that future earnings and employment rates would change over that person's life in line with persons at different ages in the current year. The lost non-market output was calculated by assigning a value to the provision of housing, nutrition, clothing, care, education and voluntary work. The time spent doing unpaid work was valued at the minimum wage.

The human cost of suicide was calculated using UK estimates of the human cost of road traffic fatalities.

¹⁶ Kennelly, Brendan The economic cost of suicide in Ireland. *Crisis: The Journal of Crisis Intervention and Suicide Prevention*, Vol 28(2), 2007, 89-94.

¹⁷ Kennelly, Brendan The economic cost of suicide in Ireland. *Crisis: The Journal of Crisis Intervention and Suicide Prevention*, Vol 28(2), 2007, 89-94.

¹⁸ Ibid

Employer Responsibility & Liability for Workplace Bullying and Suicide

In a series of recent decisions, the courts in the UK and Ireland have determined that employers are responsible and can be held liable for the harm caused to employees where they fail to prevent workplace bullying and where that bullying leads to negative outcomes including suicide.

Case law has also established that the provision of counselling such as that available under EAP schemes is insufficient for employers to have met their duty of care to employees experiencing stress, emotional distress and suicidality. Appendix A summarizes some reported cases.

The New Law Journal in an article entitled *Employers On Suicide Watch* reaches the following conclusion from reported cases

The conclusion for employers is if you fail to take action after an employee suffers from overwork, workplace bullying or a workplace accident and the employee then takes his own life you will be legally and financially responsible.

The only question is how much can you rely on the fact that the law does not see us as “our brother's keeper” and argue for a reduction to the overall compensation. Some employers have commented that the reduction of 20% which Lord Scott mooted is a small overall reduction and not one which will provide any comfort to employers (or their insurers).

It is well established that employers have a common law duty to take reasonable care for the health and safety of employees in the workplace. Failure to comply with that duty exposes the employer to a claim for personal injury, if such injury was reasonably foreseeable and the employee has, as a result of the breach, suffered loss.

The concept of reasonable care to ensure safety is also an implied duty under the employment contract itself. This is widely considered to be “the safety angle”.

This trend of bringing a claim for personal injury, instead of, or in addition to, unfair or constructive dismissal in the employment tribunal is a fairly recent one among disgruntled employees. It is also largely due to the cap in damages of £63,000 for unfair dismissal, which means lawyers have to be inventive to effectively claw back damages for suffering clients.

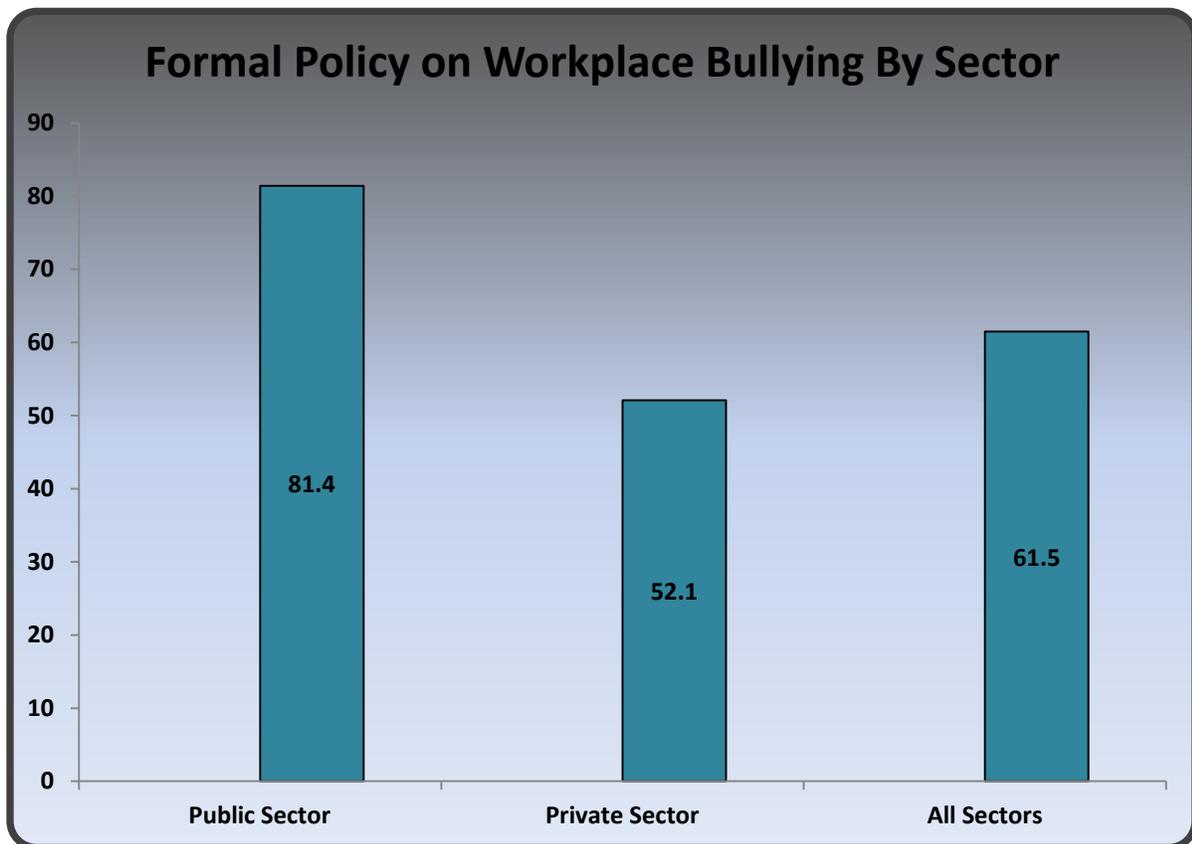
It is essential that employers start to heed the warning signs from their staff and closely monitor workloads on a continuous basis. From the case law, it currently seems sufficient to rely on the fact that the employer had no knowledge of the fact that their employee was susceptible to feeling stress or depression; however it would be an ill-advised employer who ignores the warning signs.

Health and Safety Executive figures show that last year the UK lost 13.4m working days due to stress, anxiety or depression, so it is a problem for both employer and employee. In light of the fact that, by 2020, depression is expected to rank second only to heart disease as the leading cause of disability worldwide, the average workplace environment needs to change.

The House of Lords has now established that employers must be on “suicide watch” with stressed, depressed and vulnerable employees. The only issue left unresolved is the somewhat tawdry issue of how much should compensation be reduced for contributory negligence if someone does take his own life?¹⁹

Effective Approaches to Preventing Bullying

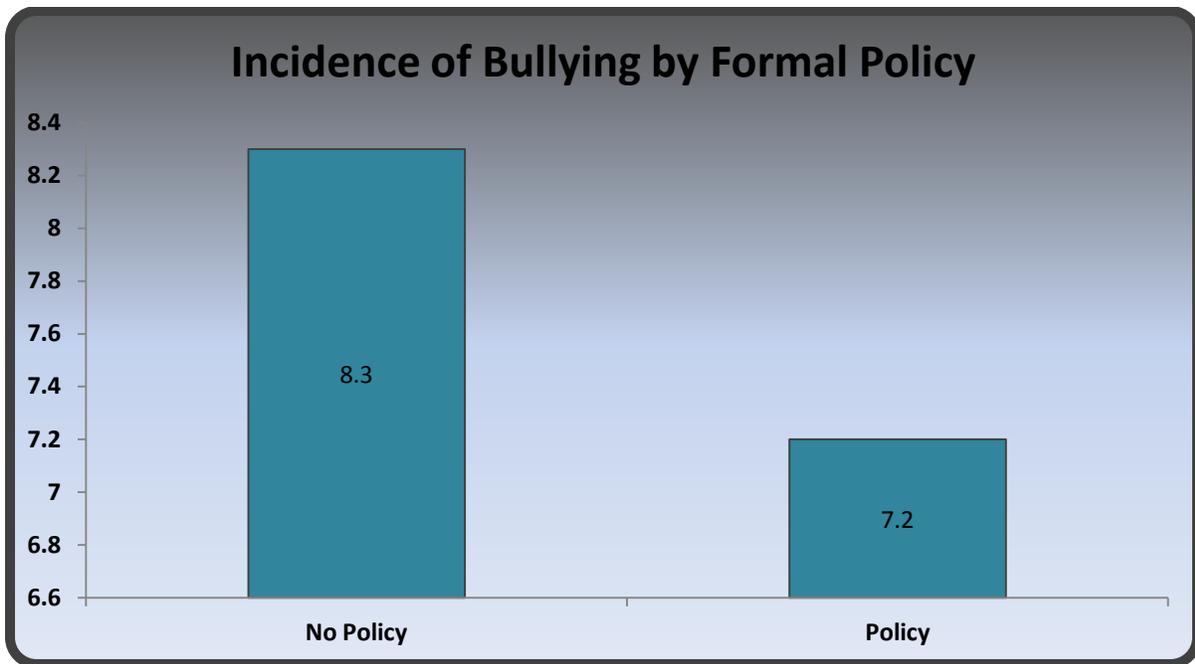
The 2007 Report to the Department of Enterprise Trade and Employment in Ireland found that 61.5% of Irish organisations had formal workplace bullying policies, with public sector organisations more likely than private sector companies to have a policy in place.²⁰



They found that the presence of a formal policy on workplace bullying had only a small effect on reported bullying with a bullying rate of 8.3% in organisations with no policy as compared with a rate of 7.2% in those with a formal policy in place.

¹⁹ <http://www.newlawjournal.co.uk/nlj/content/employers-suicide-watch>

²⁰ Ibid



The authors suggest that the small effect size of policies is based on the fact that the policies do not address the **real** drivers of workplace bullying. They state that “the principal determinants of workplace bullying have less to do with the characteristics of the victim, and more to do with the nature and organisation of the workplace”²¹ Their finding is that the principal drivers of bullying are organizational rather than individual in nature and that if this is true “then appropriate workplace practices and policies can be developed to reduce, if not eliminate, the problem.”²²

The authors of an Irish study on the bullying of junior doctors²³ note that most workplace bullying policies focus on individual behaviours and involve supporting victims while changing the behavior of bullies, but ignore the concept of organizational or cultural bullying. They point out that recognizing the role of organizational culture in bullying would require acknowledgement that “normal practices in the work place regularly undermine individuals who work in it.” The suggestion is that policies and practices which are focused at the level of the individual, fail because they ignore the true source of the problem – **the organizational environment which supports bullying as part of usual business practice.**

²¹ O’Connell, P. J., Calvert, E., & Watson, D. (2007). *Bullying in the Workplace: Survey Reports, 2007*. The Economic and Social Research Institute. <http://workplacebullying.ie/wpcontent/uploads/2012/11/Bullying-and-harasment-ESRI-2007.pdf>

²² Ibid

²³ Cheema, S., Ahmad, K., Giri, S. K., Kaliaperumal, V. K., & Naqvi, S. A. (2005). Bullying of junior doctors prevails in Irish health system: a bitter reality. *Irish medical journal*, 98(9), 274-275.

They point out that while the health authorities within which the subjects of their study were working had policies in place to deal with various forms of bullying, the bullying rate was reported at 30% with doctors unaware of organizational guidelines in relation to action they could take to address bullying or harassment and reporting being afraid, of reporting, due to negative impact on their reference and career.²⁴

A study of the effectiveness of anti-bullying programmes in workplaces, undertaken by researchers from the Universities of Galway and Limerick²⁵ found that organisations repeatedly fail to manage the problem of workplace bullying or effectively preventing it and that current formal anti bullying mechanisms provide only weak levels of protection against bullying with and large organisations with dedicated HR functions fail no more successful than smaller, more poorly resourced ones.

They note that their review “revealed a strong attachment to the notion that workplace bullying and incivility are principally problems of interpersonal behavior “ with most programmes having a focus on increasing “awareness of and recognition of negative behaviours, or coaching “better” responses to negative behaviours.”²⁶

They comment that such programmes are based on a belief that workplace bullying will be lessened if more people know about it and know how to recognize and respond to it in a more assertive manner but consider this to be a flawed assumption. They note that much of the literature on bullying shows employees who are bullied are frustrated by the poor response from the organisation, in which they are employed, and their inability or unwillingness to develop and implement appropriate practices to prevent it.

They conclude that

*“an integrated approach including individual, job, organizational and societal levels is required to tackle workplace mistreatment. This is consistent with comprehensive models of workplace health promotion, which see the health of workers to be a product of interacting influences that include the physical and psychosocial environment, including aspects of the design and management of work and its social and organizational contexts. Bullying and incivility are complex organizational problems, although manifesting at the level of individual behavior”.*²⁷

The authors also found that of the interventions they assessed, only three interventions were conducted showed evidence of effectiveness and that their success of the intervention was due to their taking an organizational rather than individual approach.

²⁴ Cheema, S., Ahmad, K., Giri, S. K., Kaliaperumal, V. K., & Naqvi, S. A. (2005). Bullying of junior doctors prevails in Irish health system: a bitter reality. *Irish medical journal*, 98(9), 274-275.

²⁵ Margaret Hodgins, Sarah MacCurtain, Patricia Mannix-McNamara, (2014) "Workplace bullying and incivility: a systematic review of interventions", *International Journal of Workplace Health Management*, Vol. 7 Iss: 1, pp.54 - 72

²⁶ Ibid

²⁷ Ibid

Opportunities for Effective Prevention of Workplace Bullying and Suicide

Bullying and suicide are workplace hazards which have impacts on business performance, profitability and the organization structure, which is part of the organization culture, that are at least as significant as other significant hazards.

Structure is not organization. Any organization is composed of people interacting to produce particular outputs. The organizational structure however, is a part of our cognitive equipment. It tells us who is in an organization and gives an indication of what each does. It is a part of our perceptual screen, so it acts as a map of organizational functioning and interactions. As such it is key to the forming of our mutual expectancies. Organizational structure helps to indicate the standards by which we should interact with others. It helps to indicate the proper behavior for various groups. Thus it is part of the culture. Therefore since structure affects our interaction with people, structure is part of the organization.

A significantly high number of businesses within the last 5 years have changed their organization structure in Ireland. In parallel, has been the need to revise and create new business models, reporting structures, roles and relationships. Employee movement internally and externally has been high, resulting in human related issues becoming prominent and in some cases with serious consequences. However, changing the organizational structure does not change the organization per se. After the structural change, there are still many of the same people producing the same products and services with the same technology. Real organization change can only take place when people begin to **interact** with each other differently or when they begin **to think differently** about their role and function in the organization. Since most changes in structure affect people's interactions with, and orientation towards others, we are confident that structural change affects **organizational culture**.

Is there a better time to re-orientate people's attitudes, to capitalize on these structural changes that are proven to affect the way 'informal' rules of engagement take place? Yet it is not possible to cope with the reality of bullying and risk of suicide - *the corporate ills and ailments of today* – creating meaninglessness, depersonalization and dehumanization, unless the culture recognizes the human dimension, the dimension of human phenomena and that it is included in the concept of 'employee', that indispensably underlies every sort of attitude and behavior on the conscious or unconscious level.

Management theory must recognize that **meaninglessness** can prevent goal attainment that in turn prevents the affect of by products from the attainment and the creation of reasons. Reasons and meanings respond. Instincts and impulses react. Without a 'reason' for, job fulfillment or 'reason' to, go beyond your role for the sake of a colleague (commitment), employees can slip in to despair, as the lack of goal attainment produces no reasons - to be happy, fulfilled and proud of their work, only suffering, that has no meaning. As Viktor Frankl so aptly created **D=S-M** Despair is Suffering without Meaning.

Management theory must not remain on the plain of reductionism, or in the sub human dimension. It must re-orientate and follow its persons in to the human dimension, where the human phenomena create **personal power – not positional power**. A journey toward re-humanizing culture that knows how to create 'survival value' and build in 'coping mechanisms' as it were, deep in to the cultural psyche.

From the evidence, it is timely and necessary that the need for programmes to transition from *potency* to *Act (Change)* and reduce workplace bullying and the risk of suicide, must go beyond raising awareness of these issues and providing support or behavior modification for individuals, to **addressing the ways in which they can be embedded in the culture and processes of organisations.**

CASPER and **BIS Business Integrated Solutions** design and facilitate, inter active employee workshops, key note speeches, small group discussions and executive learning programmes that also support businesses in identifying the level and impact of risk from bullying and suicide in their workplaces and take a hazard management approach to minimizing risk. Our programmes can assist businesses to move bullying and suicide from the realm of EAP programs, to identifying and putting *practical strategies in place* to prevent bullying and suicide, using well established health and safety processes, along with organization development knowledge, integrated with learning and development transfer mechanisms.

Human learning, development and growth

Viktor Frankl said *“Education must change from being satisfied with transmitting traditions and knowledge, to refine that capacity which allows people to find those unique meanings, which are not affected by the crumbling of universal values. Education must elicit the ability to make independent and authentic decisions”*

Not only can prevention programmes help organizations avoid the legal and business risks associated with bullying and suicide, but they can act as a reminder to conventional wisdom that only thinks of 'HR' as **Human Resources** not **Human Relations**. But even in life Vs livelihood, conventional wisdom is not the last word. Amongst the effects found on a suicide victim was a scrap of paper on which she had written *“More powerful than fate is the courage that bears it”* Despite this motto she had taken her life. Wisdom is lacking without the human touch.

Business education must change from being satisfied with delivering content that does not evoke ideas, moral courage and decision making ability, to refine that capacity which allows participants to find meaning in their work, which are not affected by the transition from workplace suffering, to workplace acceptance.

Educational programs that increase productivity, reduce absenteeism, staff turnover and maximize profits from the resources that reside in the human dimension, which accounts for up to 50% of a company's costs, can and have been designed in the past. One existing clients comments *“Since embarking on this programme and defining the core objectives: There has been a 3.5% increase in Production/Utilization. There has been an 8% increase in Margin. Permanent staff turnover has been reduced from 12 people in 2006 to 9 people in 2007 which represents a 25% reduction in turnover for the department.*

The figure of 6 leavers to date for 2008 would indicate that the impact on turnover has been maintained. The increase in production was achieved relatively quickly with Both Dublin and Cork Services now achieving a consistent 79% utilization.

As measured against the three criteria above the return on investment for the development and presentation of the programme has more than justified that the programme be rolled out to other departments in the organization”.

“Identifying the full extent of the return on Investment for this project will not be easy, given the fact that the programme will have far reaching consequences which go beyond the life of the programme itself. However, a quick analysis shows that the gain made in the increase in production alone has more than covered the costs of implementing the programme”.

“If we take people as they are we make them worse. If we take them as they ought to be, we help them become it”

Johann Wolfgang von Goethe
28 August 1749 – 22 March 1832

Appendix A: Reported Legal Cases Finding Employers Responsible for Bullying and Suicide

Kate Fitzgerald and TCC

In 19 August 2011 PR executive Kate Fitzgerald an employee of The Communications Clinic (TCC), submitted an opinion piece to the Irish Times entitled *Employers Failing People with Mental Health Issues*. On 22 August two hours after discussing publication of her article with an Irish Times journalist, Kate took her life.

In the article Kate described herself as a “professional, a consultant” who loved her work. She talked about how a person can be affected when they return to work after trying to harm themselves and how, when colleagues know what has happened, relationships can change and make it much more difficult for the person to resume a normal life.

Ms Fitzgerald died by suicide soon afterwards and the Times published her article without knowing she had died. When the paper printed an apology to the Communications Clinic, Kate’s parents filed a complaint which was upheld by the Press Ombudsman who said the statement of apology by the Irish Times to the Communications Clinic had violated principle 5.3 of the Code because the newspaper had failed to sufficiently take into account the feelings of Kate Fitzgerald’s parents. An appeal by the Times to the Press Council upheld the decision of the Ombudsman.

At Kate’s inquest her former partner testified that Ms Fitzgerald believed her employer was not supportive of her after her hospitalization, that she had been given lower-level jobs to do and felt she was being "shown the door."

While Kate did not name her employer in the article she wrote, they were identified subsequently and the result was reported to be “an online storm of protest about the behaviour of TCC.” TCC is a powerful company with significant political influence and influence with the Catholic Church in Ireland but was unable to protect itself from the reputational damage arising from Kate’s suicide.

We then discovered that a month before Kate’s suicide, Karagh Fox, a 26-year-old employee at the company, at an Employment Appeals Tribunal hearing, made a number of serious claims against senior staff and management at the Communications Clinic alleging bullying and intimidation. The case appears to have been settled in October.

Below are some links to some of the negative press received by TCC.

<http://www.broadsheet.ie/2011/11/28/a-breakdown-in-communications/>

<http://3menmakeatiger.blogspot.ie/2011/12/famous-last-words-media-transparency.html>

<http://www.broadsheet.ie/2011/11/30/kate-fitzgerald/>

Quigley v. Complex Tooling and Moulding

An Irish decision which focused on employer's liability for stress caused by workplace bullying was the case of *Quigley v Complex Tooling and Moulding*.

Mr. Quigley was awarded in excess of €75,000 for psychiatric injury suffered by him as a direct consequence of his employer's breach of duty to prevent workplace bullying. Mr. Quigley claimed that he was subjected to a campaign of harassment, bullying, humiliation and victimization. He gave evidence of having been subjected to excessive scrutiny and unfair and unreasonable treatment, by management. Mr. Quigley claimed that despite frequent complaints about this behaviour, the company failed, refused or neglected to take any reasonable steps to prevent or stop it.

Corr v IBC Vehicles Ltd 2008

Mr Corr was a maintenance engineer who became severely disfigured after he was struck on the head by a machine at work. He underwent extensive reconstructive surgery but remained disfigured. He suffered from flashbacks and post traumatic stress disorder and lapsed into a deep depression from which he never recovered. Six years after the accident he committed suicide. At the time of his death, Mr Corr had begun proceedings against his former employers for damages for the physical and psychological damage he had suffered. After his death, his widow was substituted as the claimant. However, she also sought to sue for the loss attributable to the death by suicide under section 1 of the Fatal Accidents Act 1976. While IBC Vehicles accepted that the accident was a breach of the duty owed to Mr Corr to take reasonable care to avoid causing him personal injury, including psychological injury, they refused to admit liability for his suicide, arguing that it (1) fell outside the duty of care owed to him by the company; (2) was not an act which was reasonably foreseeable and therefore not one for which they should be held liable; (3) broke the chain of causation and constituted a novus actus interveniens; (4) was an unreasonable act which broke the chain of causation; (5) was the voluntary act of the deceased, and so precluded by the principle volenti non fit injuria; (6) amounted to contributory negligence. The company's appeal to the House of Lords was dismissed. The Lords held that the appellant owed Mr Corr a duty to avoid not only physical but also psychological injury and that the deceased had acted in a way that he would not have done had it not been for the breach by the appellant. In addition, suicide was found to be foreseeable. Although it was not a usual manifestation of severe depression, it was not uncommon. In these particular circumstances it was reasonably foreseeable by the appellant if one considered the possible effect of such an accident on a hypothetical employee. The appellant's other arguments were rejected.²⁸

²⁸ <http://www.cfs-law.com/vicarious-liability-injury-at-work-suicide.html>

Lord Bingham said: ‘Mr Corr’s suicide was not a voluntary, informed decision taken by him as an adult of sound mind making and giving effect to a personal decision about his future. It was the response of a man suffering from a severely depressive illness which impaired his capacity to make reasoned and informed judgments about his future, such illness being, as is accepted, a consequence of the employer’s tort. It is in no way unfair to hold the employer responsible for this dire consequence of its breach of duty, although it could well be thought unfair to the victim not to do so.’ and ‘The law does not generally treat us as our brother’s keeper, responsible for what he may choose to do to his own disadvantage. It is his choice. But I do not think that the submission addresses the particular features of this case. The employer owed the deceased the duty already noted, embracing psychological as well as physical injury. Its breach caused him injury of both kinds. While he was not, at the time of his death, insane in M’Naghten’s terms, nor was he fully responsible. He acted in a way which he would not have done but for the injury from which the employer’s breach caused him to suffer. This being so, I do not think his conduct in taking his own life can be said to fall outside the scope of the duty which his employer owed him.’²⁹

Intel Corporation (UK) Limited v Daw 2007

In this case, Daw had suffered two periods of postnatal depression, and taken time off work as a result. During the first period, she consulted the company's counselling service; however, by the second, had turned to psychiatric community care for help. After returning to work her workload increased substantially. From September 2000 to March 2001 she protested to her employer 14 times about the pressure she was under. Her manager found her in tears at her desk and decided it was time to employ extra staff. This never happened and, after seeing both her company doctor and GP several times in the next few weeks, she left work on 15 June and attempted suicide a day later. The High Court decided a telephone counselling service could not have helped in any way. The only factor that brought on the breakdown was Daw's heavy workload.

The Court of Appeal upheld the High Court's finding in *Intel Corporation (UK) Limited v Daw* that the provision of a counselling service was not sufficient, on the facts, for the employer to discharge its duty of care in relation to a depressed employee. According to the Court of Appeal: “The reference to counselling services in *Hatton* does not make such services a panacea by which employers can discharge their duty of care in all cases.” For employees this is a welcome decision, as many stressed, overworked, bullied or injured staff will fail to see how a telephone helpline will repair (or fulfil) the employer's “breach of duty”. The downside is that it makes it more difficult for employers to know how to fulfil their duties to vulnerable employees.

Deutsche Bank vs Helen Green 2006

²⁹ <http://swarb.co.uk/corr-v-ibc-vehicles-ltd-hl-27-feb-2008/>

The same foreseeability principle was extended in relation to bullying in the workplace. In 2006, Helen Green won a landmark case against Deutsche Bank and was awarded over £800,000 in damages by the High Court for being the victim of “a relentless campaign of mean and spiteful behaviour designed to cause her distress”. A significant sum for Green, who was on a salary of £45,000. Green had already suffered a nervous breakdown and the court decided the Bank should have taken care of her given that she had a certain vulnerability, unlike the other employees.

Shanley vs Sligo County Council In 2001

Michael Shanley A FIREMAN who was "systematically abused, bullied and belittled" by a superior officer and became suicidal over an eight-year period was awarded £65,000 and costs by the High Court in his action against Sligo Co Council.³⁰

³⁰<http://www.independent.ie/irish-news/fireman-awarded-65000-after-eightyear-bullying-26070755.html>

Appendix B: Stories of Irish Employees Bullied in the Workplace

The Journal has just begun a series of first person accounts of those bullied in Irish workplaces. Some report becoming suicidal while others report having anti-bullying policies in place but those policies not being implemented.

The Journal.ie - Bullied: Your stories of bullying in the workplace

A number of tragic incidents in Ireland over the past number of months have pushed the subject of bullying into the headlines.

We asked you to tell us your experiences and we were inundated with responses. Here are your experiences, in your words, of bullying at work.

I feel ashamed writing this, but as a 42-year-old gay man, you would expect that you would be equipped to deal with the slings and arrows of life. And when you hear about bullying in the media it's usually about teenagers – you never hear about the bullying that goes on with adults. I have been working for the last decade or more for a large business. Like any employee who shows enthusiasm I have been promoted through the ranks, based on my hard work. The department I work in is totally male dominated. I do have a good working relationship with my colleagues, all but one. This man is my immediate boss who has done nothing but deride me for the last ten years in my current role and undermined me in work and public discussions. He negates my opinion in work matters and has even called me a faggot, bum bandit, queer, shirt lifter. He also stated that I am 'probably an AIDS victim'. All of these incidences have happened when no one else is around.

Bullied because I'm homosexual

Last week, I was issued with new uniforms and yes, he had some comment about it. A comment on my size, topped with a sneering jibe. But the piece de resistance was a comment made in a heated argument, where he stated 'everything was okay until you started working here in this department'. I have spoken to various senior members of management/human resources about this but nothing has happened. This person continues to get away with this because of his seniority. The last gay person in our business left because of harassment, defacing of his car, clothes and locker. The fact is my sexuality is but minute part of me as a whole person, it shouldn't colour whom I am completely. There are days I come home fed up and feel suicidal, wondering what is it I've done wrong. But I've had enough, I'm tired of battling on day after day and I've decided to look for a new job.

Ger

I never thought bullying would happen to me. I work in a hotel and I am a pretty big guy. I held a position which made me very well informed (sometimes much more than my boss) and that made her really angry. I was accused of various forms of gross misconduct and numerous sackable offences by her, when eventually, I made a bullying/harassment case to her superior.

My story was swept under the carpet because my boss was higher up than I was. I even got disciplined for bullying her and making false claims of bullying against her. All was lost for me and it was on that day that I attempted suicide. Thankfully it was a failed attempt due to a very astute and loving wife.

I was in psychiatric therapy for a long time and eventually I realized that I had to move away from her for my sanity and for my life! There is a reasonable ending to the story. With a lot of help from my union I brought a case against her and was cleared of all wrong doing – all punishments against me were scrapped. If you are getting bullied speak up quickly, don't let it fester into a life or death decision like I did.

Jessica

I have been bullied and honestly, it surprised me. As an adult who would have described herself as outgoing. I thought I was almost immune, having made it through school and college unscathed. But I had the misfortune to work with a woman who has literally made my life hell. She was insecure in the extreme, to the point that anyone who managed to do their job well, who had friends in work or generally just got on with people, became the subject of her vitriol. She broke the team I worked with and the people on it – slowly but surely over three-and-a-half years, she damaged the people around her.

Living hell

She would spread rumours about people (including in one case spreading a story that one of the guys on the team had a mental illness), call us names both to our face and behind our backs, tell us that none of us were any good at our jobs and were failures and routinely commented on people's appearance. She even went so far as to threaten that if any of us left, she'd spread rumours across the city so that none of us would be hired anywhere else. She was scaremongering because Dublin is so small and because we work in an industry where reputation is everything. Her view was that her rumours would outperform our proven abilities. Worse still it was in the public sector, where there was really a clear anti-bullying policy and 'full commitment to dignity in the workplace'. It turns out that while the policy articulated very laudable principles, in practice (even after multiple complaints from the team) nothing was done, which gave her even more confidence that she was untouchable. She'll be there until the end of time having destroyed people's self-confidence, sense of worth and self-esteem in the meantime.

Bullying is real for all ages

Of nine of us who started, only three are left. Those still there only stay because the recession has meant it's harder to move on. Some who left, left for unemployment – they couldn't take it anymore and risked their financial security rather than their health. I was luckier. I moved on to another job and I am now in the private sector and I am far happier for it. I finally realized that none of it was normal and my gut instinct on her wasn't wrong. Bullying exists – it's very real for all ages and is insidiously destructive if not addressed and the perpetrators severely disciplined. There needs to be a clear signal that it won't be tolerated.

Bob

I'm 39 years old and now suffer from panic and anxiety disorder as a result of bullying from two managers in my work place. The screaming in my face, name calling, dirty looks and basically been treated like a nobody for five years has taken its toll. I can no longer work and I'm not sure I ever will again. Bullies have destroyed my life and I've no idea how young kids cope, most of them don't seem to be.

Charlotte

I have been a victim of bullying in the past as a child and an adult. Today, I was bullied for the fifth time this month by a co-worker. When I was a child I was very sick with a brain illness. Later in life, I took an office job. The office bully took a shine to me and delighted in humiliating me for every little error. If I put a file down on my desk she will yell the place down, abuse me and treat me like a bold child, if I laugh I am a 'f***** mongo eejit', if I cough or sneeze I get the box of tissues hurled at me, if she is around when I talk to clients, she talks over me and humiliates me in front of them.

I spoke up once to management and I was told that I would never have been hired if they had known about my brain damage. Needless to say, I lost the plot and put them right back in their place. Yet they let the bullying continue. I am a qualified executive in my field running busy departments, I speak three languages and assist in another department with absolutely no complaints from my bosses or my clients.

Some tell me to quit, but I won't. I love my job. I am not the problem, my current bully is. I'm tougher, better, faster, kinder, more tolerant, more intelligent, more open and understanding than they are. These are qualities this co-worker sees and despises as she wants these qualities, but she has no way of ever getting them. These are qualities my partner, children, grandchildren, family, friends, bosses, clients see as absolutely spot on and tell me all the time.

If you are interested in more information,

Please contact either:

Peter Purcell

Peter Purcell, Founder and CEO of **BIS Business Integrated Solutions**, an educational support services firm in Dublin, works in organization effectiveness and performance management since 1999. Previously as managing director of **SMG** strategic management group his business experience includes, design and facilitation of experiential learning programs, that identifies & integrates human phenomena, with strategic alignment & business acumen.

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www.casper.ie