

# **Stress – Interaction with Bullying and Harassment**

**Presented by  
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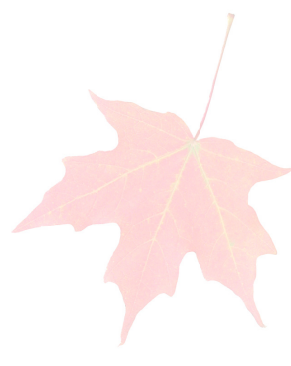
- Are we more stressed?
- Are there just more claims?



## Management of Stress Claims

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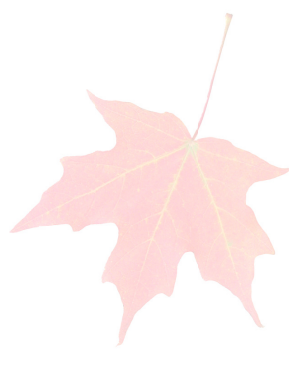
- Stress – causes and symptoms
- Harassment and Bullying
- Evidence in stress claims – paying particular attention to harassment and bullying claims



## Interesting Facts

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- \$200 million – total estimated cost of stress claims in Australia each year
- A stress claims costs on average twice as much and lasts twice as long as a physical injury claim
- 15% of the workforce has been subjected to some form of bullying and harassment in the last year



## Causes of Stress

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- Change in work conditions
- Conflict with fellow employees or superiors
- Restructuring/redundancy
- Bullying
- Workplace violence
- Harassment
- Physical environment – noise, lighting, temperature
- Work load
- Uncertainty – organisational management methods and objectives



## Causes of Occupational Stress

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- Difficult to objectively analyse
- What causes one worker to thrive may cause another to become stressed and anxious
- The perception or view of the worker determines the reaction to the alleged causes of stress



## Stress - Symptoms and Outcomes

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- Diagnosis is often- anxiety and depression
- Prevents a worker from functioning in their normal or usual manner
- Can result in absence from work but also in reduced productivity or increased use of sick leave



## What is harassment / bullying?

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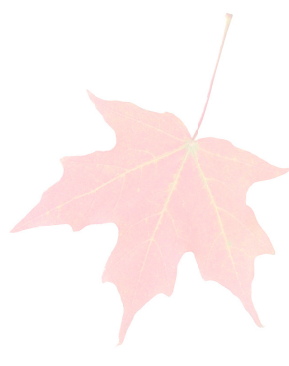
- Repeated and unreasonable behaviour directed towards an employee or group of employees that creates a risk to health
- “Unreasonable Behaviour” – means behaviour that a reasonable person having regard to all the circumstances would expect to victimise, humiliate, undermine or threaten
- “Behaviour” – includes actions of individuals or groups and may involve using a system of work, words actions as a means of victimising, humiliating, undermining or threatening



## What is harassment / bullying?

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- Abuse
- Threats
- Sarcasm
- Insults
- Ridicule, intimidating remarks or comments
- Isolation
- Taking credit for work without acknowledgement
- Unconstructive criticism
- Making competent people look incompetent
- Verbal or physical aggression
- Threatening or abusive phone calls or emails
- Spreading derogatory rumours
- Gossiping
- Setting unreasonable deadlines or excessive workloads
- Initiation rituals



## Sexual Harassment

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- Sexual harassment is a special type of harassment
- It is unwelcome conduct of a sexual nature that is likely to offend, humiliate or intimidate the person to whom it is directed
- It can be a single incident or a series of incidents



## Sexual Harassment

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- It can include –
- Unwelcome physical conduct – kissing, touching, patting or brushing up against a person
- Demand for sexual favours
- Offensive or demeaning comments, jokes, innuendo
- Sexual propositions or advances and requests for dates
- Offensive gestures
- Staring
- Displaying, sending, emailing or downloading offensive material
- Questions, remarks or insinuations about a person's sexual activities or private life



## Management of Stress Claims

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- A worker may lodge a complaint of harassment as well as a workcover claim
- Should there be two investigations undertaken?
- If this happens they should be coordinated so that they do not arrive at different conclusions
- Self insurers should be able to deal with both matters in a coordinated manner



## Discrimination in Claims Management

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- Workers may allege discrimination in the management of their workcover claims
- Such complaints may relate to both the claims officer and/or the employer during the life of a workcover claim
- These complaints are difficult to deal with as the worker does usually have a disability, which is generally the ground giving rise to the alleged discrimination



## Effective Management in Stress Claims

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- Good communication
- Coordination of claims with respect to factual and medical evidence
- Obtain a full circumstance report
- Obtain medical opinions
- Find the full employment details concerning the worker
- Coordination of investigations with any other claim that the worker may have on foot
- Make a determination having regard to all the evidence and circumstances including any other complaints/claims

