U.S. Workplace Bullying: Some Basic Considerations and Consultation Interventions

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Abstract

Bullying in the workplace is a world-wide phenomenon. There is a sizeable professional literature on workplace bullying is based largely on studies in European and other countries in comparison to studies involving U.S. corporations. Psychological consultants to U.S. corporations need to know and understand how certain considerations such as prevalence, legal reform and issues, and employers' response to bullying differs in the U.S. compared to other countries. A multi-methodological typology is introduced and evaluated for application in U.S. bullying consultations. A case study illustrates the integration of methodologies and predictors of successful interventions.

Historical Roots of Mobbing and Bullying

Research on adult bullying began in the 1980's with physician Heinz Leymann's (1990) work in Sweden. He chose the term "mobbing," a term adapted from the description of animal behavior in which a group of smaller animals in large numbers attack a single larger animal (Lorenz, 1991, cited in Leymann, 1996). Leymann defined mobbing as hostile and unethical communication at work directed in a systematic way by one or a few individuals towards one individual who is unable to defend him- or herself. Typically, this occurs at least once a week over a period of at least six months. The maltreatment results in considerable psychological, psychosomatic, and social misery. Mobbing connotes a "ganging up" and is congruent with the reported experiences of people tormented at work. Leymann was a clinician, a researcher, author of popular books, and the first public activist and uncompromising spokesperson for the movement he launched.

British journalist Andrea Adams (Adams & Crawford,1992) coined the phrase "workplace bullying" gave speeches, wrote the first popular book on the topic in the UK, and left a legacy of activism with the organization she founded. As a result of Adams' pioneering work, union engagement, and prolific academic research, the UK has remained a leader in public recognition of the phenomenon and related research (Hoel & Cooper, 2000; Rayner, Hoel & Cooper, 2002).

In the 1990's there was ongoing debate among proponents of the two terms, mobbing and workplace bullying. There has been an assimilation about defining criteria while synonyms persist: emotional abuse (Keashly, 1998), gener-

alized workplace abuse (Richman, Rospenda, & Nawyn, 1999), or workplace aggression (Neuman & Baron, 1998). Europeans refer to mobbing (as does the prominent Canadian academic Westhues (2008)). Otherwise, it is primarily bullying in Britain, Ireland, Australia, New Zealand, Canada and the US.

There is consensus among practitioners and academics that bullying is repeated and persistent non-physical mistreatment of a person. It is a sub-lethal form of workplace violence. It is unwanted, negative behavior unilaterally instigated by one or more perpetrators over a prolonged period of time, manifested as verbal and nonverbal behaviors or sabotaging tactics or a combination of all tactics which prevent the targeted person's from performing satisfactorily (Namie & Namie, 2004). Most important, the focused assault threatens the target's psychological integrity, safety and health. Unremitting exposure to bullying adversely affects the target's personal health as stress-related diseases jeopardize both physical and emotional well-being (Tehrani, 2004; Mikkelsen & Einarsen, 2002; Cortina, Magley, Williams & Langhout, 2001). Furthermore, bullying is costly to businesses as it disrupts productivity and incurs employee recruitment and retention costs (Keashly & Jagatic, 2003).

One study quantified the proportion of adverse employment actions experienced by targeted workers. Workers for whom bullying had stopped, gave the following reasons that caused it to stop: the target quit (40%), the target was terminated (24%), or the target transferred to another job with the same employer (13%) (Workplace Bullying Institute, 2007). When targeted people must resolve the bullying situation by losing their livelihood or giving up a beloved position, the result is a strong perception of injustice.

U.S. Prevalence Studies

A representative statewide sample of Michigan residents (Keashly & Jagatic, 2000) reported how bothersome a general experience of mistreatment at work had been for them in the last 12 months. Sixteen percent stated it was very bothersome. The subgroup of individuals who claimed to have been severely mistreated number

slightly over 110 respondents. The estimate of 1 in 6 workers bullied, an extrapolation from Michigan to the national population, was disseminated by the popular press as the national prevalence statistic until 2007.

Surveys reliant upon worker perceptions are meaningful because there is substantial overlap between measures based on respondent perceptions and those based on researchers' operationalization of bullying. Self-labeling asks respondents to identify with a global definition of bullying. In the majority of cases those who self-label as bullied are also operationally classified as bullied (Lutgen-Sandvik, Tracy, & Alberts, 2007; Notelaers, Einarsen, Hans, & Vermunt, 2006; Salin, 2001). The most frequently used instrument to operationally define bullying by social scientists is the Negative Acts Questionnaire (Einarsen & Hoel, 2001). The NAQ is a 22-item self-report checklist of items measuring exposure to negative antisocial behaviors. For example, items include, "Given tasks with unreasonable/impossible targets/deadlines," "Humiliated or ridiculed in connection with your work," but do not ask the respondent if she or he feels bullied. Studies differ in whether at least one or two negative acts weekly are required for designation as bullying (Lutgen-Sandvik, et al. 2007). Acts must persist at least six months.

Prevalence comparisons between respondent self-report and researcher-defined bullying show that the latter tends to overestimate, while self-labeling tends to underestimate (Notelaers, et al. 2006). But there is much commonality. In a Swedish study, all who self-labeled were also classified as being bullied using a scale (Salin, 2001). In a US study nearly everyone who self-labeled were also identified operationally as bullied (Lutgen-Sandvik, et al. 2007). In that same study, researchers determined that based on NAQ responses, 28% of the 403-person sample had been bullied within 6 months of the online survey, whereas only 9.4% of respondents themselves believed they had been bullied by showing some agreement with the statement that they were subjected persistently over time to negative actions. The 28% estimate is useful to compare to the Michigan finding of 16% though the on-

line study used a convenience, not representative, sample.

A study related to bullying (Schat, Frone, & Kelloway, 2006) produced a large sample (N = 2,508 telephone interviews collected over an 18-month period) exploration of aspects of aggressive work behavior. Keen attention was paid to sampling methodology. The researchers were clearly most knowledgeable about traditional workplace violence issues. However, in this self-described national study, they operationalized "psychological workplace aggression" in a way inconsistent with more than a decade of international precedents some of which were discussed above. The 13% weekly prevalence rate indicated how frequently respondents had been threatened with a weapon or being physically hit (battery, not bullying) or having something bad said about you, being publicly insulted, or having obscenities shouted at them. When the timeframe expanded to the prior 12 months during which at least one act happened, the prevalence increased to 41%, equivalent at the time to 47 million US workers. Approximately 59% of respondents never experienced psychological aggression, thus the sample upon which descriptions of bullying were based was effectively reduced to less than 1,100 interviewees. Though the measures of psychological aggression were unconventional and very limited, the prevalence statistics nearly parallel those found in the next representative study described.

A study to determine prevalence (and 19 other aspects) of workplace bullying on a national scale with a larger sample was undertaken by the Workplace Bullying Institute in partnership with Zogby International, a national polling and public opinion research center (WBI, 2007). The population from which the study's sample was drawn included over 350,000 participants from every state in the United States. Respondents were people who had agreed to participate in online surveys. Zogby drew a random sample from this panel that were then invited to participate in an online survey and asked to follow a link to a secure server hosting the survey. Results were weighted to reflect the target population, in this case adult Americans nationwide. The online survey ran for three days in August 2007; comple-

tion of the principal 20 questions plus additional demographic variables took respondents approximately 13 minutes.

The sample drawn was 7,740 adults; respondents were screened for age and only adults were included. The sample demographics closely reflected the then current US census data (http://www.census.gov/main/www/access.html); the pollster claimed that the sample represented all adult Americans. The margin of error was +/- 1.1 percentage points. Margins of error were slightly higher in sub-groups, so slight weights were added to more accurately reflect the US working population.

After screening for age, two other screens were used. The first was employment; those employed full or part-time, currently unemployed, or retired were allowed to continue. No other information about work history was gathered. This screen eliminated self-employed (-855), student not working (-293), and other/not sure (-329) categories resulting in 6,263 respondents completing the first part of the survey.

The second screen was for respondents, who had experienced or witnessed bullying, which was defined as follows:
"At work, have you experienced or witnessed any or all of the following types of
repeated mistreatment: sabotage by others that prevented work from getting done, verbal abuse, threatening conduct, intimidation, humiliation?"
The categories of bullying, without referring explicitly to "bullying," matched closely the delineation into verbal abuse and behavioral acts (which would include nonverbal passive and active acts like hostile glaring) and work interference adopted by several of the researchers cited in the previous sections. Global definitions like this one are also incorporated in most of the anti-mobbing/bullying laws.

The survey ended for those who had neither witnessed nor experienced bullying. The second screen left 3,461 respondents who completed the remainder of the survey questions about bullying and its dimensions.

The prevalence findings (WBI, 2007) were reported as 12.6% of respondents being bullied currently or within the prior 12 months; 24% had

been bullied but were not currently bullied; a mutually exclusive 12% of the sample witnessed but never experienced the mistreatment; and 45% reported never being targeted and never having witnessed it. When the survey was conducted, the aggregate (now + ever bullied) 37% of workers represented 54 million Americans.

Additional findings from the WBI-Zogby survey: most (72%) perpetrators were bosses; most (55%) targeted individuals were non-supervisory workers; although 35% of those bullied were managers. Additionally, perpetrators enjoyed support primarily from higher-ranking managers (43% have executive sponsors), peer managers (33%) and human resources (14%) (WBI, 2007).

Based on the studies reviewed, the conservative estimate of US workplace bullying is approximately 13% at any given time. The rate at least doubles when the time period spans a lifetime of work.

The United Nations International Labour Organization warned that "violence at work, ranging from bullying and mobbing, to threats by psychologically unstable co-workers, sexual harassment and homicide, (was) increasing worldwide and (had) reached epidemic levels" in the 15 EU countries surveyed (ILO, 2006).

Legal Reforms in Response to the Bullying Movement

A small scientific 1984 report by the Swedish National Board of Occupational Safety and Health triggered the public dialogue in the country where Leymann had established his clinic for individuals traumatized by the workplace (Groeblinghoff & Becker, 1996). The world's first anti-mobbing law enacted in 1993 (effective in 1994) -- a Swedish workplace healthy and safety ordinance – ostensibly gave workers protections against "Victimisation at Work" without using "mobbing" in the text. Worker health was paramount. The ordinance fixed responsibility squarely on employers who were to create policies to prevent abuse, train managers to better understand the psychosocial work environment, and to provide help and support to victimized workers and co-workers. Unfortunately, a recent evaluation of the law's efficacy revealed that mobbing increased since enactment and that employers responded in the intervening years with indifference (Hoel & Einarsen, 2009). Only one of out of nine businesses adopted any measures against bullying. The authors partly attribute this to the absence of a mandatory intervention methodology dictated by legislation.

In Britain, the explicit anti-bullying Dignity At Work Act has been repeatedly introduced in the British Parliament but has yet to pass. However, employers were shown the power of the existing Protection From Harassment Act, originally designed as an anti-stalker law. In 2006, Deutsche Bank worker Helen Green won a $1.5 million court award. She had suffered a "relentless campaign of mean and spiteful behaviour designed to cause her distress" at the hands of co-workers for four years causing disabling depression (Gerard, 2006).

After public awareness-raising, legislation was enacted in Ireland (Expert Advisory Group on Workplace Bullying, 2005), in several Australian states, several European countries (Namie & Namie, 2009) and Canada.

Quebec (2004) provincial Labour Standards refer to repetitive "vexatious behaviour" that constitutes actionable "psychological harassment." In Saskatchewan (2007), the revised Health and Safety Act prohibits conduct defined as harassment that "adversely affects the worker's psychological or physical well-being and that the person knows or ought reasonably to know would cause a worker to be humiliated or intimidated."

The Canada Labour Code (2008) protects federal government employees against workplace violence, explicitly expanded to include workplace bullying. In the Code, "work place violence" constitutes any action, conduct, threat or gesture of a person towards an employee in their work place that can reasonably be expected to cause harm, injury or illness to that employee. It is the employer's responsibility to assess the pre-event risk, respond swiftly to restore safety for the bullied person, and develop procedures to prevent and correct future incidents. All three Canadian laws describe remedial procedures and employer responsibilities more clearly than earlier laws.

US employment law, compared to extant international statutes, provides little protection for workers from bullying according to Suffolk University Law professor David Yamada (2003). He reviewed the failure of tort protections in several intentional infliction of emotional distress (IIED) cases (Yamada, 2000). For a plaintiff to claim IIED, the perpetrator's conduct must be intentional or reckless; the conduct must be outrageous (offensive beyond societal standards of decency and morality); there must be a causal connection between the wrongdoer's conduct and the resultant emotional distress; and the emotional distress must be severe. To the non-legal observer, the criteria are met in severe cases of workplace bullying. Yamada found that courts rarely deem perpetrators' workplace misconduct sufficiently outrageous most often siding with employer defendants.

Courts are more likely to accept an IIED claim when the mistreatment is coupled with severe discriminatory harassment (Yamada, 2007). Discrimination, including well-known varieties of racial disparate treatment and sexual harassment, are illegal in America. The target-victim must be a member of a protected-status group (based on gender, race, age, religion, ethnicity, disability, etc.). Discrimination is status-based.

However, same-race and same-gender harassment, or bullying, is rarely illegal when the harasser and target are both protected-status group members. Harassment refers to illegal mistreatment. Bullying is "status-blind" harassment when civil rights laws do not apply. The prevalence ratio of bullying to illegal harassment and discrimination is 4:1 (WBI, 2007).

Illegal harassment is a negative experience, but it generates less anxiety, anger and hostility than does bullying (Richman, et al.1999). Our anecdotal experience confirms that a bullied worker feels that her or his complaint is less legitimate when told that no anti-discrimination law or employer policy was breached. Workers are expected to tolerate psychological violence, as long as it remains non-physical and sub-lethal bullying. It is legal in the US workplace.

Cortina (2008) posits that because of stigma attached to illegal discrimination, general mistreatment, bullying, may be an evolved state, the next version, of discrimination. To her, incivility masks blatant socially undesirable racism. Legality makes it easier for employers to ignore.

In response to the shortcomings of US law, Yamada (2004) wrote legislation – the Healthy Workplace Bill (HWB) -- enabling states to address workplace bullying separate from civil rights statutes and the IIED tort.

The HWB contains the following: (a) a precise definition of an "abusive work environment," a high standard for misconduct, (b) requirement of proof of health harm by licensed health or mental health professionals, (c) affirmative defenses against vicarious liability for conscientious employers when they create internal correction and prevention procedures, (d) preservation of employer rights to terminate or sanction offenders, unethical employees or workers who commit crimes, and (e) a mandate that plaintiffs must use private attorneys with no government enforcement involvement.

Since 2003, 183 legislators have sponsored 55 versions of the HWB in 16 different states. In 2009, 12 states carried some version of the bill. It has not yet become law in any state (Namie & Namie, 2009).

Employer Responses to Workplace Bullying

Employers determine the size and composition of the workforce, the workplace culture and every aspect of the work environment. The responsibility for the correction and prevention of bullying lies with the top management because they shape the culture of the organization through decisions made (Liefooghe & Davey, 2001). Empirical studies established an association between leadership, or its absence, and workplace bullying. For example, Leymann (1996) and Einarsen et al. (1994) found that bullying among colleagues was often associated with 'weak' or 'inadequate' leadership by the most senior managers. Similarly, Hoel and Cooper (2000) showed that bullying was associated with high scores on a laissez faire style of leadership. A lack of organizational coherence (integrated, functioning production procedures), only token accountability (few consequences for wrongdoing), low se-

curity (apprehension about layoffs) all combine to foster a chaotic workplace climate that gives opportunistic abusers of authority the chance to harm others (Hodson, Roscigno, & Lopez, 2006). Conversely, Cortina et al. (2001) found that in a workplace climate in which fair, respectful treatment prevailed, bullying was rare.

Because of employers' costs associated with bullying -- productivity loss, costs regarding interventions by third parties, turnover, increased sick-leave, workers compensation and disability insurance claims and legal liability – employers should logically be motivated to stop bullying (Hoel & Einarsen, 2009). One healthcare industry project that improved employee perceptions of trust and fair treatment was estimated to potential save $1.2 million annually for a single organization (Keashly & Neuman, 2004). So, the "business case" can be made for bullying. It follows that a rational employer response to learning that bullying occurs on site might be to stop the bullying and save money.

To the contrary, one US study found that American employer inertia was the most common response to reported abuse (WBI, 2007). Overall, 1,523 respondents responding to the question said, in order of frequency, that organizational authorities did nothing (43.6%), completely or partially resolved bullying in a way that helped the target (31.9%), and worsened the situation for targets, abuse exacerbation (18.4%).

Employer response categories in the 2007 WBI study were too broad to offer prescriptive direction to the development of an anti-bullying intervention. In a subsequent survey, a question was posed to online survey respondents (N=400) asking specifically what employers did after bullying was reported to them with seven detailed response alternatives (Namie, 2008). The results, based on bullied workers' self-report data, were that employers predominantly did nothing to stop the mistreatment when reported (53%) and actually retaliated against the person who dared to report it in 71% of cases. In 40% of cases, targets considered the employer's investigation to be inadequate or unfair with less than 2% of investigations described as fair and safe for the bullied person. Filing complaints led to retaliation by employers of bullied targets leading to lost jobs (24%). Alleged offenders were punished in only 6.2% of cases. These findings suggest creating a different process to investigate allegations of bullying policy violations that will be perceived by employees as more credible and fair. Additionally, negative consequences for perpetrators who are confirmed policy violators should be implemented.

US employers' perceptions about the prevalence of bullying within their own organizations were assessed by a NIOSH research team (Grubb, Roberts, Grosch, & Brightwell, 2004). A pair of nationally-representative federal government surveys of non-institutionalized US residents age 18 and older (the General Social Survey-GSS) and a second representative sample of US organizations in which the unit of analysis is the workplace (the National Organizations Survey III – NOS III) provided the study data as administered by the National Opinion Research Center (NORC). Some GSS respondents were asked to name their employers. Then, a single contact person was identified as the representative for each of 516 organizations, typically human resources professionals or company owners.

The employer representatives were asked about a variety of organizational factors. Most relevant was their response to the question:

"How often in the past year has bullying occurred at your establishment, including repeated intimidation, slandering, social isolation, or humiliation by one or more persons against another?"

The majority of employers (75.5%) said bullying never happened at their site. Only 1.6% said it happened frequently. The second most frequent response was that it was rare (17.4%) with 5.5% acknowledging that bullying happened sometimes. Employees were seen as the most frequent aggressor (in 39.2% of cases) as well as being the most frequent victim (55.2%). Two assessed measures of workplace climate were associated with increased levels of bullying – lack of job security and lack of trust in management (Grubb et al. 2004).

US employers are currently experimenting with ways to address workplace bullying. Based

on our consulting experiences, some are willing to introduce the topic to their workforce. However, fewer are willing to commit to a systemic solution. In order to reduce bullying, employers, with their consultant's help, need to address issues that potentially enable bullying and try to "disenable bullying" by increasing the perceived costs for the perpetrator (Salin, 2003).

Perceptions of bullying at the workplace rather than researcher-generated models are typically the incentives for organizational action (Lutgen-Sandvik et al. 2007). Organizational authorities most often directly deal with perceived bullying, rather than abstract constructs or first-hand observations. When workers report their perceptions of abuse, and if managers investigate, they do so in order to confirm or counter initial perceptions. When enough people share the same perception about the work environment's toxicity, organizations may finally feel compelled to create formal anti-bullying policies and procedures.

In fairness to American employers, denial that bullying exists, or warrants attention, within their organizations is not problematic, however uncaring or unethical it may appear. There is no current legal mandate to stop bullying. In other countries, laws do exist. Do employers respond differently there?

Salin (2006) investigated what organizations actually did in order to prevent bullying and intervene in situations in Finland where anti-bullying legislation had been in force for three years prior to the study. Originally, both public and private organizations were contacted; however, none of the private organizations were willing to take part in her study. Similar to the NIOSH-NORC-GSS study, the unit of analysis was the organization. A single contact person to serve as online survey respondent was identified in each of 204 Finnish municipalities. In most cases (79%), the individual was either the head of administration or personnel manager. Employees were not polled.

Only 55% of the public organizations had policies written, and the majority of those had been written since passage of the law. More organizations (66%) gave employees general information about workplace bullying; 34% conducted internal bullying surveys to assess prevalence.

Formal training for managers was given by 28% of the municipalities, but only 25% had a method for recording and tracking the instances of bullying cases (Salin, 2006).

The Finnish municipal organizations also relied primarily (in 79% of cases) on informal discussions with both parties (a consulting strategy called moderation/mediation in a later section of this paper). According to Salin, training or counseling was offered to more perpetrators than targets. Formal solutions were done in larger organizations. Targets and perpetrators transferred positions to mitigate the bullying in less than one-quarter of cases. Punishment for perpetrators was very rare – employment contract not renewed (4%), not promoted (2%), dismissed (3%) and allowed to voluntarily resign (6%). Targets left in 7% of cases. The employer did nothing in 12% of cases.

The two surveys of employers – US (Grubb et al., 2004) and Finland –relied on a single individual to represent the experiences within organizations. It is possible that high-level representatives were unaware of anti-bullying programs within their organizations, leading to an under-reporting of actions taken. It is also possible that the representatives claimed that a program was operational when, in fact, employees did not know it existed or that it was accomplishing its intended goals.

Recall that in Sweden, the country with the regulatory ordinance in effect for 15 years, only one of out of nine businesses had voluntarily implemented policies and procedures against bullying (Hoel & Einarsen, 2009). The lack of employer initiative in the Scandinavian anti-bullying pioneering nations suggests modest expectations about American employers' attitudes toward bullying, even if laws are passed.

An Intervention Taxonomy

An innovative researcher interviewed a sample of German consultants who specialize in workplace bullying prevention and correction (Saam, 2009). The three strategic practices were moderation/mediation, coaching, and organization development (OD).

Interviewed consultants reported the use of moderation/mediation only when conflict does not escalate to a level for which only a power intervention is appropriate. Moderation is a clarification process to allow the parties to move beyond misunderstandings or misperceptions. Mediation refers to the traditional conflict resolution process.

The second consulting strategy is coaching. Coaching necessarily develops solutions on a case-by-case basis. Coaching is support – tactical, emotional, career development, personalized skills education and rehearsal.

The organization development (OD) approach is the third intervention strategy. Culture change is its primary goal (Saam, 2009). The source of the bullying problems can be found in attributes of the organization – the reporting relationships, layers in the hierarchy, transparency of decision-making processes, timeliness in responding to employee concerns, personal accountability for destructive interpersonal conduct, equitable processes that match rewards to performance, trust, reciprocated loyalty, clarity of roles, incorporation of collaborative processes, and performance expectations. An OD strategy sets new standards for doing things differently and altering performance-consequence contingencies. The OD consultant defines problems as systemic. Solutions must necessarily affect all people at all levels of the organization.

The preferred tool of the OD bullying consultant is the proscription of bullying behavior via a new policy and accompanying set of enforcement procedures (Saam, 2009). The OD approach can be characterized as an impersonal solution to an otherwise vexing, emotional, irrational bullying crisis unlike the moderation/mediation and coaching approaches.

Based on her clinical practice with severe cases of bullying, Ferris (2004) contends similarly that helpful, responsive organizations do not see bullying as a merely personality issue to be solved by the parties in conflict or through mediation. Instead, bullying is seen as an organizational problem that needs to be addressed through coaching for the bully, counseling, performance management, and policies that clearly define unacceptable conduct.

Saam (2009) introduced a multilevel approach to bullying consulting – an interaction between consulting strategy and organizational level for the strategy's implementation. Ideally, there would be a series of coordinated interventions at the individual, dyadic, group, and organizational levels for optimal effectiveness.

Help for individuals that falls outside the scope of consulting services (and therefore not part of Saam's taxonomy) is individual psychotherapy or group therapy provided by a licensed mental health professional. In some cases, the coach is a therapist. Therapy can help restore emotional health for bullied targets and affected co-workers. Non-clinical consultants can complement the psychotherapeutic work by working with targets and witnesses to rekindle a sense of safety and trust in the organization. Targets and witnesses reported that nearly half (44%) of bullying episodes lasted longer than one year (WBI, 2007). This type of coaching involves debriefing traumatized bullied targets and affected witnesses in private sessions to learn what each person feels they lost during the bullying period. Early recognition skills and group confrontation methods can be taught. If the client wants group sessions for the team, for time or cost efficiency reasons, the consultant should provide a licensed counselor proficient at trauma group facilitation.

Applying the Strategies

The origin of bullying is most likely the interaction between impersonal environment factors, which includes the consequences for past bullying (typically reinforcement like promotions and job security that employees perceive) and the personalities of the individuals who are parties in the dispute (Neuman & Baron, 1998). However the causal attribution explanation agreed upon by client and consultant will guide the application of intervention strategies. Sustainable organizational change is not achievable when the solution is narrowly focused on an individual. That solution assumes that employers can alter employees' personalities rather than modify their behavior.

Most workplace bullying consulting engagements begin with a request to tame a disruptive

intimidator who has wreaked havoc for several employees. As per the Keashly and Nowell (2003) stage model for de-escalation of conflict, immediate peacekeeping is required when conflict levels are high and destructive between two individuals or within a work team. Targets can be made safe by separation from her or his assailant(s). However, the consultant should guarantee that the separation not is punitive – no lost pay, lost status, or humiliation from forced isolation – for the target. If both parties consent, the moderation/mediation process may be resumed with arbitration.

If civility cannot be restored, conflict resolution tools should be abandoned. Therefore, the temptation for organizational authorities to instruct the bully and target to "work it out between yourselves" is a mistake (Ferris, 2004).

Moderation/mediation strategies were recommended by the interviewed consultants in Saam's (2009) study only for minor conflicts and never for severe bullying. Mediation has several shortcomings for bullying mitigation (Saam, 2009). Traditional conflict mediation ignores the targeted worker's need for justice and acknowledgement of the harm. Mediation focuses only current and future circumstances, ignoring the past. Mediation is a private and secret process. Pattern and practice of hostile actions by perpetrators are overlooked when complying with confidentiality requirements. If there is a power imbalance between target and bully, as there often is, mediation can harm the target (Keashly & Nowell, 2003). Ferris (2004) a counselor who treats victims of severe bullying, also advises against mediation because mediators often show a lack of understanding of the difference between bullying and conflict, causing an injury requiring psychotherapy to reverse.

It is also a moderation/mediation approach when the client creates an ombudsperson-like, confidential, safe harbor service for employees. The validating power of "just being heard" mitigates the target's stress resulting from the loss of power and control over one's work world. Not all bullied individuals need, or want, to file a formal complaint. Lutgen-Sandvik et al. (2007) found that targets do not always consider themselves bullied even when criteria to meet the operational definition of being bullied (the NAQ) are met. Therefore, if there is ambiguity about experiences at the beginning of the bullying incidents, the target needs to engage in sensemaking to have an explanation for his or her negative arousal state (Lutgen-Sandvik, 2008).

Trained peer experts can also serve as moderator/mediator. The expert can serve as the third person to support the bullied target when attempting to personally confront the bully. The presence of a third person who is not a member of the affected work group denies the bully the desired cloak of secrecy. This type of informal activity changes the culture at the dyadic and group levels. It's a bottom-up peacemaking-change process. At the same time, a great deal of the interaction between target and resource peer is essentially coaching.

Executive coaching can take one of three forms. First, executives may require help confronting disruptive colleagues. The skill can be taught by the consultant and tailored to deal with particular individuals. It is often hard to believe the reports of abuse, especially if committed by a similarly high-level executive. Personal barriers, early-life experiences, and family parallels with workplace dynamics or dysfunction are discussed. If the individual requires therapeutic help, it is recommended.

Second, coaching is the opportunity to teach the executive about the adverse organizational impact of bullying. The executive can be mindful of the heretofore overlooked factors and learn how to control them for the organization's benefit. It is empowering for the executive to regain control of troublesome people and out-of-control situations.

A third type of coaching for executives is for the consultant to prepare the organizational leader for the future systemic anti-bullying initiative. The goal is to reduce the executive's apprehensions – about the process, about fear of confronting the bully, about needing to trust the new system about to be implemented, about fighting the urge to intervene, and about prioritizing the organization's needs and the well-being of hundreds or thousands of workers.

Coaching perpetrators is most effective after a new policy-driven behavioral standard is in

place. However, some clients request bully coaching as a pre-intervention and separate service. The risk to the consultant of out-of-sequence coaching is that the executive may believe the problem is solved since one of the few "bad seeds" was dealt with. When bully coaching precedes policy creation, the bully perceives the special treatment as punitive. When coaching comes after the policy is in effect, the individual knows that the same rules apply to everyone else. It is a non-discriminatory process and somewhat easier for the consultant as well as the alleged policy violator.

In our experience, the most effective coaching of perpetrators employs a pair of consultants. The ideal pairing is a clinical or testing psychologist (or trained mental health professional) complemented by an organizational expert, reflecting the dualistic goals of personal discovery and compliance with new organizational norms. If personality disturbances underlie the problem behavior, only a licensed mental health professional – counselor, psychologist, or psychiatrist -- should deal with the bully at an off-site location.

The goal of bully coaching is to clarify expectations for behavioral changes that can start immediately. Most of the time spent with bullies is dedicated to restructuring their workplace reality. With the CEO's explicit authorization, offenders hear for the first time that the organization's needs take precedence over their personal agendas. At the end of the session, they sign contracts committing to specific observable behavioral changes under threat of termination if they refuse or if they return to former negative patterns. If skill deficiencies are identified, time is spent providing the required tutorial with time to practice new skills.

Workplace bullying consulting differs from most other forms of business consulting because it rarely begins with an assessment of the problem. As described above, in our experience, interpersonal crises drive the call to the consultant. In crisis-driven engagements with clients tell us there is no time conduct pre-intervention assessments. Recall the NIOSH-NORC statistic that only 1.6% of American employers believed that bullying was frequent in their organizations (Grubb et al.

2004) while 37% of the workforce reported that they have been bullied in those same workplaces (WBI, 2007). For many reasons, the scope of internal bullying problems remains undetected.

When the client is open to a comprehensive systemic intervention, policy and procedures are written (OD-level tools) while simultaneously coaching the offending bully (coaching tools) or attempting to smooth the relationship between a particularly abusive bully and his target (both moderation/mediation tools and coaching tools).

Before describing features of bullying policies and procedures, the reader is alerted to errors made by mental health practitioners who are not well versed in workplace bullying. The errors mirror the consultant and client over-reliance on individualistic, personality-based explanatory models for workplace behavior described above. Clinicians have to mindfully avoid committing the fundamental attribution error to avoid blaming targets for their fate (Ferris, 2004). Bullied targets are often misdiagnosed as manifesting borderline personality disorder. PTSD is a frequently overlooked diagnosis of an injury caused by extreme situational stressors (Tehrani, 2004). Traumatizing, severe workplace bullying is analogous to domestic violence (Janoff-Bulman, 2002). The interpersonal dynamics between abuser and the abused are similar to bully and target, complete with intermittent periods of abuse, dehumanizing domination, secrecy, and shame.

Co-workers who witness bullying similarly are afraid to confront the abuser. Results from an online study (Namie, 2008) with a convenience sample of self-identified bullied individuals (N = 400) found that co-workers were nearly as unhelpful as employers. In 46% of bullying cases, co-workers abandoned their bullied colleagues, to the extent that 15% aggressed against the target along with the bully. Co-workers did nothing in 16% of cases. In less than 1% of cases, co-workers rallied to the defense of an attacked target and confronted the bully as a group.

As previously stated, in a comprehensive system to correct and prevent workplace bullying, both moderation/mediation (at dyadic and group levels) and coaching tools fit comfortably in the framework created by a new policy with

enforcement procedures (an OD strategy).

After securing executive or board approval, the client identifies participants for a policy-writing group. The composition of the group should represent the different functional units of the organization and key support functions – HR, legal, risk management, executive team, and unions. The group should have the authority to create an internal regulation and to preserve its integrity as it passes through approval steps enroute to adoption. The anti-bullying policy that the group may be a stand-alone code or be integrated with existing violence or harassment or safety policies.

Typical Policy Features

• statement of organizational opposition to bullying

• rationale for the new policy

• name for the phenomenon, expressed as either positive conduct desired or the prohibition of negative conduct (In the US only school district clients of the authors have used "Workplace Bullying." Other clients preferred more euphemistic terms such as Respect, Negative Conduct, Workplace Mistreatment, or Civil Conduct. Consultants facilitate the process. Client writing groups collaboratively make all decisions regarding the policy and procedures including terms with which the organization must be comfortable. Soft names are appropriate if the definition is precise.)

• clear definition of bullying

• illustrative set of examples of unacceptable conduct (Legal professionals Matthiason & Savage (2008) argued for inclusion of minor infractions so that the policy warns employees and managers of their misconduct before it escalates It helps build a culture supporting a work environment without abusive individuals.)

• guaranteed managers' rights as long as not abusively exercised

• anti-retaliation clause

Typical Enforcement Procedures

• informal, non-complaint information resources via client's intranet sites

• formal complaint processes (documentation requirements, criteria for a violation, responsibility for recording and storing complaints, timeframe for starting an investigation and for reaching a determination and for notification of parties, investigation techniques, composition of the investigation team)

• confidentiality assurances, consequences for breaches

• consequences for retaliation

• dissemination of the decision (who, what, when)

• innovative remedies/punishment – commensurate with frequency, severity & historical patterns

• restoral of rights and health for targeted worker

• support for team that witnessed incidents
Post-implementation Activities

• design and administer bullying-related indices prior to policy implementation and at periodic intervals thereafter to gauge efficacy of the intervention

• designate, and prepare, internal educators to train peers and managers

• Board and executive team training

• training for investigators

• production of program materials (video presentation, posters, brochures, reminder cards)

• plan to integrate the policy principles into performance appraisal/evaluation system

• new employee orientation briefing module

• plan to revisit, revise, and sustain policy and procedures

Illustrative Case Study

The client was a well-known non-profit organization with chapters throughout the world. The particular Los Angeles affiliate had approximately 1,500 employees.

The corporate training director (a position within the HR department) initiated contact. Subsequent contact with the CEO led to the proposal. The presenting problem was a single vice president whose misconduct had caused considerable concern over the last four years.

The options were to provide an intervention for the vice president (bully coaching) or to do something to both correct that particular man's misconduct and to prevent bullying by others in the future (the OD strategy). There were more troublesome managers looming. The CEO elected the systemic OD approach, supplemented by coaching for designated individuals prior to policy creation and some peacemaking (moderation/mediation) within one executive team after policy writing.

The organization's mission of developing humans to their fullest potential converged seamlessly with the commitment to make the workplace safe from abusive managers and co-workers. To effect the mission, the organization had invested heavily beforehand in the creation and dissemination of a set of core operating principles.

The chosen rationale for the intervention was operationalization of the core principle – Respect -- rather than correction of the disruptive vice president's misconduct. In fact, that individual would not subject himself to accountability under a future policy. He quit before a policy was written.

The CEO's professional training as a social worker allowed him to understood clearly that several employees had endured severe stress from working with abrasive, abusive individuals. He wanted it to stop.

The CEO assembled the policy-writing group representing the diverse functions of the organization – manufacturing, retail, and education. The CEO participated himself in the two-day session along with a Board of Trustees member, the HR director, three department directors, the training director, and two non-supervisory workers. There were no worker unions. The new policy was stand-alone and named "Abusive Misconduct/Mistreatment."

The CEO sought to make his workplace more "democratic" by ceding control of the complaint investigation process to an internal group of peer fact finders. Further, he emphasized the responsibility of all managers to detect and correct bullying by labeling insubordinate any manager who failed to implement corrective steps to provide relief for the bullied employee after a policy violation was confirmed. Insubordination was punishable by termination.

The group wrote an elaborate set of enforcement procedures. There was a formal complaint process, decision implementation timetables, and two levels of appeals. The group also devised an information and service staffed by peers to help bullied workers prior to, or independent of, a formal complaint.

After the policy was written and before it took effect, the consultants interviewed members of the top three levels of executives and managers. This was a qualitative climate assessment. The process identified several intimidating individuals in addition to the original problem vice president.

Next came training of peer fact-finders. Most were HR staff with experience in conducting harassment and discrimination investigations. They received an in-depth exposure to the dynamics of workplace bullying and how the behaviors of the various actors interfere with objective fact finding. Three individuals from within this group volunteered to serve as employee advocates for the new peer information and support service.

Consultants trained the training director and other designated internal educators to deliver presentations about the new policy and procedures using consultants' materials customized for the client.

The CEO kicked off the anti-bullying initiative. His rationale for, and introduction to, the project was videotaped for use in all presentations to employees in the field. The consultants then presented to all managers assembled at headquarters. An ambitious field-training schedule was implemented in two weeks by the internal trainers. Peer advocates accompanied trainers and introduced themselves at each site. Posters and brochures were printed and distributed.

As with all interventions, there were unforeseen obstacles. The HR director resisted implementation though she had been part of the policy-writing and fact-finder groups. It has been reported to the consultants that her successor, a lawyer by training, appreciates the power of the policy to prevent lawsuits. A high-ranking executive surfaced as a bully and temporarily wrested control of the program's enforcement away from the peer group. When he was accused of violating the policy himself, he wrote a long letter to staff apologizing for their "misunderstanding" of his management style. A few months later, he exploded angrily. The CEO dismissed him without invoking the policy.

The policy remains in effect five years later. Its value is as a deterrent for individuals considering the consequences of bullying an employee. Enforcement was designed to be bothersome to accused bullies so that only the most chronic or pathological would dare offend repeatedly. With multiple confirmed offenses, termination is the punishment.

The client supplemented the policy, procedures and education program with an additional service. For employees who believe they are being bullied (after consulting with a peer advocate), confirmed policy violators, and complainants whose allegation was confirmed by investigation, the employer offers employer-paid counseling with a local mental health professional familiar with the provisions of the anti-bullying policy. The CEO has told his corporation's story in both business print and broadcast media.

Future Directions

The case study described above was deemed a success for two reasons. It satisfied the client's immediate and long-term needs. The consultants were satisfied that a US employer addressed bullying. However, satisfaction alone is a modest achievement. A demonstration of intervention efficacy would be an informative next step.

The authors have designed a program for a pubic school district that includes pre- and post-intervention measures as part of the comprehensive program described in the above section. It is the first intervention of its kind in US schools. Impact on bullying will be assessed and publicly disseminated when data are available.

In the US only a few bold early-adopting organizations have directly addressed workplace bullying. For popular organizational issues, to which no stigma is linked, there are highly developed consulting models – assessment, multilevel intervention (moderation/mediation, coaching, and OD approaches, see Saam (2009)), post-intervention assessment, and long-term impact monitoring. In those mature market segments, consultants have the luxury of being practitioner-researchers.

European bullying consultants have more than a decade lead over their US counterparts (Keashly & Jagatic, 2003). Academic research began in the late 1980's (Leymann, 1990). Laws were enacted in response. Employers began to notice bullying, though they seem to have not readily embraced comprehensive anti-bullying programs for the workplace (Salin, 2006; Hoel & Einarsen, 2009). One can infer that Germany has a more developed bullying consulting industry than the US because 18 consultants, selected from only three geographic regions, were interviewed for an article to classify the range of approaches used for employer interventions (Saam, 2009). However, a literature search for a true assessment of anti-bullying intervention efficacy produced only two foreign-language articles. Even in Europe, assessment of the impact of anti-bullying laws (Hoel & Einarsen, 2009) and of anti-bullying employer programs is a nascent field.

Somewhat relevant to workplace bullying is an American intervention project that demonstrates an ongoing action research process begun in 1999 (Keashly & Neuman, 2004). The large government client organization created action

teams in 11 sites comprised of union members and managers. Consultants trained teams to conduct internal assessments to create and implement evidence-based work process changes themselves. In addition, the consultants developed a new organization aggression survey instrument to capture prevalence of both illegal discriminatory misconduct (recall the prior discussion of "status-based" harassment) and workers compensation claim-based misconduct (some inclusion of bullying measures along with physical battery, rape, and assault with a weapon). Post-intervention efficacy results showed fewer discrimination and workers compensation claim filings. The intervention also changed the nature and the character of conversations within the organization, created an atmosphere of trust, security, and high-quality interpersonal interaction, and engaged the participants in a continuous cycle of action and reflection.

The Keashly and Neuman (2004) intervention was dubbed a "workplace stress and aggression" project. Bullying, as a form of aggression, was indirectly addressed. It was clearly not a workplace bullying intervention either as its primary goal or by its name. In fact, one of the consultants (Keashly in Dingfelder, 2006) believed that a team of outside experts can not tell an employer how to reduce bullying. Kelloway, also dubious about workplace bullying specialization, stated "The way you limit [bullying] behavior is not by developing an exhaustive list of things you can't do, but by taking a more positive approach, saying 'This is the way we treat other people here.'" (Kelloway in Dingfelder, 2006).

Many US employers have a mission statement or code of conduct stating that every employee is to be respected and treated with dignity. However, US prevalence studies demonstrate that bullying is quite frequent (WBI, 2007; Keashly & Jagatic, 2000; Schat et al. 2006) despite the lofty pronouncements. Consulting interventions with a positivist orientation have not prevented bullying. Anti-harassment interventions (focused on the narrow legal definition of harassment) have not prevented bullying. Anti-violence interventions too often omit references to non-physical, sub-lethal situations and do not prevent bullying.

Specialists in these areas have not chosen to specifically address workplace bullying (Dingfelder, 2006).

Workplace bullying consulting is not yet an industry in the US. The public dialogue began only 11 years ago. The US anti-bullying legislative campaign started in 2003 (Namie & Namie, 2004). The topic is still a taboo business topic because addressing it requires a blunt self-appraisal about the organization's role in establishing and maintaining bullying. The coming years will reveal whether or not bullying consulting interventions develop in the US as they have in other parts of the world.

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