

Case Report

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The Psychological Harassment Management Process



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Introduction

An effective psychological harassment management process occurs when organisations act immediately and instruct designated agents to:

- Take remedial action
- Monitor the behaviour of the victim and the perpetrator
- Analyse the determinants of psychological harassment and
- Develop Employer Assistance Programs (EAPs).

Remedial Action

According to Bland and Stalcup [1], the remedial action must be determined on a case-by-case basis and commensurate with the gravity of the facts. Remedial action can range in severity from a simple warning to redundancy for unacceptable behaviour. In the Duvin case, the first remedial action consisted of Mr Duvin asking Mr Mache to 'change his attitude and to show Ms Rex some respect'. It would seem this verbal caution was an insufficient sanction given Mr. Mache continued to berate Ms Rex in his position as supervisor. Without a written warning from the outset, and some specific indication of the repercussions if identified behaviour persists, managers may easily dismiss such verbal warnings – particularly if those managers have the support of senior managers in the organizational hierarchy and no written evidence exists of the alleged behaviours over time.

Bland and Stalcup [1] note it is always helpful to get the victim's desired remedy on the record as early as possible and to implement the desired remedy if it seems appropriate based on the investigation. Mr. Duvin tried to act responsibly in this regard by offering Ms Rex new job responsibilities and a more varied range of job tasks. However, he did not accede to Ms Rex's

request for a transfer to another department and thus could not prevent her from experiencing continued acts of harassment.

Monitoring of Behaviour

If after the remedial action both the victim and perpetrator remain employed, the department manager needs to monitor their behaviour on a continuous basis [1,2]. The manager should not only ensure the behaviour of the perpetrator has changed, but also that the person has not been alienated by the investigative process and its outcomes. For this to occur, the perpetrator should clearly understand why their behaviour is unacceptable. This may require the manager to solicit feedback from the perpetrator about the process and where appropriate, to propose appropriate coaching and training [2]. The victim may also need follow-up contacts from HR personnel for several months to ensure the person is satisfied with the decision and is not experiencing any further difficulties.

Analysis of the Determinants of Harassment

Managing psychological harassment requires managers to analyze the determinants of harassment (during and after the investigation) and to change or mitigate them wherever possible. For example, changes to existing recruitment and existing staff appraisal processes may be necessary if the investigation finds these processes have any direct or indirect influence on the identified harassment behaviour. The analysis may reveal poor job/work design exacerbated the situation thus making it more likely for victimization to occur. To create a more healthy work organisation, roles and tasks may need clarifying, and rosters and work schedules made more flexible [4].

Employer Assistance Programs

Victims of harassment may suffer deleterious psychological effects such as social isolation and the loss of self-confidence.

These negative states may adversely affect victims' work performance. To counter these negative effects, European organisations assist victims through their EAPS. For example, the Belgium firm Mobistar offers a Team Member Assistance Program (TMAP) with a listening therapist to help victims [5]. The RATP Metro Company (Paris) has created a centre for psychological support for victims of workplace violence (Institut d'Accompagnement Psychologique Post-Traumatique). Here, support is organised on two levels:

- a) A hotline for immediate debriefing after a violent incident (this service operates on a 24/7 basis to ensure permanent accessibility)
- b) Counselling services including experts on post-trauma treatment.

The Psychological Harassment Prevention Process

When an organization decides to act later, a psychological harassment prevention process needs to be developed and the following measures prioritized [1-6].

Harassment Free Zones

Prevention works best when organizations mandate 'harassment free zones'. For this to happen, every HR department needs to establish a written anti-harassment policy, a written 'zero tolerance' policy prohibiting harassment in general (i.e., sexual harassment, racial harassment) and specifically psychological harassment. For example, the US Department of Defence [1], Volkswagen in Germany, Dupont de Nemours France, Air France, and Lausanne Town Council [5] have written anti-psychological harassment policies. These organisations define the concept, provide practical examples of types of conduct that constitute harassment, and inform stakeholders that such behaviours are unconscionable and perpetrators will be punished (sanctions, redundancy). In France 'La Loi de Modernisation Sociale' mandates an employer to establish a written anti-harassment policy and insert it in the regulations of the firm (Article L122-34 of Code du Travail).

Dissemination of Anti-Harassment Policies

A wide dissemination of harassment policy among employees requires the posting of fliers in prominent locations throughout the workplace [1]. Good posting locations include employee break rooms, company bulletin boards, primary work areas, employee newsletters, and attachments to pay-slips. In the Volkswagen firm of Wolfsburg (Germany) or in the Town Council of Lausanne, each employee receives a written copy of the anti-harassment policy document. At Mobistar, the Intranet informs employees and supervisors of current harassment policy [5].

Complaint Procedures

It is important managers create an environment in which employees feel comfortable in voicing issues of harassment. This requires designate persons to be established. Psychological

harassment referents may be HR specialists (for example in Dupont de Nemours), other persons in the firm, or external persons. For example, the Town Council of Lausanne has designated internal voluntary employees. By contrast, Mobistar appeals to external expertise (a team Member Assistance Program) [5]. The work environment needs also to include mechanisms for facilitating grievance procedures such as established interview structures and complaint paper [5].

Recruitment and Selection

Recruitment and selection processes provide an opportunity for curtailing incivility [6]. HR managers in their recruiting and selection efforts can avoid the entrance of potential perpetrators. For example, interviewers can ask candidates to talk about their previous job, their good and bad work experiences, and relationships with supervisors, peers and subordinates. HR personnel should also spend time validating behavioural references from previous employers. Broad role descriptions consisting of job and performance expectations should spell out non-tolerated work behaviours.

Training

Finally, all employees and managers need to receive training in psychological harassment policy. The training of HR managers, supervisors, employees, and psychological harassment referents ('Mr or Ms Psychological Harassment') should reiterate the organisation's policy prohibiting harassment [1]. The training might cover different topics, such as:

- a) Definitions of psychological harassment
- b) Examples of psychological harassment cases
- c) Definition of the process (antecedents, responses, effects)
- d) The employer's policy
- e) The responsibilities of managers and supervisors for enforcement
- f) Use of role-plays, and
- g) Use of post-training questionnaires.

The aim of the training might be to increase people's skills and help them to detect and manage psychological harassment cases argues this is best achieved by mixing management and staff in the same program, obtaining support from the highest levels of management, using only qualified trainers, and video-taping the training sessions[1,6,8].

Implications for Practice

The Duvin case study illustrates the dynamic, emotional and complex nature of psychological harassment. Mr Duvin, it seems, actively listened to Ms Rex's complaint, involved relevant others in the investigation, and attempted to find a workable solution for Ms Rex. However, the outcomes of psychological harassment

(i.e., Ms Rex continues to be harassed and is transferred to another department; Mr. Mache receives a written warning) suggest more could have been done to combat harassment if effective management and prevention processes had been in place. For instance, no anti harassment policy existed in the firm so Mr. Duvin could not counter the site director's arguments and his personal support for Mr. Mache, Mr. Duvin's organizational position of reporting to the site director, a 'long-standing' supervisor and friend of Mr. Mache, also compounded the problem. Moreover, the lack of formal complaint procedures and training sessions made it difficult to challenge and discourage Mr. Mache's behaviour.

Finally, there was little follow-up after the final remedial action was taken. Nothing was organized to solicit feedback from Ms Rex and Mr. Mache, no training was proposed to Mr. Mache, and no analysis of the determinants of psychological harassment was made. HR managers like Mr. Duvin might be more effective at combating psychological harassment when they utilize the proposed intervention tool and ask process (diagnostic) questions in a systematic manner. Intervening in such a way suggests the following implications for manager practice. First, an effective intervention assumes managers will investigate promptly the complaint that has been made (i.e., within 24 hours after a complaint is received). This implies investigators will establish all of the facts and come to a decision about whether the complaint is upheld, or not upheld, based on these facts [9]. To complete a systematic investigation process, the organization may choose to rely on internal resources or resort to external expertise. In the case of using internal resources, the investigator may mobilize different internal services as works representatives, union trade services, health services, mediation services, and direction services [10].

However, if the organization has little or no experience investigating bullying or harassment complaints, then an external investigator may be justified [11]. In the Duvin case, Mr Duvin mobilized internal resources. Perhaps an external investigator may have been more effective during the investigation in view of Mr. Mache's supervisory position and personal relationship with the site director. The fact that an external specialist is able to dedicate time exclusively to an investigation may make the process more efficient and effective. Second, the diagnostic tool requires managers to attend to record keeping. Managers need to be meticulous in documenting investigation procedures and recording interview notes with the victim, the perpetrator, and witnesses identified by either of them [1]. Such records may be electronically stored and password protected in an 'investigation file' separate from employee's personnel files. A diary containing dates and detailed information on the process will also help substantiate the facts of the case in the event of an appeal or legal action [11]. In the Duvin case, no mention is made of an investigation file relating to Mr Mache's behavior [12-25].

Such a file might have proved useful in countering the site director's argument that no 'written evidence of the behaviours

and remarks brought forth by Ms Rex and her colleagues' existed. An investigation file would have formalized the harassment process and possibly convinced the site director to take notice of the gravity of Mr. Mache's alleged behaviour. Indeed, if Mr. Duvin had made use of our proposed characteristics of harassment (repetition of the behaviour, nature of the behaviour, and focus on a target, and result of the behaviour) he would have been able to identify and name Mr. Mache's behaviour as psychological. Third, the process tool compels managers to understand psychological harassment within the context of individual, organizational, and societal characteristics and effects. This context influences the decision to act as shown in the Duvin case. Mr. Duvin strives to assert the respect of the person as an important element of the firm's culture [26-33].

However, the Site Director places more emphasis on the status, personality and performance of Mr. Mache – individual characteristics that are paramount in the final decision to give Mr. Mache a written warning. It would seem from this outcome the perceived performance of Mr. Mache is more important a factor than the well-being of individual employees in this organization. If this is indeed the case, Mr. Duvin needed to codify these elements of organization culture and use this document as the basis for designing a workable harassment management and prevention system. Fourth, the process tool compels managers to prevent new cases of psychological harassment. In the Duvin case, no prevention process was developed and hence repeated acts of unacceptable managerial behaviour continued. An effective harassment prevention process requires managers to establish 'zero-tolerance' policies prohibiting psychological harassment, to circulate these policies to all members of the organization, to provide training in psychological harassment for all managers and employees, and to establish formal procedures to allow employees to complain about psychological harassment [33-48].

Given existing budgetary responsibilities and the pressure to achieve results, line managers may find it easier to refer harassment complaints to the HR department and let them identify and characterize the alleged behaviour. However, the paper cautions against this approach. Managers should listen to victim's complaints and formally record the nature of the alleged behaviour before seeking external advice and support. Managers have a duty of care to their employees. As such, they should be aware of the nature of work relationships and factors in the immediate work environment that directly or indirectly influence harassment behavior [49-51].

Conclusion

The proposed intervention tool represents a useful guide for managers dealing with an employee's psychological harassment complaints. As a diagnostic device, it helps identify the nature of harassment behaviour and alerts managers to the importance of the situational context in determining the effects of harassment and the decision to act. However, these benefits

can only be realized if managers have the time, the analytical and emotional competencies, and the necessary support from senior management to stand back and systematically analyze the situation. Managers cannot face the situation alone as the Duvin case has shown. They need the support of senior managers, works representatives, occupational physicians, and HR specialists. Combating psychological harassment in the workplace is a collective not an individual responsibility.

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