THE NAMIE BLUEPRINT TO PREVENT AND CORRECT WORKPLACE BULLYING

(from **THE BULLY-FREE WORKPLACE** by Gary Namie, PhD and Ruth F. Namie, PhD)

Step One: Assess.

As the first step in assessment, it is important to quantitatively and qualitatively measure the current state of bullying at your organization.

Quantitative: How Bad is It? Collecting data not only provides specific information about the organization, it allows comparison with national estimates and can be used as a pre-post measure of effectiveness of any prevention and correcting initiatives.

Qualitative: What is the Common Understanding? Typically collected in private one-on-one sessions, qualitative information provides the manner, history and consequences of bullying in the organization.

Step 2: Create a Policy to Prevent Bullying.

Creating policies related to bullying prevention signals to the organization that misconduct previously tolerated or rewarded will no more be. When the leader tells the bully that the conduct must stop, it's easy for a bully operating in an organization without an explicit policy to challenge the authenticity of the leader's commitment. With no standard to which conduct can be compared, the bully can continue with impunity. Without a policy, cronyism and favoritism prevail.

Policy development should be a collaborative process. This increases the likelihood of designing a better policy with more relevant provisions based on the range of experiences a group brings to the task. This also helps to create buy-in and support for the policy.

The policy may be separate from existing policies or one that is integrated. A stand-alone policy has the advantage of sending a clear signal about the goal of preventing and eradicating bullying behaviors. Procedures unique to the stand-alone policy do not have to be affected by other policies. The disadvantage of a stand-alone policy is the risk of redundancies and overlap. For this reason, assembling all the existing policies before writing a new one is a good idea.

Step 3: Develop Informal Solutions.

If formal complaints and investigations are the only options for bullied targets, trust in the new system will be low. Utilization will be predictably low because people justifiably fear retaliation. Informal resolution options provide the alternative to adjudication. Having an alternative may actually reduce the number of formal complaints, but that is not its purpose. It is to give options to bullied targets.

Because of the relatively new experience with workplace bullying in the United States (which began in mid-1997), for the sake of organizational learning, there needs to be ways for people who think they have been bullied to express their curiosity or doubts. They should not be required to file a formal complaint (thus avoiding the retaliation that nearly always accompanies complaint filing.) Rather, they should be able to explore whether or not what is heaping to hem is bullying in the first place.

Step 4: Establish Formal Enforcement Procedures to Correct Bullying.

If enforcement procedures for bullying are the same as those for antidiscrimination policies, there will be a high level of distrust among employees. The historical role played by HR explains much of the distrust. That's why HR has new roles when the new policy is implemented.

a. The "Sham Investigation" Tradition Must be Overcome

According to a 2008 Workplace Bullying Institute online study that investigated employer responses to complaints about workplace bullying, only 8 percent of survey respondents believed there was a fair investigation, whereas 40 percent reported that the investigation was unfair. Two factors make an HR-led investigation "unfair," as perceived by bullied targets: first, there are not consequences of any kind for the perpetrator, and second, the target frequently receives retaliation for filing the complaint.

b. A Fair and Credible Process Must be In Place

Employees are the judges of procedures fairness and credibility. Although management and HR may think they are doing a good job, there are more likely defending managerial prerogative rather than pursuing truths. Key changes to traditional investigations should include the following:

- Honoring deadlines, by complainants and investigators
- Expanding the evidence-gathering scope to facilitate drawing causal inferences based on pre-assault and post-assault differences in targets performance
- Including data about alleged prior allegations by taking into account pattern and practice and any history of chronic abusiveness
- Putting the onus of proof on the accused to show that he or she did not violate the policy as alleged
- Automatically registering a second complaint if retaliation of the complainant followed the initial filing
- Developing a method of registering complaints that failed to lead to confirmed violations of the policy and prohibiting the abuse of the policy enforcement procedures to bully an employee by false accusations
- Notify the complainant and the accused about the investigator's decision and chosen remedies
- Creating innovative resolutions that restore employee health, lost economic status, and psychological safety for all workers who experienced incidents of bullying

Step 5: Provide Restorative Justice.

The perception of injustice feeds targets' feelings of despair and hopelessness. It is important that the new policy and procedures address healing. Targets are wounded employees, impaired works, through no fault of their own. Conscientious employers need to make them and the others who witnessed the incidents whole again.

a. For Bullied Employees

There are several aspects of bullying that are unjust. One of these is the unfair investigations that can lead to perceptions of procedural injustice by targets. Targets of bullying often believe that the system is stacked against them. They are seeking *retributive justice* when they attempt to identify violators and elicit the punishment they deserve for committing the violation. This type of justice is incorporated in formal policy enforcement procedures.

Restorative justice depends on identifying who has been harmed, the nature of the harm suffered, and how best to repair the harm. A restorative process looks for a solution that makes the target whole again. Ombudsman Tom Sebok at the University of Colorado at Boulder, who is an advocate for restorative justice, requires offenders to admit responsibility for the harmful conduct and to reflect on the adverse impact they had on bullied targets. Bullies who refuse to admit that they harmed others are not allowed to re-harm their targets in any mediated or facilitated discussions with the target present.

The other key restorative process is target healing. Those being bullied should be separated from the perpetrators if they work in the same units and their paths inevitably cross.

b. For Witnesses

Witnesses are reluctant participants in investigations, and they experience a palpable fear of reprisal for helping targets. When they do exhibit the courage to come forward with evidence, they desire to be apprised of the investigation's outcome upon completion. They do not need to know the specific remedies or corrective actions; rather, they need to know whether or not the alleged policy violation was confirmed. When HR claims a confidential outcome is necessary to protect the bully, they are essentially saying that witnesses don't deserve the same protection—something that will make future witness cooperation less likely.

Step 6: Deal with Confirmed Violators.

Just as bullied individuals and affected witnesses need help so do offenders. There's a hole in their soul somewhere. These deserve to explore their humanity again. We call the process our "Respectful Conduct Clinic."

a. Not a Case of Zero Tolerance

An organizational culture shifts very slowly and reluctantly. With bullying—especially school-age incidences—schools jump from zero awareness to zero tolerance in a single lea. However, everyone deserves a chance to show incremental changes and stay employed as we all learn and implement new strategies for dealing with others. Although zero tolerance policies are appropriate for some egregious instances of physical violence, workplace bullying should require at least two or three recorded, confirmed violations before the offender is terminated.

The Respectful Conduct Clinic has these elements:

- Mandated meetings with trained counselors focusing on understanding motivations and gaining insight
- Testing and diagnostic instrument scoring, feedback, and interpretation of results to discover personal barriers to change, including skill deficits
- Work relationship assessment and feedback so the offender understands how he/she impacts the work environment. He or she must accept responsibility for his or her actions and for the ham inflicted on others. Subordination of personal needs is coupled with a realignment of organizational and individual needs of those with whom the bully regularly interacts.
- A change –contingent contract and a monitory schedule that stretches two years in the future.

Step 7: Get the Word Out.

Do not make this large investment of time and resources without ensuring that every employee knows what it is and how to access related services. Do not let this become a binder-buried initiative.

a. Education about the Policy and Procedures—a cadre of employees trained to educate all employees using a short (90 minutes to 3-hour) rollout module. The all-hands education covers the rationale for the policy, its key features and procedures written by the policy-writing group for achieving informal solutions and handling formal complaints.

b. Announcement of Team Services—volunteers who care about workplace bullying are the ideal group to conduct training and to engage in empathic listening to individuals who are not certain they have been bullied. These individuals can be trained to be more expert in the topic than other employees. Thus, they become the go-to team who can help colleagues.

c. Shift in Paradigm to an Employee Health Focus—it will not be easy to accomplish a culture change, because bullying is woven in the fabric of all capitalistic and militaristic organizations. It is not remarkable that bullying happens; for countless organizations, it is simply "the way we do things here." There is tremendous pressure to maintain the status quo. You have to argue for maximizing employee health. It makes good business sense to prevent the needless stress-related diseases attributable to a bullying-prone workplace culture. The new focus on a distress-reduced, bullying-free workplace is a strong positive force. Empathy, healing, justice, fairness, and accountability will make the work world right for the vast majority of employees and will restore optimism in the belief that the world can again be a benevolent place. Your employees and colleges will be grateful to you for voluntarily launching this initiative.

Step 8: Optimize Accountability.

True culture change requires the indoctrination of the anti-bullying spirit into every aspect of workplace life.

- Integrate with performance evaluations. If the desirable conduct is important to the organization, it has to be made part of the individual measurement process for employees at all levels.
- Incorporate into hiring and onboarding strategies. Expand reference checking about potential applicants to questions from staff and colleagues, not just a person's manager. Additionally, the most hopeful audiences for the anti-bullying message will be new hires. Include in the orientation a clear module explaining how employees are expected to conduct themselves in alignment with the policy and procedures.
- Integrate into management training. A module on recognizing and addressing bullying behavior is critical for managers and supervisors.

AVOIDING TRIPS AND TRAPS IN THE FUTURE

Once a policy is in place, an organization cannot afford to relax. Bullying is likely to continue and the bullies are often the ones most personally offended with the new policy. Here are some things that can go awry in the post-implementation phase: The bully will:

-attempt to have one of their allies or minions put in charge of policy enforcement
-flood the system with frivolous complaints but will follow rules to the letter so that detection is difficult

-Try to convince the executive team to scuttle the entire project
-pretend to be rehabilitated and volunteer to be on the peer team so as to undermine its effectiveness
-wait for a change in executives and then lobby the new person to abandon the project
-become the next executive and kill the project

Key Actions:

1. Train Interveners and Encourage Altruism—Bullied individuals lament that neither witnesses nor coworkers do anything to stop the incidents of humiliation and intimidation. To sustain anti-bullying progress, someone or some group will have to step up to intervene.

   The Science of Bystander Non-intervention: Factors that reduce the tendency to help include fear; overestimation of personal risk; situations that are vague and ambiguous; the inaction of others which convinces people to do nothing; personal feelings that it might be inappropriate to intervene; identification more with the bully than target; and the diffusion of responsibility that comes from believing many others could also help so surely one of them will help.

   To counter these factors, there must be training for everyone about how to help others. The alternative is to designate the task of intervening to a special group of employees. Everyone in the organization would know the group members. The members become the official interveners. It is critical that the group have members representing all ranks in the organization. Employees who are not supervisors should not be making to intervene in bullying incidents involving executives.

   Safe Intervention Strategies: The framework for types of interventions is simple: two factors with two categories each. One factor is timing, real-time or delayed. Will the interveners be there at the instant when bullying happens? This is easy when in meetings with the bully. Otherwise, most interventions have to be to be delayed whether they were witnessed or not. The other factor is personal risk to the intervener, high or low.

   The riskiest interventions are the ones undertaken immediately, during the incidents, and involve high risk actions.

2. **Don't Allow Anti-bullying to Become "Fad of the Month"**

   Employers commonly commit to large projects and spread them far and wide across divisions until the entire organization is blanketed. Despite the wide distribution, the commitment is paper-thin. There is not credible enforcement in some places. No teams have been trained. Authoritarian managers cling to old ways for fear of losing control. Plant deep roots in every corner of your organization. Make it stick.

   The anti-bullying effort can be prevented from becoming a dispensable fad. It takes time to build the record of employee satisfaction with both the informal and formal resolution procedures. The first formal test of the system is most critical. It must be perceived as fair and free from interference.