

# Code of practice needed for workplace bullying

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Dr Bevan Catley and Dr Dianne Gardner from Massey's Healthy Work Group, and Professor Tim Bentley from AUT's NZ Work Research Institute.

(Medical Xpress)—Recent high profile cases of workplace bullying highlight New Zealand's legislative weaknesses in this area, say academics from Massey University and AUT.

Two cases have featured in the media this week—a [Burger King](#) staff member who was allegedly punched by her manager, and a senior Auckland Council manager who verbally abused staff, leading to confidential settlements being paid to whistle blowers.

Both cases show the issue of [workplace bullying](#) needs to be taken more seriously in New Zealand, say Dr Bevan Catley, director of Massey University's Healthy Work Group, and Professor Tim Bentley from AUT's NZ Work Research Institute.

"The recent cases profiled in the media are a clear indication of the poor understanding organisations have about bullying, and the damage that failure to effectively manage bullying can result in," says Professor Bentley. "There is a clear need for better information for employers about the nature of bullying, its impacts, and how to manage it. Too often good staff have no option but to quit while the bully remains protected by top management."

Dr Catley says he would be concerned about any suggestions that such behaviour could be described as a management style. "Hopefully the current situation prompts [senior management](#) at the council to reflect on how they want people to treat one another in the workplace – is this the kind of thing they wish the organisation to be known for?"

He says the cases show the huge human and financial cost of bullying in the workplace, and that New Zealand's regulatory agencies don't take the problem seriously enough.

"We are well behind Australia, where some states have already criminalised workplace bullying, while others have a code of practice. The federal government has also started the process of implementing a nationwide code of practice," he says.

The Healthy Work Group believes the New Zealand government should follow suit. In a recent paper the group argued the case for the development of a New Zealand approved code of practice because there is currently no government policy or regulatory framework that specifically addresses workplace bullying.

Dr Catley says there are difficulties with taking a case of workplace bullying under the Employment Relations Act or the Health and Safety Employment Act because neither recognise the role that workplace structures and processes can have in encouraging bullying.

"An approved code of practice would be a good step, especially if there is no political will to amend the legislation. While it doesn't govern the decisions of the courts, an approved code of practice gives the judiciary some guidance when making rulings because they can see what is considered good practice," he says.

The Healthy Work Group's research shows that many employers are keen to have a code of practice made available because they recognise their lack of expertise in dealing with bullying.

"If a company realises it has a problem, but doesn't know how to deal with it, they have three options – try and do the best they can themselves, get a consultant in, or do nothing," Dr Catley says. "If there was an approved code of practice available, they could easily adopt it and customise it.

"The issues of cyber bullying and bullying at school gets a lot of attention, but bullying in the workplace goes under the radar. It's completely unacceptable—but until we give both employers and the courts the tools to deal with it more effectively, the problem will continue to grow."

Provided by Massey University

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