

Support for the Dignity at Work Act

Rhode Island needs to pass the Dignity at Work Act, which prohibits Workplace Bullying and provides grounds for legal action if employers fail to protect workers. Most developed countries already prohibit Workplace Bullying. New Zealand even lists Workplace Bullying as a health hazard. But targets in the U.S.A. have no such protection at the state or federal levels.

Research findings. Legislators in the rest of the developed world know about the voluminous research on Workplace Bullying and its core of clear, strong findings. They know that Workplace Bullying is surprisingly common. It afflicts employees in every industry, at every level of responsibility, and on all inhabited continents. Legislators in these other countries also recognize that Workplace Bullying is a workplace safety issue: New Zealand's version of OSHA formally lists this form of abuse as a health hazard. Targets lose their sense of self-worth and experience severe stress, depression, sleep deprivation, PTSD, and even suicide. Finally, these legislators know that Workplace Bullying is also severely harmful to institutions. It raises healthcare costs, legal costs, and turnover costs; it cuts creativity and productivity. In the U.S., a conservative estimate of employers' costs from workplace bullying roughly matches their costs of cyber crime.

Legal definitions of Workplace Bullying all stress that, perhaps surprisingly, the aggression is usually persistent, low-intensity, and covert. There is an endless spectrum of ways to bully someone; common approaches include insulting, humiliating, or threatening the target, over-working or underutilizing targets, blocking opportunities for advancement, withholding information, excluding someone from important discussions, or spreading malicious rumors. When these forms of abuse happen persistently, the target always fears that more degradation is coming, a fear that ultimately becomes terror. Targets also fear losing their jobs and the ability to support their families. Finally, targets feel trapped, because most Workplace Bullying is an abuse of power by supervisors with power to change the target's professional future.

Legal prohibitions and grounds for action on Workplace Bullying are critical. The vast majority of targets have no other source of protection. Studies reveal that no personality or coping strategy protects targets from severe Bullying. Pushing back brings retaliation rather than relief. Most importantly, targets who seek protection from their employer usually experience further abuse. Most managers, HR representatives, and executives react to legitimate bullying cases in

one of two ways: (i) they suppress the matter or (ii) they side openly with the bully. Either way, the target is typically treated as the troublemaker and commonly forced out.

Legal grounds for action on Workplace Bullying are also critical because this abuse is disproportionately directed at women, minorities, and other historically disadvantaged groups.

The Dignity at Work Act is the best legal approach to Workplace Bullying. First, the Act wisely excludes “intent” from the definition of Workplace Bullying, consistent with all such legislation in other developed countries. Intent is essentially a get-out-of-consequences-free card for bullies. Second, the Dignity at Work Act provides a cause of action against an employer who tolerates bullying. There is voluminous evidence that simply requiring employers to have policies and procedures in place generally leaves targets unprotected. Employers that can check the legally-mandated boxes nonetheless fail to identify bullying, either because they are ignorant or because they choose to avoid responsibility. To do so they run sham investigations, find meaningless excuses for inexcusable behavior, or accuse the target of over-reaction and/or malicious intent. Employers must therefore face strong penalties whenever they tolerate bullying, regardless of the policies and procedures on the books.

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* More information about the research findings is available in my 2021 survey: “Workplace Bullying: Nature, Consequences, and Recommended Policies,” forthcoming in the *Journal of Organizational Psychology*.