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Workplace Mobbing: Expulsion , Exclusion, and Transformation

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ABSTRACT

The issue of workplace bullying has received considerable attention in recent times in both the academic literature and in the print and electronic media. The stereotypical bullying scenario can be described as the “bully boss” model, where those in more senior positions tend to bully the staff they supervise. By way of contrast, this paper presents the findings of a three year exemplarian action research study into the lesser known phenomenon of workplace mobbing. Consistent with grounded theory methods, the findings are discussed in the context of emergent propositions in relation to the broader social, cultural, and organisational factors that can perpetuate workplace mobbing in the public sector.

Keywords: organisational behaviour, human resource management, critical management, research methods, social issues, gender and diversity.

WORKPLACE MOBING

While there is increasingly widespread knowledge and reporting of the problem of workplace bullying across the globe (see for example, Einarsen, Hoel, Zapf, & Cooper, 2003; Namie & Namie, 1999; Rayner, 1998), the problem of workplace mobbing is less well understood, at least in English speaking countries. While the problem is legislated against in many European and Scandinavian countries as well as the Netherlands (Chappell & Di Martino, 2001), the mobbing phenomenon is not formally recognised in most English speaking countries. In fact, some researchers claim that mobbing is simply another name for bullying (Einarsen et al., 2003). However this paper aims to resurrect the concept of mobbing by reporting on the experience of 212 self identified targets of mobbing from public sector organisations across Australia.

The destructive downward spiral of mobbing has far reaching consequences not only for those targeted but also for their families, their community, the organisations in which they are employed, and ultimately the whole of society (Chappell & Di Martino, 2001). Partly for these reasons, the issue of mobbing is globally recognised as a serious and complex problem “rooted in wider social, economic, and organizational and cultural factors” (p.3). This form of psychological violence includes workplace mobbing, described by the International Labour Organization (ILO) as “group psychological harassment” (Chappel & Di Martino, 2001, p.4).

Another definition of the term, provided by Davenport, Distler-Schwartz, and Pursell-Elliott (1999), extends the concept of group psychological harassment to include organisational behaviour as follows:

The mobbing syndrome is a malicious attempt to force a person out of the workplace through unjustified accusations, humiliation, general harassment, emotional abuse, and/or terror. It is a “ganging up” by the leader(s) - organization, superior, co-worker, or subordinate – who rallies others in to systematic and frequent “mob-like” behaviour.

Because the organization ignores, condones or even instigates the behaviour, it can be said that the victim, seemingly helpless against the powerful and many, is indeed “mobbed.” The result is always injury – physical or mental distress or illness and social misery and, most often, expulsion from the workplace (Davenport, Distler-Schwartz, & Pursell-Elliott, 1999, p. 40).

For individuals, problems include psychological harm and long term general ill health (Zapf & Leymann, 1996) while for the community, problems include an increasing demand for social welfare services due to long term unemployment and ill health (Vickers, 2006). For organisations, there are increasing claims for worker’s compensation stress claims that can drain resources for years through their defences of claims in the industrial courts (McCarthy & Mayhew, 2004). Moreover, a successful claim for compensation can cost an organisation hundreds of thousands of dollars; for example, a bank worker in the United Kingdom was recently reported as having been awarded GBP¹ 817,317 after what was described as a four year campaign of psychological torment from her colleagues (Margate, 2006). Additionally, the cost of investigations tend to weaken productivity and can perpetuate an adversarial organisational culture where psychological violence can become a weapon of torment with which to destroy those targeted (Salin, 2003).

¹ UK Pound Sterling

METHODOLOGY

While much of the literature is from a psychological perspective, this study was from a sociological perspective and the inquiry was informed by the exemplarian action research methodology (Coenen & Khonraad, 2003). More generally, action research is sometimes described as a spiralling self reflective four stage cycle of “planning a change, acting and observing the process and consequences of the change, reflecting on these processes and consequences, and then re-planning” (Atweh, Kemmis, & Weeks, 1998, p. 21). Action research commences at any stage within the cycle and continues on from there in a spiralling sequence.. This research spiral underpins the various action research methodologies, regardless of their theoretical underpinnings, including the exemplarian model.

Habermas (Coenen & Khonraad, 2003) identified three approaches to action research as indicated in Table 1. These approaches are distinguished by their aims, by the role of the researcher, and by the relationship between the researcher and the participants. In the technical and practical approaches, the role of the researcher is that of an external facilitator to improve effectiveness and understanding, while in the emancipatory approach, the role is one of co researcher and collaborator with the participants (Coenen & Khonraad, 2003). The emancipatory model includes the aims of the technical and practical approaches but also attempts to change the conditions which impede improvement while also increasing the empowerment and self-confidence of the participants (Coenen & Khonraad, 2003).

The exemplarian action research methodology, developed by The Netherlands Action Research Group, shares some common principles with participatory action research (Coenen, 2003). Both methodologies are focused on “praxis” that can be described as the conscious ability to transform the environment in the achievement of practical outcomes (Edgar & Sedgwick, 1999, p. 309). The exemplarian model, however, is explicit in regards to the role of the researcher, not only as a participant but as an equal participant immersed in the research problem as indicated in Table 2 (Boog, 2003, p. 426). While the participatory and exemplary methodologies focus on outcomes, the

exemplarian model requires the achievement of outcomes and the identification of exemplars to achieve transformation at the individual, organisational, and community levels (2003).

The research was conducted in three stages, as indicated in Figure 1, commencing with the thematic stage, where the initial common issues or problems were identified from a pool of 212 self selected participants, followed by the crystallisation stage comprised of 62 participants, requiring a more in-depth study, and the third stage where exemplars of proven outcomes that might assist others confronted by workplace mobbing were identified (Coenen & Khonraad, 2003).

METHOD

The analysis of the data collected during the three stages of the exemplarian action research methodology was facilitated through the five phased systematic grounded theory method. The approach is a method of theory generation, grounded in empirical reality, that complements exemplarian action research with the identification of systematic procedures for labelling and categorising similar concepts, and formulating propositions or generating theories (Strauss & Corbin, 1998). The relationship between the three phases of the exemplarian action research methodology and the method of grounded theory, as indicated in Figure 2, is complementary in identifying the emergent themes or propositions.

From this grounded theory process, nine propositions evolved, as listed in Table 3, from which the themes of expulsion, exclusion, and transformation were categorised. The nine propositions are a unique contribution to the field because they identify problem areas for future research based on the voice of those experiencing the problem. Furthermore, this approach challenges the field with new insights from the perspective of those immersed in the workplace mobbing problem whereas previous research has been more reliant on the interpretations of researchers.

RESEARCH PROGRAM

The research program for this study aimed first to investigate the experience of those who have self-identified as targets of workplace mobbing to identify any commonalities that typify the problem. Second, the research aimed to clarify workplace mobbing as a distinct form of workplace violence, and third, aimed to explore the actions of organisations in their response to the problem. The research program as indicated in Table 4 highlights the linkages between the research objective, the research aims, and the research questions, and summarises the methodological stages and methods.

This paper presents a summary of the experience of 212 participants, 90% of whom self identified as having been targeted with mobbing, in public sector organisations across Australia, to address the following research questions:

1. How is workplace mobbing experienced by those targeted?
2. How can targeted individuals respond to workplace mobbing?
3. How do organisations respond to workplace mobbing?
4. How can organisations prevent and address workplace mobbing?

To respond to these questions, the study explored the individual and organisational behaviours involved, and the efforts made by the participants to alleviate the problem. The data was gathered from multiple sources including 10,000 emails between members of an online virtual community, interview data, over 600 documents including medical reports, legal documents and court transcripts, and correspondence from a range of agencies that contributed to the mobbing experience of the participants. The experience of some participants included public humiliation in the print and electronic media (see for example, Ackland, 2003) and these reports were also included as important sources of data. To organise and facilitate the coding and sorting of vast quantities of data, qualitative data analysis (qda) computer software programs, including NVivo and MAX, were utilised.

LITERATURE REVIEW

An analysis of the mobbing problem reveals that, historically, the term was used to describe the predatory and group attacking behaviour of birds and other animals (Davenport et al., 1999). In reference to humans, the term was first used by Lorenz (1963) in his description of behaviour directed towards outsiders in schools and in the military. Later, another researcher, Heinemann (1972, cited in Schuster, 1996) used the term to describe the collective aggression observed in human behaviour where intentional and repeated assaults were directed towards an individual over a long period of time.

However, the problem was widely drawn to public attention by Leymann (1996), from studies based in Swedish workplaces where he described mobbing as a form of social isolation that often resulted in the target's expulsion from the workplace. From his analysis of 800 survey responses, Leymann (1990) identified a typology of five categories of mobbing behaviours. The categories included assaults that prevent self-expression and the way communication happens, assaults on social relationships, assaults on reputation, assaults impacting on the quality of life and professional circumstances, and direct assaults on a person's health (Leymann, 1996, cited in Davenport et al., 1999).

Another researcher, Schuster (1996) following on from Leymann (1996) discussed mobbing as a form of social exclusion. She argued that the phenomenon is a method for socially excluding "outsiders" and she identified gender and social class as potential risk factors (Schuster, 1996). Additionally, Schuster (1996) observed that bullying research tended to focus on "the characteristics of the perpetrators" while mobbing, in contrast, is explained in terms of the "work environment" rather than the personalities of those involved (p. 293).

Another dimension of the phenomenon is that anyone can be targeted at any organisational level, that is, either upward towards managers, sometimes referred to as "mobbing gegen chefs" (Ramage, 1996), or horizontally towards peers, sometimes referred to as relational aggression (Crick & Grotpeter, 1995, cited in Leckie, 1998), as well as downward mobbing towards more junior staff (Vandekerckhove & Commers, 2003).

DISCOURSE

One of the high priority propositions to emerge from this study was the importance of recognising and naming the problem. In a theoretical context, the mobbing phenomenon can be described in Foucaultian terms (Foucault, 1975) as a discontinued discourse, because, although the phenomenon was initially reported in the early 1990s (Leymann, 1990, 1992) efforts have since been made to merge the phenomenon with that of bullying (Zapf & Einarsen, 2005). Some of the literature is subsequently unclear about the definitions and concepts of bullying (Keashly & Jagatic, 2003) and mobbing (Einarsen et al., 2003). An exploration of the literature indicates some of the reasons for the discontinuation as follows:

Although, the concept of “bullying” as used in English-speaking countries and the term “mobbing” as used in many other European countries may have some semantic differences and connotations, to all intents and purposes they refer to the same phenomenon. Any differences in the use of the terms may be related as much to cultural differences in the phenomenon in the different countries than to real differences in the concepts (Einarsen et al., 2003, p. 25).

Similarly, another explanation is that any perceived difference between the phenomena of mobbing and bullying can be attributed to different “perspectives” rather than different phenomenon (Zapf & Einarsen, 2005, p. 244). Another explanation describes mobbing as a situation where a number of single perpetrators direct small and “relatively insignificant” incidents towards someone, “creating a perspective by those targeted that they are being mobbed” (Zapf & Einarsen, 2005, p. 244). An example of mobbing, in this sense, is described as follows:

teasing, ridiculing, or otherwise negatively treating a particular person, and if these individuals do so about once a month, the perpetrators may perceive their individual behaviors as occasional and unrelated events. For the person on the receiving end, however, this means that he or she experiences the negative behaviour six times a month, which meets the criterion of weekly mobbing (Zapf & Einarsen, 2005, p. 244).

However, the complexities of mobbing, initially identified by Leymann (1990), and since validated by other researchers (see for example, Davenport et al., 1999; Moore, 2005; Scutt, 2004; Sheehan, 2004; Westhues, 2002, 2004, 2005, 2006) are not consistent with this definition. These researchers share a definition of mobbing as psychological group aggression that is “a malicious attempt to force a person out of the workplace through unjustified accusations, humiliation, general harassment, emotional abuse, and/or terror” (Leymann, 1996, cited in Davenport et al., 1999, p. 40). These authors highlight the structure and culture of the workplace, the psychological nature of the assaults, and the extent to which the organisation escalates the conflict to achieve the target’s expulsion.

PUBLIC SECTOR CONTEXT

Before discussing the findings of the study, it is necessary to outline the public sector context where the participants were employed at the time of their workplace mobbing experience. Worldwide, the public sector accounts for 30% of total world employment (Hammouya, 1999). Public sector occupational categories include health, education, defence, and social welfare where nurses, teachers, military personnel, and administrators are employed. Social and economic well-being, in democratic countries, is therefore at least partly dependent on the successful functioning of the public sector (Kooiman, 2005). In the context of a highly integrated social and economic system among employers, employees, and the broader community, dysfunction arising in one area has likely flow-on effects, or adverse consequences, for others (Merton, 1936, cited in Scott, 1995, p. 140). This interdependent nature of the social and economic system has the potential to lead to a spiralling downward effect impacting on the well-being of the entire community (Di Martino, Hoel, & Cooper, 2003, p. 3).

In Australia, New Zealand, and other democratic countries, issues of public accountability, including government expenditure, policies, and programs, are scrutinised to meet governance requirements (Davis & Keating, 2000). Accountability is reported upon, for example, in annual reports, in accordance with codes of conduct, ethical standards, and social policies, including health and safety, equal employment opportunity, and anti-discrimination, creating an expectation that fair and equitable practices are valued goals. The expectation is further heightened with the establishment

of legal commissions to oversee social policy areas including freedom of access to information, ethical behaviour, integrity, anti-discrimination, industrial relations, health and safety, equal employment opportunity, and human rights amongst others.

However, this research, in the exploration of the workplace mobbing phenomenon identified some discrepancies between these ideals and the real experience of the participants. The research explored mobbing experiences and the way participants dealt with the problem, therein challenging perceptions of fairness and equity in the public sector. The research also provides an additional argument for the maintenance of safe public sector workplaces, where those seeking a livelihood can engage in work without fear of psychological violence and emotional abuse.

FINDINGS

An integrated analysis of the data suggests that workplace mobbing is experienced as a process of expulsion and exclusion from which transformation is possible through the exercise of agency. Consistent with the literature, the mobbing experience is identified as a collective form of psychological violence characterised by a five phased process, which includes expulsion from the workplace (Leymann, 1996). Additionally, a sixth post expulsion phase, was identified in this study where transformation (Giddens, 1999) can take place. Following the grounded theory method, the three categories of propositions, including expulsion, exclusion, and transformation, provide the discussion framework for the findings discussed in the following sections.

Expulsion

Consistent with the description by other researchers, mobbing is also experienced as a form of psychological terror (Leymann, 1990). The terror seemingly intensifies once management becomes involved in supporting the perpetrators to the detriment of those targeted. The experience is typified as one of continual psychological assaults, including lengthy and multiple investigations into anonymous and trivial complaints, sometimes made with the explicit purpose of achieving the target's expulsion. Those targeted were found to experience long-term psychological damage arising from organisational practices that provide an arsenal of psychological weapons to cause further damage to those targeted. The participants in this study tended to describe their experience as merciless witch-

hunts where every effort was made to crush their psychological well-being and future earning capacity.

Additionally, mobbing has multidimensional aspects. It can be experienced upwards by managers from staff, downwards by staff from managers, and sideways by colleagues. Additionally, this research revealed that sometimes it is the position, rather than the holder of the position, that appears to be the real target, for example, those positions with responsibility for accountability and supervision.

Workplace investigations

Some of the organisational practices highlighted as the cause of psychological terror during workplace investigations into bullying complaints were contrasted with legislatively proscribed practices for dealing with workplace harassment complaints, for example, on the basis of gender, race, and disability, under the *Queensland Anti-Discrimination Act (1991)*. In response to Research Question 4: how can organisations prevent and address workplace mobbing?, this study concluded that the introduction of a legislative framework recognising the problem could contribute to the implementation of good practice thereby reducing the adverse impact of the phenomenon.

One of the propositions that evolved from the study was that the absence of specific legislation to address workplace mobbing maintains a system that effectively denies justice and legal remedies to those targeted. Current departmental practices in dealing with complaints of bullying against 13 managers were explored in the study indicating that investigations tended to favour the complainants, regardless of the trivial and malicious nature of the allegations. To highlight the benefits of legislation, the study contrasted the processes required by a legislative framework, in this case example, the *Anti-Discrimination Act Qld (1991)*, with the reality of the experience of the participants in this study as listed in Table 5.

The identified pattern of organisational behaviour included lengthy investigations where consultants were contracted to document the perceptions and feelings of the complainants, to the detriment of those targeted. The process was identified as adversarial rather than conciliatory with managers being suspended, punished and disciplined, on the basis of seemingly unsubstantiated and vague allegations of workplace bullying. While the investigations often eventually concluded that

bullying allegations cannot be substantiated, those targeted are nevertheless blamed for the feelings and perceptions of the complainants. However, the perpetrators remain in their employment while those targeted are expelled and are unlikely to return to their workplace again.

Exclusion

In relation to expulsion, mobbing was also found to be experienced as a form of exclusion or unconscious discrimination. The grounds of discrimination alluded to by those targeted included sexual harassment, sexual orientation, gender, age, race, Indigeneity, parental status, breastfeeding, lawful religious and political beliefs, and trade union involvement. Similar to the instinctive group-attacking behaviour of birds to isolate and destroy potential threats from other breeds, human behaviour can similarly isolate and destroy those whose difference represents a threat to the dominant culture.

Transformation

The critical thread for achieving outcomes in this study was through a process of conscientisation (Freire, 1993), obtained by some of the participants through their participation in the Black Sheep on-line virtual community, where individual agency and transformation (Giddens, 1999), was facilitated through a process of collective collaboration. While it is beyond the scope of this paper to discuss each of the outcomes at the individual, organisational, and community levels, and the process for their achievement, some of the outcomes included financial settlements, changes in organisational guidelines for dealing with complaints, increased awareness through print and electronic media and (Thompson, 2005) and parliamentary debate calling for recognition of the problem (Flegg, 2004).

The process of transformation is partly reflected in the participants preference of describing themselves as “targets” rather than “victims” because of the connotation of “helplessness” and “failure” that are commonly associated with the term victim (McLeer, 1998, p. 4). Similarly, the participants preferred the term “damage”, rather than “illness”, to attribute the cause of the intentional injury to the behaviour of the perpetrator/s (1998). Another argument for the preference is that the term target detracts from notions of “victim-blame” where it is supposed that, had the victim behaved differently, they may have been able to avoid the damage done to them (p. 44).

CONCLUSION

This paper discussed some of the findings of a three year exemplarian action research investigation into the workplace mobbing experience of 212 participants who had been expelled primarily from their public sector employment in a range of government organisations across Australia. Consistent with exemplarian action research methodology (Coenen & Khonraad, 2003) and grounded theory methods (Bryant & Charmaz, 2007), the findings were discussed in the context of emergent propositions in relation to the broader social, cultural, and organisational factors that contribute to workplace mobbing in the public sector.

Propositions for future research, identified by those immersed in the problem, include the toxic and dysfunctional nature of public sector culture, the powerful influence of gossip, the denial of organisational justice, inadequate support systems, the relationship between gender and mobbing, and the process of social exclusion. The identification of the powerful influence of gossip is not intended to imply that, in some situations, gossip is not a legitimate form of information sharing (Belenky, 1986) but rather to recognise the power of malicious gossip to influence others to undertake harmful actions that they may not have otherwise considered (see for example, De Gouveia, Vand-Vuuren, & Crafford, 2005; Kurland & Pelled, 2000). In any case, the priority areas identified by the participants focus on naming the problem and the introduction of anti-mobbing legislation, not only to provide legal remedies to those targeted, but also to assist organisations to deal more effectively with the problem..

In response to Research Question 1, the study concluded that workplace mobbing is experienced by those targeted as a form of expulsion and exclusion. In response to Research Question 2, the study concluded that those targeted can achieve positive outcomes to reduce the adverse impact of mobbing from which transformation is possible. In response to Research Question 3, this study concluded that organisations tended to respond to the problem by escalating the conflict and joining in with the perpetrators to the detriment of those targeted. In response to Research Question 4: how can organisations prevent and address workplace mobbing?, the study concluded that the introduction of a

legislative framework, recognising the problem could contribute to the implementation of good practice thereby reducing the adverse impact of the phenomenon.

Table 1: Comparison of types of action research and their main characteristics.

Type of Action Research	Aims	Facilitator's role
1. Technical	Effectiveness/efficiency	Outside "expert"
	Professional development	
2. Practical	As (1) above	Encouraging, participation and self reflection
	Practitioners' understanding	
	Transformation of their consciousness	
3. Emancipatory	As (2) above	Process moderator (responsibility shared equally by participants)
	Participants' emancipation from the dictates of tradition, self deception, coercion	
	Critique of bureaucratic systems	
	Transformation of the organisation	
4. Exemplarian	As (3) above	Leadership role
	Participants' transformation and emancipation through action research, problem-solving and empowerment.	Varies according to the Three stages.
	Reduced impact of adverse consequences of social structures.	Thematic active role
	Exemplar themes that have application in other similar situations.	Crystallisation passive role
		Exemplar critical role

Table 2: Three stages of exemplarian action research methodology.

	Goal	Purpose
Researcher role: Active		
Stage one: Thematic	Identification of common problems by the participants and the researcher	<ul style="list-style-type: none"> • Problem formulation • Problem listing
Researcher role: Passive		
Stage two: Crystallisation	Identify the exemplars selected from the group	Diagnosis (of the problem)
	Identify individual actions, plans, observations, and reflections as shared with the group.	Blueprint (action plan)
Researcher role: Critical		
Stage three: Exemplarian	Identify the outcomes for the research parties.	Operations (actions)
	Identify exemplars that are likely to achieve similar outcomes in situations outside of those in this study.	Evaluations (reflections and observations)

Adapted from Coenen, H., & Khonraad, S. (2003). Inspirations and aspirations of exemplarian action research. *Journal of Community & Applied Social Psychology*, 13 (6), 439-450.

Table 3: Propositions.

Propositions	Themes
<ol style="list-style-type: none"> 1. Public sector culture is dysfunctional whereby employment survival requires conformity, submission, and silence. (Organisational culture) 2. Workplace gossip, rumour, hearsay and innuendo are influential forms of power in public sector organisations. (Gossip and power) 3. While guidelines, detailing principles of natural justice and due process have been developed, these are not enforceable and do not match with public sector practice. (Organisational justice) 4. Support systems for targeted workers are not neutral and tend to act on behalf of the employer to the detriment of the employee. (Support systems) 	Theme 1: Expulsion
<ol style="list-style-type: none"> 5. There may be a gendered pattern to workplace mobbing where women are not only more likely to be targeted but are also more likely to perpetrate acts of mobbing towards other women. (Gender and mobbing) 6. A contributing risk factor for being targeted appears to relate to belonging to a cultural minority, that is, being an outsider or different to the dominant culture. (Exclusion) 	Theme 2: Exclusion
<ol style="list-style-type: none"> 7. Workplace mobbing is a distinct form of workplace violence, and to give voice to those targeted, the phenomenon first needs to be recognised and understood. (Naming the problem) 8. The absence of specific legislation to address the phenomenon appears to maintain a system that denies legal remedies to those targeted (Legislation) 9. Survival of mobbing most likely requires those targeted to take risks in the pursuit of options to reduce the adverse impact of the problem. (Transformation) 	Theme 3: Transformation

Table 4: Research program.

Research Objective: To develop a greater understanding of workplace mobbing.			
Research Aims	<ul style="list-style-type: none"> • Investigate the experience of those who have self-identified as targets of workplace mobbing; • Identify any commonalities that typify the experience of workplace mobbing; • Clarify workplace mobbing as a distinct form of workplace violence; • Identify any commonalities that distinguish the phenomenon from workplace bullying; • Explore the actions of organisations in responding to workplace mobbing; • Identify any commonalities that indicate a pattern of organisational response. 		
Research Questions	<ol style="list-style-type: none"> 1. How is workplace mobbing experienced by those targeted? 2. How can targeted individuals respond to workplace mobbing? 3. How do organisations respond to workplace mobbing? 4. How can organisations prevent and address workplace mobbing? 		
Methodology	Qualitative: Exemplarian Action Research		
Research stages	Thematic	Crystallisation	Exemplar
Sample	Self-selected	Self-selected	Theoretical-sampling
Method	Grounded theory	Grounded theory	Grounded theory

Table 5: Comparison of complaint handling procedures.

Complaint handling stages	Legislation	Absence of legislation
Definitions	Legal definitions clarifying: Unlawful behaviour Context of the behaviour	Absence of legally binding definitions. Definitions in policies and procedures are not legally binding.
Complaints	Complaints in writing Substantiated Complainant identified Based on facts Subject to reasonable person test	Verbal complaints Unsubstantiated Complainant/s anonymous Based on perceptions Not subject to reasonable person test
Malicious, vexatious, and trivial complaints	Decision made to accept or reject the complaints based on an assessment of the facts. Malicious, vexatious and trivial complainants are not accepted.	The accused person is suspended or moved out of their place of employment on the basis of malicious, vexatious, and trivial complaints. Lack of consequences for those making malicious and vexatious complaints
Timelines on decisions	Decision whether to investigate made within 28 days. Provisions made for progressing matters not resolved within six months.	Decision to investigate is immediate. Investigations take months and years. Matters remain unresolved.
Burden of proof	Presumption of innocence. Onus on complainant to prove guilt.	Presumption of guilt. Onus on the accused to prove innocence.
Investigations	Explicit. Trained investigators. Consistent and legally defined procedures. All parties have the right of reply.	Covert. Untrained investigators. Inconsistent and unjust procedures. The accused person is denied the right of reply.
Alternative dispute resolution	Conciliation required.	Conciliation and mediation not an option.
Vicarious liability	Management and the offender/s are held liable for unlawful behaviour. Redress available to those harmed by the offence.	Management has recourse to “reasonable management action”. Lack of consequences for the perpetrators. Lack of redress for those harmed by the offence.

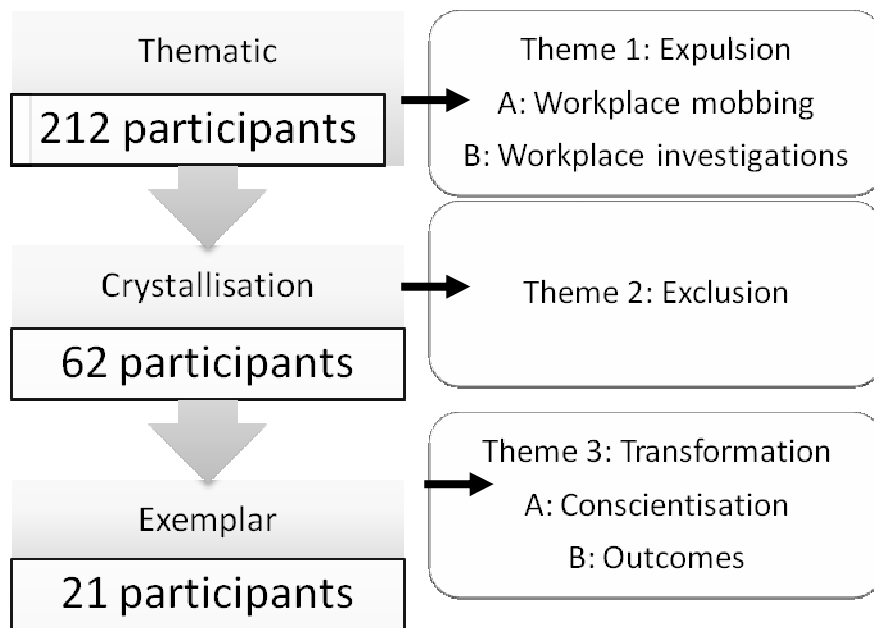


Figure 1: Exemplarian action research phases, number of participants and emergent themes.

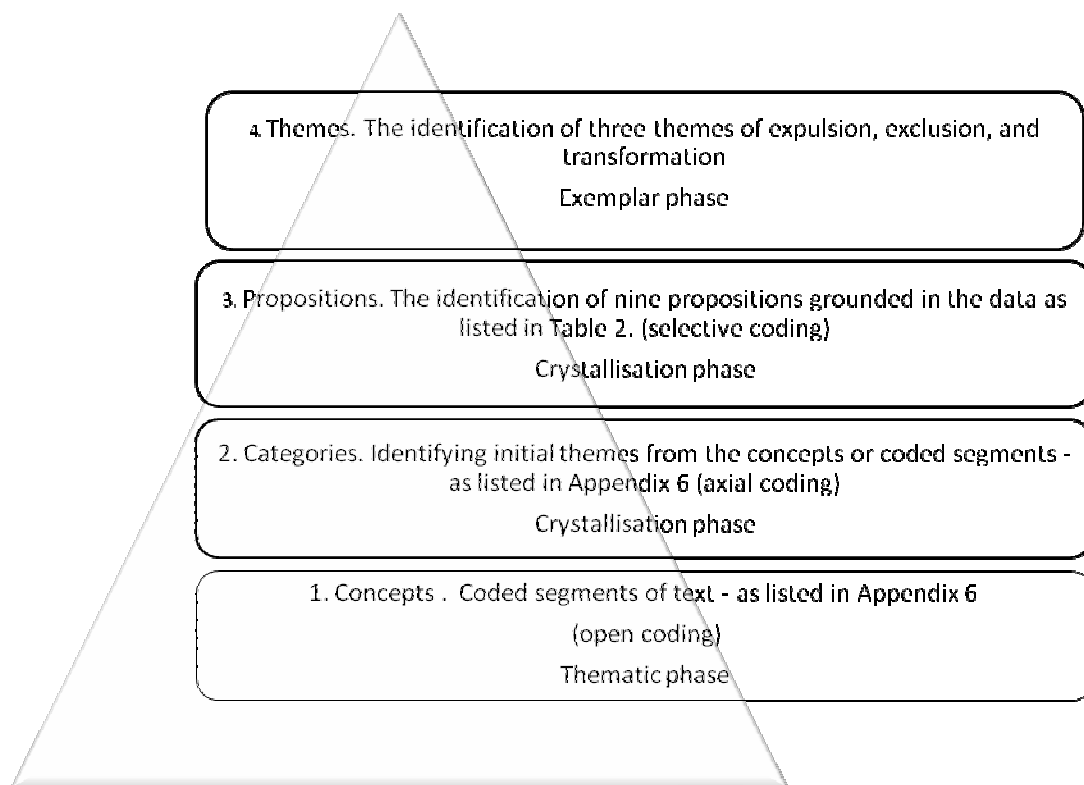


Figure 2: Grounded theory processes during each stage of the Exemplarian action research model.

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