



XpertHR Podcast

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Workplace Bullying

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David Weisenfeld: I’m David Weisenfeld for XpertHR.com, published by Reed Business Information and proudly partnered with LexisNexis.

On this podcast our focus turns to workplace bullying. It’s an issue that we featured on a program three years ago and grabbed nationwide attention after former Miami Dolphins’ player, Jonathan Martin, abruptly left the team in mid-season, claiming teammates had engaged in persistent harassment, including racial slurs.

While your workplace may not resemble an NFL locker room, bullying at work can occur in any profession. As many as one in four employees are harassed, threatened or attacked at work, and 35% of the workforce feels bullied.

So what’s an employer to do to stop this behavior before it starts? To find out, we’re now joined by Catherine Mattice, who heads the San Diego-based Civility Partners, a training and consulting firm that helps organizations build positive workplace cultures. Catherine speaks frequently to HR groups, including SHRM, about bullying issues, and she’s written a book on the topic. Catherine, welcome.

Catherine Mattice: Thank you. Thanks for having me.

David Weisenfeld: Well it’s great to have you with us, and the old saying goes, Catherine, “Sticks and stones can break my bones but names will never hurt me”, but as a practical matter, is remaining silent effective at work in the face of bullying? [0:01:40.8]

Catherine Mattice: Absolutely not. Workplace bullying causes anxiety, depression, fear, stress. Stress causes physical problems. PTSD has been associated with workplace bullying. Unfortunately, some people have even committed suicide as a result of workplace bullying. So remaining silent is not the right avenue. All that does is allow all of those terrible feelings to get pent up. You’ve got to talk to people, you’ve got to speak up, you’ve got to stand up for yourself. And the sooner you speak up, the easier it will be to resolve.

David Weisenfeld: You've said and written that a big problem with this issue is that bystanders don't speak up when they observe bullying. Tell us a little bit about that. [0:02:25.4]

Catherine Mattice: So the buzzword these days among school-aged bullying campaigns is 'upstander,' and we need to bring that word into the world of workplace bullying. You've got to be an upstander. So if you don't stand up, if you don't speak up when you see workplace bullying happening, then you're reinforcing the problem of bullying because you're giving permission to this person. You're telling them it's okay for you to act that way. And a lot of my colleagues use the word 'witness' or 'bystander' when they're talking about these observers. And I don't like either of those words because they sound very passive, as if you don't have a choice.

You can witness a car accident. That's something you don't have a choice about. But in the case of work, you're not just a witness. You do have a choice and you do need to speak up. And you've got to be willing to protect the people around you.

And in the face of social pressure, people aren't going to bully. So one thing I say all the time is that people bully because they can. People bully because they can. And if you are telling them not to, you're telling them they can't bully, then they'll stop. So you've got to create the social pressure, let these people know the behavior's not ok, otherwise it will continue.

David Weisenfeld: That's an excellent point. But what happens when the bully *is* the direct supervisor. You were talking about choice, but I would imagine that some employees may feel like, 'Hey, I don't have a lot of choice when it's the boss who's engaging in this conduct.' So what's an employee to do in that situation? [0:03:59.9]

Catherine Mattice: I've got a couple of thoughts on that. So first off, I did a training yesterday on workplace bullying and one of the tables in my room there, they called me over and were telling me that they all worked for one supervisor who was a bully. And my advice to them is that they all come together and meet with the supervisor and let the supervisor know, "We all feel this way." And it can't be accusatory, it can't be, "You bully us and we hate you." You know, it just has to be, "This is how you come across to us. Here are some examples of that happening. We're looking to have a better kind of a relationship." That's one avenue.

Or even if you're just one person. You've got to have that conversation with your supervisor and let them know, "This is how I feel about our relationship." Now if that doesn't work, go to their boss. Go to the boss's boss. Go to HR. Go to the CEO if you have to. Just because this person's your supervisor, it doesn't mean that they get to treat you however they want.

David Weisenfeld: Now our listeners surely are familiar with what harassment is in the workplace. We hear a lot about sexual harassment and racial harassment. But bullying, people might not be sure where the line is sometimes between what might appear to some as teasing that

perhaps could be relatively innocent, and bullying. When does it cross over? [0:05:23.5]

Catherine Mattice:

I'd love to answer that and I also want to address the question about bullying versus harassment. So in terms of teasing versus bullying, I think teasing someone might include hiding a tool from them for a couple of minutes and then it's like, "Ha-ha, very funny, here's your tool back," versus I've worked in an organization where there was a lot of hazing, which is kind of teasing in order to indoctrinate someone. But one thing that was going on there was these men were hiding tools from new hires and not ever giving the tools back.

Well if you're a new hire in an organization you're wanting to prove yourself, you want to make sure people respect you, you want to make sure you're able to learn. So hiding a tool from someone and never giving it back to them, I would say that's an example of what bullying might look like because now this person's going to fail because of something that you did versus, "We took your tool for a couple of minutes. Ha-ha, it's funny, here's your tool back."

So I think it's about whether or not this person's going to fail as a result of the teasing or if you're going to make this person feel humiliated as a result of the teasing. That's where I feel like the line crosses.

In terms of bullying versus harassment, the behaviors are the same. You read the EEOC website where they've got all their case studies about different harassment cases that they've dealt with, and those behaviors described there are all bullying behaviors, the only difference is if the behavior is aimed at a protected class it's illegal and we call that harassment. If it's equal opportunity harassment then it's legal, and we call that bullying.

David Weisenfeld:

Now you mentioned earlier that silence most assuredly doesn't work. But what's your best tip for an employee who might be the victim of workplace bullying to make it stop? [0:07:16.6]

Catherine Mattice:

I've got four steps. The first step is you do have to speak up for yourself. You do have to tell this person that you don't like the way you're being treated, and I've got all kinds of ideas on how to have that conversation. If anybody wants to reach out, we can take that offline. Just certain scripts that you can follow. It's got to be a very clear, specific kind of conversation.

If speaking up doesn't make a difference, step two is to document everything that's going on. Say those nasty emails, if ever there are bullying scenarios, you write those down in a journal – who was there, who saw it, what was happening, when was it, where were you?

And then step three is to take that documentation to HR and show them that this person's behavior is hindering your ability to be productive. And a lot of people will say, "No, I can't file a complaint because what if the bully retaliates?" Well bullying might not be illegal but retaliation is, so unfortunately step four might be that you have to address this illegal behavior of retaliation.

But you have to stand up for yourself. Do not just sit by and let this person treat you that way.

David Weisenfeld: And you mentioned HR just a moment ago, so from the employer side, what can employers and HR do in reducing this behavior? [0:08:35.1]

Catherine Mattice: The first step is communicate to your workforce that you know about bullying, you care about the topic, and you're interested in hearing about it if anybody is bullied. If there is bullying going on in your organization, people aren't telling you about it because they don't know what your reaction's going to be. And if you go online and look at workplace bullying in the context of HR, a lot of people out there have been burned by HR, so HR has got a bad reputation out there in the context of bullying. So you've got to tell your workforce, "I will help you, I do want to know about it, I will conduct an investigation." So put the word out.

Also, have a policy. And a lot of my colleagues would say have an anti-bullying policy. I think you should have a healthy workplace policy that tells employees how you want them to behave. Certainly address bullying and define it, but ultimately you've got to have a policy about the kind of workplace you *do* want, and your policy would then say, "If I get a complaint about bullying I will conduct an investigation," and you can just follow what you would do if it was a harassment complaint since the behaviors are the same.

So those are the two main steps. And I have a third, more general step, but probably the most important. I'm about to give a speech actually to DisruptHR. And if you know them, they're kind of doing these little five-minute bursts and the point of DisruptHR is to really disrupt HR and get HR to think about things differently. And the title of my presentation is going to be, "Anti-harassment Initiatives Are Stupid," and the focus of my speech is really that if you focus on anti-this and anti-that, and if you focus on it as a compliance issue, you're doing it wrong.

You've got to focus on creating a positive workplace. And to have a positive workplace where people thrive and they get along and they have strong relationships, you're not going to have bullying. And when someone speaks out of turn, people will feel comfortable to speak up and say, "Hey, I didn't like that."

So the big answer, the complicated answer is you have to have a great workplace and that's how you solve the problem of bullying.

David Weisenfeld: Catherine, you mentioned that HR has gotten a bit of a bad reputation. From your standpoint working in the profession, is any of this deserved? Have too many complaints been ignored or what are your thoughts on that? [0:10:55.5]

Catherine Mattice: A couple of thoughts. So in my experience, no. I've spoken at five international SHRM conferences and probably hundreds of HR associations and chapter meetings and webinars and all that. So there are all of these HR people out there who want to attend my presentations and any of my other colleagues – you know, there are

plenty of us out there talking about the topic and HR is attending those presentations.

If you're an HR person who focuses so much on compliance that you're missing the strategic part, I think what's been happening is people file a complaint about bullying, there's no law against it, they don't have a policy against it and so they feel there's nothing they can do. And that's not the case. Just because it's not illegal, it doesn't mean there's nothing to be done about the bullying.

But I really think that's what's going on, is someone says, "I'm being harassed," an investigation's conducted and it's like, "Well no, you're not being harassed. You're being bullied. We don't have a policy against that so sorry, I can't help you." It's unfortunate but you've got to think past what the law says and think about just what people need. So that's my thoughts on that.

David Weisenfeld:

Again we're speaking with Catherine Mattice, President of Civility Partners in San Diego, and a subject matter expert on workplace bullying.

Catherine, I know you have a personal story in terms of how you became involved in this issue. Tell our listeners a little bit about that. [0:12:26.1]

Catherine Mattice:

Sure. I was the Director of HR for a non-profit organization and found myself working with a bully, and I didn't know that's what he was called at the time but the guy was real hard to work with. He was an uber, uber, uber excessive micromanager. He made people feel really incompetent. He really just went after you if he didn't like you. And during that time I started getting my Master's degree in organizational communication at San Diego State, and I had a class called The Dark Side of Communication. And we were learning about domestic violence and stalking and all things dark and human interaction.

And of course I had to write a paper on something dark. And so I decided to write a paper on this person that I worked with. And I was looking at toxic leadership or something along those lines and I came across this phrase 'workplace bullying' and researching this paper, and discovered there was three years of academic research on the topic from all around the world and plenty of countries actually have laws against workplace bullying. America's pretty far behind in that.

And really, ever since that paper I've been obsessed. I think it was really therapeutic for me to write the paper and understand my situation and to see that I wasn't crazy or that I wasn't the only one that had this problem, and it went from there. Ever since that paper, which was quite a long time ago, I've been just focused on trying to help organizations solve it.

David Weisenfeld:

And to borrow one of the words that I really liked that you used earlier, did you have any upstanders or were your co-workers bystanders in this instance? [0:14:01.2]

Catherine Mattice:

Well you know what? The thing was that I was the Director or HR and so I'm one of the HR people that everyone out there is complaining about because people would come to me 'cause they also felt bullied.

So everyone felt bullied. I felt bullied. People would come to me and complain because I was the HR Director, and I would take that information down to the president and say, "Hey, people are complaining about bullying. I'm complaining about bullying personally." And he would just tell me, "That's just how it is. Don't let it bother you. I don't know why it bothers you so much. Be the bigger person." And it was just always he'd brush me off and he'd brush all of these complaints off that I brought to his attention.

So no, I think we all commiserated with each other but without leadership's help. And it was a small organization – there were only 30 of us. But without his buy-in, all we could do was sort of protect each other as best we could. But the president needed to be the upstander in that scenario because it was such a small organization.

David Weisenfeld:

This individual may well have seen himself as just being a tough manager. So with that said, what's the difference between being a manager who might just be a little bit tough, who demands results, and someone who's really going over the line into bullying?
[0:15:19.1]

Catherine Mattice:

I think a tough boss is someone who might be overly assertive or even aggressive. Maybe they're gruff in the way they come out with things. But they still trust their employees. They still care about their employees' wellbeing. They care about performance. And so they're coming from a different place than a bully.

So just some contrasting examples, a tough boss is still going to give credit when it's due. A bully's going to take credit for other people's work. A tough boss is going to motivate employees, and it might come out in a staff meeting and involves a little bit of yelling, but they're coming from a place of, "I'm motivating you," versus a bully who's going to arbitrarily punish people because they were a minute late. That's, I think, part of it. It's where they're coming from and what their I hate to say intentions, but their beliefs about the people around them. A tough boss still believes in and trusts their employees while a bully does not.

The other part of the answer, though, is I think perception plays a role in that. So I've actually worked in an organization where I perceived the CEO to be a tough boss. He yelled and sometimes he'd slam his fist down on the table in staff meetings to make a point. And he was tough. But I wanted to work hard for him, I enjoyed his leadership, versus a co-worker who asked me about it. Even he said, "Well you're the one who's in school looking at bullying. Is our boss a bully? I think he is." And so we had really different perceptions of his behavior and what it meant and where it was coming from. And I think he treated us differently. So maybe he was tough with me but bullying this other person.

So this is one of the things that makes bullying so complicated. It's not very black and white. Perception is part of it, and perception's part of something like sexual harassment too. You could have someone telling a dirty joke. One person thinks it's funny, one person thinks it's sexual harassment. So where there's humans, there's room for lots of opinions.

David Weisenfeld: Sure. Sometimes it's all in the eyes of the beholder. Shifting gears just a bit, Catherine, and without getting into the politics of it all, it's no secret we have a major presidential candidate who has mocked a disabled journalist and made derogatory comments about women. With that said, are you concerned that kind of dialogue could have any sort of trickle-down effect into the workplace when it comes to bullying? [0:17:51.1]

Catherine Mattice: Yes, yes, yes and yes and yes. Absolutely! I think if our President is a bully and essentially engaging in illegal behavior that we're not supposed to be tolerating at work, it really would take us back a few decades. And I'm personally sort of offended that he is going up against everything I'm trying to do, which is to create a better environment – that's more inclusive and where everybody gets along. And Trump certainly goes against that. So it does concern me.

And I can see an employee saying, "Well Trump called a disabled journalist this, that and the other thing. Why can't I make fun of my disabled co-worker?" It sets us up for a bad situation.

David Weisenfeld: Well we only have a minute or two left but I do want to ask you a little bit about your book which you've written on this issue. Talk a little bit about the number one takeaway lesson that you'd really like to leave HR folks with from it. [0:18:53.0]

Catherine Mattice: My number one takeaway is whatever it is, you have to do something. You have to do something. I think you have a moral and an ethical obligation to protect your employees from workplace bullying, and I say that with a whole lot of passion and a whole lot of hurt in my heart because I have personally talked with people and interacted with people who were so damaged by an experience they went through at work that they can't even go and get another job. It destroyed them and who they are and their self-concept.

And so whatever it is, you have to do something. You cannot just let it be. It's too important to the livelihoods of your employees and their families. You have to do something.

David Weisenfeld: And when you say "do something," what's an effective example of ways...? [0:19:48.2]

Catherine Mattice: Well I'm saying, "Do anything," really! But honestly, if there's bullying in your organization, take it seriously. Don't get caught up in the compliance of the issue.

For example, I have a friend actually who was the Director of Learning and Development for a credit union, and she felt bullied by her boss, and she told the CEO and he said, "Okay, well we'll get an investigation." And so he hired an attorney, they did the investigation, and the attorney came back and said, "Well there's nothing illegal here. There's no harassment."

So my friend hears from the CEO, and she says, "I told you it wasn't harassment. I told you it was bullying. I know her behavior's not illegal but I'm telling you it hurts me." And the CEO said, "Well there's nothing I can do. It's not illegal." And so my friend ended up quitting, and she'd been there for ten years and all of this stuff. The problem

there was that the CEO and this attorney that did the investigation were so caught up in what the behavior wasn't, they didn't stop to look at what it was and how damaging it was.

So you've got to look at the bigger picture. Don't get so caught up in compliance. Have a policy against workplace bullying or a policy about building a positive workplace. And when you have a complaint about bullying, do an investigation, just like you would with harassment. And if it turns out the behavior is bullying and it's not harassment, you should still have the same reaction. This person who was bullying still should be in trouble, they still should be disciplined or even terminated, depending on the severity of the behavior. But you have to stop it. It's not okay. Bullying is not okay.

David Weisenfeld:

OK, well we'll let that be the last word. Catherine Mattice heads the San Diego-based Civility Partners, a training and consulting firm that helps organizations build positive workplace cultures. She's also the author of *Back Off! Your Kick-Ass Guide to Ending Bullying @ Work*.

Catherine, it's been a pleasure speaking with you and we really appreciate your insights.

Catherine Mattice:

Yeah, thank you so much for having me.

David Weisenfeld:

I'm David Weisenfeld. We hope you've enjoyed this podcast. Continue checking our website regularly for more podcasts on key employment-related topics, including "How the Gig Economy Is Changing the Workforce."

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