

Experts: Anti-Bullying Policies Increase Productivity, Add to Bottom Line

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Imposition of an organizationwide policy prohibiting workplace intimidation and psychological harassment is likely to lead to increased productivity, lower turnover and an ultimate increase in the bottom line. HR should take an instrumental role in formulating and implementing this policy, two experts told *SHRM Online* in phone interviews.

However, Garry Mathiason, an attorney in Littler Mendelson's San Francisco office, said that he opposed state legislation prohibiting bullying because "it is not the role of state legislatures to determine good behavior"; while Gary Namie, Ph.D., senior consultant at [Work Doctor](#), a Bellingham, Wash., consulting firm specializing in the correction and prevention of workplace bullying, said that "legislation is necessary to compel employers to pay attention to a phenomenon that they can now ignore."

Workplace Bullying Is Pervasive

The [results of a poll](#) released Sept. 3, conducted by Zogby International for the Workplace Bullying Institute and consisting of 7,740 online interviews, found the following:

- ✓ 37 percent of American workers, an estimated 54 million people, have been bullied at work.
- ✓ Bullying affects half (49 percent) of American workers, 71.5 million workers, when witnesses are included.

- ✓ Bullying is four times more prevalent than illegal forms of “harassment.”
- ✓ In 62 percent of the cases, when made aware of bullying, employers do nothing.
- ✓ 72 percent of bullies are bosses.
- ✓ 55 percent of those bullied are rank-and-file employees.

Bullying can take a number of forms, Namie said, including:

- ✓ Verbal abuse, including shouting, swearing, name calling, malicious sarcasm or threats to safety.
- ✓ Public or private behavior that is threatening, intimidating, humiliating, hostile, offensive or inappropriately cruel.
- ✓ Abuse of authority, such as giving undeserved negative evaluations, denying advancement opportunities, stealing credit, and offering arbitrary instructions or unsafe assignments.
- ✓ Interference with work performance.

Solving the Problem

[The Healthy Workplace Act](#), model state legislation regulating workplace bullying, seeks to hold employers accountable for office bullies and to outlaw such behavior in the corporate environment. Although the bill is currently active in four states, it has failed to pass in 11 others.

Mathiason does not think that legislation is the appropriate solution to the problem. Current laws prohibit offensive workplace conduct that rises to the level of harassment based on a protected characteristic, such as race or sex. Mathiason says that this type of conduct is “red” conduct—so offensive that it is prohibited by law.

However, bullying in the form of intimidation or rudeness, which “can come in a thousand different packages” and is not illegal, should be treated as “yellow” conduct. An employer would choose to keep it out of the workplace if possible and can do this by implementing an organizationwide policy.

“Dealing with good conduct in the workplace is not something that is suited to legal enforcement,” Mathiason said. One problem, he noted, is that what some employees may perceive as impermissible bullying is actually work-related, permissible conduct.

For example, an employee may feel intimidated by a supervisor who brusquely tells him or her to “get your work done.” However, if bullying is regulated by policy rather than law, work-related conduct that may be intimidating to some, Mathiason said, can be excluded from the employer’s policy.

While Namie agreed that employers should voluntarily undertake anti-bullying policies, he said that his experience has shown him that many employers are unwilling to do so and “need to be pushed by a law. Policies are driven by laws.”

Role of HR

Even in the absence of a law, however, Namie advises HR to “get up there and tell top management for the good of the organization how expensive bullies are.” He stressed that the problem must be approached systematically, not on an individual bully-by-bully basis.

“Don’t play ‘Whack-A-Mole.’ It’s useless and tiring. Instead, institute a policy that is faithfully enforced at all levels. No matter what rank the bully is, that person must face a challenge if the standards are violated.”

There must be a specific code of conduct, he said, with timely enforcement and innovative remedies. "You can send the message that what was once acceptable is no longer acceptable, and you can stop it."

"If HR uncritically supports management no matter what the action taken, they become part of the problem. Don't be the bully's ally. Go to a higher level and use the fiscal bottom line element. Or do it because you want to be a 'best place to work' and because it is the morally right thing to do," Namie concluded.

Mathiason agreed with Namie on the role of HR, noting that "all HR processes and goals are designed toward a positive workplace." He also stressed the "bottom line" argument, concluding that studies that have been done "about productivity, turnover rates, absenteeism, injury and general job satisfaction, and if someone feels safe in his or her work environment and the company fosters mutual respect, this often gets translated into employee productivity and loyalty to the company."

Related Articles:

[Study: Bully Bosses Prevalent in U.S. Workplaces](#), *HR News*, March 27, 2007

[Bullies in the Workplace: A Focus on the 'Abusive Disrespect' of Employees](#), SHRM White Paper, August 2006

[Workplace Bullying Policy](#), SHRM HR Knowledge Center

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