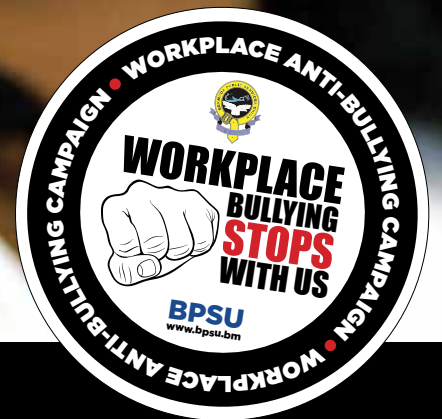




MAY 2016

BPSU

Bermuda Public Services Union



THE WORKPLACE
ANTI-BULLYING ISSUE

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President's Remarks



The BPSU recognizes that bullying and harassment is a major concern in many workplaces throughout the Island. Many of the incidents go unreported and the negative behaviour becomes organizational cultural norms. As a result, the BPSU has decided to launch a "Workplace Anti-Bullying and Harassment" campaign.

The campaign aims to:

- Raise awareness to workplace bullying and harassment;
- Provide support for those who are subjected to bullying and harassment;
- Promote a workplace free of bullying and harassment

The BPSU believes that all workers have the right to be treated with dignity and respect at work and that workplace bullying and harassment should never be tolerated. The BPSU will work to ensure the workplace is a healthy environment, free of bullying, harassment and discrimination.

This magazine is designed to be a resource for both employers and employees.

In solidarity,

Bro Jason Hayward

President

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BPSU
MAGAZINE

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Bullying in the workplace

By: Dr. Alicia M. Hancock, Registered Clinical Psychologist

"There is no character, howsoever good and fine, but it can be destroyed by ridicule, howsoever poor and witless." Mark Twain

When one thinks of bullying it is thought to be on the playground or in school, but bullying in the workplace is a reality. Unfortunately, if it is not addressed and resolved, it can and often leads to significant difficulties for those victimized and can be influential on the overall morale of the rest of the employees. Have you ever come away from a meeting with a supervisor or colleague sensing that you've just been 'punched out' psychologically? Did you feel a sense of inadequacy and incompetence? Even worse, have you left a meeting with fear and trepidation? These are examples of bullying behavior. Workplace bullying often involves an abuse or misuse of power. It can have a profound impact on a victim's psychological well being and their professional life.

There is a difference between experiencing a difficult colleague/ tough supervisor and a bully.



Definition of Workplace Bullying

Workplace bullying involves the conscious repeated effort to wound

and seriously harm an employee not with violence, but with words and/ or actions. Bullying can damage the physical, emotional and mental health of the person who is targeted. There are many definitions of what constitutes bullying in the workplace.

Examples of this include:

- Repeated insults, derogatory remarks, or intentional embarrassment (public or private)
- Repeated intimidating behavior
- Repeated intrusion of personal space and or threatening behavior
- Repeatedly spreading harmful rumors or stories about individuals
- Unwarranted personal or professional criticism
- Unreasonable work demands
- Unwanted sexual advances and harassment
- Preventing promotion or other professional development



There are many types of workplace bullies. The two most prominent types of bullies are Chronic Bullies and Opportunistic Bullies.

Chronic Bullies dominate people at work and away from work. They have feelings of personal inadequacy and self-loathing. Chronic Bullies attack others to feel good about themselves. In organizations that promote cutthroat competition, Chronic Bullies are over-represented. They are seen as "leaders". Chronic Bullies end careers and shatter the emotional lives of their victims.

Opportunistic Bullies differ from Chronic Bullies in that they suspend their competitiveness when away from work. Their bullying is primarily a manifestation of getting ahead in the workplace and progressing to the 'top.' The opportunist is very observant of signals in the work

environment. If the workplace began to punish mistreatment of others, the Opportunistic Bully would stop hounding others. They can be stopped.

Psychological Impact of Bullying in the Workplace

Bullying can lead to significant issues in both the professional and personal lives of victims. Many victims experience symptoms consistent with:

- Anxiety
- Panic Attacks
- Depression
- Post-Traumatic Stress Disorder

More specifically, victims often experience:

- Problems with sleep
- Diminished self-confidence
- Loss of motivation
- Difficulty maintaining concentration
- Diminished work performance
- Isolation from colleagues
- Shame
- Guilt (for 'allowing' bully to control him/her)
- Overwhelming sense of injustice

If left untreated, it can lead to a deterioration of health which may lead to extended periods of absence at work and could have serious repercussions for an employer's business. As a result of bullying behavior, companies

can suffer on a larger scale. For example, employees' quality of work and productivity often disappear. Loyalty to the company and customer satisfaction tends to diminish. Additionally, this behavior can lead to increased levels of stress among employees, higher rates of absenteeism and higher than normal attrition. Subsequently, internal relationships within the company may suffer which can often lead to a divided and disjointed atmosphere.

Proactive strategies to prevent bullying

Creating a more cohesive atmosphere can prevent bullying behaviors and increase employee morale and support. When employees feel supported, protected and a sense of cohesiveness, they are more likely to commit, trust and be loyal to the company. Additionally, this often leads to job satisfaction and increases tolerance of other employees as well as decreasing the chances of bullying behavior. Examples of strategies include:

- Regular Team Building Retreats
- Create traditions within company such as planning monthly fun outdoor activities that may include family members from time to time. This allows employees to develop their relationships with each

other, build trust and create a sense of belonging.

- Regular meetings to discuss employee accomplishments and concerns
- Keeping employees informed of any changes within company
- Encourage and invest in employee development
- Inspire enthusiasm within employees
- Demonstrate interest in employees' lives

What to do if experiencing workplace bullying

- Share your experience with co-workers you trust to gain support
- Educate yourself on the policies and procedures
- Make an appointment with your supervisor if he/she is not the perpetrator or meet with a human resource representative
- Document all interactions with perpetrator
- Seek advice and support: counseling to develop coping strategies
- Maintain a healthy lifestyle outside of the workplace: engage in outlets that allows you to promote self-growth and cope with stress

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How bullying effects the organisation

By: Doris DeCosta, Employee Assistance Programme



Everyone knows about bullies in the school yard but grownup bullies can be just as big a problem. Workplace bullies can cause serious troubles on the job. We've all had co-workers we just don't get along with but workplace bullying is something that is much more sinister than that.

Any negative behaviour that demonstrates a lack of regard for other workers is considered workplace bullying. This can include a vast number of disrespectful behaviours including:

- Overruling decisions without rationale
- Sabotaging team efforts
- Demeaning others
- Verbal intimidation
- Harassment
- Incivility
- Teasing
- Gossiping
- Purposely withholding business information

These behaviours can affect a company's bottom line in a variety of

ways. First and foremost, there are serious emotional, psychological, and medical difficulties associated with such incivility. Bullying can hamper worker productivity and customer service, it can seriously affect a company's bottom line through direct and indirect costs. Most frightening though, is the fact that workplace bullying can sometimes incite workplace violence.

Bullying and general harassment are far more prevalent than other destructive behaviours covered by legislation such as sexual harassment and racial discrimination. A recent US study estimates one in five American workers has experienced destructive bullying in the past year.

Perpetrators and targets

The stereotype of a bullied person is someone who is weak or a loner, but the target will often be capable, dedicated and well-liked by coworkers. Bullies pick on people with an ability to cooperate and a non-confrontational style. The bully considers their ability a threat, and

wants to cut them down.

Adult bullies like their schoolyard counterparts, tend to be insecure people with poor social skills and little empathy. They turn this insecurity outward, finding satisfaction in the ability to diminish capable people around them. A workplace bully subjects the target to unjustified criticism, trivial fault-finding and humiliation, especially in front of others, and ignores, overrules, isolates and excludes the target.

What you can do to help

Learn about your company's policy on bullying, harassment and violence. Most companies have a "zero tolerance" approach – violence or threats of violence will not be tolerated. Ask to see a copy of your company's policy, and ask that it be posted. If your company doesn't have a policy, encourage managers to develop one and to educate all employees on it once it's adopted.

Don't contribute to the problem.

If you're engaging in behaviours that make others uncomfortable, stop. Some incidents of teasing or harassing a co-worker are illegal. No one can predict what a person will do if teased or harassed. Even seemingly harmless events could become fatal.

Encourage a victim of workplace bullying to get help.

If you know of someone who is being bullied on the job, encourage that person to get help from a human resources staff member, a supervisor, or the Employee Assistance Programme of Bermuda at 292-9000.





A guide to dealing with bullies at work

By: Doris DeCosta, Employee Assistance Programme

Bullying – When one worker physically or psychologically intimidates another for purposes of getting his or her own way, it is a form of abuse. If it happens to you, you should know what to do about it.

Who are the bullies, and why do they do it?

While we think of bullies as physically intimidating, that may not be the case at work. Someone with power – supervisory responsibility, team leadership, tenure or an aggressive personality – who exerts that power in an abusive manner to influence your behaviour, is bullying. Bullying can be peer to peer for no reason other than the need for attention or as a response to jealousy, deep-seated resentment or a person's emotional issues. Bullying can be associated with sexual, racial, age, or other forms of discrimination. Bullying occurs when you are personally conformed in an uncomfortable way, and you fear the consequences if you don't act as the bully wants. The threat can be expressed or implied, but in either case you are being bullied if someone "gets in your face" in a personal, insulting, or intimidating manner.

What bullying looks like

Bullying comes in all forms – name-calling, unwelcome kidding, physical intimidation, threats, harassment, and any other type of abuse. When it comes from a supervisor, a line must be drawn between that person's authority and your personal rights, and you need to be clear on where that line is. The acid test is simple – if the way someone speaks to you or treats you causes you to feel uncomfortable or threatened, if it's personal and unwelcome, then it's bullying, even from a supervisor.

What to do if you are being bullied by a coworker

The first step is to tell the bully to stop the behaviour. Tell the person you will file a report if the behaviour doesn't stop. This may end it, but if not, you need to follow through and get help from your organization. If this brings further threats of harm or even harsher bullying, don't back off. Bullying is not just your problem. Your employer has an equal stake in correcting the behaviour. Request help from management in writing. Cite your fear of repercussions or even your fear for your safety. As with

sexual harassment, go to the next level of management if needed.

What to do if you are being bullied by a supervisor

If the bully is a supervisor, the response is very much the same, except that now you must document the abuse in writing, making sure you clearly differentiate between instructions that fall within the scope of the supervisor's job and your rights to personal dignity and safety. If coworkers have witnessed the bullying, enlist their support. Talk to the supervisor about your concerns, but don't threaten. If the behaviour doesn't stop, tell the person that you intend to bring this to the attention of a higher authority and that you've documented your observations and the affect on you. This may make you feel uncomfortable, but it should lead to a resolution. If it doesn't, you may need an attorney to continue the discussion for you.

Get help, avoid victimization

Top management does not want you to be bullied. Your morale is crucial to productivity, and bullying can lead to unwanted employment complaints and legal challenges. Everyone benefits when you are proactive, act early, and do not allow yourself to adapt to the victim role. Find support inside or outside your organization so that you can take the right steps to end the bullying quickly.

If you need help please contact the Employee Assistance Programme of Bermuda at 292-9000.



“Dignity At Work”

A model and process for Bermuda’s workplaces

By: Bro. Edward G. Ball Jr.

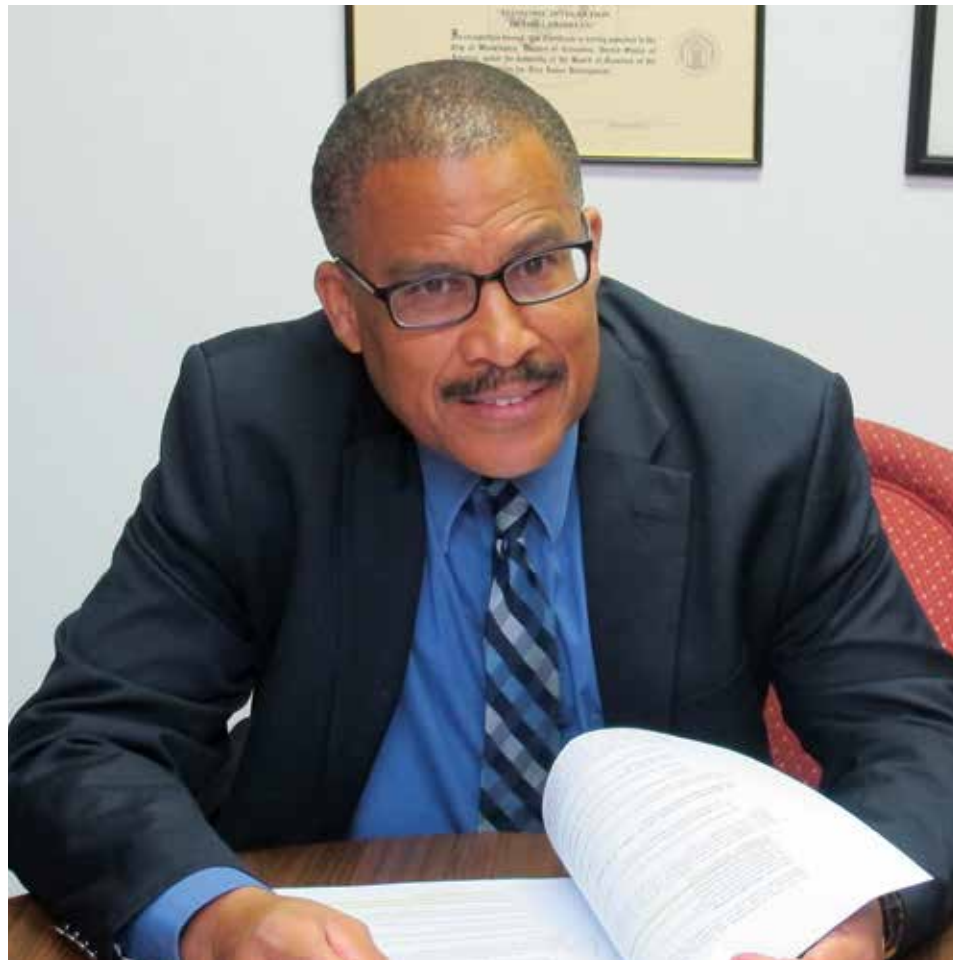
In its 8th year and some 60 cases adjudicated to date, the “Dignity At Work Policy and Complaints Procedure” administered by the Department of Human Resources, stands as a model for other Bermuda Companies to emulate.

Using evidence-based research from the Civil Service Employee Opinion Surveys of 2002 and 2004, 21 per cent of civil servants in 2004 thought they were bullied or harassed within that fiscal year. Likewise only 28 per cent of respondents felt that the Service was answerable to any form of harassment.

The former Cabinet Secretary, Kenneth Dill in April 2008 indicated that even one case of harassment was one too many and instructed the Director of the Department of Human Resources to research other civil service jurisdictions’ policies/procedures and implement a policy and guidance document on the intervention and the reporting of harassment cases to the Cabinet Secretary, the Civil Service Executive Committee and the public sector unions.

The policy had to be transparent, with an emphasis that public officers must be treated with dignity and respect, irrespective of race, rank, ethnicity, sexual orientation, age, religion or any other factor that would be used to undermine or demean the worth of an employee through differential discrimination or other unacceptable actions or behaviours.

In many ways, the Dignity at Work policy provides for addressing a sweep of discriminatory complaints which probably has more factors than the Human Rights Act 1981 in addressing instances of inequality, harassment, bullying, victimization and discrimination in the Service. However, sexual harassment cases



were best handled by the Human Rights Commission.

Noteworthy in the Policy is that the policy is effective across the uniform and non-uniform branches of all departments and ministries of the Civil/Public Service.

Initial concerns by the public sector unions that the Dignity at Work Policy and Complaints Procedure could compromise and weaken the spirit and effectiveness of collective bargaining agreements’ grievance procedures.

However, upon examining the final draft on the methods of making complaints, the investigation procedure by a neutral party and the

reporting of the findings, the former President of the Union, Brother Nigel Pemberton, fully endorsed the Policy to address proven bullying and harassment.

Every quarter, the DHR releases statistics on the types of cases referred to a mediator, the types of observations to remedy unacceptable behavior by the offender and the remedial measure employed to correct the behaviors of the supervisor, manager or the co-worker.

The Dignity At Work Policy and Complaints procedure booklet was an excellent method of addressing bullying and harassment.

WORKPLACE BULLYING STOPS WITH US



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WORKPLACE ANTI-BULLYING & HARASSMENT CAMPAIGN

Bullying and harassment

Bullying can affect staff at every level of the institution and from all backgrounds. It involves a misuse of power, and is usually, but not always, perpetrated by managers against staff over whom they have power. It may particularly affect women, disabled, ethnic minority and LGBT staff, and can be a form of discrimination. Bullying and harassment are a major danger to staff health. They are often closely linked, and may overlap, but they are legally distinct.

Definition of harassment

Harassment is unlawful when it is on the grounds of sex, race, ethnic or national origin, sexual orientation, religion or belief, or disability. It is also unlawful to subject a person to sexual harassment (a separate category from harassment on the grounds of sex), or to harassment on the grounds of membership or non-membership of a trade union, or on the grounds of political belief.

Harassment is defined as unwanted contact which has the purpose (intentional) or effect (unintentional) of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

Definition of bullying

Bullying may include harassment and harassment may include bullying.

However there is no statutory definition of bullying, which is defined by ACAS (Advisory, Conciliation and Arbitration Service) as behaviour that:

- is offensive, intimidating, malicious or insulting
- is an abuse of power, and
- uses means intended to undermine, humiliate, denigrate or injure the recipient



MAIN: Bullying involves a misuse of power, and is usually, but not always, perpetrated by managers against staff over whom they have power

Whereas harassment is linked, in law, to discrimination, bullying is not.

Identifying bullying and harassment

Although there is no comprehensive list of bullying behaviours, and there is no one type of person who is likely to be a bully or a harasser, ACAS lists some of the behaviours which constitute workplace bullying and harassment. Examples of workplace bullying and/or harassment can include:

- constantly criticising competent staff, removing their responsibilities, or giving them trivial tasks to do
- shouting at staff
- persistently picking on staff in front of others, or in private
- obstructing professional development / blocking promotion
- regularly making the same person the butt of jokes
- constantly attacking a member of staff in terms of their professional or personal standing ➡

Bullying and harassment (Continued)

- setting a person up to fail by overloading them with work or setting impossible deadlines
- regularly and deliberately ignoring or excluding individuals from work activities
- ignoring staff views and opinions
- different rules for different people
- criticism and threats
- excessive monitoring
- unrealistic expectations

Bullying or harassment may be by an individual against another (perhaps by someone in a position of authority such as a manager or supervisor) or involve groups of people. It may be obvious or it may be subtle - whatever form it takes, the crucial point is that it is unwarranted and unwelcome by the recipient.

What is not bullying and harassment?

Not every unpleasant interaction, instance of disrespectful behaviour, or workplace conflict is considered bullying and harassment. Examples of behaviours that may not be bullying and harassment, if undertaken in an appropriate manner, include:

- Expressing differences of opinion
- Offering constructive feedback, guidance, or advice about work-related behaviour and performance
- Making a legitimate complaint about someone's conduct through established procedures

Workplace bullying and harassment does not include behaviour that is unrelated to a worker's employment.

Reasonable management action

Bullying and harassment should not be confused with exercising managerial authority. It's important to distinguish between a person who is reasonably exercising legitimate authority at work



in an appropriate way, and a person who is bullying and harassing. Managers and supervisors have a broad range of responsibilities, including directing and supervising how work is performed. They are responsible for monitoring workflow and providing feedback to employees on work performance. While the employer may exercise his or her authority to make employment decisions, such decisions cannot be communicated to a worker in a

manner that would constitute bullying and harassment.

Examples of reasonable management action might include decisions relating to the following:

- Job duties or work to be performed
- Workloads and deadlines
- Layoffs, transfers, promotions, and reorganizations
- Work instructions, supervision, or feedback



MAIN: Setting a person up to fail by overloading them with work.

- Work evaluation
- Performance management
- Discipline, suspensions, or terminations

When it's provided in a respectful manner, appropriate feedback to help staff improve performance or behaviour is not bullying and harassment. However, managers and supervisors should ensure performance problems are identified and addressed in a

BELOW: Cyber-bullying can occur through email, text messaging, social networking, and websites.



“Workplace bullying and harassment does not include behaviour that is unrelated to a worker’s employment.”

constructive, objective way that does not humiliate or intimidate.

Cyber-bullying

In today’s world, electronic communication has created a new forum for bullying and harassing behaviour. Known as cyber-bullying, it can occur through email, text messaging, social networking, and websites. It can include sending derogatory or threatening messages to the target, or sharing personal and confidential messages or images. When cyber-bullying occurs, employers, workers, and supervisors must follow their bullying and harassment procedures.

The following suggestions can help workplaces address cyber-bullying:

- Establish a clear electronic communications policy for the workplace – the same principles

and standards that apply for day-to-day work should also apply to activities conducted online or via electronic devices

- If cyber-bullying is an issue, consider blocking access to social networking sites from work computers
- Encourage staff to give careful consideration to the personal information they post online, especially on social media sites

Effects on workers and the organization

Bullying and harassment is an occupational health and safety issue. There’s growing evidence to suggest exposure to workplace bullying and harassment has serious negative outcomes for the target – and for the workplace, co-workers, and clients.

Effects on the target

People respond differently to ➡

Bullying and harassment (Continued)

bullying and harassment. Reactions may include one or any combination of the following:

- Impaired concentration or ability to make decisions, which could lead to safety hazards, such as a lack of attention when working with dangerous equipment
- Distress, anxiety, sleep disturbances, substance abuse, and/or suicidal thoughts or actions
- Physical illness
- Reduced work performance

Effects on bystanders

The effects of bullying and harassment are not limited to the intended target. Other employees who witness such behaviour may:

- Be afraid to support or help the target in case they also get bullied
- Feel angry or stressed about the workplace culture
- Consider leaving the organization
- Join in, participating in the bullying and harassing behaviour

Effects on the workplace

Effects on the overall workplace might include:

- Reduce efficiency and productivity due to poor staff morale
- Increase stress and tension between workers
- High absenteeism rates
- Higher turnover, resulting in higher recruitment costs
- Higher levels of client dissatisfaction

Financial Costs

Beyond the effects on workers, there are financial costs associated with workplace bullying and harassment – such that it could be less expensive to prevent bullying and harassment than to address the effects after it takes place. Here are some examples of

MAIN: *There's growing evidence to suggest exposure to workplace bullying and harassment has serious negative outcomes for the target – and for the workplace, co-workers, and clients.*



where valuable work time could be lost within an organization, and how costs might increase, as a result of bullying and harassment:

- Time spent advising/coaching the alleged bully by managers, supervisors, and Human Resources personnel
- Time spent advising/coaching the target by managers, supervisors, and Human Resources personnel
- Time spent by witnesses advising/coaching the target and seeking help for themselves
- Time spent by management and Human Resources personnel making decisions about the problem

- Time and costs associated with advertising, recruitment, hiring, and training workers to replace those who leave because of workplace bullying and harassment

Who are the bullies?

It's difficult to generalize characteristics of people who bully and harass, and there are many reasons why people might engage in bullying and harassment, including:

- Lack of effective management training
- The desire to gain or exercise power over someone
- Trying to stop someone else from "getting ahead" in the workplace



“Someone who bullies others might be suffering from a mental illness, experiencing personal challenges, or be unaware of how his or her behaviour affects others”

- Having poor interpersonal or communication skills, low self-esteem, or insecurities

Someone who bullies others might be suffering from a mental illness, experiencing personal challenges, or be unaware of how his or her behaviour affects others.

At the heart of intentional bullying and harassment is often a sense of exerting power or control over another person. The goal is to undermine, discredit, embarrass, or harm the target through sabotage, insults, or humiliation. Power can come in many forms, including the following:

- Holding a formal position of power in the workplace

- Being friends or having connections with influential people or workplace decision-makers
- Having access to resources that give one person an advantage over others
- Being older, or having more experience or seniority

Sometimes people do not understand their behaviour can be harmful. They may not realize how they're perceived by others, or know the best ways to communicate difficult or sensitive matters. Coaching can be effective in shifting bullying behaviour in cases where individuals have a compelling

reason to change – such as someone knowing he or she might lose his or her job if the bullying and harassing behaviour continues.

SOURCES: UNIVERSITY AND COLLEGE UNION (UCU) 2013 WORKERS' COMPENSATION BOARD OF BRITISH COLUMBIA

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Advice for those being bullied

Do not ignore it

If you feel that you are being subjected to bullying or harassment – whether or not it is on the grounds of your gender, race, sexuality, disability, religion or belief, or any other reason, or for no obvious reason at all – do not feel that it is your fault or that you have to tolerate it.

Many people ignore bullying and harassment for fear of being labelled a troublemaker but it is unlikely that the conduct will stop if you ignore it. The bully is often doing this to try and exert control, so silence may be interpreted as acquiescence.

Check if your institution has a policy on bullying and harassment and read it

Get a copy of your employer's published policy on bullying and harassment or on dignity at work. It should be on their web site – or your Human Resources Department should have a copy. Read carefully what it says about all managers' responsibilities, and how concerns should be raised.

Insist that the person responsible for bullying or harassment stops it

In some circumstances you might be able to ask the perpetrator to stop. Take a Union Shop Steward or friend with you. It is important that you accompany your union representative even if you do not say anything. This will prevent the person responsible for the offensive behaviour claiming that you did not complain personally, leading them to believe that you did not object. You can do this in writing – outline as clearly as possible what behaviour you find offensive and the effect it has on you. If you feel unable to directly tackle the person concerned, this does not imply that



ABOVE: If you feel that you are being subjected to bullying or harassment for no obvious reason at all – do not feel that it is your fault or that you have to tolerate it

you consent to the behaviour nor will it prejudice any complaint you may wish to bring.

Get support

Talk about the problem with a friend, a colleague and Union Shop Steward. Do not hesitate to contact someone even when an incident occurs only once. They may be able to suggest ways of resolving the problem.

Collect evidence of the bullying or harassment

It is important to keep a note of all relevant incidents including dates,

times, places. This will be invaluable in proving your case if you make a complaint. Wherever possible get witnesses to provide factual evidence. If there are no witnesses to an incident, tell a colleague or representative and make a note. Make sure you keep copies of any relevant documents including emails and other electronic information.

Find out if the same person is bullying or harassing anyone else

Often a bully will have a history of such behaviour. You will gain ➡

“Many people ignore bullying and harassment for fear of being labelled a troublemaker but it is unlikely that the conduct will stop if you ignore it.”

confidence from discovering you are not alone.

Report it to your BPSU Shop Steward

Report the problem to your Union as soon as possible. Even if you decide not to pursue the case, it is important that the Union is aware of any incidents of bullying or harassment. There will be informal and formal procedures for dealing with the situation. The decision on how to progress the complaint rests with the complainant.

If the person responsible for the bullying or harassment is a union representative, discuss with the Divisional Chair or Vice-President the best way to proceed.

Any discussions will be confidential and further action involving you will not normally be taken without your express permission. Nor will the person you are complaining about be given your name as complainant without your permission.

You should contact your Shop Steward in the first instance. In the rare situation that you feel there is no Shop Steward that you can approach, perhaps because they are implicated



ABOVE: Do not hesitate to contact someone even when an incident occurs only once. They may be able to suggest ways of resolving the problem.

in the bullying or harassment, you should contact your Divisional Chairperson or Vice-President.

Tackling bullying and harassment is now a priority for the BPSU and whilst we recognise this is not an easy challenge, we are putting in place training and arrangements to give the best possible support to members.

Make a formal complaint

If you or your Shop Steward cannot resolve the problem by asking the person to stop, you or your representative should make a formal complaint, which should then be investigated by management.

If formal disciplinary proceedings are to be taken against the person responsible for the bullying or harassment, you will be required to give evidence. It may be difficult for you to undertake this but it would not be in your best interests for the case to be considered in your absence.

Remember: if bullying persists, it is appropriate to insist on treating the bully as a workplace hazard and insisting on a risk assessment. This is particularly the case if it is not an isolated incident and other staff have been bullied.

Advice for those accused of bullying

If you have been told that your behaviour makes someone feel uncomfortable, then you should stop and reflect on what you are doing. Even though your behaviour may seem innocent to you, it is important to consider its effect on others. Referring to someone in a derogatory way, making sexist, racist, homophobic or other offensive remarks, putting your arm around another person's shoulders etc. may seem trivial to you but may well be offensive and harassing to others.

If you are told that your behaviour is offensive, you should consider the following points:

Remember it is the other person's reaction to your behaviour, which is important, not your intention nor the reaction you think they should have.

- Listen carefully to the complaint and to the particular concerns expressed.
- Stop the behaviour complained of and review what you are doing. It may be you have upset other colleagues who have not complained.
- If you do not understand the complaint, discuss the matter with your Shop Steward or someone else you trust.
- If you are found to have bullied or harassed someone after their objection to your behaviour was

“Remember it is the other person's reaction to your behaviour, which is important, not your intention nor the reaction you think they should have.”

made known to you, the fact that you persisted will make the offence more serious if disciplinary proceedings commence.

If you are convinced that you are being unjustly accused, and/or that the complaint is malicious, you should:

- Contact your Shop Steward. It may be that an informal discussion between you, the person alleging ill-treatment, and a third party will solve the problem.
- If this does not occur, and it is clear that formal proceedings will ensue, ask for union representation. If your actions were as a manager, it may be more appropriate that HR initially advise you.
- You should gather evidence in your defence, including witnesses. If the outcome of a formal hearing is to find you guilty of bullying or

harassment, the BPSU may then represent you through any internal procedures for appeal. However, you should be aware that the BPSU may decide not to support you further (unless the Shop Stewards are convinced that a miscarriage of justice has occurred) beyond advising you of your legal rights.

If one BPSU member accuses another BPSU member

A particularly difficult situation may arise where one union member is making allegations against another union member. In those situations both members may be entitled to representation from the BPSU. In some situations – for example where a manager is accused of bullying – it is important to be clear what role HR (rather than the union) ought to play in providing advice to a member ➔



ABOVE: *If you have been told that your behaviour makes someone uncomfortable, stop and reflect on what you are doing.*

“If there is any suggestion that you face any allegations arising out of your role as a BPSU Shop Steward you should immediately contact the BPSU regional office.”

who in their managerial role is accused of bullying. Advice from the Secretariat ought to be sought in such circumstances.

If a BPSU Shop Steward is accused of bullying and harassment

It is not unknown for Shop Stewards to be accused of bullying when what they are actually doing is vigorously defending members or challenging false allegations or unfair process. If a member is facing disciplinary action on the basis of allegations which the member and Shop Steward believe or know are false, then challenging them can necessarily involve questioning the veracity of the person making them. In making such challenges, of course, gratuitous personal insults or threats are not appropriate.

If an allegation of bullying or harassment is made which concerns how you as a Shop Steward are conducting a grievance, a disciplinary case or other negotiations you should take immediate advice from a Divisional Chair or Vice-President. If there is any suggestion that you face any allegations arising out of your role as a Shop Steward you should immediately contact your chairperson or VP.



ABOVE: If you do not understand the complaint, discuss the matter with your Shop Steward.

If the allegation is made during a meeting you may need to adjourn the meeting to take such advice. Inappropriate behaviour by a Shop Steward is not acceptable but the vigorous defence of a member, advocacy of a case, or challenge to management is certainly not bullying, though it is unfortunately not unknown for such allegations to be made to deliberately undermine

a Shop Steward's credibility. It is unlawful to victimise a Shop Steward as a result of them undertaking their duties in representing members.

Advice for witnesses to bullying

Witnesses are the third party to incidents and may feel vulnerable like the victim, particularly if the person accused of bullying or harassment is employed on a higher grade. It is often difficult to know what to do if the victim appears to be ignoring the bullying or harassment.

If support and advice is needed, approach your Shop Steward. In some institutions, with union agreement, there is also a procedure providing for a 'named person', who has volunteered to offer support to staff in cases regarding bullying or harassment. They should have been carefully selected and trained to provide information and advice and to offer support in such situations to the complainant or the accused.

There are several steps you could take if you observe someone being bullied or harassed:

- Speak to the person who is being bullied or harassed informally and

confidentially and tell them what you have observed.

- Ask if they feel able to discuss the situation. Do not underestimate the effects of the bullying or harassment on them since they may be upset or unable to talk to anyone. Do not press for information.
- If they wish to discuss the incident, listen sympathetically and, if permitted, take notes as these may be useful at a later stage. You must respect the person's privacy and need for confidentiality.
- If they are unable to discuss the matter with you, encourage them to talk to someone they trust, a 'named person' or contact. Offer to contact the person they choose on their behalf and make arrangements for a meeting.
- Remember that if a formal complaint is made, you may be called upon to give evidence.



ABOVE: Witnesses are the third party to incidents and may feel vulnerable like the victim

SOURCE: UNIVERSITY AND COLLEGE UNION (UCU)



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Advice for the employer

EMPLOYERS NEED TO BE AWARE THAT workplace bullying can remain largely unreported for various reasons including:

- People who are bullied may lack the confidence to speak up, or feel too intimidated or embarrassed to complain.
- People may feel a sense of powerlessness due to their position in the organization.
- It has become the “culture” and people are not encouraged to “make waves.”
- There may be cultural constraints that prevent people from speaking up.
- People may be unaware of their rights or established procedures at the workplace.
- People may be prone to give in to peer pressure.
- They fear a loss of credibility and/or denial of future advancement.

EMPLOYERS NEED TO BE AWARE THAT there are factors within the workplace that play a role in whether or not bullying takes place including:

I. Organizational Factors:

- Competitive work environment
- Uncertainty of layoffs
- Authoritarian style of management
- Organizational change that happens all the time
- Little participation in decision making
- Lack of training
- Staffing shortages
- De-skilling
- No clear codes of acceptable behavior
- Excessive workloads and demands on workers
- Impossible targets and deadlines
- No procedures for resolving conflict and problems



ABOVE : People who are bullied may lack the confidence to speak up, or feel too intimidated or embarrassed to complain

II. Organizational Culture:

- “It has always been like this”
- “He/she just needs to get over it – we have all gone through it”
- It may be seen as strong management
- It is often encouraged, condoned or considered the norm

EMPLOYERS NEED TO BE AWARE THAT there are specific actions that they can take to address bullying including:

- A policy should be developed to address bullying behavior that applies to all employees, clients, contractors and anyone who has a relationship with the workplace;
- Ensure that everyone is made aware of the policy and procedures;
- If there is language in the collective agreement, the policy should not

conflict. It is best to involve the union in any development;

- Appoint a contact person and ensure everyone is aware of who it is. They should be trained in how to effectively deal with complaints;
- Ensure the policy states the consequences and that there will be no reprisals to employees who come forward;
- Offer an Employee Assistance Program or counselling to victims;
- Make a commitment to training employees on what bullying is;
- Make a commitment to monitor and regularly review the policy;
- Ensure applicable regulatory requirements where possible;
- Ensure it's written in plain English.

SOURCE: CLC



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