

Bullying , Harassment Or What?

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Who are UNISON?



UNISON are the largest trade union representing workers delivering public services

1.3 million members nationwide

Around 5% of the adult working population

Along with **UNITE** – we represent 10% of the adult working population

The UNISON perspective



UNISON supports any scheme that keeps workers in work that is good for their health, safety and well being.

We believe employers should aim to create a working environment in which workers are:

- happy,
- stress free,
- motivated and challenged by the work that they do.

Setting the Scene



UNISON Safety Rep Survey 2016

- 71% safety reps: B&H = 1 of top 5 hazards at work (69% in 2014)
- for 14% = most important concern beaten only stress at 38%

UNISON Stress Survey 2017

30% - Inter-personal relationships at work inc. bullying / harassment

What is B&H?



Workplace Bullying

persistent, offensive, intimidating, humiliating behaviour which attempts to undermine an individual or group of employees.

Harassment

unwanted conduct related to a relevant protected characteristics, the purpose or effect of which is to violate an individual's dignity or create an intimidating, hostile, degrading, humiliating, or an offensive environment for that individual.

- The Equality Act 2010

What is B&H?



Workplace Bulling

Verbal,
Cyber,
Undermining or humiliating
Threats of job loss,
Ignoring,
Withholding information,
Unreasonable/impossible
deadlines

Harassment

Three types:

1. regarding relevant protected characteristics (age, disability, gender reassignment, religion or belief, race, sex, and sexual orientation.
2. sexual harassment.
3. less favourable treatment because an individual submitted to or rejected sexual harassment or harassment regarding their sex or gender reassignment .

B&H – Points to Note



Workplace Bullying

1. Can be harassment
2. No law that directly bans workplace bullying (but... see later)
3. Cannot bring a complaint for bullying to an employment tribunal (unless it qualifies as harassment)

Harassment

1. Can be unintentional
2. Need not be repeated
3. Need not be aimed at the person who is offended, etc
4. Can be by association
5. Can involve a mistaken perception
6. Employer can be held liable even if unaware of the harassment

Exercise



Bullying

Harassment

Or What?

And if so – what?

B&H – How To Tackle It



Collective Bargaining

- The Ultimate Goal

Cover the Entire Workforce

- Your Biggest Bang
- Systems needed for Individual support

Workplace Policies and Procedures

- Prevent Harm from Occurring in the First Place
- Ensure H,S &W of staff
- Reasonably Practicable

Risk Assessment

Employers must risk assess all workplace hazards.

Five simple steps:



B&H – Summary



- Bullying and Harassment are preventable at work
- Bullying and Harassment have distinct differences – based on the protected characteristics
- Bullying and harassment should be risk assessed just like any other workplace hazard
- Employers should have systems in place to minimise occurrence

Thank You



Any Questions?

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