

Workplace Bullying on the Rise Across Canada

WORKPLACE BULLYING is on the rise across the country, involving increasingly high stakes for employees, employers and unions caught in the middle.

"Bullying in the workplace in one form or another has always existed," says Angelo Soares, a sociologist at the University of Quebec in Montreal who teaches courses on organizational behaviour. "But since the 1990s, the frequency, intensity and psychopathological consequences of bullying in the workplace have reached alarming proportions."

In law, bullying is distinct from sexual harassment and is not included under the umbrella of banned behavior typically found in human rights legislation.

Soares, who studies bullying and speaks widely on the issue, notes there is no universal definition, but most experts agree on three elements: the recurring and persistent nature of the action, the harmful, even devastating, effects on the person being targeted, and the focus of the definition on the effects suffered by the targeted individual and not on the intentions of the aggressor.

Victims of bullying frequently suffer from depression, perform poorly at work, or cease to function at all. Even worse, some victims have physically attacked their tormentors, or taken their own lives.

"Bullying at work represents a significant threat and can have devastating effects on the mental health of workers," noted Soares in a 2002 report titled, "Bullying:

When Work Becomes Indecent."

Canadian law surrounding this form of harassment is extremely complex, varying from province to province and on the nuances of each individual case.

In 2004, Quebec became the first North American jurisdiction to explicitly outlaw bullying at work. Psychological harassment is defined under Quebec law as "any vexatious behavior in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects an employee's dignity or psychological or physical integrity and that results in a harmful work environment for the employee."

Saskatchewan has recently passed amendments to its Occupational Health and Safety Act, making illegal the psychological harassment of workers if a "reasonable person" would find such acts of harassment humiliating or intimidating.

Elsewhere in Canada, the bullied must navigate a sometimes convoluted patchwork of remedies, including the filing of grievances pursuant to collective agreements and provincial labour laws and civil lawsuits.

Recent Canadian court cases involving bullying have sent shock waves through the boardrooms of corporate head offices and pocketbooks of employers who look the other way when bosses push around subordinates, or even when coworkers bully one another.

Last year, Nancy Sulz won close to \$1 million when her



RCMP boss bullied her to the point of illness. The Sulz case, and a string of others, are bringing the point home loud and clear that employers would be wise to take actions on bullying.

But by all accounts, the stickiest situation involves bullying by colleagues of equal rank in a unionized environment.

A workshop on bullying, held as part of CAUT's Council meeting in November, drew both grievance officers and concerned academics struggling with defining unreasonable behavior and

looking for solutions.

Reports included accounts of bullying that ran the gamut of administrators who yell or throw things, to e-mailed threats from students to professors, to colleague-colleague intimidation, threats and insults — sometimes aired on blogs — that land in the laps of grievance officers caught in the middle.

In the worst cases, grievance officers assigned the difficult task of investigating member-on-member complaints sometimes even find themselves as the focus of

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bullying. As one workshop participant put it, "It's a nightmare for unions."

The issue was addressed last month at a CAUT workshop for senior grievance officers, on the "vulnerable grievor," including grievors at odds with colleagues.

CAUT is also in the process of developing model clauses on workplace harassment. ■

Le harcèlement psychologique au travail est en progression partout au pays