

The role of emojis, emoticons in modern bullying

By AdvocateDaily.com Staff

The nature of bullying has changed dramatically in the past five decades — from verbal disagreements and physical altercations to the use of social media, Toronto workplace violence and elder abuse consultant [Denise Koster](#) writes in *The Lawyer's Daily*.

People don't need physical or mental strength to berate or threaten another individual — they can go online and engage in rude or even criminal activity with the click of a mouse, says Koster, principal of [Koster Consulting Associates](#).

"Online threats and live streaming have taken the world of bullying and harassment to another level," she says. "The fact that cellphones are now being given to primary school children for safety reasons ironically brings with it more danger and exposure to inappropriate ideas and images than ever before."

Emoticons, created in Japan in 1982 to represent human emotions, and emojis — developed in the 1990s to make texting more entertaining and easier to understand by depicting various types of situations, objects, humans and places — both play a role in modern bullying culture, the article says.

Research shows the human brain reacts to emojis the same way it does to human faces, and that the use of these figures has a psychological impact that essentially amplifies the message, whether it involves happiness, sadness or intense anger, Koster explains.

"Over the past few years, harassers and domestic abusers are increasingly using text messages to send inappropriate threatening or sexual messages to their targets," she says.

"With cellphones in every pocket or purse, the workplace is no longer a place with limited distractions. The use of text messaging connects people not only voluntarily during work hours but also involuntarily during personal time. When leaving work, is work ever left?"

While communication is open to interpretation, it's important to examine the relationship between the two parties, Koster writes.

"Emojis can be harmless and provide a sense of security between two consensual adults with positive feelings for each other, but replace one of those individuals with someone at work you are not interested in or someone who is your boss and it is not 'so great' anymore."

A recent workplace sexual harassment investigation included 90 pages of evidence of inappropriate text messages sent by a supervisor to a junior and also dozens of emojis, ranging from a smiley face with heart-shaped eyes, a winky smiley face blowing a heart kiss and a smiley face with a tongue out, the article says.

In an employment relationship how does one interpret an emoji of a male figure, a knife and a broken heart? Koster asks.

According to the Ontario Human Rights Commission, "it should be understood that some types of comments or behaviour are unwelcome based on the response of the person subjected to the behaviour, even when the person does not explicitly object. An example could be a person withdrawing, or walking away in disgust after a co-worker has asked sexual questions."

In the case of the boss and the subordinate, Koster says the recipient of the messages rarely replied, except to work-related text messages.

"It appeared that the harasser was only sending work-related messages to 'force' a response out of the target," she writes. "Once the target responded, a pattern of digital sexual harassment and withdrawal was repeated over and over again."

Koster says that professional and personal boundaries are blurring with more texting in the workplace and less face-to-face communication.

"Workplace policies on the use of computers at work or the discipline attached to inappropriate 'surfing' are becoming a regular component of good business practice," she writes. "It can be surmised that in those policies that text messaging including the use of appropriate and inappropriate emojis is not so clearly defined.

As non-work-related or violent emojis such as guns and coffins become more prevalent in the workplace as a form of humour, Koster questions if the effect is normalizing threatening or inappropriate communication.

"For harassment, do the subjective test (the harasser's own knowledge of how his or her behaviour is being received) and the objective test (from the point of view of a 'reasonable' third party, how such behaviour would generally be received) apply to emojis? The answers to these complex questions need to be clarified not only in the workplace but also on a criminal and civil court level," she writes.