Workplace Bullying and Harassment in the EU and Finland

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Part I: Workplace Bullying and Harassment in the EU

Introduction

Some history

The first book on workplace bullying or harassment "The harassed worker" was written by psychiatrist Carroll M. Brodsky, and published in 1976 in the USA. Psychologist and psychiatrist Heinz Leymann can, however, be seen as a pioneer and initiator of workplace bullying research and the practical work going nowadays on all over the world for the prevention and management of workplace bullying and its negative individual and organizational impacts. Heinz Leymann was originally German, and became a Swedish citizen in mid 1950s. He started to explore bullying (psychological terror) at work in the early 1980s in Sweden, where his work aroused active public debate (Leymann, H. 1986, 1990). A statutory provision against bullying 'Victimization at work' (Ordinance AFS 1993:17) was enforced in Sweden in 1993.

Inspired by Leymann's studies, and studies on school bullying, debate and research on bullying started in early 1990s in Norway and Finland, and soon after that for example in Germany, the UK, Austria, and Ireland. In the UK, Andrea Adams a broadcaster and journalist with her book 'Bullying at Work' in 1992 and in France Marie-France Hirigoyen a psychiatrist, psychoanalyst and psychotherapist with her book 'Le harcelement moral, la violence perverse au quotidian' (Stalking the Soul. Emotional abuse and the erosion of identity) in 1998 were important initiators in their own countries. The World Health Organization (WHO) published a booklet: Raising awareness of Psychological Harassment at work in 2003.

During the past ten to fifteen years, interest, national and scientific research and practical work against workplace bullying at work has increased and extended rapidly in Europe, and all over the world.

Definition

In the EU level, there is no single uniform definition of what is meant by bullying or harassment at work. In spite of the lack of a uniform definition, most definitions used by researchers and practitioners share some common features: Accordingly bullying involves negative acts that occur repeatedly, regularly (systematically) and over a period of time,

and the person targeted has difficulties in defending him/herself. In some definitions, the aim of harming the target or intentionality of the behavior is included.

Definitional criteria:
- Wide range of negative acts that may cause psychological harm
- Direct and indirect behaviours
- Work-related, person-related and social exclusion
- Repeated and frequent
- Long duration
- Power imbalance: making it difficult to defend oneself

Bullying at work means harassing, offending, socially excluding someone or negatively affecting someone's work tasks. In order for the label bullying to be applied to a particular activity, interaction or process, the bullying behaviour has to occur repeatedly and regularly and over a period of time. Bullying is an escalating process in the course of which the person confronted end up in an inferior position and becomes the target of systematic negative social acts (Einarsen, Hoel, Zapf & Cooper 2011).

According to the framework agreement on harassment and violence at work by the European social partners, workplace harassment occurs when one or more worker or manager are repeatedly and deliberately abused, threatened and/or humiliated in circumstances relating to work.

Most often the term bullying refers to negative acts inside the workplace, by colleagues, supervisors or managers or subordinates. In some definition and studies also negative behavior by third parties is included, and clients, patients, customers or the like are classified as possible perpetrators.

The terms used

In English varying terms are used in English. Interchangeably with the term 'workplace bullying' the term 'harassment' or 'workplace harassment' is nowadays increasingly used. The term 'workplace harassment' is generally used for example by the European Agency for Safety and Health at work (EU-OSHA) as well as some other European institutions. In some countries, the term 'harassment' refers particularly to sexual harassment. The term 'mobbing' is used in some countries interchangeably with the term bullying. The terms 'mobbing' and 'bullying' are sometimes also used to differentiate between negative behavior by groups and negative behavior by single person.

Workplace bullying and harassment across EU - research findings

The situation with regard to workplace bullying differs quite a lot between European countries. At least some national studies on workplace bullying have conducted in most countries but in some, the level of acknowledgement and recognition of the problem, as well as knowledge about the nature of the phenomenon in general and in organizations and enterprises is still quite low.

Acknowledgement of the problem

In 2008, a survey on violence and harassment at work was conducted among EU-OSHA network of Focal Points (EU-OSHA 2010). The respondents were asked to evaluate if the level of acknowledgement of harassment was appropriate in their county, compared to the relevance/significance of the problem. In the survey, the term harassment referred to 'repeated, unreasonable behavior directed towards an employee, or group of employees by a colleague, supervisor or subordinate, aimed at victimizing, humiliating, undermining or threatening them.'

Nineteen Focal Points[1] answered the question, and among them thirteen (5 from Old EU Member States and 8 from New EU Member States) reported that the level of acknowledgement of harassment is not appropriate in their country. The level of acknowledgement of harassment was seen to be appropriate only in one New EU Member State, compared to five of the Old ones. If the level of acknowledgement was not appropriate, the respondents were asked to name four main reasons for this. The main reasons were: lack of awareness (9 Focal Points), lack of appropriate tools/methods for assessing the managing the issue (9 Focal Points), limited or lacking scientific evidence (8 Focal Points), and low prioritization of the issue (7 Focal Points). More recent systematic information about the acknowledgement of the problem between the European countries does not exist. Change may, however, have happened during the past years.

Prevalence of bullying and harassment at work

In the Fifth European Working Conditions Survey 2010 by the European Foundation, in all 48,316 employed people (about 1,000 from every country) were interviewed in 34 countries cross Europe, in the EU-27 Member States and in Turkey, Croatia, Norway, Macedonia, Montenegro, Albania and Kosovo.
(http://www.eurofound.europa.eu/surveys/smt/ewcs/results.htm).

With regard to bullying, the respondents were asked if they had been subjected to bullying or harassment at work in the past year. On average, 4.1% of the respondents in the EU-27 countries reported exposure to bullying or harassment at work. Exposure to bullying or harassment was most common in France (9.5%), in Belgium (8.6%), in the Netherlands (7.7%), Luxemburg (7.2%), Austria (7.2%), Finland (6.2%), Latvia (5.5%), and Ireland 5.5% and most uncommon in Bulgaria (0.6%), Poland (0.7%), Italy (0.9%), Slovakia (1.2%), and Turkey (1.3%). Women reported bullying or harassment slightly more often (4.4%) than men (3.9%). In most countries women reported bullying or harassment more often than men, e.g. Netherlands (female 9.4%, male 6.3%), Finland (female 8.2%, male 4.2%), Denmark (female 3.9%, male 2.5%). In some countries no difference was found, e.g. Germany (female and male 4.6%). In a few countries, men reported being subjected to bullying and harassment somewhat more often than women, e.g. France (female 8.4%, male 10.5%) and Greece (female 2.8%, male 3.7%).

The prevalence rates found in national studies have often differed from the results of the EWCS, and the estimates have also been found to vary extensively both between and within countries. The strategies for the measurement of bullying have considerable

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[1] Focal Points made up in each EU Member State, as well as in Candidate Countries and EFTA countries constitute the Agency's main safety and health information network. They are nominated by each government as the Agency's official representative in that country, and they are normally the national authority for safety and health at work. Working with national networks including government, workers' and employers' representatives, the focal points provide information and feedback which help to support Agency initiatives.

meaning, and must be taken into consideration when results across studies are compared. It has been shown that differences between methods lead to inconsistent findings that cannot be compared across studies.

The self-labeling (self-judgement) method is probably the most frequent used approach. In this method, participants are given a single-item question asking whether or not they have been bullied within a specific time period. In some studies, the respondents have been offered a definition of bullying before being asked whether or not they have experiences in the workplace that corresponds to the presented definition. In some studies, the question about bullying has been asked without a preceding definition. In the behavioral experience method (operational method) respondents are presented with an inventory that includes various types of negative acts. The respondents are asked to report how frequently they have been exposed to the different behaviors listed in the inventory within a given time period. The respondent is classified as a target of bullying if he/she has been exposed to at least one negative act per week over a period of at least six months. It has also been suggested that two negative acts are required to classify the experience as bullying (Mikkelsen & Einarsen 2001, Nielsen, Matthiesen & Einarsen 2010, Nielsen, Notelaers & Einarsen 2011).

For example, in Italy a survey among the general working population in Lombardy used the inventory method. The researchers classified the respondent as a target of bullying if he/she had been exposed to at least two negative acts on weekly bases. In all, 7% of the respondents were classified as targets of bullying (EWCS Italy 0.9%) (Campanini, Punzi, Costa & Conway 2008). In the Finnish Work and Health interview survey 2009 representing the Finnish wage earners, 6% of the respondents reported being bullied at work at the time of the survey (Vartia 2010). In the survey, the respondents were given a definition of bullying, and after that they were asked if they were exposed to that kind of behavior. The result corresponds very well with the results by the EWCS in 2010 (6.2%).

By means of a meta-analysis, 102 estimates of prevalence of workplace bullying from 86 different samples from Scandinavia, other European countries and non-European countries were accumulated and compared. A rate of 11.2% was found for studies investigating self-labeled victimization from bullying based on a given definition of bullying, a rate of 14.8% was found for behavioral measure studies, and 18.1% for self-labeling studies without a given definition (Nielsen, Matthiesen & Einarsen 2010).

Cross cultural research challenging because it is prone to many kinds of sources of error. With regard to workplace bullying, for example the awareness and recognition of the phenomenon is considerable higher in some countries compared with some others. In some countries research on workplace bullying has been going for a long time and the phenomenon is generally known while in some countries, discussion and research is still in its early stage. This may have some impact on recognition of the phenomenon, and on preparedness to report experienced bullying. It has been suggested that long lasting bullying cases are very similar across the word, but there may be differences between cultures for example in classifying some specific behavior as negative or hostile or not.

Adverse social behavior

In the Fifth EWCS, also an index score of adverse social behavior was calculated. Respondents who had been subjected to bullying, violence and sexual harassment in the past year and/or verbal abuse, humiliating behavior and unwanted sexual attention in the past month were classified as being subjected to adverse social behavior. Reported levels

of subjection to adverse social behavior were lowest in Kosovo (3%), Turkey (5%), Cyprus (7%) and Italy (8%) and highest in Austria (22%) and Finland (21%). In all the participating countries, on average about 13% of men and about 15% of women were subjected to adverse social behavior. The levels of subjection to adverse social behavior were highest in health care sector and transport, and lowest in agriculture and construction (Eurofound (2012).

The perpetrators – status and gender

The findings as regards the status of the perpetrator vary across countries. In Finland and in Sweden the perpetrators have been reported to be colleagues somewhat more often than supervisors or about equally often. Also Norway the perpetrators have been identified people in superior positions as offenders in approximately equal numbers to peers. In a Danish study, colleagues were reported to be the main perpetrators in more than 70% of the cases. In the Nordic countries, some but only very few are bullied by their subordinates. In contrast, British studies have consistently found supervisors or line-managers to be identified as perpetrators. Also in a study in the transport and communication sector in Spain, 52.5% of the respondents reported that they were bullied exclusively by supervisors, 18.4% were bullied exclusively by colleagues, and 7.1% by both superiors and colleagues. In an analysis with 40 samples from 19 European countries, 65.4% of the targets were bullied by supervisors, 39.4 % by colleagues, and 9.7% by subordinates. The difference between the Nordic countries and central European countries can be due to some cultural differences. It has been suggested that low power differentials and feminine values prevail in the Scandinavian countries. In such countries, the abuse of formal power is more sanctioned (EU-OSHA 2010a, Zapf, Escartin, Einarsen, Hoel & Vartia, 2011, Moreno-Jimenez, Munoz, Salin & Morante Benadero, 2006).

Studies for example in Sweden, Norway, the UK, Austria, and Germany have suggested that women are bullied by both other women and men, but that men are most often bullied by men. Women are sometimes exclusively bullied by men, but cases where men are exclusively bullied by women are rare. It has been suggested that these findings may be explained by the different power positions of men and women in organizations (Zapf et al. 2011).

Concern regarding bullying or harassment at work and procedures in place to deal with in the organization

In the European Survey of Enterprises on New and Emerging Risks (ESENER) by the European Agency for Safety and Health at Work (EU-OSHA) the aim was to explore the views of managers and health and safety representatives how health and safety risks (including bullying and harassment at work) are managed in their organizations. In the survey, in all 28,648 managers, and in all 7,226 health and safety representatives were interviewed in EU Member States and Croatia, Turkey, Norway and Switzerland (EU-OSHA 2010b).

On average, bullying or harassment at work was a major concern for 20% of both managers and safety and health representatives. Concern regarding bullying or harassment was highest among managers in Turkey where over 70% of managers reported it to be a major concern for them. Concern regarding bullying and harassment was higher than on average also for example in Portugal (major concern over 50% of managers) Romania

(about 40%), and Norway (about 40%). Concern regarding bullying and harassment was very low in Slovenia (major concern 0%, some concern 5%), Sweden (major concern 0%, some concern 25%), and also in Hungary (no concern more than 95%), Estonia (no concern about 90%).

The level of concern for bullying or harassment at work was substantially lower than concern for work-related stress. In all, 37% of managers and 35% of safety and health representatives reported work-related stress to be a major concern in their establishment.

Concern regarding workplace violence, bullying and mobbing was also assessed in the PRIMA-EF (Psychosocial Risk Management – European Framework) project in 2007 among a group of stakeholders in 27 European countries. The respondents were asked if they thought that workplace violence, bullying and mobbing represented important occupational health concerns in their country. The results (Table 1) revealed a remarkable difference between the old and the new EU Member States and between different stakeholders (Natali, Deitinger, Rondinone & Iavicoli 2008).

Table 1: Do you think that workplace violence, bullying and mobbing represent important occupational health concerns in your country? (n=75)

	TOTAL	COUNTRIES		STAKEHOLDERS		
		EU 15 Countries	New EU 27 Countries	Employers' association	Trade Union	Government
yes	65 %	74 %	53 %	43 %	71 %	69 %
no	28 %	26 %	31 %	43 %	25 %	25 %
don't know	7 %	0 %	16 %	14 %	4 %	6 %

Procedures in place to deal with bullying and harassment

Anti-bullying policies and procedures to deal with the issue are often recommended by both researchers and practitioners for the prevention and management workplace bullying in organizations. Procedures in place to deal with bullying or harassment in the establishment were assessed in the ESENER survey. In the EU-27 Member States, 30% of establishments had procedures in place to deal with bullying and harassment at work. Procedures were most common in establishments in Ireland (90%), the UK (84%), Sweden (79%), Finland (72%), and Belgium (71%), and most unusual in Cyprus where 79% of managers reported that there were no procedures in place to deal with bullying or harassment in their establishment. Procedures were uncommon also in France (no procedures 72%), Portugal (71%), Poland (67%), Italy (62%) and Spain (61%). One response alternative was also "these problems are not an issue in our establishment." In Malta 61%, in Bulgaria 59%, and in Lithuania 47% of the managers reported that bullying and harassment are not an issue in their establishment.

Table 2 shows that the connection between concern regarding bullying and harassment and procedures to deal with these issues in the organizations is not systematic.

Table 2: Concern regarding bullying and harassment among managers and health and safety representatives, and procedures in place in the establishment to deal with bullying and harassment in some European countries (ESENER 2010) (%)

	Major concern, managers	Major concern, health and safety representatives	Bullying is not an issue in our establishment (managers)	Procedures in place to deal with bullying in the establishment (managers)
Total of 31 countries	**20**	**20**	**18**	**33**
Turkey	73	67	7	27
Portugal	46	69	18	10
Norway	45	44	10	59
Ireland	19	7	2	90
Finland	1	3	9	72
Sweden	1	1	5	79
Belgium	17	27	5	71
France	27	35	3	24
Denmark	7	7	17	32
Estonia	1	0	69	3
Hungary	2	0	44	6
Malta	5	8	61	17

Procedures in place in the establishments to deal with bullying and harassment seem to be more common in bigger organizations than in smaller ones. In big organizations, managers also regard bullying and harassment as an issue more often than smaller ones (Table 3).

Table 3: Procedures in place to deal with bullying in the organization and concern regarding bullying in different size establishments in EU-27 countries (%)

	Procedures in place to deal with bullying	Bullying is not an issue in the organization
- 50	26	21
50 - 149	34	17
150 - 499	42	13
500 -	53	10

According to ESENER survey, the most important drivers for having in place procedures for bullying and harassment are general level of OSH management (occupational safety and health management) and absenteeism, and the most important barriers for having in place procedures for bullying and harassment lack of technical support and guidance and lack of resources. Slightly weaker drivers for having procedures to deal with bullying and harassment in the establishment were concern for bullying/harassment and legal obligations (EU-OSHA 2012).

Request to tackle bullying and harassment at work

Participation of health and safety representatives and other workers' representatives in the management of safety and health differ across countries in Europe. According to the ESENER survey, the existence of any type of formal employee representation with relevance for safety and health issues is highest in Italy (100%), Norway (about 95%), and Denmark (over 90%), and lowest in Greece (less than 20%), and Portugal (less than 40%). On average the corresponding rate in all 31 participating countries was about 70%.

In the fifth EWCS, 52% of the employees in EU27 reported having an employee representative in their organization; most often in the Nordic countries, Norway, Finland, Sweden, Denmark, and in Kosovo (about 75-90%), and most seldom in Portugal, Turkey, Estonia, and Greece, Bulgaria (less than 40%) (Eurofound 2012).

In the ESENER survey, health and safety representatives were also asked if they had been asked to tackle bullying and harassment in the workplace during the past three years. Health and safety representatives received this kind of requests most often in Germany, Finland and Belgium, and most seldom in Lithuania, Hungary, and Estonia (Table 4).

Table 4: Requests to tackle bullying or harassment in the last 3 years (health and safety representatives) (%)

Have you in the last 3 years received requests to tackle bullying or harassment? (Total 31 countries 22%)
Most often: Germany 43%, Finland 41%, Belgium 40%, France 33%, Norway 32%, UK 29%, Switzerland 29%, Sweden 24%, Austria 22%
Between: Greece 18%, Spain 18%, Ireland 18%, Netherlands 18%, Slovenia 18%, Poland 16%, Italy 15%, Czech Republic 14%, Cyprus 12%, Luxembourg 12%, Romania 11%
Most seldom: Lithuania 0%, Hungary 1%, Estonia 2%, Slovakia 3%, Portugal 4%, Bulgaria 7%, Turkey 7%, Latvia 8%, Malta 8%, Croatia 10%

In Table 5, some European countries have been grouped on the basis of the prevalence of bullying, procedures in place in organization to deal with bullying and harassment at work.

Table 5:   Prevalence of bullying, procedures in place to deal with bullying and harassment at work in the enterprise, concern regarding bullying and harassment in some EU countries (EWCS 2010, EU-OSHA 2010)

Procedures common, low concern

Sweden:	2.8%,	71% procedures,	75% no concern
Finland:	6.2%,	62% procedures,	70% no concern
Netherlands:	7.7%,	50% procedures,	85% no concern

Procedures uncommon, low concern

Estonia:	1.6%,	2% procedures,	93% no concern
Hungary:	2.2%,	3% procedures,	96% no concern
Lithuania:	4.7%,	5% procedures,	95% no concern
Greece:	3.4%,	5% procedures,	85% no concern
Slovenia:	4.8%,	10% procedures,	95% no concern
Austria:	7.2%,	8% procedures,	81% no concern

High concern, low prevalence

Turkey:	1.3%,	25% procedures,	75% major concern
Portugal:	2.1%,	8% procedures,	52% major concern
Romania:	1.8%,	18% procedures,	42% major concern

High prevalence

| France: | 9.5%, | 20% procedures, | 23% major / 50% no concern |
| Belgium: | 8.6%, | 65% procedures, | 18% major / 63% no concern |

Regulatory standards of relevance to the management of psychosocial risks and workplace bullying and harassment in the European level

European framework directive 89/391/EEC

Throughout Europe, employers are legally responsible for the health and safety at work or their workers. The EC Framework Directive 89/391/EEC (the Framework Directive) sets out employers' general obligations to address 'all types of risk' in accordance with the principles of prevention and the continuous improvement of workplace conditions in relation to health and safety. The Directive asks employers to ensure workers' health and safety in every aspect related to work, 'addressing all types of

risk at source.' The Directive does not, however, include the terms 'psychosocial risk' or 'work-related stress.' (See an overview of European standards relevant for psychosocial risk management Leka et. al. 2011.)

The autonomous framework agreement on harassment and violence at work

The autonomous framework agreement on harassment and violence at work was signed in 2007 by the European social partners, ETUC/CES, BUSINESSEUROPE, UEAPME and CEEP. According to the agreement workplace harassment occurs when one or more worker or manager are repeatedly and deliberately abused, threatened and/or humiliated in circumstances relating to work. Harassment may be carried out by one or more managers or workers, with the purpose or effect of violating a manager's or worker's dignity, affecting his/her health and/or creating a hostile work environment. The agreement aims to increase awareness and understanding among employers, workers and their representatives of workplace harassment and violence and to provide employers, workers and their representatives at all levels with an action-oriented framework to identify, manage and prevent problems of harassment and violence at work. (http://www.tradeunionpress.eu/Agreement%20violence/Framework%20Agreement%20Harassment%20and%20Violence%20at%20Work2.pdf)

According to the agreement, enterprises need to have a clear statement emphasizing that harassment and violence will not be tolerated. The statement specifies procedures to be followed where cases should arise. According to the agreement, a suitable procedure will be underpinned but not confined to the following:

- It is of interest of all parties to proceed with the necessary discretion to protect the dignity and privacy of all.
- No information should be disclosed to parties not involved in the case.
- Complaints should be investigated and dealt with without undue delay.
- All parties involved should get an impartial hearing and fair treatment.
- Complaints should be backed up by detailed information.
- False accusations should not be tolerated and may result in disciplinary action.
- External assistance may help.

The agreement also states that "if it is established that harassment and violence has occurred, appropriate measures will be taken in relation to the perpetrator(s). This may include disciplinary action up to and including dismissal," and that "the victim(s) will receive support and, if necessary, help with reintegration." Employers, in consultation with workers and/or their representatives, should establish, review and monitor there procedures to ensure that they are effective both in preventing problems and dealing with issues as they arise.

The agreement was supposed to be implemented and monitored within three years of the signing at the national level. Evidence from different countries shows that the agreement has evoked activities at national levels and contributed to raising public awareness of the issue. In some countries employee and employer organizations have concluded further agreements for the implementation of the agreement at national level, information about the agreement has been distributed to the members of the workers' and employers' organizations, and working groups have been established to plan the implementation of the agreement and to develop material to support work against

harassment. Therefore the agreement is seen to raise public awareness of the issue. (http://resourcecentre.etuc.org/linked_files/documents/pdf_Implementation_HV_table_200 8-ENpdf?PHPSESSID=8fb1dcbc8e63ae59458256d129f3f7f8)

It seems, however, that in many countries awareness of the agreement is still rather low in organizations both among employers and workers' representatives. Also the awareness about the existence of the agreement is low in many countries, and among employers and workers' representatives.

Interventions for the prevention and management of bullying at work

Approaches used in the prevention and management of workplace bullying differ in many ways. A distinction is commonly made between primary, secondary and tertiary prevention on the one hand, and between organizational, job/task-level and individual orientation, on the other. In addition, a further fourth level of prevention can be identified, that of policy-level interventions, aimed at bringing about change through their influence on the macro level nationally and internationally (e.g. Vartia & Leka 2011). Primary level interventions are proactive by nature and aim to prevent the harmful phenomena or effects emerging in the first place by reducing the risks. Secondary stage interventions aim to reverse, reduce or slow the progression of the situation or of ill-health and/or to increase the resources of individuals. Tertiary stage interventions are rehabilitative by nature, aiming at reducing the negative impacts caused by different occupational hazards, restoring the health and well-being of employees as well as restoring a safe and healthy workplace.

In relation to bullying, organizational or employer-level interventions aim to influence the attitude towards bullying, to develop organizational culture where there is no room for bullying, and to introduce policies and procedures for prevention, as well as intervention when a problem occurs. The job-level strategies aim to prevent and tackle the problem by influencing the work environment and the functioning of the work unit. Finally, individual level interventions aim to change characteristics of the way individuals interface with the job, such as perceptions, attitudes or behavior or the individual's health and ability to do their job. In Table 6, the different levels of interventions and some examples are presented.

Table 6: Different levels and some examples of bullying interventions (taxonomy adopted from Murphy & Sauter, 2004, Leka et. al. 2008b, see also Hoel 2008)

LEVEL OF WORK ORGANISATION INTERVENTIONS	STAGE OF PREVENTION		
	Primary interventions	Secondary interventions	Tertiary interventions
Society/policy	Laws/regulations Collective agreements	Court case Industrial tribunal	Provision of rehabilitation opportunities

Organisation / Employer	Anti-bullying policies Development of organisational culture, the culture of respect Management training Organisational surveys	Handling procedures Mediation Investigation of complaints	Corporate agreements Programs and contracts of professional after-care
Workplace/ Group/Task	Psychosocial work environment-redesign Risk analysis Training (awareness, recognition, insight of the phenomenon, research based knowledge)	Training (e.g. conflict management, investigation skills) Awareness raising, exploration of the situation Case analysis, conflict/case resolution, Mediation	Group recovery programmes
Individual	Training	Social support Counselling	Therapy Counselling Physical activities Redress

The focus in activities differs across countries. In many countries, society-, organizational- and/or workplace level measures are preferred, in some the perspective is more in individual level. In the organizations, training for different actors, management training, training for health and safety representatives and implementation of anti-bullying policies and guidelines seems to be the strategies most often used in European workplaces to tackle workplace bullying.

Policies have been recommended and adopted in many European countries and organizations to counteract workplace bullying. Bullying and harassment policy is the employer's statement of intent and a summary of processes as regards bullying and harassment in their organization (Rayner & Lewis 2011). The role of policy in the management of workplace bullying is central to all concerned. It has been suggested that an anti-bullying policy should include, for example, a clear statement from management that any kind of bullying and harassment is unacceptable, reference to legislation and other relevant regulations, responsibilities as well as allocation of roles and responsibilities of management and other players. In addition, the policy should include clear guidance for the persons experiencing bullying, for witnesses, and for the persons accused of bullying, complaint procedures, information on support mechanisms, measures to prevent bullying in the organization, as well as measures to monitor and evaluate the policy (Einarsen & Hoel 2008, Leka & Cox 2008).

From the experience it has been learned that the way the policy is written and implemented is extremely important. The policy should be developed in cooperation with the employer, employees' representatives/safety and health representative, union representative (occupational health care, external expert). The policy must be properly communicated to the whole personnel, and promoted by embedding it in training, communication, induction etc.

Few studies have, however, examined the effectiveness of interventions for the prevention and management of workplace bullying so far. With regard to policies, some evidence have been found of decrease of bullying when policy has been used as part of a broader 'zero tolerance' approach with for example compulsory training for the whole personnel (Pate & Beaumont 2010). It has also been suggested that a well-designed and coordinated anti-bullying policy can work, but conversely a policy that is designed by one department in isolation from users and other service deliverers can have no impact at all (Rayner & Lewis 2011). Some slight positive results have also been achieved with management training.

Long-term active work seems to produce positive results. Norway is an example of such work. In addition to active research, awareness raising, communication, publication of reports and books about bullying, training and support for organizations etc., some years ago a nation-wide campaign "The Bully-Free Workplace" (Jobbing uten mobbing) was carried out in cooperation between the Norwegian government and the social partners in Norway (http://www.arbeidstilsynet.no/binfil/download2.php?tid=97306). National studies suggest that the prevalence of bullying has decreased in Norway during the past twenty years; in 1996, 8.6% of the respondents from a variety of sectors reported being bullied, 4.5% were severely bullied. In 2005, the corresponding figures were 4.6% and 2% (Nielsen, Skogstad, Matthiesen et al. 2009).

In Germany, rehabilitation of bullying victims with inpatient therapeutic treatment in a specialized hospital/clinic (Berus hospital) has shown very positive results (Schwickerath & Zapf 2011).

Lessons learned from interventions for the prevention and management of workplace bullying

Planning and implementing successful and effective interventions for bullying and harassment in organizations is challenging. Work with organizations has taught that for the implementation of interventions for bullying in organization to be successful:

- Commitment of management and supervisors is crucial.
- In organizations, interventions should firstly be focused at managers and superiors, who have the power of decisions e.g. work organization, and have the responsibility on the health and well-being of employees.
- Those involved in the interventions should participate actively and be consulted in the development of the intervention strategy.
- Readiness of the organization and employees to take action.
  If awareness and recognition of the problem is not adequate in the workplace, resistance to interventions may appear.
- Mutual understanding about the phenomenon is important.

- Training must be given to managers and the critical mass of the staff.
- Multiform approach is needed: intervention for the prevention of bullying need to take into account the complex nature of the phenomenon, and its multiform antecedents.
- The aims of the interventions and the overall importance of the activities should be agreed upon by both management and employees.
- The intervention should be designed to be implemented in a systematic and step-wise manner, with the aims, objectives and implementation strategy.
- The intervention must have a theoretical rationale, which should be based on empirical and clinical findings.
- Continuous and active communication among all stakeholders is crucial.
- Evaluation; an evaluation strategy clearly linked to the outlined aims and identified problems should be developed. Both the implementation process and the outcomes of the interventions should be systematically assessed.
- External consultants involved in bullying interventions should adopt a neutral and impartial role.

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Other resources

Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work http://www.hsa.ie/eng/Publications_and_Forms/Publications/Occupational_Health/Code_of_Pract ice_for_Employers_and_Employees_on_the_Prevention_and_Resolution_of_Bullying_at_Work. html

European Survey of Enterprises pm New and Emerging Risks. Data https://osha.europa.eu/en/riskobservatory www.esds.ac.uk/findingData/snDescription.asp?sn=6446&key=esener, more information help@esds.ac.uk

ETUC/BUSINESSEUROPE-UEAPME/CEEP (2009). Implementation of the ETUC)BUSINESSEUROPE-EIAPME/CEEP Framework Agreement on Harassment and Violence at Work. http://resourcecentre.etuc.org/linked_files/documents/pdf_Implementation_HV_table_2008-ENpdf?PHPSESSID=8fb1dcbc8e63ae59458256d129f3f7f8

Sexual harassment in EU Member States.

http://www.unece.org/fileadmin/DAM/stats/gender/publications/MultiCountry/SexualHarassment
Report.pdf.

Part II: Workplace Bullying and Harassment in Finland

Introduction

In Finland research, communication and practical work to address workplace bullying began in early 1990s. An article which was based on Heinz Leymann's studies and writings in Sweden and writings was published in the biggest Finnish newspaper in June 1989. It aroused a lot of interest and discussion, and many people who themselves were exposed to systematic negative treatment in their workplace, said that they got a word for their experience. During the past twenty years research has been carried out e.g. on the prevalence on bullying, antecedents and consequences of bullying, as well as measures adopted in organizations to counteract bullying at work.

Trade unions are strong in Finland, and trade union representatives (shop stewards) and particularly safety and health representatives are active players in all health and safety issues, including activities to tackle workplace bullying and harassment. According to the Occupational Health Care Act, the employer has to arrange occupational health care services for all employees. Also occupational health care personnel, particularly occupational health psychologists, take part in activities for the prevention of workplace bullying. They give support and advice for line-managers on how to investigate and resolve cases, support those who perceive themselves as targets of bullying, and sometimes also those accused of bullying.

Most organizations in Finland carry regularly out work environment/work atmosphere surveys. In these surveys, a variety of psychosocial work environment factors/risks are assessed. Nowadays some organizations include also assessment of exposure to negative acts and bullying as well as observed/witnessed bullying in the workplace in their work atmosphere surveys.

Current situation

Prevalence of bullying at work

In the Work and Health Survey by the Finnish Institute of Occupational Health, the prevalence of workplace bullying has been assessed every third year since 1997. In the survey, bullying is defined "Psychological violence and bullying at work means negative, oppressing and insulting treatment that is continuous and repetitive" and then the respondent is asked if he or she is exposed to this kind of negative behavior at the present moment or if he or she has been exposed to this kind of negative behavior before (Vartia 2010).

As Table 7 shows no systematic change in the prevalence of bullying, increase or decrease, has happened during the past fifteen years. It seems that bullying is more prevalent in the municipal sector than in private sector, and that the risk for becoming

bullied is higher in health care and social work as well as in education than in other branches.

Table 7: Self- labeled bullying, for the moment (Work and Health in Finland - interview studies 1997-2012)

	1997	2000	2003	2006	2009	(2012)
All	3.6	4.4	2.9	5	6	(4)
Men	2.8	3.4	1.6	3	4	
Women	4.3	5.3	4.0	6	8	
Private companies	3.1	3.8	2.5	4	5	
Government sector	6.3	3.4	1.6	4	4	
Municipal sector	4.4	7.0	5.1	7	10	
Health and social work	4.4	6.6	5.5	7	10	
Education		6.2	6.3	6	13	

Prevalence of workplace bullying and harassment have been assessed regularly also in the Finnish Quality of Work Life Surveys by the Statistics Finland since 1997 (Lehto & Sutela 2009). These face-to-face interview surveys cover entire wage and salary earning population in Finland. The results have been very similar to those of the Work and Health in Finland survey. In 1997, 3% (women 4%, men 2%), in 2003, 4% (women 5%, men 2%), and in 2008, 4% (women 5%, men 3%) of the respondents experienced bullying at work at the time of the survey. In 1997, 5% of the respondents had observed continuous bullying in their workplace, both in 2003 and in 2008 the corresponding figure was 6%.

Gender differences

Both studies suggest that women are exposed to bullying at work slightly more often than men. In a study among prison officers, women reported exposure to bullying slightly more often than men but the difference was not statistically significant (Vartia & Hyyti 2002) but in a study among business professionals, women reported considerable more bullying than men did (women 12%, men 5%) (Salin 2001).

Gender seems to be an important determinant also more widely. In a study analyzing the significance of gender for whether non-observing third parties label negative behavior as bullying it was found that the gender of the target, the gender of the perpetrator and the gender of the non-observing third party were all important for whether negative behavior was perceived as bullying. The study also showed that men conceptualized bullying as an individual problem more often than women, and women to a greater extent conceptualized

it as an organizational problem, and more strongly emphasized both organizational antecedents and organizational consequences (Salin 2011).

Perpetrators – status and gender

The findings concerning the status of the perpetrator have varied somewhat. In the Working Conditions Surveys 2003 and 2008 by the Statistics Finland, colleagues were identified as perpetrators most often by both men and women (Lehto & Sutela 2009). Among prison officers, women were bullied most often by their colleagues (74% of the targets), but men were bullied by their colleagues (49%) and their supervisors (43%) equally often (Vartia & Hyyti 2003). Among business professionals, women were bullied by superiors and colleagues in approximately equal proportions. Moreover, one-fourth of the women were bullied by their subordinates. The majority of the men classifying themselves as bullied were bullied by superiors. In addition, half of the men reported colleagues on the same levels among the perpetrators. None of the men reported being bullied by subordinates (Salin 2003).

Antecedents and causes of workplace bullying

Finnish studies on antecedents of workplace bullying have mainly explored the meaning of work environment and organizational factors behind bullying. Of the features of the functioning or the work unit, poor information flow, lack of mutual conversations about the tasks and goals of work, and insufficient possibilities to influence matters concerning oneself in the workplace, and of leadership practices, an authoritarian way of settling differences of opinion in the workplace was found to be connected with the experience of becoming bullied at work among municipal employees. Also the general climate in the workplace was associated with perceived exposure to bullying (Vartia 1996).

Salin (2003), writes about the ways of explaining workplace bullying, and classifies the organizational antecedents into three groups: enabling factors (e.g. perceived power imbalances, low perceived costs), motivating factors (e.g. internal competition, reward systems), and precipitating or triggering factors (e.g. downsizing and restructuring, organizational changes).

National legal regulations

Occupational Safety and Health Act

The valid Finnish Occupational Safety and Health Act (738/2002) came into operation on 1.1. 2003, and includes a special section on harassment and other inappropriate behavior at work. The section on harassment is reactive by nature. Harassment and other inappropriate treatment are also mentioned in the general obligations for employees. (in English: http://www.finlex.fi/fi/laki/kaannokset/2002/en20020738.pdf)
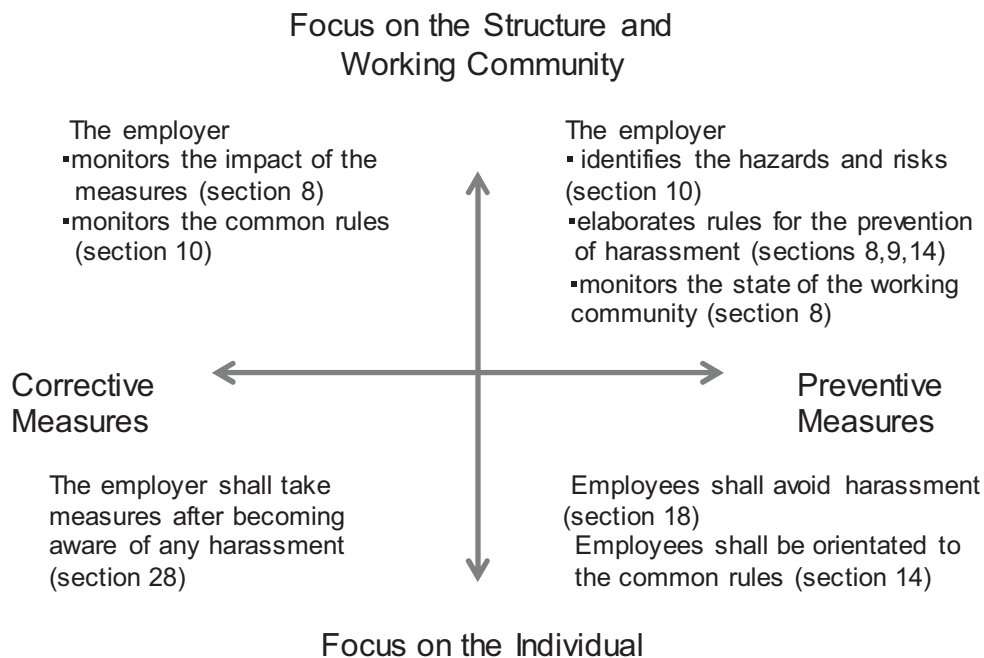
<u>28 § Harassment</u>
If harassment or other inappropriate treatment of an employee occurs at work and causes hazards or risks to the employee's health, the employer, after becoming aware of the matter, shall by available means take measures for remedying this situation.

<u>18 § Employees' general obligations (3)</u>

Employees shall avoid such harassment and other inappropriate treatment of other employees at the workplace which causes hazards or risks to their safety or health.

 The Act includes also other sections which are significant for the prevention and management of workplace bullying, and inappropriate behavior (Figure 1).

Figure 1: **Dimensions in preventing harassment at work and the new Occupational Safety and Health Act (738/2002)**

Focus on the Structure and
Working Community

The employer
▪monitors the impact of the
  measures (section 8)
▪monitors the common rules
  (section 10)

The employer
▪ identifies the hazards and risks
  (section 10)
▪elaborates rules for the prevention
  of harassment (sections 8,9,14)
▪monitors the state of the working
  community (section 8)

Corrective
Measures

Preventive
Measures

The employer shall take
measures after becoming
aware of any harassment
(section 28)

Employees shall avoid harassment
(section 18)
 Employees shall be orientated to
the common rules (section 14)

Focus on the Individual

With relation to bullying, also Section 25 'Avoiding and reducing workloads' is relevant; If noticed that an employee while at work is exposed to workloads in a manner which endangers his or her health, the employer, after becoming aware of the matter, shall be available means take measures to analyze the workload factors and to avoid or reduce the risk.

The Act obliges the employer/manager/supervisor to take action when he/she receives information about inappropriate treatment and bullying. If the perpetrator is the supervisor or other a manager it is his/her superior who is to take action to investigate and resolve the situation. Most often information about harassment or bullying comes from the person who perceives him/herself as a target of bullying but information can also come from a colleague who has observed inappropriate behavior and bullying or from the health and safety representative or from occupational health care. Guidance and training is available for supervisors on the basic principles of the investigation (e.g. equity, impartiality, objectivity, openness to all kinds of solutions), and on how to carry out the investigation (e.g. what kind of information it is necessary to collect from the person who perceives him/herself as bullied and from the person accused of bullying).

If the employer doesn't take action the employee is advised to contact occupational safety and health authorities/ inspectors. The Occupational Safety and Health Act has been in force for ten years, and most employers are nowadays aware of the "Harassment"

section, and their duties on the bases of the Act. Also safety and health representatives, shop stewards, occupational health care personnel, and most employees are familiar with the section on harassment and inappropriate behavior. The legislation has also activated and pushed organizations to draw-up and implement policies and procedures for the prevention of bullying and resolving the cases. Many organizations also arrange training for the whole personnel, and particularly for line-managers. Trade unions and other training institutions arrange training for safety and representatives and shop stewards.

The section on harassment is regarded as necessary and in principle good but complicated and open to various interpretations. For example it has been noticed that the construct "harassment and other inappropriate treatment that causes hazards or risks to the employee's health" is inaccurate and open to interpretations. It is clear that "causes risk to one's health" refers to serious and long term situation, but often it is unclear when the duty to take action actualizes. Some safety and health inspectors find is sometimes difficult to judge when the actions taken by the employer have been sufficient. The legal praxis has been somewhat unestablished. In the legal praxis it has been regarded that the supervisor should have understood that certain acts can be a risk for the employee's health without any complaint of his/her behaviour.

In the Act, the terms harassment and other inappropriate treatment are used. In the workplaces, however, another word is most often used for continuous negative treatment. This use of several terms brings about confusion in organizations. Sometimes when employees report experience of inappropriate treatment by their supervisors, the investigation of the situation concludes that the behavior of the supervisor has not been inappropriate but behavior that is included in the management prerogative.

The challenges of today are that there are too many lawsuits because the employer has not taken adequate actions, and that although training is arranged for superiors and managers, many supervisors and managers don't have the necessary expertise to investigate and resolve the situations. If the superior has not the necessary recourses or for some other reason doesn't want to investigate the situation by him/herself, for example an external consultant or occupational health care psychologist can collect the necessary information and lead the necessary meetings. The employer holds, however, the responsibility for the resolving the situation and stopping the bullying.

The Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces

The Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces (44/2006) enacts on the cooperation between employers and employees on safety and health issues. According to the act, the goal of the cooperation is to improve the interaction between the employer and the employees, and to make it possible for the employees to participate in and influence the handling of matters concerning safety and health at the workplace. The issues to be handled in cooperation between the employer and employees include e.g. matters immediately affecting the safety and health of any employee, and any changes in those matters; principles and manner of investigating risk and hazards at the workplace, as well as such factors generally affecting the safety and health of employees that have come up in connection with the investigation or a workplace survey carried out by and occupational health care organization; development objectives and programmes relating to workplace health promotion of otherwise affecting the safety and health of employees.

According to the act, at workplace where at least ten employees work regularly, the employees shall from among themselves choose an occupational safety and health representative and two vice representatives to represent them in the cooperation with the employer and to keep contact with occupational safety and health authorities. In other workplace, too, the employees can from among themselves choose the representative. At workplaces where at least 20 employees work regularly, an occupational safety and health committee shall be established for a period or two years at a time. Both the employer and employees of the workplace are represented in the committee.

Occupational Health Care Act

According to the Occupational Health Care Act (1382/2001) it is the duty of every employer to arrange occupational health care for all employees. The Act enacts also on the content and organization of the occupational health care provided. The occupational health care include e.g. the following: investigation and assessment of the healthiness and safety of the work and the working conditions through repeated workplace visits and using other occupational health care methods, having regard to exposure substances in the workplace, the workload, the working arrangement and the risk of accidents and violence; employees' health, working capacity and functional capacity, including any special risk of illness caused by the work and the work environment.

Measures taken to tackle workplace bullying in Finland

During the past fifteen years, training, publication of articles and books on the issue, and anti-bullying policies has been the measures most often used to address workplace bullying in Finland. For example, Salin (2008) found that the introduction of written anti-bullying policies and the provision of information were the most common measures adopted by organizations to counteract workplace bullying in Finland. Particularly the section on harassment in the "new" Occupational Safety and Health Act (1.1.2003) has activated organizations to develop and implement policies and guidelines for workplace bullying.

Safety and health inspectors discuss inappropriate behavior and harassment always when they are carrying out an inspection in a workplace. Inspectors ask if any cases have taken place in the organization, about the existence of policy and procedures for inappropriate behavior and bullying, and about training on harassment and inappropriate behavior. If there is no policy in place in the organization, the inspector advises the organization to draw up one. In inspections, a survey called "VALMERI" is used which includes also a question on harassment and inappropriate behavior.

In the Finnish Quality of Work Life Survey 2008, the measures taken to eliminate or prevent workplace bullying at the workplace the most commonly observed measures were: 1) good treatment or elimination of bullying had been taken into consideration in supervisory activity (45% of respondents), 2) prevention of bullying had been taken into account in occupational health and safety (39%), and 3) a set of rules for good treatment had been drawn up (33%) (Lehto & Sutela 2009).

In a survey among private, municipal and government organization in 2008, managers were asked if there had been need for reduction of psychological violence (bullying) or reduction of inappropriate behavior in their organization, and in case of need if something had been done. The need for reduction of both psychological violence (bullying) and inappropriate behavior was highest in the municipal sector where one out of three managers reported such need. Of private sector managers 20% and of government sector managers 25% reported such need. According to the managers, in almost all organizations also something had been done.

Current needs

In addition to the current needs in relation to active and immediate reaction to complaints of bullying, and skillful and impartial investigation of the situations, it is important to arrange proper rehabilitation opportunities for people with severe health effects and trauma because of bullying, also for those who are not working anymore and therefore do not have the opportunity to use occupational health care services. Although workplace bullying has been in the agenda in the Finnish working life for twenty years, the number of active researchers in the field is very limited. Therefore more researchers, and also practitioners, to work with organizations for the prevention and management of workplace bullying and harassment is needed.

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