



AUGUST 2024

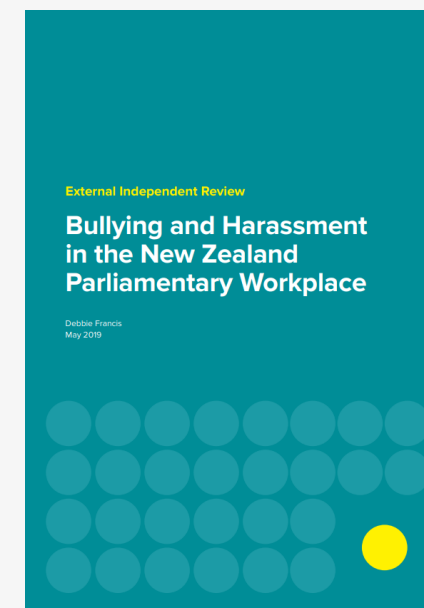
Transparency International NZ *Leaders Integrity Forum* **WORKPLACE BULLYING**

Government
Health & Safety Lead



Bullying and Harassment in New Zealand

- Harassment (Employment Relations Act/Human Rights Act contain definitions for sexual & racial):
Any unwanted and unjustified behavior that another person finds offensive or humiliating
- Bullying not defined anywhere in legislation. WorkSafe NZ:
Bullying at work is repeated and unreasonable behaviour directed towards a worker or a group of workers that can lead to physical or psychological harm
- Worksafe introduced a new reporting channel 'Raise a mentally healthy work concern'. No reports to date have met a threshold for prosecution under the Health and Safety at Work Act 2015.
- Activity and redress often seen through the Employment Relations Act 2000 and personal grievances
Employment Relations Authority and Employment Courts
- In law, ultimately irrelevant if harm caused was intentional or not



26.02.2024

Parker v Magnum Hire: A new era of personal grievance remedies awarded in the Employment Relations Authority?

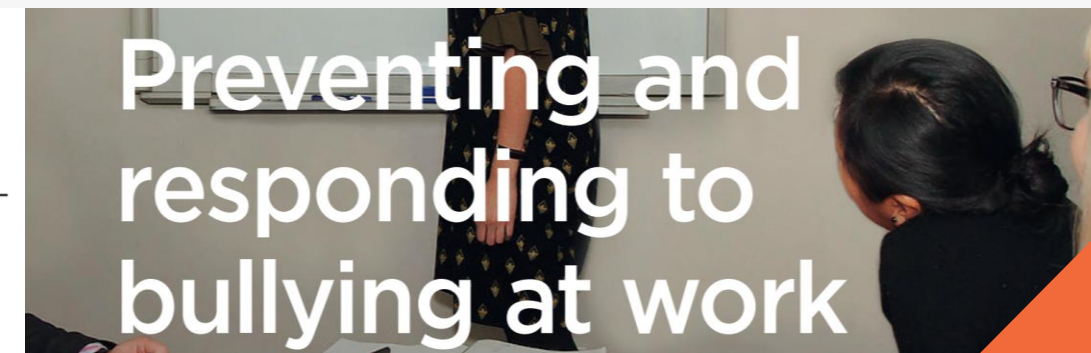
Bullying and Harassment in New Zealand

- Good practice suggests need to be a strong focus on both:
Preventing bullying from happening in the workplace, and
Developing effective systems to respond to incidents that occur
- Happens within a broader set of workplace relationship and behavioral issues
- Formal processes almost inevitably damaging for all parties involved
- Employee perception of Human Resources is it sides with the interests of the business
- Value of early or informal intervention
- Importance of intervention at the lowest level
- Need clear pathways for escalation

35%

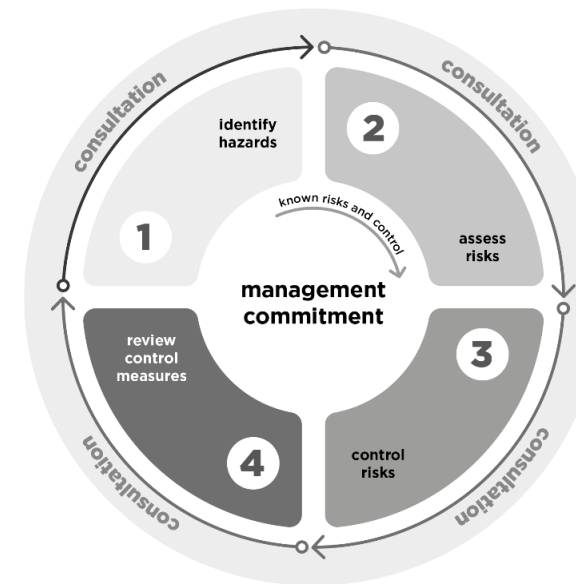
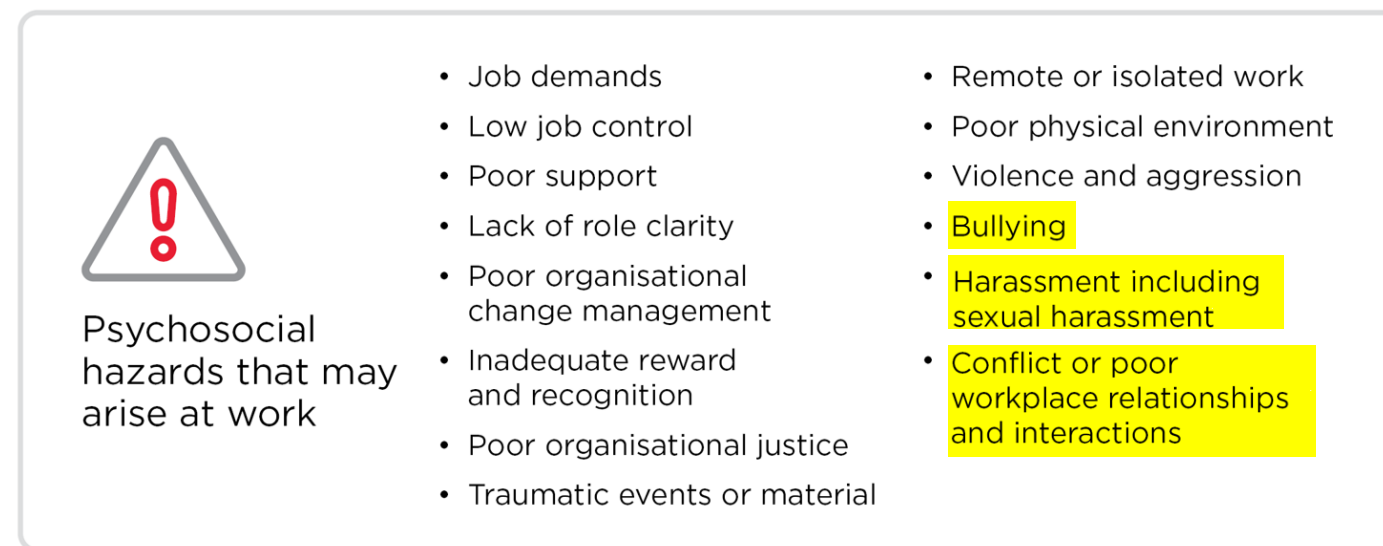
of workers were exposed to
at least one offensive behaviour
in the past 12 months

Key findings:
New Zealand Psychosocial Survey 2021



Mentally Healthy Work

- Bullying is **one of many psychosocial hazards** present in public sector work
- Include in organisational risk management systems



- **Shift from reactive to preventative**
- Effective controls require a cross functional approach and better work by design
- Requires equal consideration of protective factors to improve workplace relationships and behaviours

Primary interventions: address work factors



These are things that address issues at the source. They look at the work/workplace factors themselves to prevent problems from continuing and having an adverse effect on worker health. This may include how work is designed, how demands are managed, and how workers are supported to do their jobs.

Preventative

Secondary interventions: build resilience



These focus on helping employees to build individual psychological resilience and tools to deal with issues. However, they do not address the underlying cause of the problem. This may include resilience training, peer support, and health education and promotion.

Tertiary interventions: provide support



These interventions are aimed at reactively improving the wellbeing of employees who are experiencing mental ill-health. They provide targeted support for individuals to recover. This may include employee assistance programmes, incident support, mental health first aid, and return-to-work programmes.

Reactive

Positive Workplace Cultures

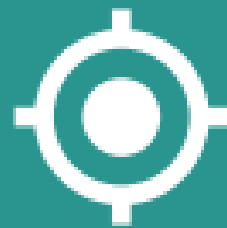


REPORT THEMES



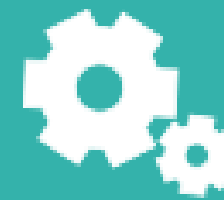
LEADERS WEREN'T EQUIPPED OR SUPPORTED

Leaders must be supported to drive positive workplace behaviours and relationships



IMPLEMENTATION WASN'T PRIORITISED

Implementation must be prioritised to ensure workers understand the purpose and function of different activities



SYSTEMS WEREN'T EFFECTIVE

Systems must be effective to create safe and positive workplaces



COMPLAINT HANDLING WASN'T CLEAR

Complaint handling must be clear to detect and remove negative workplace behaviours and relationships

Positive Workplace Cultures



8 enablers of positive workplace culture



1) TRANSLATE VISION AND VALUES INTO ACTION

2) RECRUIT, TRAIN AND SUPPORT PEOPLE LEADERS



3) ESTABLISH NETWORKS FOR WORKERS

4) DESIGN AND MANAGE WORK WELL



5) CREATE MULTIPLE WAYS FOR WORKERS TO SPEAK UP AND RAISE ISSUES

6) MONITOR AND PULSE CHECK

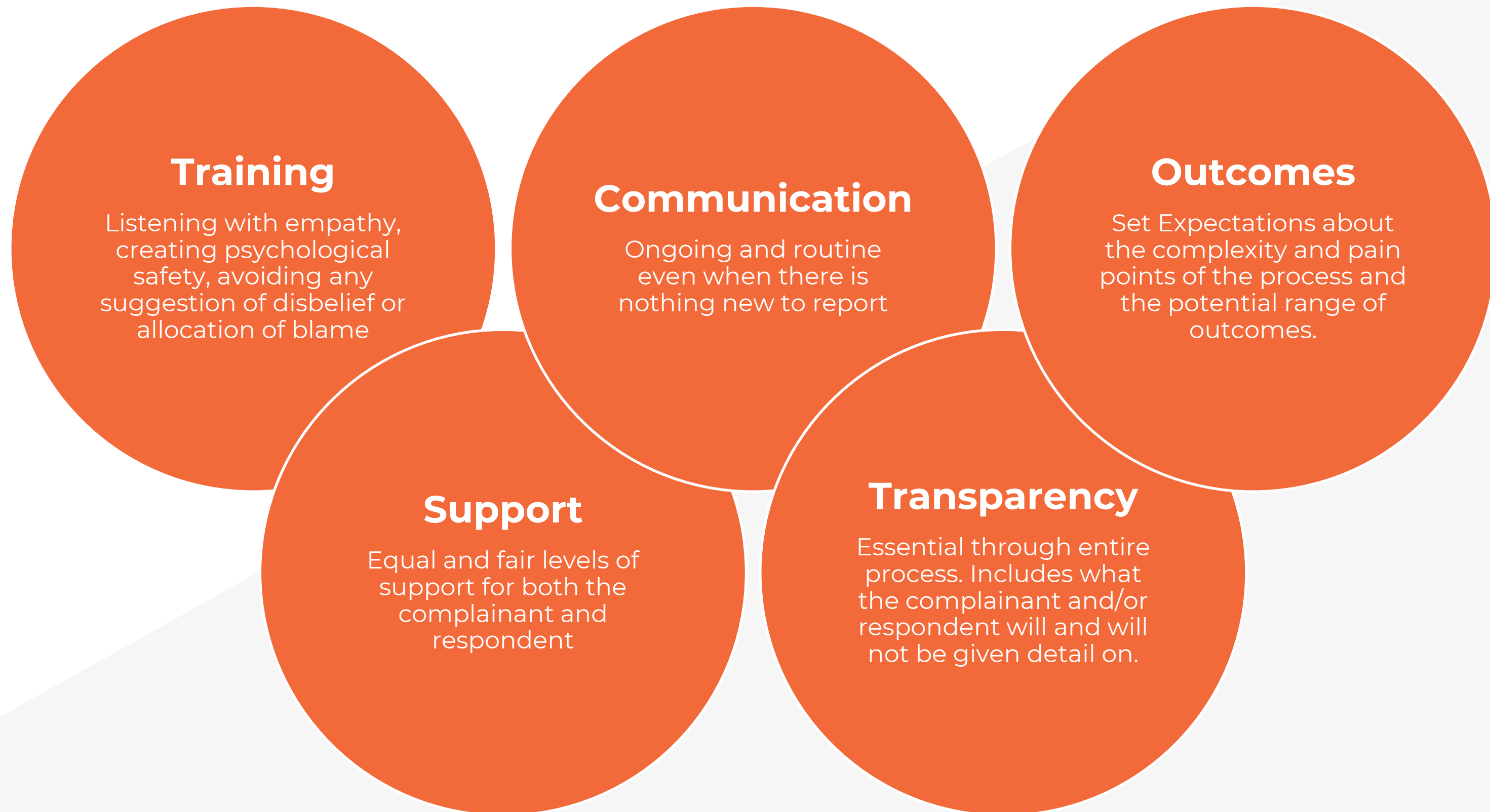


7) ENABLE ORGANISATIONAL LEARNING

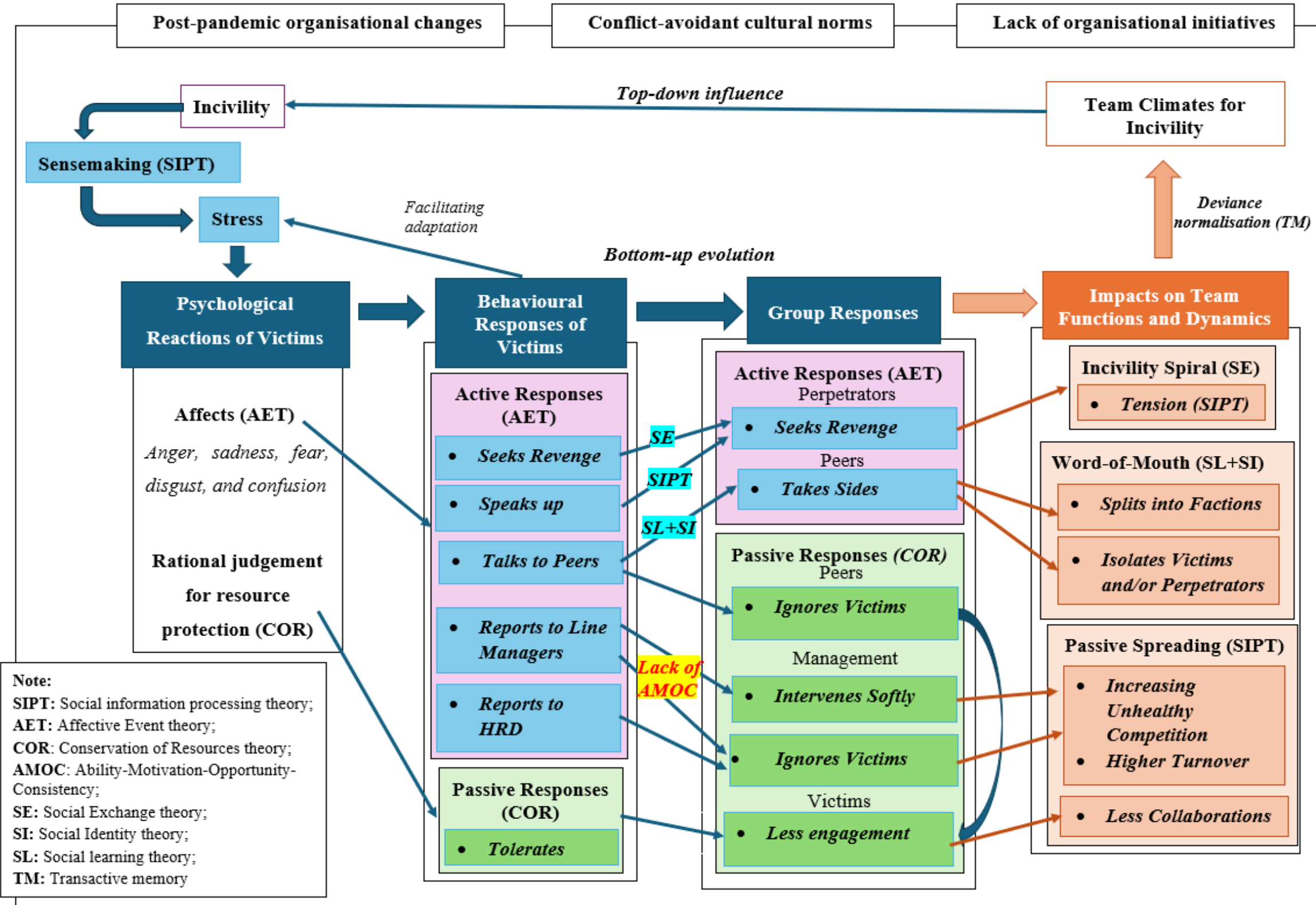
8) CONTINUOUSLY IMPROVE



Case Study A



Incivility (Rudeness)



Dr. Geoff Plimmer



Ao (Ollie) Zhou



Resources

[Government Health and Safety Lead – Mentally Healthy Work & Positive Workplace Cultures](#)

[Public Service Commission Te Kawa Mataaho – Positive and safe workplaces](#)

[WorkSafe NZ - Raise a mentally healthy work concern](#)

[WorkSafe NZ - Preventing and responding to bullying at work – Good practice guidelines](#)

[WorkSafe NZ - Workplace bullying in New Zealand: A review of the research \(Bevan Catley\)](#)

[Ministry of Business Innovation & Employment – Bullying and Harassment at Work Issues Paper 2021](#)

[Massey University - The New Zealand Workplace Barometer findings from 2021 \(Healthy Work Group\)](#)

[Victoria University - A window into bullying \(Dr. Geoff Plimmer\)](#)

[Psychosocial Safety Climate: Development of the PSC-12 \(Maureen Dollard, University of Sth Australia\)](#)

[Parker v Magnum Hire: A new era of personal grievance remedies awarded in the Employment Relations Authority?](#)

[Independent External Review into Bullying and Harassment in the New Zealand Parliamentary Workplace \(Debbie Francis Report\)](#)



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