

UNIVERSITY OF KWAZULU-NATAL

# **Workplace Harassment and Its Impact on Staff Performance: a Case Study of a South African Higher Education Institution**

By

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## Language Certificate



10 September 2013

To whom it may concern.

Thesis editing for Mr K S Ngwane

This is to confirm that I have provided editorial assistance to Mr Knowledge Siyabonga Ngwane in the preparation of his thesis entitled "Workplace Harassment and Its Impact on Staff Performance: a Case Study of a South African Higher Education Institution".

The editorial assistance covered proofreading, stylistic and grammatical corrections, and formatting of text, headings, figures and tables.

I will be happy to provide further details if requested.

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## **Abstract**

Higher education institutions (HEIs) face many challenges that arise both from the external environment and from their internal structures. They have to comply with the Constitution of South Africa and employment legislation.

This case study of a South African higher education institution addressed the very sensitive issue of workplace harassment and its impact on staff performance. The central objective of this research was to explore the nature and extent of harassment and its impact on performance of staff at a selected HEI. The literature review drew heavily on secondary data.

Empirical data was collected by means of a questionnaire. The total population of the selected HEI permanent staff (both academic and academic support) was 1 319 in 2012. All were potential participants, and a sample of 200 respondents was purposefully selected for the study that included management, academic and non-academic staff. To ensure the sample was fairly representative of the HEI staff demographics and for an eventual that the respondents' views broadly reflect those of the academic and non-academic staff, and management, a stratified random sampling method was used for this study.

The study findings supported the conclusion that workplace harassment has impact on staff performance in a South African higher education institution. A systemic approach was outlined to address workplace harassment. The study also highlighted several factors as important determinants of workplace harassment and its impact on staff performance at the selected HEI.

It is hoped that findings and recommendations of this research will assist in establishing procedures to be used in dealing with workplace harassment; organising a range of professional assistance which will help other organisations; and developing a workplace harassment policy for the HEI.

All in all, by paying attention to the stated recommendations and implementing them, all stakeholders at the selected HEI will ensure that workplace harassment and its impact on staff performance will be handled accordingly. It is anticipated that this

study will provide useful strategies for South African organisations on how to protect their employees from workplace harassment.

## **Dedication**

THIS STUDY IS DEDICATED TO MY GRANDMOTHER ELIZAH NOMBI NGWANE WHO SUDDENLY PASSED AWAY IN HER PRIME TIME OF HER LIFE ON 31 DECEMBER 2011. MAY GOD REST HER SOUL AND GRANT HER ETERNAL PEACE IN THE KNOWLEDGE THAT THIS STUDY WAS SUCCESSFULLY COMPLETED THROUGH ALL THE ASPIRATIONS SHE GAVE ME ALL THESE YEARS.

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## Abbreviation

ACAS	Advisory, Conciliation and Arbitration Service
AIDS	Acquired Immune Deficiency Syndrome
BACP	British Association of Counseling and Psychotherapy
BCEA	Basic Conditions of Employment Act
CBT	Cognitive Behavioural Therapy
CCMA	Commission for Conciliation Mediation and Arbitration
CIPD	Chartered Institute of Personnel and Development
DIT	Durban Institute of Technology
DHET	Department of Higher Education and Training
DUT	Durban University of Technology
EAP	Employee Assistance Programme
EHRC	Equalities and Human Rights Commission
EEA	Employment Equity Act No 55 of 1998
EEO	Employment Equity Opportunities
EEOC	Employment Equity Opportunities Court
ETUC	European Trade Union Confederation
EU	European Union
GP	General and Occupational Health Professional
HEI	Higher Education Institution
HR	Human Resource
HSE	Health and Safety Executive
ILO	International Labour Organisation
IPD	Institute of Personnel and Development
IIED	Intentional Infliction of Emotional Distress
LRA	Labour Relations Act
NIA	National Intelligence Agency
NPM	New Public Management
NUTESA	National Union of Tertiary Employees of South Africa

NWEO	North Western Local Authorities' Employers' Organization
PDSD	Postgraduate Development and Support Directorate
PHA	Protection from Harassment Act
PTSD	Post-Traumatic Stress Disorder
OSH	Occupational Safety and Health
SANDF	South African National Defence Force
SASS	South African Secret Service
SPSS	Statistical Package for Social Sciences
UKZN	University of KwaZulu-Natal
UoT	University of Technology
WHO	World Health Organisation



## **Glossary**

In the context of this research the concepts or terms indicated here have these respective meanings unless otherwise stated:

### **Bullying**

Adams (1992:1) describes workplace bullying as persistently negative attacks on personal and professional performance, typically unpredictable, irrational and often unfair. This abuse of power or position can cause such chronic stress and anxiety that employees gradually lose belief in themselves, suffer physical ill-health and mental distress as a result.

Einarsen (2000b:371) agrees that bullying emerges when one or several individuals persistently over a period of time perceive themselves to be on the receiving end of negative actions from one or several persons, in a situation where the target of bullying has difficulty in defending him or herself against these actions.

### **Harassment**

Einarsen and Raknes (1997:259) assert that harassment is a particularly serious form of discrimination defined as any action, or practice, by a person or group of people which is unwanted and unreciprocated, objectionable and causes humiliation, offence and distress. In addition to deliberate harassment, an employee's behaviour may unintentionally give offence to others. Bullying is a form of harassment and, as such, is totally unacceptable behaviour.

### **Motivation**

Motivation can be defined in many different ways, some definitions are given here. Nieman and Bennett (2002:115) and Hellriegel, Jackson, Slocum, Staude, Amos, Klopper, Louw and Oosthuizen (2004:263) concur that motivation is any influence that causes, channels and sustains goal-directed behaviour. Motivation is the willingness to do something, and is conditioned by this action's ability to satisfy some need of the individual (Swanepoel, Erasmus, Van Wyk & Schenk, 2005:404). Smit, Cronje', Brevis & Vrba (2007:338) assert that motivation is the willingness of an

employee to achieve organisational goals. Basically, motivation is what makes people behave in a certain way. Thus, there is a motivation process one could look at. These different definitions emphasise the importance of motivation in the workplace and also reveal that if the selected HEI management motivate employees effectively, in turn, the employees will work tirelessly to achieve organisational goals.

#### New public management

Cloete (1998:15) states that the rise of New Public Management (NPM) over the past fifteen years is one of the most striking international trends in public administration. NPM is emphatically not a uniquely British development. Cloete (1998:15) affirms that NPM's rise seems to be linked with four other administrative megatrends, namely:

- (i) Attempts to slow down or reverse government growth in terms of overt public spending and staffing;
- (ii) The shift toward privatisation and quasi-privatisation and away from core government institutions, with renewed emphasis on subsidiarity in service provision;
- (iii) The development of automation, particularly in information technology, in the production and distribution of public services; and
- (iv) The development of a more international agenda, increasingly focused on general issues of public management, policy design, decision styles and intergovernmental cooperation, on top of the older tradition of individual country specialisms in public administration.

#### Performance

Byars and Rue (2006:222) state that performance refers to the degree of accomplishment of the tasks that make up an employee's job. Bernardin (2003:143) maintains that performance is the record of outcomes produced on specified job functions or activities during a specified time period. Performance is determined by capability, motivation, and environment. A person must know how to work (capability), want to do the job (motivation), and the environment (material, equipment, physical environment) must be favourable for performing a task.

Having explained performance, the selected higher education institution (HEI) managers will need to also follow certain criteria of assessing performance in order to monitor progress towards the ultimate goal.

### Policy

Cloete and Wissink (2000:1) define policy as a statement of intent. Policy specifies the basic principles to be pursued in attaining specific goals. Policy interprets the values of society and is usually embodied in the management of pertinent projects and programmes. The policy process has several phases, including initiation, design, analysis, formulation, dialogue and advocacy, implementation and evaluation (Cloete & Wissink, 2000:1).

### Productivity

The concept of productivity, generally defined as the relation between output and input, has been available for over two centuries and applied in many different circumstances on various levels of aggression in the economic system. Generally speaking, productivity is in industrial engineering defined as the relation of output (for a example produced goods) to input (for example consumed resources) in the manufacturing transformation process. Productivity is therefore, on the one hand, closely connected to the use and availability of resources. This means, in short, that productivity is reduced if a company's resources are not properly used or if there is a lack of them. On the other hand, productivity is strongly linked to the creation of value. Thus, high productivity is achieved when activities and resources in the manufacturing transformation process add value to the produced products (Slack, Chambers, Johnstone & Betts, 2006:39).

### Public administration

Coetzee (1991:16) defines public administration as formulating objectives and goals, working with the legislature, establishing and revising organisation, directing and supervising employees, determining work methods and procedures and exercising controls. It is the action part of government, the means by which the purposes and goals of government are realised.

### Public management

Schwella, Burger, Fox and Muller (1996:6) state that public management is the use of scarce resources in pursuing goals. The utilisation should be optimally effective, efficient and legitimately and legally democratic.

### Public human resource management

The most important public resources are human, financial, information and natural resources. Public human resource management concerns itself with the people involved in reaching policy goals and objectives optimally (Schwella et al., 1996:6). Public human resource management is part of the greater field of activity known as public management, operates within the public administration field.

### Public resource management

Public resource management is viewed by Schwella et al. (1996:6) as the management of resources allocated by politically legitimate means to public institutions in the most effective and efficient way. It seeks to attain the policy goals and objectives of constitutional government structures.

# **Chapter 1**

## **Introduction and overview of the study**

### **1.1 Introduction**

Workplace harassment is a perennial problem in working life, but it is only since the mid-1980s that it has become a high-profile issue of public concern. Generally, workplace harassment is considered in the context of equal opportunities policies and anti-discrimination strategies such as management of diversity. Press reports tell of individuals being targeted for workplace harassment because of gender, race, ethnic origin, nationality, religion, political affiliation or sexuality. The range of behaviour that constitutes work harassment covers a very wide spectrum and in its extreme form can be a crime.

### **1.2 Introductory background**

#### **1.2.1 Growing concern about workplace harassment**

Willey (2003:264) observes that the reasons why harassment has become a focal issue in employment relations are complex. Standards of acceptable behaviour in society at large are changing and being articulated more clearly, and this inevitably has an impact on employment, given the increasing feminisation of the labour market, the growing multi-ethnic composition of workforces and the wider acceptance of different sexual orientation. The above expectations of these social groups are increasingly being imported into the employment situation.

Fox (2009:121) notes that some employers have begun to recognise the economically damaging consequences of tensions, conflict and victimisation that can arise from harassment, together with the likely adverse effect on corporate image. In addition, coherent employer responses to the problems of harassment (through the adoption of workplace policies and procedures) have been encouraged by the publication of various statements and codes of practice. One example is the code on the dignity of men and women at work published by the European Community in 1991. Another is the statement issued in 1992 by the Institute of Personnel and Development to guide managers on workplace harassment (Nel, 2006:28).

More effective legal remedies have become available following the Porcelli case in 1986. The circumstances of the case were that Porcelli, an employee, lodged a complaint against her manager for sexual harassment which the employer then failed to investigate. The court subsequently found that the employer was as guilty as the manager for not investigating the case and imposed a substantial fine on the employer for this failure to investigate. The definition of sexual harassment as direct sex discrimination, accepted in this case, prompted more serious consideration of both sexual harassment and, increasingly, other forms of harassment. Furthermore, the later removal of the ceiling on compensation in discrimination cases has occupied the minds of many employers (Pietersen, 2007:62). Still wider social concerns about the extreme manifestations of harassment, particularly racial and sexual have been reflected in a number of studies (Collier, 2009:67).

### **1.2.2 Harassment and bullying at work**

Willey (2003:264) states that the distinction between harassment and bullying can be largely theoretical. The behaviour under either definition can, to a large extent, be the same; what differentiates the two terms is the grounds which prompt the behaviour. While harassment may be initiated purely for interpersonal reasons, it is normally for social reasons. It is related to the victim's membership of a social group and thus concerns gender, sexuality, race, nationality, ethnic origin, religion, political affiliation, and the like. The intention of the perpetrator is invariably to demean the victim. Bullying is more likely to be interpersonal and may not necessarily relate to issues such as the victim's sex or race. Where it exists, it is likely, although not exclusively to be part of a management style that is aggressive, overbearing, heavily critical, nit-picking, demeaning and intimidatory. It is invariably an abuse of power.

Willey (2003:264) identifies three principal defining elements in harassment and bullying:

- (a) They both concern behaviour, which may be verbal or written, or involve gestures, looks or physical contact.
- (b) It is behaviour that is unwanted and viewed as unreasonable and offensive by the recipient.

- (c) The behaviour may be either a single act of unacceptable conduct or persistent misconduct.

Incidence of harassment is difficult to measure. By its very nature, complaints of harassment may be withheld for fear of humiliation or because of denial. Furthermore, the legal processes may be daunting and the remedies uncertain and, perhaps, limited. Nevertheless, some surveys have attempted to quantify the most widespread form of harassment, which is harassment directed against women on grounds of sex. It is estimated, from various surveys, that over half of working women experience sexual harassment (Collier, 1995:7). In certain heavily male-dominated workplaces, the incidence is considerably higher. The number of men reporting sexual harassment is usually below 25%. Such surveys are of limited value, however, as they do not report on whether the employer is actively taking steps to tackle the problems, they provide no perspective on the relative seriousness of incidents of harassment. Nor indicate whether the problem is persistent.

This study explored the context of harassment and bullying behaviours, looking at areas such as power relations, cultural factors, characteristics of the workplace, nature of the parties involved and possible consequences, with reference to a selected higher education institution (HEI).

The study also looked at aspects of the legal framework in policy documents and legislation such as the contract of employment, Employment Equity Act (No. 55 of 1998), the Labour Relations Act (No. 66 of 1995), the Basic Conditions of Employment Act (No. 75 of 1997), the Constitution of South Africa (1996), European equal treatment legislation, direct discrimination and detriments, dismissal, liability for the harassment, action against the perpetrator and possible remedies in law for the victims.

### **1.2.3 Legal framework**

The next section will discuss the legal framework related to the study. The Constitution of the Republic of South Africa and employment legislation will be discussed under the legal framework.

### **1.2.3.1 Constitution of the Republic of South Africa**

The Constitution (Act 108 of 1996) is the highest law of South Africa. As such, it is important for human resource managers and practitioners to understand the effect of the Constitution on labour relations.

In terms of the Constitution, the Republic of South Africa is one, sovereign, democratic state founded on the following values:

- (i) Human dignity, achievement of equality and advancement of human rights and freedoms.
- (ii) Non-racialism and non-sexism.
- (iii) Supremacy of the Constitution and the rule of law.

The Constitution is the supreme law of the Republic. Law or conduct inconsistent with it is invalid, and the obligations imposed by it must be fulfilled. The Bill of Rights is a cornerstone of democracy in South Africa. It enshrines the rights of all people in the country and affirms the democratic values of human dignity, equality and freedom. The state must respect, protect, promote and fulfil the rights spelt out in the Bill of Rights.

The Bill of Rights, in Chapter 2 of the Constitution, also includes specific rights which are related to labour relations such as the right to equality in Section 9, which states that:

- (1) Everyone is equal before the law and has the right to equal protection and benefit of the law.
- (2) Equality includes the full and equal enjoyment of all rights and freedoms. To promote the achievement of equality, legislative and other measures designed to protect or advance persons, or categories of persons, disadvantaged by unfair discrimination may be taken.
- (3) The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.
- (4) No person may unfairly discriminate directly or indirectly against anyone on one or more grounds in terms of subsection (3). National legislation must be enacted to prevent or prohibit unfair discrimination.



- (5) Discrimination on one or more of the grounds listed in subsection (3) is unfair unless it is established that the discrimination is fair (Constitution of the Republic of South Africa, 1996:7).

The Constitution (1996:7) also upholds everyone's inherent dignity and the right to have their dignity respected and protected.

### **1.2.3.2 Employment legislation**

According to the Labour Relations Act (No. 66 of 1995), the purpose of employment legislation is to advance economic development, social justice, labour peace and democratisation of the workplace. Employment Legislation gives staff a number of statutory rights and protection. The employment legislation discussed in the sections that follow explain in detail the context of these Acts for the study.

#### *The Labour Relations Act (No. 66 of 1995)*

The LRA, which came into effect on 11 November 1996, regulates South Africa's statutory labour relations system. Gerber, Nel and Van Dyk (1998:157) state that "this Act seeks to balance the demands of international competitiveness and the protection of the fundamental rights of workers, so as to give effect to the stated goals and principles of the Reconstruction and Development Programme of the Government of National Unity". These goals and principles include: achievement of high productivity, improved efficiency, social justice, the inclusion of all sectors under the new Act and the establishment of collective bargaining at national, industrial and workplace levels.

Gerber, Nel and Van Dyk (1998:157) indicate that the LRA sought to address the following unfair labour practices between employers and employees:

- (a) unfair conduct on the part of the employer relating to the promotion, demotion or training of an employee or relating to the provision of benefits to an employee
- (b) unfair suspension of an employee or any other disciplinary action short of dismissal in respect of an employee
- (c) failure or refusal of an employer to reinstate or re-employ a former employee in terms of an agreement.

According to Du Toit, Woolfrey, Murphy, Godfrey, Bosch and Christie (1998:3):

The Labour Relations Act 66 of 1995 marked a major change in South Africa's statutory industrial relations system. Following the transition to political democracy, the Act encapsulated the new government's aims to reconstruct and democratise the economy and society in the labour relations arena. It, therefore, introduced new institutions with the intention of giving employers and workers an opportunity to break with the intense adversarialism that characterised their relations in the past. These institutions aim to promote more orderly collective bargaining and greater co-operation at workplace and industry levels, and to provide a proactive and expeditious dispute resolution systems.

*Basic Conditions of Employment Act (No. 75 of 1997)*

This Act was tabled in Parliament on October 1997 and came into effect on 1 December 1998. Its overall purpose is to advance economic development and social justice. The objective of the Act is to ensure that working conditions of unorganised and vulnerable workers meet minimum standards that are socially acceptable in relation to the level of development of the country. Another objective of this Act is to remove rigidities and inefficiencies from the regulation of minimum conditions of employment and to promote flexibility.

The Basic Conditions of Employment Act is aimed at addressing the following:

- inadequate protection of vulnerable workers, such as farm, domestic and part-time workers
- poverty in employment
- child labour
- excessive working hours, particularly in sectors such as security and transport
- gender discrimination, particularly in relation to maternity leave (Swanepoel, Erasmus, Van Wyk & Schenk, 2000:137).

Swanepoel et al. (2000:137) state that it was hoped the Act would make it sufficiently flexible for basic conditions of employment to vary, while creating appropriate safeguards to avoid extremes of exploitation.

### *Employment Equity Act (No. 55 of 1998)*

South Africa has a legacy of discrimination in relation to race, gender and disability that has denied most South Africans access to opportunities for education, employment, promotion and wealth creation. The objective of this Act is to ensure that the workplace is free from discrimination and employers take active steps to promote employment equity. Another objective of the Act is to achieve equity in the workplace.

Gerber et al. (1998:156) state that employment equity centres on the eradication of unfair discrimination of any kind in hiring, promoting, training, pay benefits and retrenchment in line with constitutional requirements.

The Employment Equity Act strives to achieve equity in the workplace by prohibiting unfair discrimination (Nel, Dyk, Haasbroek, Schultz, Sono & Werner, 2004:172). Having briefly explored relevant legislation relating to employment, the next section discusses different forms of harassment.

#### **1.2.4 Different forms of harassment**

Abusive behaviours regarded as constituting harassment can span a range of categories, including psychological, sociological, racial, religious, sexual, and electronic behaviours, and also behaviour by the police. Forms of harassment include bullying, cyberstalking, physical, stalking, mobbing, hazing and police harassment.

##### *Bullying*

Bullying can take place anywhere – in the school, the playground, the workplace or any other place, and may be physical or verbal. Usually, bullying is physical and psychologically harassing behaviour directed against an individual by one or more persons. In recent times, bullying in the workplace and in schools has been witnessed as much more serious and widespread than previously thought (Einarsen & Raknes, 1997:252).

- Bullying as a form of workplace harassment has attracted a variety of definitions. Rowe, Wilcox and Gadlin (2009:4), for example, define bullying as involving five main categories:
- Threats to an individual's professional status: in the work context, this may include public humiliation, having ideas derided, accusation of mistakes.
- Threats to an individual's personal standing: this may include insults and teasing or spreading rumours.
- Isolation: this could involve withholding work-related information or prohibiting access to opportunities for development.
- Overwork: this would include more than simple high workload as part of the job. Instead this may involve the setting of impossible-to-meet deadlines or extreme pressure to produce work.
- Destabilisation: this can include lack of recognition or reward for good work, removal of responsibility and changing remits of the individual's work.

#### *Psychological harassment*

Psychological harassment is embarrassing, threatening or abusive behaviour which is often difficult to detect because it leaves no evidence other than victim reports or complaints. Psychological harassment lowers a person's ego or causes them trauma. It could be in the form of verbal comments, characterised by intimidation, aggressive actions or repeated gestures. Falling into this category is workplace harassment by individuals or by group mobbing (<http://en.wikipedia.org/wiki/Harassment>).

#### *Racial harassment*

Racial harassment refers to the targeting of an individual because of his or her race or ethnicity. Such harassment may include words, deeds and actions that are specifically designed to make the target feel degraded due to his/her race or ethnicity.

### *Religious harassment*

Religious harassment refers to verbal, psychological or physical harassment used against targets because they choose to practice a specific religion. Religious harassment can also include forced and involuntary conversions.

### *Sexual harassment*

Sexual harassment can occur anywhere, but is mostly evident at the workplace and schools. Sexual harassment involves unwanted and unwelcome words, deeds, actions, gestures, symbols or behaviours of a sexual nature that make the target feel uncomfortable. Gender and sexual orientation harassment fall into this category. The main focus of groups working against sexual harassment is protection for women, but protection for men is coming to light in current years (<http://en.wikipedia.org/wiki/Harassment>).

### *Stalking*

Stalking is unauthorised following and surveillance of an individual to the extent that the person's privacy is unacceptably intruded upon and the victim fears for their safety.

### *Mobbing*

Mobbing is violence committed directly or indirectly by a loosely-affiliated and organised group of individuals to punish or even kill a person for some alleged offence without a lawful trial. The offence can range from a serious crime like murder to simple expression of undesired ethnic, cultural or religious attitudes. The issue of the victim's actual guilt or innocence is often irrelevant to the mob, since the mob usually relies on contentions that are unverifiable, unsubstantiated, or completely fabricated (<http://en.wikipedia.org/wiki/Harassment>).

### *Hazing*

This involves persecuting, harassing or torturing in a deliberate, calculated, and planned manner as part of an induction into a group. Because hazing tends to take place as part of a group's initiation rituals, the targeted individual is typically a subordinate or outsider such as a new employee. Hazing is illegal in many instances (<http://en.wikipedia.org/wiki/Harassment>).

### *Cyberstalking*

Cyberstalking is the use of electronic tools such as e-mail or instant messaging to harass or abuse a person or persons. It also includes intense and coordinated incidents of trolling, especially when they occur repeatedly and specifically targeting a single person or a group.

### *Electronic harassment*

Electronic harassment is the use of electronic weapons or directed energy weapons to harass or abuse a person or persons.

### *Sociological harassment*

Sociological harassment starts from isolated provocation episodes to passive-aggressive group intimidation. Individuals or even groups who are seen as a threat are eliminated or silenced.

### *Colloquial speech*

In colloquial speech, the word 'harassment' can mean bothering. In computer gaming contexts, harassment might constitute provocative or annoying actions in the game (<http://en.wikipedia.org/wiki/Harassment>).

## **1.2.5 South African legislation and harassment**

Section (3) of the Employment Equity Act (EEA) states that harassment amounts to a form of unfair discrimination and, as such, is prohibited. The most common forms of harassment encountered in the workplace are sexual harassment, racial harassment, sexual orientation harassment and religious harassment. Of these forms of harassment, sexual harassment, particularly harassment of women by men, is by far the most prevalent.

It is not altogether clear why the LRA found it necessary to state expressly that harassment of an employee is a form of prohibited unfair discrimination, because harassment can clearly be described as a practice. However, harassment does not necessarily involve discrimination. It seems, therefore, that the specific prohibition of harassment is to ensure that employers are not able to argue that harassment of one of their employees by another does not constitute an employment policy or practice,

and that employers are unable to escape the reach of Section (6) of the EEA by arguing that a particular form of harassment does not constitute discrimination.

Harassment has come into general parlance chiefly as a reference to unwanted sexual advances. However, the Act does not confine proscribed harassment to harassment of a sexual nature. Any form of harassment of an employee on one of these proscribed grounds is covered by the definition.

What, then, is harassment? According to the Shorter Oxford Dictionary (1993), the term '*harass*' derives from the French *harer*, which means to set a dog on someone or something. The word has assumed wider usage in English, but was initially used to describe what one army does to another by constant ambushes, harrying attacks and minor skirmishes. Now, it refers commonly to any form of constant molesting or persecuting, self-evidently with a bad motive.

In the employment context, employees may be harassed, normally by superiors, in a variety of ways. Harassment includes anything from physical violence to procuring sexual favours by threatening to withhold or grant benefits. Harassment, in the wider sense, may include anything from taunting an employee about some personal characteristics, nagging, unpleasantness, or persecuting them with frivolous disciplinary action, provided this is done on one or other of the grounds mentioned in the Act (Lutgen-Sandvik & Sypher, 2009:4)

Before harassment was included in the EEA, the only remedy afforded employees by labour legislation was to resign and claim constructive dismissal. Now harassed employees may compel their employers to take measures against perpetrators by bringing actions under the EEA. Swanepoel, Erasmus, Van Wyk and Schenk (2003:278) assert that:

Section 60 requires that any employee alleging that he or she is being harassed by a colleague must immediately bring that conduct to the attention of the employer. That done, the employer is obliged in terms of section 60(2) to consult all relevant parties and take the necessary steps to eliminate the alleged conduct. Section 60(4) provides that if the employer fails to take such steps and the employee is indeed guilty of unfair discrimination (including harassment), the employer must also be deemed guilty of that conduct. These provisions make it clear that the legislature does not intend to impose strict

liability on employers for harassment by their employees, which the High Court has held to be the case under the common law. If there was any doubt on this score, it was removed by Section 60(4), which states that, despite subsection (3), an employer is not liable for the conduct of an employee if that employer is able to prove that it did everything possible to prove that in contravention of this Act.

It appears that an employer cannot be held liable for harassment by an employee if management was unaware of it at the time the damage was done. However, once the harassment has come to management's attention, an employer wishing to escape liability must take the necessary steps to prevent the harassment. What the necessary steps may be will vary from case to case. However, in extreme cases, dismissal of the harasser will be the safest course (Lutgen-Sandvik & Sypher, 2009:5).

### **1.2.6 Performance**

According to Byars and Rue (2006:222), performance refers to the degree of accomplishment of the tasks that make up an employee's job. Bernardin (2003:143) maintains that performance is the record of outcomes produced on specified job functions or activities during a specified time period. Performance is determined by capability, motivation, and environment. A person must know how to work (capability), must want to do the job (motivation) and the requisite material, equipment and physical space (environment) must be favourable for performing a task.

Nel et al. (2004:369) state that:

Performance management is a continuous process, supported by an effective and streamlined system which is, in the first place, developmentally focused and implemented as a managerial accountability. It is manifested in both formal and informal interactions between manager and subordinate, and is the basis for a line management/human resource management interface, serving as the basis for other human resource management decisions.

Drucker (2009:76) maintains that the aim of performance management is not to identify the shortcomings of staff members, but rather to create an environment in which they can be developed with the support of management. Nel (2006:29) insists that co-operation and sound relationships in the human resource department are of



paramount importance in implementing a performance management system. Noe, Hollenbeck, Gerhart and Wright (2007:287) suggest that performance appraisal should be implemented to manage the performance of employees in order to achieve the goal of an organisation.

Meyer and Kirsten (2005:59) state that the following objectives can be achieved if an organisation has a well-integrated performance system:

- attracting and retaining skilled staff
- aligning and integrating individual, team and organisational objectives
- creating a performance culture
- providing mechanisms to manage under performance
- setting standards and criteria for performance
- clarifying accountabilities and empowering people
- developing skills and competence
- providing channels for communication and feedback
- creating a climate for motivation
- linking pay and performance
- providing a framework for strategic management
- providing information for other human resource functions
- identifying training and development opportunities
- identifying and addressing organisational problems
- supporting employment equity plans
- forming a basis for career management interventions

Having explained performance and performance management, HEI managers need to follow certain criteria in assessing performance. This will help monitor progress as to see whether the ultimate goal is being achieved or not.

### **1.3 Reason for choosing the topic**

Workplace harassment needs to be treated in the same way as sexual harassment or racial discrimination. There is a need to identify the perpetrators, establish rules of

conduct and penalties, and even pass laws prohibiting and penalising it. (Westhues, 2004:32).

Lester (2009:448) states that very few organisations have recognised the extent of harassment taking place in the workplace. While personnel managers may be faced with occasional serious harassment cases, very few organisations have considered the need to develop formal policies and procedures to deal with workplace harassment.

This research builds on existing knowledge on workplace harassment and its impact on staff performance, presents a sound basis on how to implement harassment policy, and provides a list of available help which for employees who are victims of workplace harassment.

The topic was chosen with the intention of exploring the nature and extent of harassment and its impact on performance of staff at the selected HEI. The findings of the research will help to promote academic and academic support excellence at the selected HEI.

## **1.4 Objectives of the study**

The central objective of the research was to explore the nature and extent of harassment and its impact on performance of staff at the selected HEI.

### **1.4.1 Sub-objectives**

In order to achieve the central objective, the following sub-objectives were identified:

- to determine the form(s) workplace harassment take(s) at the selected HEI
- to establish the extent of workplace harassment of staff at the selected HEI
- to explore the impact of workplace harassment at the selected HEI
- to establish how workplace harassment affects the performance of individuals at the selected HEI
- to develop a model to address workplace harassment at the selected HEI

It is hoped that findings of this research will assist in:

- establishing procedures to be used to deal with workplace harassment
- organising a range of professional assistance which will help other organisations
- developing a workplace harassment policy for the selected HEI

### **1.5 Key questions to be answered**

According to Hussey and Hussey (1997:126), research questions are not the detailed questions a researcher might use in questionnaires or interviews, but are questions that identify the nature of the research problem or the issue to focus on. Without asking appropriate questions, the researcher will not be able to collect suitable data and arrive at sensible conclusions. This is the crucial part of research.

The research questions for this study are:

- What form/forms does workplace harassment of staff take at the selected HEI?
- What is the extent of workplace harassment at the selected HEI?
- How does workplace harassment affect the morale of staff at the selected HEI?
- How does workplace harassment affect the performance of individuals at the selected HEI?
- What can be done to prevent workplace harassment at the selected HEI?

### **1.6 Problem statement**

At the end of 2009, the selected HEI completed two years as a new university type (University of Technology) that had emerged from the process of mergers and redesignations announced by the Minister of Education in 2002 and 2003. The first technikons became Universities of Technology in 2004, followed by the rest in 2005. However, in 2002, ML Sultan Technikon and Technikon Natal had already merged under the name of Durban Institute of Technology (DIT). In 2006, the merged institution changed its name to Durban University of Technology (DUT) to bring it in line with other previous technikons. During this time, the DIT/DUT continued to

operate as a technikon, with technikon policies, processes, procedures, practices and structures.

In 2007, the selected HEI appointed a new Council, new Vice-Chancellor and new Deputy Vice-Chancellor: Academic. At the end of that year the HEI consolidated the merger and rounded it off, and in 2008 it embarked on the major mission of its young life: transforming into a University of Technology, not just in name, but in practice.

The selected HEI faced many challenges regarding its plans and efforts to refocus itself as a new type of university. While the two constituent institutions had been similar institutional types (that is, technikons), they had had different cultures and artefacts in relation to academic and religious backgrounds and to their distinguishing colours and symbols. This had been a bedevilling factor during the merger process, which sought to create a cohesive and settled university community (Durban University of Technology Annual Review Report, 2009:34).

For five years, the researcher had been active in union activities as a shop steward, including being a Vice-Chair: Academic for the Nutesa Staff Union in 2009. Included in the researcher's portfolio was addressing all complaints by Nutesa staff at the new institution. Many complaints were handled that arose from the merger of the constituent institutions. Some of the staff complained about being unfairly treated in their departments, some had misunderstanding with colleagues and Heads of Departments, and others felt harassed and bullied. Some of the issues were so serious that some staff wanted to be transferred to other departments. Others even considered resigning from the institution.

The problem this research sought to address may be stated as follows: As far as the researcher knew, there has been very little research done throughout South Africa on workplace harassment in general. The research that has been done focuses mostly on school bullying among learners. There seems to have been very limited awareness of the fact that harassment can occur in the workplace as well, and limited understanding of the different forms harassment takes or of what constitutes harassment. The main research problem of the study is to investigate the nature and

extent of harassment and its impact on performance of staff at the selected higher education institution (HEI).

### **1.6.1 Harassment situations**

Harassments can occur in a variety of circumstances. Often, but not always, the harasser is in a position of power or authority over the victim (due to differences in age, or social, political, educational or employment relationships). Forms the harassment relationship may be characterised by some of the following:

- The harasser can be anyone, such as a client, a co-worker, a parent or legal guardian, a teacher or professor, a student, a friend, or a stranger.
- The victim does not have to be the person directly harassed but can be anyone who finds the behaviour offensive and is affected by it.
- Adverse effects on the target are common.
- The victim and harasser can be any gender.
- The harasser does not have to be of the opposite sex.
- The harasser may be completely unaware that his or her behaviour is offensive or constitutes sexual harassment or may be completely unaware that his or her actions could be unlawful.

Misunderstanding can result from a situation where one thinks one is making oneself clear, but is not understood as intended. The misunderstanding can either be reasonable or unreasonable. An example of unreasonable misunderstanding is when a manager holds a certain stereotypical view of a subordinate such that he/she does not understand the subordinate's explicit message to stop (Paludi, 1991:2).

### **1.6.2 Common effects of harassment on victims**

Keashly and Neuman (2009:21) provide common professional, academic, financial and social effects of harassment, which include:

- decreased work performance; and/or increased absenteeism
- loss of job or loss of income

- having one's personal life offered up for public scrutiny in that the victim becomes the accused, and his/her dress, lifestyle and private life often comes under attack
- being objectified and humiliated by scrutiny and gossip
- becoming publicly sexualised (where groups of people evaluate the victim to establish if he/she is worth the sexual attention or the risk to the harasser's career)
- defamation of character and reputation
- loss of trust in environments similar to where the harassment occurred
- loss of trust in the types of people who occupy similar positions as the harasser or his or her colleagues
- extreme stress upon relationships with significant others, sometimes resulting in divorce; extreme stress on peer relationships, or relationships with colleagues
- weakening of support network, or being ostracised from professional or academic circles
- having to relocate to another city or find another job
- loss of references/recommendations

Depression, anxiety, sleeplessness, shame and guilt, difficulty concentrating, headaches, fatigue or loss of motivation, stomach problems, eating disorders (weight loss or gain), alcoholism, feeling betrayed and/or violated, feeling angry or violent towards the perpetrator, feeling powerless or out of control, increased blood pressure, loss of confidence and self-esteem, withdrawal and isolation, overall loss of trust in people, traumatic stress, post-traumatic stress disorder (PTSD), complex post-traumatic stress disorder, suicidal thoughts or attempts and suicide are some of the psychological and health effects that can occur in an individual who has been harassed. Organisations should be aware of the impact of workplace harassment on staff performance and take a closer look at whether harassment is a problem within their own environment and implement workplace harassment policies (Keashly & Neuman, 2009:22).

## **1.7 Broad problems to be investigated**

To be successful, organisations must create an atmosphere that inspires both innovation and risk-taking. In an increasingly competitive global economy, such innovation is more important than ever before. Not only does workplace harassment stifle productivity and innovative practices, but harassers often target the organisation's most talented employees, individuals who are generally the most threatening to harassers (McCord & Richardson, 2001:23). As a result, creativity and productivity of the organisation's most talented human capital is often negatively affected by this type of behaviour at work. Worse still, good employees are driven out of the company altogether.

Studies show that organisational climate and workplace environment are essential for understanding the conditions in which harassment is likely to occur and the way victims will be affected. However, research on specific policy, procedure, awareness and prevention strategies is lacking. Another element which increases the risk for harassment is the job's gender context. For example, having few women in a close working environment or practising in a field which is atypical for women might increase chances for harassment.

Lester (2009:451) states that the most effective way to avoid harassment in the workplace, and also influence the public's state of mind, is for the employer to adopt a clear policy prohibiting workplace harassment and make it clear to employees. According to the author, many women prefer to make a complaint and have the matter resolved within the workplace, rather than in public by complaining and being seen as traitors by colleagues, superiors and employers.

Rayner and Cooper (2006:123) indicate that most employees prefer a pragmatic solution that would stop the harassment and prevent future contact with the harasser, rather than turning to the police. Felstiner and Sarat (1981:76) highlight the difficulty in seeking redress through legal action. The authors describe three steps a victim of any dispute must go through before turning to the justice system: naming – giving the assault a definition; blaming – understanding who is responsible for the violation of rights and facing them; and finally, claiming – turning to the authorities. In

sexual offences, going through these steps is difficult for the victim, and the closer the relationship between victim and assailant, the harder it is to take each step.

## **1.8 Significance of the study**

Through the lessons that can be derived from triangulated investigation of workplace harassment, staff performance, policies and judicial review, this study may influence debate, future legislation and material outcomes concerning workplace harassment. The study is significant for two reasons in particular: Firstly, since the possibility exists for fighting workplace harassment through the comparative judicial review process, this study will substantively reinforce staff capacity to challenge workplace harassment practices and policies, thereby improving staff performance and reducing workplace harassment. Secondly, since policy makers are constantly required to review policy effectiveness, this study will, hopefully, assist organisations in drafting their own workplace harassment policies. The study will also serve as a forerunner to further studies on workplace harassment and its impact on staff performance. It has been undertaken in the hope that it will provide a better understanding of the linkage between workplace harassment and staff performance and thereby enhance staff morale and confidence.

Saunders, Lewis and Thornhill (2003:3), suggest that "business research needs to address business issues and to provide a process for solving managerial problems". In this spirit the present study sets out to assess the impact of workplace harassment on staff performance at the selected HEI. The rationale behind the research was to explore the nature and extent of harassment and its impact on performance of staff at the selected HEI. It is hoped that findings of this research will assist in:

Establishing procedures to be used to deal with workplace harassment, organising a range of professional assistance which will help other organisations, and developing a workplace harassment policy for the selected HEI.

Broadly speaking, most incidents of harassment occur between a superior and a subordinate, the majority of negative acts experienced are indirect and verbal in nature, and harassment behaviours are, for most part, not gender specific. Race too



can play a role in harassment in the target organisations, not least in view of the historical legacy of apartheid in South Africa, and it therefore behoves management to take note of racial tensions in an organisation and to put in place intervention strategies to deal with this problem.

In seeking to contribute to the existing body of knowledge this research will hopefully stimulate other researchers in South Africa who share similar concerns to do more research on workplace harassment so as to broaden stakeholders' understanding of the impact of workplace harassment on performance and productivity and help organisations and individuals manage the problem. Pietersen (2007:61) suggests that there is a definite need for more in-depth research on the impact of workplace harassment – workplace bullying, discrimination and sexual harassment, is needed in the South African work context.

Further, it is envisaged that drawing from international best practices will enable the study to integrate different ideas on the best possible models to improve awareness on workplace harassment in South Africa.

## **1.9 Principal theories underpinning the research**

### **1.9.1 The public service paradigm**

The governing paradigm of public administration is public service to meet the needs of the public and to improve service delivery. Cloete (1998:49) stresses that public administration is based on political values and not business motives and principles. However, politicians and public officials are bound by the reality that resources are insufficient to satisfy all needs, necessitating judicious use of limited resources to meet burgeoning demands.

#### **1.9.1.1 Public administration**

In line with Chapter 10 of the Constitution (Act 108 of 1996), a public administration system has been established in the Republic of South Africa. According to Schwella (1996:2), public administration

- is a system of structures and processes

- operates within a particular societal environment
- has as its objective the formulation of appropriate, legal and legitimate government policies
- works towards the effective, efficient and productive execution of the formulated objectives.

## **1.9.2 Public management**

According to van der Walt (2004:12), "Public management is a discipline within public administration which in the main concerns itself with planning, leading, organising, controlling and co-ordinating human and other resources to ensure efficient, effective and economical delivery of public goods".

### **1.9.2.1 Public management model**

Schwella (1996:5) describes public administration is a functional societal system within which public management and public resource management are two subsidiary disciplines.

Public management is an integral part of public administration and focuses on:

- systems of structure and processes
- operating within the public administration systems as envisioned
- the objective of effectively, efficiently and productively utilising state public resources
- pursuing legal and legitimate policy goals and objectives

Public Resource Management, on the other hand, focuses on the relationship between public management functions, skills and techniques and the scarce resources used to achieve legitimate and legal policy goals and objectives. It considers the effects of the public context or environment on the procurement, allocation, use and control of these resources.

The public management environment, according to Schwella (1996:5), consists of general and specific components. Understanding the general and specific

environment of work would enable the manager to competently undertake policy making, planning, organising, leading, controlling and evaluating.

Within the Schwella paradigm of public management, a performance management and development system has been formulated to manage the performance of employees. Van Dijk (2007:42), however, lists a number of reasons why performance management systems are failing:

- individual goals not being linked to organisational strategy
- no consequence for non-performance by employees
- employees not understanding what is expected of them
- necessary job competencies not being developed
- managers not using individual goals to drive performance
- there being too many goals per employee
- there being no link between effective performance and reward and recognition
- lack of feedback on performance given by identifying the concrete areas for improvement
- employees not being held accountable for results
- performance management being seen as separate from the day-to-day management and leading of employees

### **1.9.3 New public management**

According to Cloete (1998:15), one of the most striking international trends in public administration in recent years has been the rise of 'new public management' (NPM) . NPM is emphatically not a uniquely British development. The author sees the rise of NPM as linked with four other administrative megatrends:

- (a) Attempts to slow down or reverse government growth in terms of overt public spending and staffing.
- (b) The shift towards privatisation and quasi-privatisation and away from core government institutions, with renewed emphasis on subsidiarity in service provision.
- (c) The development of automation, particularly in information technology, in

the production and distribution of public services.

- (d) The development of a more international agenda, increasingly focused on general issues of public management, policy design, decision styles and intergovernmental co-operation, on top of the older tradition of individual country specialisms in public administration (Cloete, 1998;15).

#### **1.9.4 Behavioural theories**

Motivation is the willingness to do something, and is conditioned by an action's ability to satisfy some need of the individual (Robbins, 1994:42). The basis of theories on human behaviour is careful observation. Motivation theories can provide managers in the selected HEI managers with a good indication of how people might behave in various circumstances.

#### **1.10 Research methodology**

This section provides a description of the research methodology for the primary research, which was undertaken to meet the research objectives stated. The research methodology or design to be used in this study is a case study. The basic case study entails detailed and intensive analysis of a single case.

##### **1.10.1 Case study**

Case studies fall into the category of contextual research, where in-depth description and explanation of a specific phenomenon, group or event is studied within the context of a specific reality, environment or meaning (Garber, 1996:288). Case studies are commonly used in the study of management phenomena in particular contexts and locations. McNabb, states that there are many different definitions for case studies. For McNabb (2002:286),

A case is a description of a management situation based on interview, archives, naturalistic observation, and other data, constructed to be sensitive to the context in which management behaviour takes place and to its temporal restraints.... As a research strategy, the distinguishing characteristic of the case is that it attempts to examine (a) contemporary phenomenon in its real-life context, especially when (b) the boundaries between phenomenon and context are not clearly defined.

This study used a case study method. The reason for employing the case study approach, regarding workplace harassment and its impact on staff performance, was to study the phenomenon in a real-life situation. There is one fundamental principle underlying all case study approaches to research. McNabb (2002:287) states that "the basic rationale for a case study is that there are processes and interactions ... which cannot be studied effectively except as they interact and function within the entity itself". What is learnt from one set of processes and interactions can then be applied to similar processes and interactions elsewhere. The study of workplace harassment and its impact on staff performance, using the selected HEI as a case study, can be replicated in other universities as well as in other organisations.

### **1.10.2 Literature review**

An extensive literature review was conducted with the intention of obtaining a thorough understanding of the topic being researched, gathering evidence and appraising and applying the evidence to support all assertions. The literature review included electronic media in several databases, published papers, conference papers, newspaper articles, journal articles, dissertations and books<sup>3</sup>.

### **1.10.3 Data gathering techniques**

The technique used to gather data in this research was administration of a questionnaire for primary data and thorough analysis of the literature for secondary data.

#### **1.10.3.1 Primary data**

##### *Questionnaire*

Primary data was gathered using a purposefully-designed questionnaire. The procedure for the data-collection method was as follows:

- The questionnaire was initially piloted at Ritson Campus of the selected HEI using 10 academic and non-academic staff members. A number of changes were made based on the results of the pilot study.
- The improved, piloted questionnaire was hand-delivered to potential respondents.

- Emails were sent to remind respondents to complete and return the completed questionnaire.
- Once respondents completed the questionnaire, it was either collected by the researcher or a designated individual sent them via the HEI's internal mail service to the researcher.

The total population in 2012 of full-time staff at the selected HEI (both academic and academic support) was 1 319. All were potential participants, and of these a sample was selected of 200 respondents, including management, academic and non-academic staff in all six faculties, and with an equal balance of males and females. African, Coloured, Indian and White staff were selected in proportion to their respective numerical distribution in the institution. To ensure that the sample was fairly representative of selected HEI staff demographics and legitimate eventual conclusion that the respondents' views broadly reflected those of academic and non-academic staff and management, a stratified random sampling method was used.

According to Babbie and Mouton (2001:233), a questionnaire is a collection of questions which enable the researcher to determine the extent to which a respondent perceives a particular issue. Fowler (1993:94) observes that designing a good survey instrument such as a questionnaire involves selecting the questions needed to meet the research objective, testing them to ensure their validity and organising them in a form that elicits the required responses. Well-designed questions provide reliable and valid measures for data collection. A number of criteria are used to determine the nature of the questions in a questionnaire, governing their relevance to the research questions, their approach, structure, content and wording with regard to the type of responses required (Foddy, 1993:131). There are two types of questionnaire:

- Open-ended questionnaires, which enable the respondents to provide their views through a provision made for written responses; no specified choices are given. This question structure is most often used to study public opinion. Answers to open-ended questions allow complex motivational influence and frames of references to be identified.

- Closed-ended questionnaire, in which a list of answers is provided and respondents select the one that closely represent their views. The response categories are usually exhaustive, so that the respondent is not compelled to select more than one answer (Foddy, 1993:131).

Questionnaires have several advantages. They are cheap, and they allow participants to answer the questions at their own convenience (Neuman, 2006:38). In addition, according to Babbie and Mouton (2001:162), using a questionnaire can reduce interviewer bias and provide anonymity for the participant.

### *Management*

Self-completion questionnaires, sometimes referred to as self-administered questionnaires, were used to collect data. Research assistants were employed to administer the questionnaire at the selected HEI. Both closed-and open-ended questions were included in the questionnaire.

#### **1.10.4 Secondary data**

Secondary data was gathered from:

Literature on workplace harassment and the key issues that characterise the current situation in the workplace; newspaper articles and business reports that discuss the present effects of workplace harassment in different sectors including HEIs; academic journals; relevant books; conference papers; government publications; policy document; online sourcing using articles from the Internet relating to workplace harassment; and magazine reports on workplace harassment and bullying.

#### **1.11 Data analysis**

Data gathered was analysed using suitable methods appropriate to quantitative data. Microsoft Excel 2010 Software Package was utilised to statistically analyse the data gathered.

Findings of the research were presented in the form of graphs and other graphic representations, accompanied by narrative discussion. A separate narrative

discussion attempted to link the findings of the empirical research to the conceptual framework and relevant literature.

### **1.11.1 Validity and reliability**

The next section discusses validity and reliability aspects of the study.

#### **1.11.1.1 Validity**

According to Babbie (2004:391), validity addresses the issue of whether the researcher is measuring what they have set out to do. Face validity was ensured in this study, as it requires the research instrument to be relevant to participants in the study. This validity criterion was relevant for the study and yielded valid findings which were useful to the selected HEI.

#### **1.11.1.2 Reliability**

Reliability is concerned with the estimating of the degree to which a measurement is free of random or unstable error. Reliability of a research instrument refers to the consistency or repeatability of the measurement of some phenomena (Saunders, Lewis and Thornhill, 2003:299). Test–retest reliability was used as it is efficient and relevant to this study. Reliability is more concerned with the data-collection instrument than the results. A pilot study was conducted on staff at Ritson Campus of the selected HEI to ensure reliability of the data-collection instrument, thereby enhancing validity of the study.

The validity and reliability of the findings of the study were ensured through the following methods: pre-testing of the semi-structured interview, use of the triangulated approach to data collection and use of scientific tools for data analysis and interpretation that is Microsoft Excel software 2010.

### **1.11.2 Ethical considerations**

Lancaster (2005:31) states that a study should be guided by fundamental ethical considerations that relate to responsible research in human sciences. Collins (1999:44) contends that the value and quality of research must outweigh any potential discomfort, inconvenience or risk experienced by participants or other people from whom data are to be collected. No one was harmed or suffered adverse



consequences from research activities. The rights of respondents were respected and protected. The study was designed to ensure that respondents did not suffer physical harm, discomfort, pain, embarrassment or loss of privacy (Cooper & Schindler, 1998:121). Furthermore, the study was scientifically sound and validated. Respondents from the selected HEI who were targeted included academic staff, academic support staff and management. No one was forced to participate in the study. All participants were appropriately asked for their informed consent. The study was conducted according to the norms and standards of research.

### **1.11.3 Informed consent**

Hussey and Hussey (1997:38) state that in any research project it is ethical to inform potential participants of the purpose of the research and to obtain their agreement to participation. This could help to circumvent problems of gaining access and obtaining valid responses. Marshall (2002:99) maintains that where there is some risk, participants should be asked for their informed consent. Informed consent was sought from the intended participants in a letter attached to the questionnaire which set out the purpose of the study and the potential benefits, and gave assurance of anonymity and confidentiality. Promises in this regard were observed and maintained throughout the study.

### **1.11.4 Study limitations**

Conceptually and methodologically, the study was limited by a number of factors, including the following:

- inability of researcher to gain access to certain staff members because of their reluctance to participate in the study. To address this limitation, respondents were ensured that their confidentiality will be maintained.
- time constraints relating to respondents taking too long to return the questionnaire. To address this, respondents were encouraged to return questionnaire by means of e-mail.
- availability of financial resources. To address financial constraints, an award by UKZN and DUT covered running expenses.

- reluctance of potential respondents to participate in the study for their own psychological or emotional reasons. To address this limitation, respondents were assured of anonymity.

#### **1.11.5 Elimination of bias**

Mathisson (1998:13) indicates that triangulation has given rise to an important methodological issue in neutralistic and qualitative approaches for controlling bias and establishing valid proportions because the traditional scientific techniques are incompatible with this alternative epistemology. This research used neutralistic and qualitative approaches to triangulate and corroborate the result of each method.

#### **1.11.6 Delimitations of the study**

The study focused more on bullying as a form of harassment than on other forms of harassment such as sexual harassment, the latter has been widely researched both internationally and nationally. The study focused on workplace harassment, specifically workplace harassment among staff only, and did not include staff–student harassment or student–staff harassment. Similarly, the study did not include student–student harassment as this category has been researched more recently, particularly in relation to school bullying.

The study was conducted at the selected South African HEI, which is a multi-campus institution with campuses in Durban and Pietermaritzburg. The reason for choosing this particular institution was that it was the first HEI to undergo merger in South Africa. The institution resulted from a merger between two historically different institutions, one with predominantly white employees and the other with predominantly Indian employees. At the stage where the two institutions were in the process of merging, more Africans were being employed by both institutions in order to comply with the Employment Equity and Affirmative Action Policy. Subsequent to the merger of these two institutions, further mergers took place between other institutions in the period from 2000 to 2006, in accordance with policy set down by the then Minister of Education (Prof K Asmal) in 2003. In the case of the selected HEI, the many challenges it faced in its plans and efforts to refocus itself as a new type of university were a further reason for its choice by the researcher in this study.

Lastly, the researcher chose the selected HEI because having been an employee of the institution for more than thirteen years he was and is familiar with the institutional culture and staff.

The researcher was the primary instrument for collecting and analysing the data. It is important to note that the researcher was a critical contributor of information for this thesis on the basis of personal knowledge derived from extensive and intimate participation on the branch executive committee of the majority union of the institution. This is accordingly acknowledged as a limitation in that the possibility of bias could have crept into the study, raising concerns of ethics, validity and reliability of data collection.

## **1.12 Structure of the thesis**

Chapter 1: Introduction and overview of the study

This chapter includes the background, research objectives, significance and scope of the study. The chapter also details the research process followed for the study.

Chapter 2: Literature review part one: theoretical framework

The second chapter reviews pertinent literature. This chapter helps to clarify how the study fits within a public administration context.

Literature review part two: motivation, performance and harassment

This part reviews the effects of workplace harassment on employees' performance. Principal theories which form the foundation of the research project are discussed. It also reviews the nature of public human resource management and development.

Literature review part three: human resource management policies

Part three examines human resource management policies because that background is important for developing workplace harassment policy for the selected HEI.

Literature review part four: best practices in dealing with workplace harassment

This part proposes a systematic model of workplace harassment by evaluating best practices in dealing with workplace harassment.

### Chapter 3: Research design and methodology

This chapter discusses the research methodology, research design, data collection and analysis, and delimitation of the study. A breakdown of the research instrument and the procedures for gathering data is provided.

### Chapter 4: Data analysis and interpretation of results

Analysis of results and discussion of findings are presented in this chapter. The results are presented graphically together with a detailed analysis and interpretation.

### Chapter 5: Findings, conclusions and recommendations

The chapter summarises the thesis with emphasis on results obtained, contribution made by results, recommendations and suggestions for further research.

## **1.13 Summary**

The findings of this study are made available through publication in accredited peer-reviewed journals, presentations at local and international conferences, seminars and workshops on workplace harassment.

It is anticipated that the study will provide useful strategies for South African organisations on how to protect their employees from workplace harassment.

This chapter has outlined the background, research objectives, significance and scope of the study. The chapter has also detailed the research process followed for the study, principal theories which form the foundation of the study, and structure of the thesis. Chapter 2, part one introduces the literature review, indicating how the study fits within a public administration context. As part one of an extended literature review, Chapter 2 part one focuses on the theoretical framework of the study.

Chapter 2, part one deals with the theoretical framework for the study. Workplace harassment, public administration and public management theories will be discussed. Forms and directions of harassment and violence as well as dimensions of costs of harassment will also be explored, and the chapter concludes with a consideration of international and South African perspectives on workplace harassment and the law.

## **CHAPTER 2**

### **LITERATURE REVIEW PART ONE: THEORETICAL FRAMEWORK**

#### **2.1 Introduction**

Chapters 2, parts one, two, three and four review the literature extensively. These literature review show linkages to existing knowledge, previous investigations -and contemporary practice. They identify significant prior research, explain whether these questions have been asked before, whether related questions have been asked and what answers have been obtained. In short, they outline, evaluate and synthesise the current state of critical and theoretical debate. Chapter 2, part one focuses on the theoretical framework of the study.

A search of NEXUS indicated there was no research on workplace harassment conducted among academic and non-academic employees in the South African public higher education system. Furthermore, workplace harassment has been studied primarily in Western countries (for example, the United Kingdom: Hoel and Beale, 2006; Norway: Einarsen and Skogstad, 1996; Australia: McCarthy, 2003) with very little research done in non-Western countries. Given changes in the South African higher education institutional landscape, including mergers of certain public higher education institutions, a comprehensive understanding of workplace harassment in a South African context seems potentially valuable.

This chapter reviews pertinent literature on workplace harassment involving international perspectives, legislation and practices. South African employment laws relevant to the study are discussed. The chapter also clarifies how the study fits within a public administration context.

#### **2.2 Workplace harassment**

Adams (1992:1) describes workplace harassment as persistently negative attacks on personal and professional performance, typically unpredictable, irrational and often unfair. This abuse of power or position can cause such chronic stress and anxiety

that the employees gradually lose belief in themselves, suffering physical ill health and mental distress as a result.

According to Einarsen (1998:28), harassment emerges when one or several individuals persistently over a period of time perceive themselves to be on the receiving end of negative actions from one or several persons, in a situation where the target of harassment has difficulty in defending himself/herself against these actions. This definition contains a number of features in need of further explanation.

#### *Negative acts*

The negative behaviours most frequently identified with harassment can be divided into the following categories: personal derogation (humiliation and personal criticism), work-related harassment (withholding of information and having one's responsibilities removed), social exclusion, violent threats, intimidation and work overload (Einarsen & Raknes, 1997:251; Hoel & Cooper, 2000b:8).

#### *Persistent*

Harassment will normally refer to behaviour that is repeated and persistent. Therefore, while it can be unpleasant to be the target of someone's occasional aggressive behaviour, such behaviour would, in most cases, be excluded from the definition. The exception here would be those cases where intimidating behaviour of a severe nature (for example, physical violence or threat of physical violence) leaves the target in a permanent state of fear (Hoel & Cooper, 2000b:8).

#### *Long-term*

Workplace harassment, in some cases, may be resolved in its early phases by means of organisational intervention or by initiatives from those involved or other concerned parties. In other incidents, one of the parties involved may decide to leave. However, the long-term nature of the phenomenon is one of the most salient features of the problem. In a study of 5 300 British employees, two out of three people currently bullied reported that the process had lasted for more than one year (Hoel & Cooper, 2000b:11). The prolonged nature of the exposure is particularly significant for understanding the severe effects harassment may have on targets as

well as the likelihood of finding a solution to the problem (Hoel & Cooper, 2000a:102).

### *Imbalance of power*

When an equal balance of power exists between two individuals in a conflict situation, this would not qualify the situation as harassment. However, it is important to note that power may be formal, drawn from one's hierarchical position within the organisation, or informal, referring to sources of power such as personal contacts, organisational standing and experience. Knowledge of an opponent's vulnerabilities may be a further source of informal power often exploited in cases of harassment (Einarsen & Raknes, 1997:254).

### *Intent*

Though central to many definitions of school harassment (for example, Besag, 1989), intent is left out of the above definition. The role of intent has, however, given rise to considerable discussion and controversy within the harassment field (for example, Keashly, 1998:85). There is disagreement as to the usefulness of including intent among defining characteristics: for example, whether harassment behaviour is necessarily used to harm a target or, at times, may be considered instrumental behaviour, where harm can be considered a non-intended side effect of the behaviour. Owing to the difficulty of establishing intent in the context of litigation, it has been excluded as a defining feature in cases of other types of harassment (Hoel, Rayner & Cooper, 1999:197). As will be evident from the subsequent exploration of the phenomenon, this does not imply that the role of intent is unimportant in understanding harassment and the victimisation process. In fact, Einarsen (1999:16) concurs that the attributions made by targets may have as serious an effect on the victim as the negative behaviour itself.

## **2.3 Public administration and public management**

Schwella (1991:12) argues for ascribing a wide meaning to public administration as a societal system. According to this author, public administration is:

- the system of structures and processes
- operating within a particular society as environment

- with the objective of facilitating the formulation of appropriate, legal and legitimate government policies, and
- the effective, efficient and productive execution of the formulated policies.

While the study of Public Administration will sometimes focus on the system as a whole, in terms of the definition it could also focus on any aspect of that system. Starling (1986:7) confirms this view in noting the desirability of the following as topics to be included in public administration curricula and programmes:

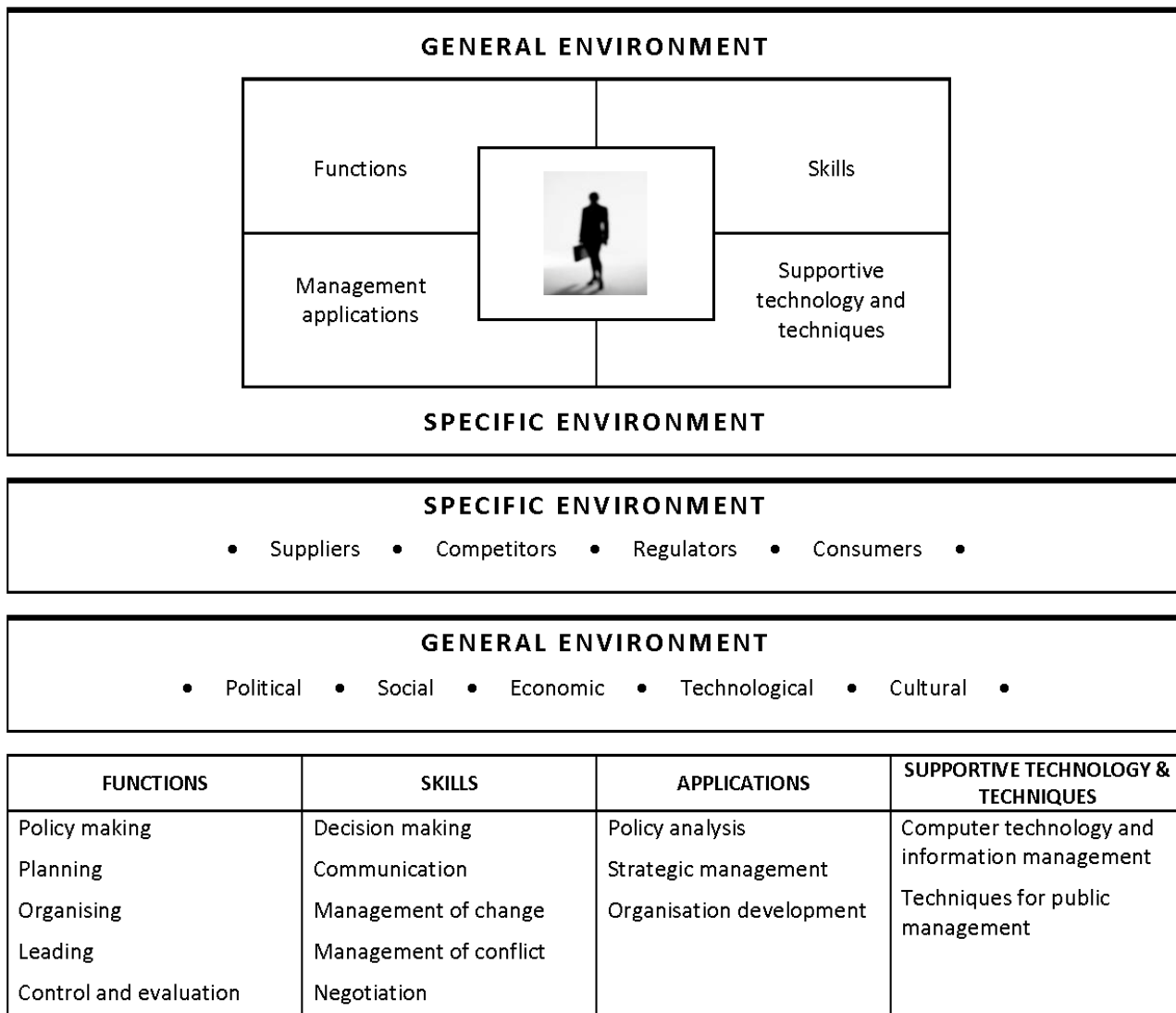
- the political, social and economic environments
- policy analysis
- managerial processes
- analytical tools
- individual, group and organisational behaviour

Public management is thus an intrinsic part of public administration systems, especially those aspects dealing with the managerial processes referred to by Starling (1986:8). Public management is also defined in systems and process terms. In systems terms, public management is:

- the system of structures and processes
- operating within the public administration system as environment
- with the objective of effectively, efficiently and productively utilising scarce public resources, and
- in pursuing legal and legitimate policy and goals and objectives.

Put differently, public management is the use of scarce resources in pursuing policy goals. The utilisation should be optimally effective, efficient and productive, and legitimately and legally democratic (Schwella, 1991:13).





**Figure 2-1: Public management model**

Source: adapted from Schwella, Burger, Fox and Muller (1996:7).

The environment of public management includes a general and a specific environment. Public management functions include: policy making, planning, organisation, leadership and control and evaluation. Public management skills are: decision making, communication, change management, conflict management and negotiation while public management applications are: policy analysis, strategic management and organisational development, supportive technology and

techniques for public management including computer technology and techniques for public management.

The environment or context of public resource management and its attendant functions, skills, application and techniques, has to relate to public resources such as, human, financial, information and natural resources. The relationship must be based on effectiveness, efficiency and productivity. The resources must be used, in the public context, to pursue constitutional, legitimate and legal policy goals and objectives (Schwella et al., 1996:8).

### **2.3.1 New public management and higher education institutions**

New public management (NPM) principles in the higher education sector has been inevitable, but has controversy. The main reason for the controversy is that public higher education systems have traditionally been regarded as a stand-alone sector, not easily or often compared with other public sector systems (Ferlie, Musselin & Andresani, 2008:326). The uniqueness of HEIs from other public institution has been expressed in Parsonian tradition in reference to the American university (Schimank, 2005:361) and the Humboldtian concept in reference to the traditional German university (Schimank, 2005:363).

Schimank (2005:361) states that, the Parsonian notion of the university saw universities as institution run by academics even more so that hospitals managed by medical doctors. In this view, universities are indispensable to society, but are subordinated to the power of the academic professions. The Humboldtian idea of solitude and freedom saw the state in control of the university, through funding and other privileges, but with the academic professors having full autonomy over the university's functioning (Schimank, 2005:363). In these perspectives of the traditional university, the state's role is largely to ensure the autonomy of higher education. This tradition regards academics as "producers, users and owners of an esoteric knowledge whose quality of costs cannot be assessed or controlled by 'profanes' (public authorities, members of the civil society, etc.)" (Ferlie et al., 2008:327). Thus, despite its dependence on public funding, the higher education system has, for centuries, been protected from government steering.

However, Strehl, Reisinger & Kalatschan, (2006:7) state that NPM concepts and theories which have been developed within the public sector generally have been adapted and introduced into the higher education sector . The authors also state that the paradigm shift that is discernible through the introduction of NPM thinking into higher education which entailed several challenges for both governments and individual institutions. The authors further indicated that the state's focus is now on political/strategic issues and "steering at arm's length" and there is a strict demarcation of policy formulation and policy implementation. There is also a change from the traditional input- and formula-based funding to a system that emphasises output and performance. In response to the emphasis on output and performance, managerial practices within public HEIs have assimilated practices associated with the business sector. Thus, within the higher education sector, there has been the adoption of "new" functions such as marketing, strategic planning, fundraising, cost accounting, patents management and public relations.

The introduction of NPM into higher education in many countries has been controversial. Many concerns have been raised about the fact that self-regulation has led to a loss of autonomy and the traditional values associated with a university. As an illustration of these concerns, Schimank (2005:362) laments the loss of autonomy and the invasion of the market in higher education in Germany, asserting that

Simultaneous growth and loss of autonomy are now dominant features of the German university system. Since the 1980s, 'new public management (NPM) has become the keyword. Its basic slogans – 'more market', 'less regulation', and 'strong leadership' – have become commonplace. The universities, like other public services – such as transport, telecommunications, hospitals, and schools – have become sites of application of NPM.... It has gathered strength from a coincidence of factors, including a growing sense of public unease with academic autonomy and an expanding opportunity that favours political intervention. If allowed to continue unchecked in its present form, it is argued, the process may threaten the most distinctive features of academic life.

The challenge facing the university, according to Schimank (2005:375), is to ensure that public trust is restored in academia. This should be achieved by a balance between professorial autonomy and professional responsibilities. However, the

author argues that government policies in respect of evaluation, resource allocation and recruitment should not be passively accepted. Rather, Schimank (2005:375) argues, that "academics should no longer leave evaluations to others, but should invest in self-defined measures of quality, relevance and efficiency in the collection of data, as is done in the United Kingdom and Australia".

Schimank (2005:375) states that "self-regulated quality control at German universities is understandable, as it is in line with the historical ethos prevailing at universities for decades". However, as Orr, Jaeger and Schwarzenberger (2007:4) point out, "the German higher education system has been subjected to many pressures created by system expansion, and higher education has not been able to cope with these pressures on its own". The number of new entrants into higher education rose significantly between 1998 and 2003, from 258 000 students to 347 000 – an increase of 35%. This increase was accompanied by an increase in the demand for academically qualified workers in the labour force. However, the performance of German higher education as a whole pointed to the fact that the demand for an increase in the number of graduates was not going to be met easily, as the following data suggest:

- "Students in German higher education take an average of five years and four months to complete their courses.
- Less than 25% of all students at universities complete their courses in less than five years, and a further 25% take more than eight years to complete.
- The number of graduates decreased by 7% between 1998 and 2002" (Orr et al., 2007:4).

Education reform using NPM principles has thus begun to be seen in Germany. According to Orr et al. (2007:3), there have been reforms in funding allocations to German higher education institutions following indicator-based models. The key NPM element implemented in German higher education has been the emulation of the market through "state-included competition" (Orr et al., 2007:4).

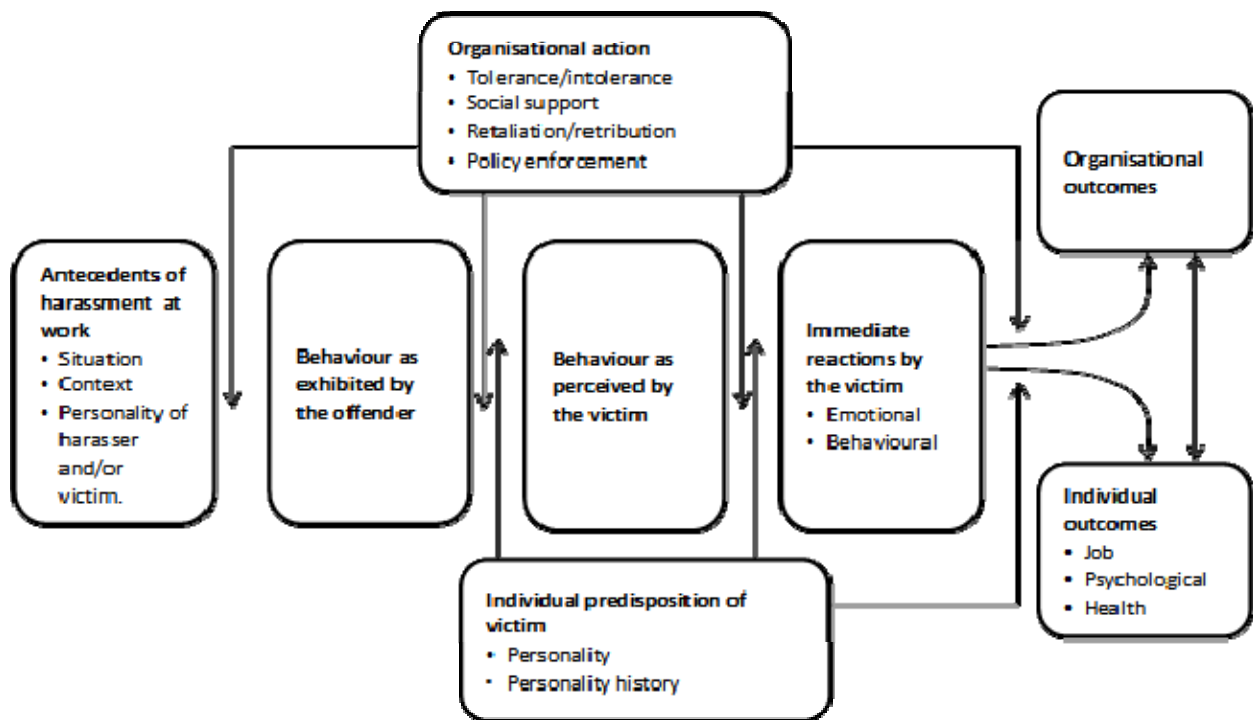
The issue of whether performance management as a NPM-derived management tool is applicable to developing countries is raised by de Waal (2007:70). According to

this author, NPM is increasingly being introduced into developing countries, including African countries, but, many of these countries have only introduced certain elements of NPM such as privatisation and downsizing. Performance management is an element of NPM which is fairly new to many African countries, and usually restricted to performance-oriented staff appraisal systems. In his study of performance management at a Tanzanian HEI, de Waal (2007:81) concludes that the tool of performance management is used to keep the concept alive in the organisation. de Waal (2007:81) further stated that organisations in developing countries can learn much from Western organisations, which have been dealing with these issues for over two decades.

### **2.3.2 A theoretical framework for the study of bullying and harassment at work**

Despite the proliferation of recent research in Northern Europe on bullying and harassment at work, the field remains in its infancy. Very few intervention studies have been conducted, or research testing comprehensive conceptual-based models. Although some prevention and intervention programmes have been described (Adams, 1992; Einarsen, Raknes, Matthiesen, 1994a; Leymann, 1990a, 1990b; Resch & Schubinski, 1996), none have been based on any testable model of harassment at work. The lack of sound conceptual and theoretical models also makes the evaluation of intervention and training programmes difficult.

A framework for future research and theory development in the field of harassment at work is proposed in Figure 2-2.



**Figure 2-2: Theoretical framework for study of bullying and harassment at work**

Source: Adapted from Einarsen (1996:43)

This framework identifies the main classes of variables to be included in comprehensive theoretical models of harassment. Comparable frameworks have also been proposed by Lengnick-hall (1995) and Terpstra and Baker (1991) in relation to research on sexual harassment at work. Research efforts thus far have seen only limited systematic inclusion of these issues: (1) There has been only limited investigation of the causal factors and antecedents underlying the occurrence of harassment at work. (2) The various behaviours used in harassment that may be exhibited by different offenders in disparate types of organisational settings need further investigation, as do the antecedents of various kinds of harassing behaviours. A study by Zapf, Knorz and Kulla (1996) suggested that different organisational factors are related to the experience of different kinds of harassment behaviours. (3) The victim's perception and experience of exposure to different forms of harassing behaviour must be addressed, as must the immediate reactions of the victims to this treatment. (4) The individual, social and work-related outcomes of exposure to harassment must be scrutinised.

The latter part of the model has clearly an individual, subjective and, most of all, a reactive focus. Violence and vulnerability may be seen as two sides of the same coin (Painter, 1991:164). Any attempt to define and measure violence, aggression, and harassment must thus take into account the victim's perception of the seriousness of this incident (Painter, 1991). Harassment at work may, to a certain degree, be a subjectively experienced relationship in which the meaning assigned to an incident will differ, depending on both the persons and the circumstances involved (Brodsky, 1976; Niedl, 1995; Painter, 1991; Lengnick-hall, 1995). Employees are probably not equally vulnerable or resilient to work harassment.

Even if personality traits of the victims may be irrelevant in eliciting harassing behaviour in others, as proposed by Leymann (1990a, 1996), personality and personal factors as well as the social circumstances of the victim, most certainly should be included in a study of victim's vulnerability and victim's perception. Studies of sexual harassment have shown that an incident that is considered mildly offensive by one individual might be seen as serious enough to warrant a formal complaint by another (Tersptra & Baker, 1991).

Brodsky (1976) claimed that although most of the victims in his study suffered from either neuroses or personality disorders, for harassment to be established, the harassment elements must occur within the culture that permits or rewards this kind of (mis)behaviour. Attention to such organisational response patterns and other contextual issues is still lacking (Fitzgerald & Shullman, 1993). For example, how do supervisors and colleagues react to episodes of harassment at work? What actions do legal and human resource staff recommend managers and/or victims to take? Such issues are clearly important to consider in studies of workplace harassment, but have so far been ignored.

## **2.4 Forms and directions of harassment and violence**

Researchers concerned with harassment and occupational violence have also collaborated in the development of definitional and policy terms within the auspices of the United Nations' International Labour Organisation (ILO). An ILO Code of Practice finalised in 2004 states that workplace violence is

Any action, incident or behaviour that departs from reasonable conduct in which a person is assaulted, threatened, harmed, injured in the course of, or as a direct result of, his or her work.

- Internal workplace violence is that which takes place between workers, including managers and supervisors.
- External workplace violence is that which takes place between workers (and managers and supervisors) and any other person present at the workplace. (ILO, 2003:4).

Table 2-1 presents a very broad matrix of forms and directions of workplace harassment and violence.



**Table 2-1: Forms and directions of workplace harassment and violence**

	Top-down Internal	Lateral Internal	Bottom-up Internal	To client	From client	To external other	From external other
Physical Attack	Assaults on staff by manager or supervisors, physical punishment, torture.	Staff-on-staff violence, retaliation, initiation rituals, or pranks.	Assaults on supervisors or managers by employee, sabotage.	Violence in eviction, repossession, debt collection, blocking access, unlawful detention.	Attacks on staff, contractors or suppliers. Destruction of corporate property. Arson.	Assaults on witnesses, community members, regulators, or other clients.	Hold-ups, violent protest, vandalism, kidnapping, terrorism.
Threat of violence	Threats of force in disputes with staff, contractors, or suppliers.	Co-worker's threat of physical attack.	Threats of violence to managers, supervisors, contractors or suppliers.	Unreasonable warnings of forceful retaliation, eviction, or service termination.	Threats of violent retaliation for poor service or product performance.	Threats of physical harm to activists, or others in operating environments.	Threats by robbers, extortionists, kidnappers, or terrorists.
Verbal abuse	Yelling, swearing, name-calling and sledging, arising in conflicts over, expectations, entitlements, job conditions, rights, pay, work performance, management styles, work practices, interpersonal difficulties, and customer service or product quality.						
Attack on social status or position	Denial of participation in training or career opportunities; exclusion; sending to Coventry; blaming; scapegoating; demonising; denigration in terms of appearance, lifestyle, family, values, or ethnicity; vexatious allegations; exposure to malicious notes, rumours, or pornography.			Denial of service because of characteristics, circumstances, or ethnicity.	Attacks on the reputation of employee to gain trading advantage or service access.	Appropriation of social or cultural, capital.	Public humiliation by activists, competitors, or political rivals identity theft.
Systemic violence	Unreasonable work practices, impossible deadlines, under-resourcing.	Withholding information, Interference with co-worker's files or equipment.	Unreasonable work-to-rule, Unfair refusal to operate new technology.	Queuing or 'flicking' of complainants. Impossible trading conditions. Spam.	Malicious disruption of corporate systems. Fraud.	Systems inflicting social and environmental damage. Defamation actions to stifle protest.	Computer hacking, e-warfare, e-terrorism.

Epistemic	Conceptualisations of others that degrade their dignity and integrity and justify their maltreatment, for example, defamation, discrimination, race hate, or orientalism. Appropriation or unfair taxing of property. Intellectual suppression, e.g. misrepresenting, silencing, or excluding ideas or arguments.	Fraudulent misrepresentation. Untrue product claims. Malicious rumours.	Representations that degrade the dignity and integrity of employee.	Propaganda for harmful lifestyles, products, debt. Green- washing.	Negative stereotyping. Culture jamming. Ideological conflict.
Self-harm	<p>Provocative behaviours that incite recipients to react aggressively.</p> <p>Risky lifestyles (e.g. extreme overworking, alcohol and illicit drug abuse, financial over commitment, or greed).</p> <p>Self-terrorisation, mental health problems; access to weapons; or suicide ideation.</p> <p>Complicity in unsafe work practices that give rise to risk of public backlash, loss of trading rights, bankruptcy, and civil or criminal charges.</p>				

Source: Adapted from Kidwell (2005:337)

In addition to conventional understandings of harassment and violence, categories of systemic violence, epistemic violence and self-harm are separated out. These categories may be conduits for harassment and violence that deserve specific attention in safeguarding an organisation. It may also be that prevention of occupational violence and harassment through one conduit leads to their expression through another.

#### **2.4.1 Systematic harassment/violence**

This categorisation includes brutal work systems for which there are complex layers of responsibility. Early recognition that work systems or practices can be a risk factor for violence, and hence an occupational safety and health (OSH) issue, has been evident for over a decade in the discourse of occupational violence. Precursors for the categorisation of unreasonable work systems and practices such as mobbing (and harassment) can also be found in the *Victimisation at Work Code* issued by the Swedish National Board of Occupational Safety and Health (1993). Since then, work systems or practices that place employees, clients and members of the public at risk of psychological injury have been termed *organising-violence* (McCarthy, Sheehan & Kearns, 1995), *systems harassment* (Kennedy, 2001) or *systemic violence* (Bowie, 2002).

Where otherwise normal individuals occupy roles that relay harassment and violence in the way things are done, the safeguarding challenge is formidable. Trials of the perpetrators of the Holocaust and of the genocide in Yugoslavia in the 1990s testify to violence inculcated in system roles. These trials showed that remedies for gross violence perpetrated in the name of organisational roles and missions are possible where there is an international system of justice that has wide subscription from nation states.

#### **2.4.2 Epistemic (or conceptual) violence**

This category recognises the potential for manipulation of meanings to be implicated in the perpetration of harassment/violence. Conceptual violence can be perpetrated through fraudulent misrepresentation, defamation, discrimination, race hate and orientalism. For example, restructuring, downsizing and the relocation of communities can be legitimated by the negative stereotyping of the unproductive in the interests of progress. Such denigration also has its counterpart in the urban

renewal that gentrifies and gate communities in the name of rectifying obsolescence and enhancing security (McCarthy, 1998). The use of epistemic violence in a ritual sacrificial manner is highlighted as rationale for the cleansing of work and urban environments for the greater good.

Defamation is a core tactic used by perpetrators of epistemic violence, and remedies can be sought through criminal and civil laws. However, the prohibitive cost of legal action to remedy defamation makes this pathway inaccessible for most victims. Remedies for damages occasioned by such misrepresentations can be sought through organisational complaints, conflict resolution or grievance procedures as well as tribunals and ombudsmen. However, complaints are often difficult to support with evidence or to distinguish from the so-called reasonable management practice. The allegation that a person is a perpetrator of aggression also raises risks of defamation, necessitating protection for complainants.

Evident in some recent case material is a tendency for managers who face allegations of harassment/violence to react by initiating performance appraisals and disciplinary proceedings against complainants (McCarthy & Mayhew, 2003). Here, misrepresentation can arise in counter-allegations that the complainant's performance was in some way unsatisfactory or constituted misconduct and that reasonable management action has been exercised. Such counter-allegations can be tactical to weaken the grounds of complaint and can also serve as an ingratiating signal to power-holders threatened by allegations of impropriety.

### **2.4.3 Self-harm**

The category of self-harm has been included in Table 2-1 to accommodate the potential for individuals in their organisational roles to variously internalise, relay, or be complicit in the transmission of harassment/violence in ways that may be harmful to them. As such, the concept opens a space for discussion of complicity and self-responsibility. Recipients of harassment/violence can internalise pain in unhealthy victimhood – apathy, hopelessness, depression, obsessive pursuit of justice, revenge, or suicidal ideation. As such, the notion of self-harm prompts thought about what might be entailed in moving from unhealthy victim identities, or relay positions, to becoming agents for change (McCarthy 2003:56).

## **2.5 Dimensions of cost**

The costs of harassment/violence include subjective, intangible, individual and organisational impacts that are not amenable to financial expression. Nor are breaches of wider ethical, social, political, civil and cultural standards easily reducible to financial terms. The case for considering both economic and non-economic dimensions of cost has been made by Hoel (2001:67). For example, fear and pain induced by incidents can also be considered as costs. Zero tolerance of unacceptable behaviours is more often driven by ethical and political repugnance and fear felt widely in the community than by financial costs or statistical estimations of prevalence and impact. Such repugnance has been the driving force for regulatory constraints against forms of abuse/violence including domestic violence, child abuse, sexual harassment, stalking and more recently, bullying (McCarthy, 1999:24).

The conceptual framing of the dimensions of harassment and violence and their possible cost impacts are presented in Table 2-2. The approach taken is that harassment and violence at work manifest in multiple forms and directions that are overlapping and interactive. The framework depicts impacts of harassment/violence at the level of the individual, the organisation and the wider society (McCarthy, 1998; Hoel & Cooper, 2001; Einarsen & Mikkelsen, 2003; Di Martino, Hoel & Cooper, 2003).

**Table 2-2: Dimensions of cost in harassment and violence**

Forms of harassment/violence experienced at work	Individual costs/consequence	Organisational costs/consequences	Social, economic, political and cultural costs/consequences
<p><b>Physical</b></p> <p>body contact</p> <p>threats</p> <p>intimidation</p> <p>negative body-language</p> <p><b>Verbal</b></p> <p>swearing, yelling</p> <p>denigration</p> <p>humiliation</p>	<p><b>Health and well-being</b></p> <p>stress</p> <p>anxiety</p> <p>fear</p> <p>depressive illness</p> <p>psychosomatic</p> <p>heart attacks, strokes</p> <p>post-traumatic stress disorder</p> <p>prolonged duress stress syndrome</p>	<p><b>Productivity</b> (recipients and witnesses)</p> <p>absenteeism</p> <p>poor morale, commitment, loyalty</p> <p>staff turnover</p> <p>redundancy/early retirement</p> <p>failure of quality, innovation</p> <p>sabotage</p>	<p><b>Social</b></p> <p>degrading of social capital</p> <p>loss of trust</p> <p>rise of anti-business &amp; government sentiment</p> <p>intergroup conflict</p> <p>litigiousness</p>
<p><b>Social</b></p> <p>back-stabbing</p> <p>slander</p> <p>exclusion</p> <p>isolation</p> <p>scapegoating</p> <p><b>Managerial/systemic</b></p> <p>under-resourcing</p> <p>work overload</p> <p>impossible deadlines</p> <p>denial of entitlements</p> <p>aggressive administrative compliance</p> <p>forcing resignation</p>	<p><b>Behavioural reactions</b></p> <p>avoidance</p> <p>withdrawal</p> <p>displacement</p> <p>cynicism</p> <p>learning</p> <p>complicity</p> <p>fightback</p>	<p><b>Competitiveness</b></p> <p>poor quality product/service</p> <p>loss of clients</p> <p>poor reputation</p> <p>staff recruitment difficulties</p> <p>aversion of contractors, investors and other stakeholders</p> <p><b>Incident management</b></p> <p>managers, consultants time</p> <p>Employee Assistance Programme (EAP)</p> <p>Rehabilitation</p> <p>Return to work</p> <p>Medical costs</p> <p>Legal costs, fines</p>	<p><b>Economic</b></p> <p>health, unemployment, welfare support</p> <p>misallocation of resources</p> <p>regional/national competitiveness</p> <p>sustainability</p> <p>regulatory, tax burdens</p> <p><b>Civil</b></p> <p>regulatory failure</p> <p>loss of transparency</p> <p>corruption</p> <p>poor public sector management</p> <p>human rights infringements</p>

Forms of harassment/violence experienced at work	Individual costs/consequence	Organisational costs/consequences	Social, economic, political and cultural costs/consequences
<b>Direction</b> top-down bottom-up horizontal to/from clients, contractors, strangers	<b>Work impacts</b> stigmatisation not promoted transfer reduced earnings job loss unemployment ruin of career	<b>Insurance</b> workers' compensation property damage public liability	<b>Political</b> apathy alienation resentment disaffection embarrassment distortion of intelligence terrorism

Forms of harassment/violence experienced at work	Individual costs/consequence	Organisational costs/consequences	Social, economic, political and cultural costs/consequences
Intention normalised in work culture people skills failure targets Machiavellian Revenge Pathological (socio/psychopathic, sadistic) Terror	Degraded relations Work colleagues Family, friends Reputation Social status <b>Legal costs</b> solicitors barristers expert opinion grievances tribunals courts appeals awards of costs <b>Medical costs</b> consultations medication counseling alternative therapies <b>Loss of income</b> inability to work	Corporate threats corruption targeting by regulators suppression of information financial loss, bankruptcy <b>Social accountability</b> unethical work practices poor ethical investment ratings	<b>Cultural</b> cultures of anxiety, fear, complaint, blaming, and aggression loss of benefits of managing diversity racial violence and harassment

Source: Adapted from Kidwell (2005:340)

### 2.5.1 Factors mediating the translation of risks into incidents and costs

The presence of risks factors for workplace harassment and violence is accompanied by probabilities that incidents will occur and costs will result. These probabilities can be reduced through mediating individual, organisational, and contextual factors (Einarsen, Hoel, Zapf & Cooper, 2010:23). The extent to which



risk factors can reduce the severity and the costs of harassment/violence is proportionate to:

The recipient's awareness, resilience and coping capacities. These capacities are influenced by: the recipient's understanding, personality, socialisation, and prior experiences with conflict and life pressures.

Risk assessment of the costs and benefits of pursuing different strategies in dealing with incidents (Einarsen et al., 2010:45). An individual may trade the costs of pursuing remedies against potential benefits. Some recipients have a deeply felt sense of emotional hurt and injustice, an overwhelming desire for reaffirmation or revenge, and want financial compensation. In some cases, recipients may assume victim-identity and obsessively pursue remedies, regardless of costs (McCarthy, 2003:25). Organisations may cough out claims for damages for vicarious liability in respect of failure of duty of care to protect their employees from harassment/violence. Often, the costs are displaced onto insurers who can profit from delaying actions for damages.

Quality of support and advice from a variety of actors, including friends, work colleagues, family members, equity and harassment officers, human resource managers, occupational safety and health (OSH) representatives, employee assistance providers, union representatives, medical doctors, counsellors, and lawyers. Harassment and escalated risks of overt violence often result from the deterioration of conflict over time (Einarsen, 2000a:64). In such cases, the extent of costs is likely to be mediated by capacities of key actors to: encourage constructive conflict resolution; reconcile perceptions of harassment with definitional terms; accord natural justice to both the victim and the alleged perpetrator; distinguish vexatious complaints; and apply relevant organisational policies and procedures.

Cultural normalisation of harassment and violence. Some work and social cultures may normalise violent initiation rites, and dominant masculine cultures may neither regard certain behaviours as harassment/violence nor recognise unacceptable costs to individuals, organisations or the wider society. Constraints to harassment, in particular violence, are more likely to be found in feminised cultures and workplaces

(Einarsen, 2000a; McCarthy, 2001). Feminised workplaces may be more vulnerable to external violence, particularly in service industries.

## **2.6 Workplace harassment and the law: emerging global response**

Workplace harassment poses a serious threat to workers and employers alike. The work being done to comprehend and address workplace harassment is multidisciplinary in nature and one of the emerging focal points is the law. Globally, there is a growing belief that the law should respond to harm caused by workplace harassment. This section identifies some of the central themes concerning harassment and the law and examines legal and policy responses in several nations over the past decade (Yamada, 2004:475).

An analysis of the role of the law in addressing harassment at work should start by identifying the public policy objectives that should be advanced. Yamada (2004:475) states that at least four figure prominently: (1) Prevention is the most important goal. The law should encourage employers to use preventive measures to reduce the likelihood of workplace harassment. These include developing and enforcing policies, educating employees and supporting a workplace culture that values alike will benefit and spare stakeholders burdensome litigation. (2) The legal system should provide a means of relief to targets who are subjected to severely abusive treatment. This should include monetary damages, mental health counselling and, where applicable, reinstatement to the target's original position. (3) The law should encourage prompt internal resolution of harassment disputes, with procedures designed to be fair to all parties and strong protection against retaliation for workers who report instances of harassment. (4) Harassers and employers who enable them should be held responsible for their actions. This will have a deterrent effect and further encourage the use of preventive measures to discourage harassment behaviour.

It must be said at the outset that when weighed against these policy goals and viewed from a global perspective, the law does not adequately respond to workplace harassment. However, the situation is changing. According to Yamada (2009:211), "during the past decade, we have seen a tangible increase in legislative, administrative, and judicial responses to workplace harassment and bullying". The

author asserts that these legal and policy initiatives fit into five general (sometimes overlapping) categories:

- “provisions that amend or supplement existing occupational safety and health laws;
- judicial and administrative recognition of harassment grounded in existing common, statutory and administrative law;
- voluntary adopted employee policies and collective bargaining agreements that may create legal obligations and contractual rights;
- enactment of statutory tort protections incorporating elements of tort law and harassment law; and
- recognition of workplace harassment by transnational bodies that influence or engage in policy making” (Yamada, 2009:211).

Although it is beyond the scope of this study to provide a complete summary of all legal responses to workplace harassment, the next section considers relevant developments in several nations, together with the emerging policy-shaping the role of the European Union.

### **2.6.1 Australia**

Australia has made genuine progress since organisational behaviour specialists Robyn Kieseker and Teresa Marchant concluded in 1999 that workplace harassment was not effectively addressed under the then current Australian legislation (Kieseker & Marchant, 1999). After surveying existing discrimination, occupational health and safety and unfair dismissal claims, they opined that "until legislation is changed to make workplace harassment illegal, the costs associated with it will continue to rise, governments will be pressured to implement changes and unions will be called on to assist members at work and before industrial tribunals" (Kieseker & Marchant, 1999:34). Although Australia does not yet have a comprehensive national law that provides targets with a clear path to compensation and relief, all Australian states and territories have addressed workplace harassment and bullying in one form or another, typically through their workplace safety agencies.

### **2.6.1.1 State initiatives**

In 2005, South Australia took a leading role in enacting protection against workplace harassment when it amended its Occupational Health, Safety and Welfare Act to include harassment among the inappropriate workplace behaviours covered by an employer's duty of care to its employees (South Australia, 2005). An employer's failure to adequately manage harassment behaviours can lead to prosecution and fine. The South Australian government has engaged in extensive public education effort to explain the new law and hired additional industrial inspectors to handle complaints about workplace harassment.

Other states have adopted a more educative approach, incorporating existing regulatory standards. For example, in 2004, the Queensland government adopted a Prevention of Workplace Harassment Code of Practice" that "provides practical advice about ways to prevent or control exposure to the risk of death, injury or illness created by workplace harassment (Queensland, 2004:41). The code defines workplace harassment as repeated behaviour, other than sexual harassment, that is unwelcome and unsolicited and considered to be offensive, intimidating, humiliating or threatening to both the target and the reasonable person. It goes on to explain responsibilities under the state's occupational safety and health laws and to identify best practices for preventing and handling harassment complaints.

Victoria's occupational safety and health agency has produced a guide to workplace violence and harassment prevention and response (Victoria, 2005). It summarises the relevant provisions of the state's workplace safety laws and provides advice to employers and employees, including legal options. It also explains relevant criminal law provisions and sexual harassment liability.

### **2.6.1.2 Common law and statutory obligations concerning occupational health and safety**

Even in the absence of stand-alone national legislation concerning harassment, existing law offers some protection to targets. Australian common law imposes upon an employer a "contractual duty to take reasonable care for the safety of employees while in the course of their employment" (Brooks, 1996:13). Employers also owe a duty of care for the safety of their employees under tort law, which governs negligence and other claims for personal injuries. In addition, federal and state

occupational safety and health statutes establish general standards of care owed to employees and provide specific measures for workplace safety.

Typically, legal disputes invoking an employer's obligations to safeguard workers have involved physical injuries. However, there are encouraging signs that this combination of common law and statutory obligations may provide grounds of legal relief for psychological injuries wrought by harassment as well. A significant example is a 1998 Queensland Supreme Court decision, *Arnold v. Midwest Radio Limited*. The targeted employee had pre-existing psychiatric problems that were exacerbated by being subjected to repeated verbal abuse by her supervisor. In holding the employer liable for the harm under duties of care prescribed by both common law tort theories and the applicable workplace health and safety statute, the court recognised the viability of actions "brought by employees claiming to have suffered psychological or psychiatric damage as a result of being unnecessarily exposed to stressful situations in the course of their employment" (Brooks, 1996:13).

## **2.6.2 Canada**

In the new millennium, Canada has been at the forefront in enacting responses to workplace harassment. Since 2002, the provinces of Quebec and Saskatchewan and the Canadian national government have added harassment provisions to their respective occupational safety and health laws.

### **2.6.2.1 Quebec legislation**

In 2002, the province of Quebec became the first North American governmental entity to enact anti-harassment legislation. Quebec's Psychological Harassment at Work Act provides that "every employee has a right to a work environment free from psychological harassment" and that "employers must take reasonable action to prevent psychological harassment and, whenever they become aware of such behaviour, to put a stop to it" (Quebec, 2002:46). The Act defines psychological harassment as:

any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects an employee's dignity or psychological or physical integrity and that results in a harmful work environment for the employee....A single serious incident of such behaviour that has a lasting harmful effect on an employee may also constitute psychological harassment.

The Quebec legislation became effective in 2004. "Research into its impact and effectiveness is still in its infancy, but early indications suggest that complainants are not enjoying an easy path to recovery under the provision" (Soures, 2006). While this may not be the best news for harassment targets, it also may serve to rebut concerns that harassment laws open the floodgates to frivolous claims and unjust damage awards.

### **2.6.2.2 Federal and state initiatives**

Following the Quebec legislation, both the province of Saskatchewan and the Canadian national government entered the fray. In 2007, Saskatchewan amended its Occupational Safety and Health Act to protect against personal harassment "that constitutes a threat to the health or safety of the worker (Saskatchewan, 2007:93). The next year, the Canadian government enacted regulatory amendments to the national occupational health and safety regulations requiring employers in federally-regulated workplaces to dedicate sufficient attention, resources and time to address factors that contribute to workplace violence including but not limited to, harassment, teasing, and abusive and other aggressive behaviour and to prevent and protect against it (Canada, 2008:55).

It may require several years before the Saskatchewan and national initiatives can be adequately evaluated. However, with two provinces and the national government enacting responses to harassment through their respective workplace safety laws, Canada has joined with Australia and Sweden in becoming an important jurisdiction for studying the efficacy of the occupational safety and health regulatory route for addressing workplace harassment.

### **2.6.3 France**

France's Social Modernisation Law, enacted in 2002, prohibits "moral harassment" in the workplace, making such behaviour a violation of the nation's labour and criminal codes (Guerrero, 2004:477). The Labour Code now provides that no employee shall suffer repeated acts of moral harassment, which have the purpose of causing a deterioration in working conditions by impairing the employee's rights and dignity, affecting the employee's physical or mental health, or compromising the employee's professional future (Guerrero, 2004:477). The legislation provides harassed

employees with job security and anti-retaliation protections. The Penal Code and the Labour Code allow imprisonment and fines to be imposed on offending parties.

In 2004, France was the only European country to criminalise harassment behaviour at work. The legal history of this prong of the French statute is slim. Guerrero (2004:477) reports that the first criminal case to be brought for bullying resulted in the Criminal Court of Paris holding for the employer and narrowing the scope of the French statute. The author suggests that, it does not appear that the criminalisation approach is gaining adherents in other nations.

#### **2.6.4 Sweden**

The home of pioneering researcher Heinz Leymann, Sweden was the first nation to fashion a direct legal response to harassment in the form of its *Victimisation at Work* ordinance, promulgated in 1993 by the National Board of Occupational Safety and Health. The ordinance characterises victimisation as forms of behaviour such as adult bullying, mental violence, social rejection and harassment – including sexual harassment (Hoel & Einarsen, 2009:356). Under its provisions, employers are obligated to institute measures to prevent victimisation and to act responsively if signs of victimisation become apparent, including providing prompt assistance to targets of abusive behaviour. Although much hope has been invested in the ordinance as an effective check on workplace harassment, Hoel and Einarsen (2009:356) report that there is evidence to suggest that it has not been as effective as anticipated. The authors conducted in-depth interviews with 18 individuals closely familiar with the ordinance, representing a span of stakeholder interests. They concluded that while it has helped to raise awareness about a difficult and complex social problem, the Swedish regulation against harassment still has important shortcomings, frequently failing those it was meant to protect. Among the possible reasons are the ordinance itself, the problems victims faced when seeking redress...the responses of the employers, the trade unions and the Labour Inspectorate...and...cultural and socio-economic factors. This last reason may include stakeholder attitudes towards litigation, liability exposure and proactive prevention (Hoel & Einarsen, 2009).

### **2.6.5 United Kingdom**

The United Kingdom is where the term 'workplace harassment' first gained general currency, owing to the work of Andrea Adams in the early 1990s. Although the United Kingdom has not enacted comprehensive harassment legislation, existing statutory schemes have been invoked to encourage employers to act preventively and to provide relief to targets.

#### **2.6.5.1 Protection from Harassment Act**

The Protection from Harassment Act (PHA) of 1997 was enacted largely as a response to personal stalking, but it has recently been cited as grounds for relief in harassment cases. In addition to providing for criminal sanctions, the PHA imposes civil liability where a defendant engages in a course of conduct (1) which amounts to harassment of another, and (2) which he knows or ought to know amounts to harassment of another (PHA of 1997). It took a well-publicised 2006 court decision, *Green v. DB Group Services (UK) Ltd.*, to highlight the PHA's applicability to workplace harassment scenarios.

A recent analysis of this decision summarised the experience of London Deutsche Bank secretary Helen Green (Harthill, 2008:247). According to Harthill, Green's colleagues "subjected her to a sustained campaign of emotional abuse. They constantly made it difficult for Green to perform her work by moving her papers, hiding her mail, removing her from document circulation lists, and ignoring and excluding her in meetings and social functions." They would "burst out laughing when she walked past them and made crude and lewd remarks." Her supervisor, one of the tormenters, "increased her workload to unreasonable and arbitrary levels." After her complaints to management went unheeded, "Green eventually developed a major depressive disorder and at one point was taken to hospital and put on suicide watch." On these facts, a British court found Deutsche Bank vicariously liable under the PHA and awarded Green approximately £800,000 in total damages.

The judicially-approved application of the PHA to employment situations may have created a de facto statutory tort remedy for workplace harassment targets, thereby undercutting momentum for passage of a "Dignity at Work" bill, the main legislative proposal to address harassment specifically. In 1997, a British labour union drafted the bill, which has been introduced in the House of Commons but has not yet



become law. The bill imposes civil liability on an employer for bullying and similar acts, including "behaviour on more than one occasion which is offensive, abusive, malicious, insulting or intimidating" (Dignity at work bill). "The proposed law is designed to provide protections to bullied employees on par with protections extended to targets of sexual or racial harassment" (PHA of 1997).

#### **2.6.5.2 Occupational safety and health**

Under the Health and Safety at Work Act (1974), an employer must ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees. The broad wording of this mandate appears to open a wide door for regulatory involvement concerning harassment, but the applicability of the Act in this regard is largely untested. Britain's Health and Safety Executive, the governmental agency responsible for enforcing the Act, recognises harassment as a cause of work-related stress, but its role at present is largely an educative one through publications and website information.

#### **2.6.5.3 Unfair Dismissal**

The British law governing unfair dismissal also offers a promising source of legal protection for harassed employees. The Employment Rights Act (1996) provides that "employees may not be unfairly dismissed. Poor performance, improper conduct, and redundancy are among the chief reasons that may justify dismissal".

Of particular relevance to harassment is the concept of constructive dismissal. An employee is constructively dismissed when she voluntarily leaves her employment because the employer has fundamentally breached an express or implied term of the employment contract. Subjecting an employee to severe mistreatment such as harassment can be a form of breach of an implied contractual term. For example, in *Abbey National PLC v. Janet Elizabeth Robinson* (2000), an Employment Appeal Tribunal upheld a finding of constructive dismissal where the worker's manager "had been bullying and harassing her in the workplace to a degree she found insufferable" (Employment Right Act, 1996:15).

"In another case, *Roger Storer v. British Gas PLC* (2000), an appeals court reinstated a claim of constructive dismissal that had been dismissed because the complainant failed to file within the statutory time limit. The complainant had been

"victimized and bullied" by his manager, resulting in stress and depression that culminated in symptoms of post-traumatic stress disorder. The court ordered an employment tribunal to consider whether the complainant's mental condition rendered him unable to file in a timely fashion. Equally encouraging is the decision of an Employment Appeal Tribunal in *Ezekiel v. The Court Service* (2000), which held that an employee was properly dismissed under the Employment Rights Act because he engaged in severe bullying and mistreatment of several co-workers".

### **2.6.6 United States**

The term 'workplace harassment' (bullying) did not begin to enter the vocabulary of American employment relations until the late 1990s. Awareness of the phenomenon has grown rapidly since then, but at present there are limited remedies for harassment targets under American law. However, advocacy groups and unions are beginning to organise around legal reform.

#### **2.6.6.1 Tort claims for emotional distress**

In the United States, the favoured, but seldom successful tort claim for emotionally abusive treatment at work has been Intentional Infliction of Emotional Distress (IIED). Typically, plaintiffs have sought to impose liability for IIED on both their employers and the specific workers, often supervisors, who engage in the alleged conduct. The tort of IIED can be characterised as follows:

- "The wrongdoer's conduct must be intentional or reckless.
- The conduct must be outrageous and intolerable in that it offends against the generally accepted standards of decency and morality.
- There must be a causal connection between the wrongdoer's conduct and the emotional distress.
- The emotional distress must be severe" (*Kroger Co. v. Willgruber*, 1996).

Although the tort of IIED appears on the surface to be an ideal legal protection against workplace harassment, Kroger's extensive analysis of judicial decisions on IIED claims showed, according to Yamada (2000:83), that typical workplace bullying, especially conduct unrelated to sexual harassment or other forms of status-based discrimination, seldom resulted in liability for IIED. The most frequent reason given by courts for rejecting workplace-related IIED claims is that the complained-of

behaviour is not sufficiently extreme and outrageous to meet the requirements of the tort.

Perhaps the most stunning example of this reasoning came in *Hollomon v. Keadle*, a 1996 Arkansas Supreme Court case that involved a female employee, Hollomon, worked for a male physician, Keadle, for two years before she voluntarily left the job. Hollomon claimed that during this period of employment, "Keadle repeatedly cursed her and referred to her with offensive terms, such as 'white nigger,' 'slut,' 'whore,' and 'the ignorance of Glenwood Arkansas'" (Yamada, 2000:87). Keadle repeatedly used profanity in front of his employees and patients and frequently remarked that women working outside the home were "whores and prostitutes." According to Holloman, Keadle "told her that he had connections with the mob" and mentioned that "he carried a gun," allegedly to "intimidate her and to suggest that he would have her killed if she quit or caused trouble." Hollomon claimed that as a result of this conduct, she suffered from "stomach problems, loss of sleep, loss of self-esteem, anxiety attacks, and embarrassment." On these allegations, the Arkansas Supreme Court ruled for the defendant Keadle, holding that Hollomon's failure to establish that Keadle was made aware of her peculiar vulnerability to emotional distress was fatal to her claim.

#### **2.6.6.2 *Collective bargaining and labour advocacy***

Labour unions and the legal frameworks that protect collective employee action constitute potentially important avenues for addressing workplace harassment. Organised labour remains one of the strongest and most vocal sources of advocacy on behalf of working people, and there are encouraging signs that some labour unions are responding to workplace harassment faced by their members. These unions are raising concerns about workplace harassment at the bargaining table and in grievances, and they are supporting efforts towards law reform.

An excellent example of labour advocacy in the United States came about in 2009, when a coalition of unions representing over 21 000 public employees proposed, negotiated and approved a new collective bargaining provision with the Commonwealth of Massachusetts that covers workplace harassment and abusive supervision (Yamada, 2009). Dubbed the "mutual respect" provision in the new contract, it is believed to be one of the first major American collective bargaining

agreements to include express protection against workplace harassment. Under the provision, behaviours "that contribute to a hostile, humiliating or intimidating work environment, including abusive language or behaviour," may be the subject of a valid grievance (Yamada, 2009:106).

There are, however, impediments to utilising unions and collective bargaining protection to combat harassment. Overall, union density in industrialised nations showed a steady decline during the last third of the twentieth century, with notable exceptions such as Sweden, unionised employees constitute less than half the wage and salary earners in the United States and in the Commonwealth of Massachusetts. In addition, collective bargaining processes implicitly assume that major workplace conflicts are between employers and rank-and-file workers. Harassment scenarios between union members are not easily addressed through collective bargaining and labour advocacy. Proactive union leadership is required to take on these situations.

### **2.6.6.3 Workplace harassment legislation: *The Healthy Workplace Bill***

In response to the shortcomings of existing employment law for targets of severe workplace harassment Yamada (2000:475) in the United States, drafted a model anti-harassment legislation, now dubbed the Healthy Workplace Bill, which has been introduced in some 12 state legislatures.

The legislation declares that it "shall be an unlawful employment practice (...) to subject an employee to an abusive work environment," which is found to exist "when the defendant, acting with malice, subjects the employee to abusive conduct so severe that it causes tangible harm to the employee" (Yamada, 2004:479). Successful plaintiffs are able to recover lost wages and medical expenses, and even emotional distress and punitive damages, where merited.

Grassroots lobbying and advocacy effort on behalf of the Healthy Workplace Bill have both generated strong opposition from business trade associations and demonstrated the potential preventive impacts of such legislation. Organisations such as chambers of commerce are quick to oppose the bill in any state it is introduced. However, the growing possibility of enacting legislation has galvanised many lawyers who represent employers to advise their clients to develop workplace harassment policies as part of their human resources operations.

### **2.6.7 European Union**

The European Union (EU), which adopts regulatory structures that affect both commercial exchange and social protection within and among member nations, is the leading example of a multinational body that has recognised the significance of workplace harassment. “In 2002, a committee report issued by the European Parliament endorsed the development of anti-harassment legislation” (European Parliament, 2002). “In addition, the European Foundation for the improvement of Living and Working Conditions, an EU research unit, has given significant attention to bullying in a study of workplace violence and harassment” (Di Martino et al., 2003). The report acknowledges that emerging research may reflect that the problem of bullying and harassment is still not fully appreciated by employers and policy makers.

Many of these efforts came to a head in 2007 when the European social partners, comprising coalitions of employers and unions operating under the aegis of the EU, signed a “Framework Agreement on Harassment and Violence at Work” designed to prevent and manage problems of workplace bullying, sexual harassment and workplace violence (Framework Agreement, 2007). Under the terms of the agreement, European companies are obliged to adopt zero-tolerance policies towards offending behaviours and develop in-house procedures for handling situations that arise. The agreement further identifies features that must be incorporated into these policies, such as confidentiality and due process provisions.

### **2.6.8 Additional legal and policy considerations**

The preceding discussion has concentrated on statutory and judicial developments specifically related to workplace harassment. Two further areas of employment law and policy provisions relevant to workplace harassment also bear mention here.

#### **2.6.8.1 *Safety net of no-fault employee benefits***

Income replacement, counselling and transitional assistance are often necessary for severely harassed workers who leave or are terminated from their employment. For many workers who do not wish to invoke legal process to obtain compensation for personal and economic injuries related to workplace harassment, a standard menu of no-fault employee and public benefits should be available to them. These include workers' compensation, unemployment assistance, health care provision (including

mental counselling), and disability payments. The provision of such benefits for harassment situations varies widely among nations and merits a much deeper examination (Yamada, 2009:91).

#### **2.6.8.2 *Employment discrimination laws***

Employment discrimination laws may provide bullying targets with legal protection when harassment behaviours are motivated by race, sex, or membership in other commonly protected classes. In addition, disability discrimination laws may come into play when bullying causes or aggravates mental illness. Retaliation in the form of bullying against complainants in discrimination cases also may form the basis of a legal claim.

The potential coexistence of bullying and discrimination laws raises interesting issues for the legal system in countries such as the United States, where protected-class status remains the dominant paradigm of how legal issues of worker harassment and mistreatment are framed. Given the history and continuing experience of discrimination and difference in the workplace, it is important that people remain alert to the importance of these critical issues. However, there is much room in various legal regimes to include bullying along with status-based mistreatment.

#### **2.6.9 *Towards an effective legal response***

Efforts towards law reform appear to be moving in two distinct directions. First, among nations that have adopted some tangible legal or policy responses to bullying at work, occupational safety and health laws have been the predominant regulatory approach, with recent initiatives in Australia, Canada and Sweden. Second, in the United Kingdom, through application of the Protection of Harassment Act (1997) to harassment cases, and in the United States, through calls for the Healthy Workplace Bill, statutory tort remedies are emerging as the next most-favoured approach. France, exceptionally, is the only country so far to criminalise harassment conduct.

Amid advocacy efforts and scholarly calls for the adoption of new legislation, other scholars are examining the nascent body of existing statutory law and issuing less than enthusiastic reviews. Those who favour workplace harassment laws must be sharply attentive to potential shortcomings and limitations in existing legislation. Hoel

and Einarsen (2009), whose critical assessment of the Swedish legislation was discussed earlier, recommend that in order to be effective, harassment laws must impose sanctions on employers that negligently or intentionally subject their employees to mistreatment.

Hoel and Einarsen (2009) also urge that effective training and prevention must complement legal intervention. Yamada (2009) suggests that “mixed assessments of existing harassment legislation may be the result of inherent inadequacies in the predominant occupational safety and health regulatory model. The statutory tort approach, in contrast to the workplace safety regulatory approach, provides positive and negative incentives for employers to engage in preventive measures and to respond fairly and promptly to reports of harassment”.

In any event, it is encouraging to see how these initiatives reflect changing attitudes towards workplace harassment. For too long, workplace bullying has been seen as part of the cost of being employed, much as sexual harassment was regarded some thirty or forty years ago. Now, however, legislative measures are being debated and enacted in countries that, ten years ago, were only starting to consider the legal and policy implications of bullying, if at all.

Furthermore, as bullying enters the mainstream of researchers' examination of employment relations, transnational bodies such as the International Labour Organisation (ILO) and the World Health Organisation (WHO) are paying attention. The ILO has examined workplace bullying in the broader context of violence at work, observing that bullying represents behaviour that “by itself may be relatively minor but which cumulatively can become a serious form of violence” (Chappell & Di Martino, 2000:123). The WHO has recognised bullying legislation as a useful method of tertiary prevention that can help targets “recover their health and dignity” (Cassitoo, Fattorini, Gilioli & Rengo, 2003:245).

Legal intervention is just one component in an overall societal response to workplace bullying, but it can and should play a meaningful role in combating this destructive phenomenon. The exact nature of this role, however, remains a new topic of research and analysis. There is a significant need for in-depth study of the

effectiveness of existing regulatory measures, conducted by individuals with expertise in the field of employment law and organisational behaviour.

## **2.7 South African employment laws influencing employment relationships**

Its own history and influences from other countries shape a country's labour/management system and employment law. South Africa is no exception. The system, in its broader context, and touching on employment relationships in particular, has always been a reflection of the broader socio-political system and the evolving trade union movement, which are closely linked to the prevailing political dispensation. Political and industrial democracy in South Africa evolved historically along racial lines, leading to the unique, but unfair, employment relations system, which came to an end with the April 1994 elections.

Swanepoel et al. (2000:129) admit that “the employment relationship is also influenced by various sources of law, namely: common law, the contract of employment, collective agreement negotiated by trade unions and management, guidelines of the ILO in the form of conventions, and the South African Constitution, Act No. 108 of 1996”.

### **2.7.1 Government policy and the Constitution**

South Africa's Constitution (Act No. 108 of 1996) is the supreme law of the country. Provisions of all South African statutes must conform to the basic principles contained in the Constitution. Parliament, as well as the private and public sectors, alike are subordinate to the Constitution. Chapter 2 of the Constitution states, for example, that various rights accrue to the people of South Africa, such as human dignity, equality and freedom. The Constitution also provides guidelines with regard to employment relations, such as the following provisions in Section 23 (1-5):

- “Everyone has the right to fair labour practices.
- Every worker has the right to form and join a trade union, to participate in the activities of a trade union, and to strike.
- Every employer has the right to form and join an employers' organisation and to participate in the activities of an employers' organisations.



- Every trade union and employers' organisation has the right to determine its own activities, to organise, to bargain collectively, and to form and join a federation.
- Every trade union, employers' organisation, and employer has the right to engage in collective bargaining”.

National legislation may be enacted to regulate collective bargaining. To the extent that the legislation may limit a right in this Chapter, the limitation must comply with Section 36(1) of the Constitution. Roodt (1999:6) lists the following points on how the government should go about transforming South African society within the context of Africanness and African renaissance:

- “Fundamental social delivery and transformation must be enhanced.
- A new understanding must be spread of what it means to live in a democracy, to counter the myopic view that democracy engenders rights to citizens while responsibilities and duties reside with the government alone.
- The focus must be on effectiveness, efficiency, and delivery in respect of government initiative and actions. This includes cuts to the civil service, which are linked to the need for economic growth as the engine for job creation. In other words, the fundamental base on which meaningful and sustainable jobs are created is by ensuring the economy grows in a way that creates jobs. This means that the number of people in the public service must be reduced.
- A tougher approach to dealing with law and order, including partnerships between state, communities, and business in preventing and combating crime and corruption is essential.
- Initiatives to stimulate job creation, in alliance with business and labour, must be accelerated.
- A world outlook is important for South Africa, on its position in the region, in Africa, and in the rest of the world and in particular, in relation to bringing about an African renaissance”.

However, government policy and sentiment were reflected in former President Mbeki's opening speech to Parliament in February 2000, who stated that government had to take strong action against irresponsible trade union behaviour such as strikes,

since it could impact negatively on the economy and job creation. Furthermore, the President spoke of the need for labour legislation to reflect fairness both to management and labour and that adjustments should be made, where necessary. These comments point to forthcoming changes in employment law in South Africa.

### **2.7.2 Employment Equity Act No. 55 of 1998**

There was a long run-up to the signing of the Employment Equity Act on 12 October 1998. The Green Paper on Employment and Occupational Equity, published in 1 July 1996, paved the way to the Act becoming the centrepiece of legislation which would do away with all forms of discrimination in employment in South Africa. The preamble to the promulgated Act illustrates its focus and importance in promoting equity and non-discrimination in the employment sector.

The preamble states that:

- as a result of apartheid and other discriminatory laws and practices, there are disparities in employment, occupation and income within the national labour markets
- those disparities create such pronounced disadvantages for certain categories of people that simply repealing discriminatory laws cannot redress them.

The Employment Equity Act was accordingly enacted to:

- promote the constitutional right of equality and the exercise of true democracy
- eliminate unfair discrimination in employment
- ensure implementation of employment equity to redress the effects of discrimination
- achieve a diverse workforce broadly representative of our people
- promote economic development and efficiency in the workforce
- give effect to the obligations of the Republic as a member of the International Labour Organisation.

#### **2.7.2.1 Purpose and scope of the Act**

Section 2 sets out the major purpose of the Act, namely,

to achieve equity in the workplace by -

- (a) promoting equal opportunity and fair treatment in employment through the elimination of unfair discrimination

- (b) implementing affirmative action measures to redress the disadvantages in employment experienced by designated groups, in order to ensure their equitable representation in all occupational categories and levels in the workplace.

The Act excludes members of the South African National Defence Force (SANDF), the National Intelligence Agency (NIA) and the South African Secret Services (SASS). The anti-discriminatory provisions of the Act apply to all other employers and employees, but the Affirmative Action provisions only apply to designated employers and members of designated groups. This has a direct bearing on the anti-discrimination prohibitions outlined in Chapter 2 and the Affirmative Action provisions in Chapter 3 of the Act. The drawing up of employment equity plans and the achievement of numerical goals are also paramount aspects of the Act.

### **2.7.3 Labour Relations Act No. 66 of 1995**

The purpose of the Act is to advance economic development, social justice, labour peace, and a democratisation of the workplace by fulfilling the primary objectives of the Act, which are to realise and regulate the fundamental rights of workers and employers under Section 23 of the Constitution.

The Act applies to all employment relationships between employers and employees and makes no distinction as to whether these relationships are in the private or the public sector. All previous exclusions of employees from the ambit of the Labour Relations Act have been removed, but the National Defence Force, the NIA and the South African Secret Service are now specifically excluded (Section 2). This brings an entirely new dimension to the Labour Relations Act, as the Public Service, the South African Police, the nursing and teaching professions, as well as agricultural and domestic employees now have virtually the same rights as other employees. However, in certain instances, specific procedures are established for these sectors (Labour Relations Act, No 66 of 1995).

The status of the Act is such that in case of any conflict between the provisions of the Labour Relations Act and any other Act (except the Constitution) priority will be given to the provisions of the Labour Relations Act. The Labour Relations Act automatically supersedes the Basic Conditions of Employment Act. This, for example, enables bargaining councils to enter into agreements which contain

conditions of employment less favourable than those provided for the Basic Conditions of Employment Act.

#### **2.7.4 Basic Conditions of Employment Act No. 75 of 1997**

Replacing the Wage Act of 1957, the new Act came into operation on 1 December 1998 in respect of the private sector and became applicable to the public sector on 1 May 2000.

##### **2.7.4.1 Purpose and scope of the Act**

The purpose of this Act is to advance economic development and social justice by establishing and enforcing basic conditions of employment. The Act has two primary objectives:

- to ensure that working conditions of unorganised and vulnerable workers meet minimum standards that are socially acceptable in relation to the level of development of the country
- to remove rigidities and inefficiencies from the regulation of minimum conditions of employment and to promote flexibility.

This Act applies to all employees and employers except members of the National Defence Force, NIA, South African Secret Service and unpaid charitable workers. A further focus of the Act is to promote regulated flexibility, which is an attempt to balance the protection of minimum standard and the requirements of labour market flexibility. The basic conditions of employment established by the Act form part of every contract of employment in South Africa, unless they have been replaced, varied or excluded in accordance with the Act, or unless the employee has personally, or via a bargaining council agreement, contracted for more favourable terms of employment. The working time of employees must be arranged so as not to endanger their health and safety, and with due regard to their family responsibilities. The requirement with regard to remuneration, deductions and termination does not apply to employees who work less than four hours a week (Basic Conditions of Employment Act No. 75 of 1997).

## **2.8 Summary**

The chapter on literature review (part one) looked at the theoretical framework. Workplace harassment, public administration and public management theories were discussed. Forms and directions of harassment and violence as well as dimensions

of costs of harassment were also explored, and the chapter concluded with a consideration of international and South African perspectives on workplace harassment and the law.

The next chapter is literature review (part two), which explore motivation, performance and harassment. This chapter will sheds light on various motivation theories and concepts relevant to the study with emphasis on their application to the topic under investigation. The motivation process and motivation theories will be discussed, namely, Maslow hierarchy of needs, ERG theory, Herzberg two-factor motivation theory, the equity theory, the three needs theory, the expectancy theory and reinforcement theory. The chapter will also discusses performance and various ways organisations can improve the performance of their employees, along with the six criteria for assessing the value of performance and productivity, and concludes with conceptual models and theoretical framework of workplace harassment.

## **LITERATURE REVIEW PART TWO: MOTIVATION, PERFORMANCE AND HARASSMENT**

### **2.9 Introduction**

This chapter reviews literature on, respectively, motivation, performance and harassment, and on linkages between them in relation to the study.

Motivation is the willingness to do something, and is conditioned by this action's capacity to satisfy some need of the individual (Robbins, 1994:42). The basis of theories on human behaviour is careful observation. Although theories can never predict behaviour with absolute certainty because there are too many variables to take into account, motivation theories can provide managers (and, specifically, managers in the selected HEI) with a good indication of how people might behave in various circumstances.

Managers work through and with people, but human behaviour is complex and unpredictable. Every individual's behaviour is influenced by different factors, which makes it harder for managers. Every manager dreams to manage motivated workers so that they will have good performance. Employee performance in organisations is determined by the desire to do the job (motivation), the capacity to do the job (ability), and the work environment. At the selected HEI, managers are faced with having to motivate a diverse and complex group of people in their organisation.

### **2.10 Motivation**

Motivation can be defined in many different ways. In relation to the present research issue, Nieman and Bennett (2002:115) and Hellriegel, Jackson, Slocum, Staude, Amos, Klopper, Louw and Oosthuizen (2004:263) concur that motivation is any influence that causes, channels and sustains goal-directed behaviour. For Swanepoel, Erasmus, Van Wyk and Schenk (2003:404), motivation is the willingness to do something and is conditioned by this action's ability to satisfy some need of the individual. Smit, Cronje, Brevis and Vrba (2007:338) define motivation as the willingness of an employee to achieve organisational goals. Basically, motivation is what makes people behave in a certain way, and there is thus a motivation process one can look at. The definitions suggested above emphasise the importance of

motivation in the workplace and also indicate that if the selected HEI management motivates employees effectively, in turn, work tirelessly to achieve the institution's goals.

### **2.10.1 Necessity of motivating employees**

One reason why motivation is difficult for managers to achieve is that there are different purposes for motivating people, each of which requires different incentives. Usually, managers use motivation to attract potential employees, improve performance and retain good employees.

#### *(a) Attracting potential employees*

If organisations want to encourage potential employees to work for them, they must find and use incentives that appeal to job-seekers (Megginson, Byrd & Megginson, 2006:278). These incentives include: a good income, pleasant working conditions, promotional possibilities and, sometimes, a signing bonus.

#### *(b) Improving performance*

The selected HEI could also use motivation to improve performance and efficiency on the part of its current employees, by praising good work, giving employees more responsibility, publicly recognising a job well done, and awarding merit salary increases.

#### *(c) Retaining good employees*

Motivation can also be used to retain present employees. This is accomplished through the use of employee benefits, most of which are designed to reward employees who stay with the company (Davies, 1997:101). Other incentives can help explain today's work force retention, many of them individual and personal (Megginson, Byrd & Megginson, 2006:279).

### **2.10.2 How to motivate employees**

The theory of motivation simply states that an employee has a need or needs, and managers apply some kind of incentive that promises to satisfy that need. Megginson et al. (2006:279) assert that one of the problems in motivating employees is to know them well enough to know what they need and what incentives will stimulate them to perform. Thus, HEI management need to know the institution's

employees well to understand their needs and the kind of incentives which will stimulate and satisfy their needs.

### **2.10.3 Ways of improving motivation**

There are several ways to motivate employees. Megginson et al. (2006:280) mention that progressive methods that have shown good results in motivating employees include quality circles, zero-defects programmes, job enrichment, variable work schedule and job splitting and sharing. Quality circles (QCs) are small, organised work groups that meet periodically to find ways to improve quality and output (Badi & Badi, 2005:29). They motivate by getting employees involved and taking advantage of their creativity and innovativeness.

As described by Wilson and Bates (2003:78), the zero-defects approach is based on getting workers to do their work right for the first time, thus generating pride in workmanship. It assumes that employees want to do a good job and will do so if permitted. Job enrichment puts the emphasis on giving employees' greater responsibility and authority over their jobs as the best way to motivate them (Holt, 2005:224). Employees are encouraged to learn new and related skills or even to trade jobs with each other as ways of making jobs more interesting and therefore more productive.

Megginson et al. (2006:280) assert that variable work schedules (flexible work arrangements) permit employees to work at times other than the standard workweek of five to eight-hour days. Such schedules are used by small firms to motivate employees. Flexitime allows employees to schedule their own hours as long as they are present during certain required hours, called core time (Hisrich & Peters, 2002:474). This gives employees greater control over their time and activities. Roussouw (2002:132) declares that job splitting is dividing a single full-time job into distinct parts and letting two or more employees to do different parts. In job sharing, a single full-time job is shared by two or more employees, with one worker performing all aspects of the job at one time and the other worker doing it at another time. The selected HEI management needs to have more knowledge, time, money or personnel so as to implement these methods as that will improve the institution's employee motivation and performance while increasing productivity.



#### 2.10.4 The motivation process

The motivation process comprises an inner state of mind that channels an employee's behaviour and energy towards the attainment of organisational goals (Smit et al., 2007:338). The motivation process consists of the following interdependent elements:

Need – Motive – Behaviour – Consequence – Job satisfaction/dissatisfaction – Work performance, which are briefly explained.

This sequence of elements in the motivation process can be illustrated in the following example:

**Need:** an employee who has an unfulfilled need for higher status in the organisation where he/she works (Smit & Cronjé, 2002:345). **Motive:** his/her desire is to advance to a managerial position (Smit et al., 2007:338). **Behaviour:** thus motivated he/she may work overtime, and may enrol for a learning programme in the principles of management (Smit & Cronjé, 2002:345). **Consequence:** the consequence of the employee's behaviour may be either positive or negative; he/she may or may not be promoted. (Smit et al., 2007:339). **Satisfaction/dissatisfaction:** the consequence could yield satisfaction or dissatisfaction – satisfaction if promoted, dissatisfaction if not (Smit et al., 2007:339).

If the outcome in the motivation process is dissatisfaction, the need remains unsatisfied and the motivation process will start over again. However, satisfaction is short-lived as people may have many needs and once one need is satisfied another need will arise. If managers understand what motivates the behaviour of their employees, they can influence the employees' work performance, even though motivation is not the only factor that influences work performance. Job satisfaction leads to enhanced and improved work performance.

#### 2.10.5 Motivation theories

Theories can never predict behaviour with absolute certainty because as there are too many variables to take into account. However, motivation theories can, however, provide managers with a good indication of how people might behave in various circumstances.

### **2.10.5.1 Maslow's hierarchy of needs**

According to psychologist Abraham Maslow, who formulated the individual motivation theory, people always want more and their needs depend on what they already have (Nel et al., 2004:311). People's needs arise in order of importance (Nieman & Bennett, 2006:218), and Maslow's theory illustrates the hierarchical order of human needs. Maslow identifies five types of needs, which fall into a hierarchy as indicated below.

(a) **Physiological needs:** These are the most basic level of the hierarchy and comprise the need for water, food, sex, warmth and shelter. If these most prominent needs are not satisfied, will direct a person's behaviour mainly towards satisfying them. According to Smit and Cronjé (1992:312), the satisfaction of these needs is essential for a human being's biological functioning and survival; once they are satisfied they no longer influence behaviour. Nowadays, most employees join trade unions which negotiate for higher wages and fringe benefits to ensure that the basic needs of their members are satisfied, and higher-order needs play a greater role in the motivation of the contemporary worker than do these lower-order needs (Stoner, Freeman & Gilbert, 1995:446).

(b) **Security needs:** Once a person's basic physiological needs have been satisfied, the individual security needs come into play. These include the need for physical security and protection as well as job security, pension and medical aid schemes. People now use energy to satisfy the need for safety, which also has a direct bearing on their survival (Nel et al., 2004:311). Dessler (2001:323) states that these needs can be satisfied in the workplace by job continuity (no layoffs), a grievance system (to protect against arbitrary supervisory action, workplace harassment and bullying) and an adequate insurance and retirement benefits package (for security against illness and provision of income in later life).

(c) **Social needs:** Once a person feels safe and in control of possible threats, social needs are activated (Smit & Cronjé, 1992:312). These include the need to be loved, to develop friendships and to have fulfilling social interactions with individuals. In organisations, people tend to join different groups so as to satisfy their social needs. Kreitner (2002:386) states that by forming work groups and encouraging sufficient interaction among employees, managers can make sure that their

subordinates' social needs are satisfied. People strive hard to achieve a sense of belonging with others. As with the first two levels of needs, relative satisfaction of love needs paves the way for the emergence of the next, higher-level needs.

(d) **Self-esteem needs:** At level four are the esteem needs. Kreitner (2002:386) states that these are higher-order needs and represent the individual's need for recognition from others and self-respect. According to Griffin (2000:478), people who perceive themselves as worthwhile can be said to possess high self-esteem. These include internal mental states such as self-liking, autonomy, and achievement, as well as external factors such as needs relating to status, recognition and attention (Swanepoel, Erasmus, Van Wyk & Schenk, 2005:326). It is in this area in particular that managers can play a significant role in satisfying the needs of their employees, namely: by rewarding high achievement with recognition and appreciation. Bateman and Snell (2002:419) emphasise that it is important for those who are expected to help achieve organisational objectives to have their esteem needs well fulfilled. Esteem needs cannot emerge if lower-level needs go unattended.

(e) **Self-actualisation needs:** If the needs mentioned are largely satisfied, people then spend their time in search of opportunities to apply their skills to the best of their ability. At the top of Maslow's hierarchy is the open-ended category of self-actualisation needs. Swanepoel et al. (2005:326) maintain that this concerns the need to become what one is capable of becoming and includes needs relating to growth and development, achieving one's potential and self-fulfilment. Self-actualisation is the uninhibited expression of one's true self and one's talents. The self-actualisation need is the most difficult to address in an organisational context (Griffin, 2000:478). Managers can help by creating a climate in which self-actualisation is possible by giving their subordinates difficult and challenging jobs to master so that they can grow in their work.

#### **2.10.5.2 ERG theory**

Alderfer (cited in Noe et al., 2007:178), identifies three core needs: Existence, Relatedness and Growth (ERG). These needs may be summarised as follows:

(a) **Existence needs:** These needs relate to a person's basic material existence needs, which are the same as Maslow's physiological and safety needs.

**(b) Relatedness needs:** These needs relate to desire for interpersonal relationships and interaction, similar to Maslow's affiliation/social needs and the external aspect of Maslow's esteem needs (Cronjé, du Toit, Marais & Motlatla, 2003:227).

**(c) Growth needs:** These relate to the desire of an individual to make a creative or productive contribution, similar to Maslow's esteem and self-actualisation needs.

ERG theory acknowledges that two or even all three need categories can influence behaviour simultaneously. The ERG theory also suggests that if a person is continually frustrated in attempts to satisfy growth needs, relatedness needs re-emerge as a major motivating force and may force the person to redirect efforts towards satisfying a lower-order need category (Cronjé et al., 2003:227).

#### **2.10.5.3 Herzberg two-factor motivation theory**

According to Noe et al. (2007:182), Herzberg identified factors that made employees feel exceptionally good or exceptionally bad about their jobs, proposing a motivational model, referred to as the two-factor model, which consists of maintenance and motivational factors. Herzberg also identified two sets of factors that influence motivation and job satisfaction (Nel et al., 2004:315). The two-factor theory tries to find out what people want from work, on the assumption that two sets of factors influence work behaviours: dissatisfiers (hygiene factors) and satisfiers (motivators). Hygiene factors are closely related to the working environment.

Hygiene (maintenance) factors include the following: organisational policy; equipment, supervision; interpersonal relationship with colleagues, superiors and subordinates; salary; status; working conditions and work security (Swanepoel et al., 2000:321). Hygiene factors do not motivate. If they are inadequately met, they cause dissatisfaction. If they are adequately met, the employee is neither satisfied (as distinct from being motivated) nor dissatisfied, but feels neutral about his job. A dissatisfied employee cannot be motivated. It is, therefore, important that management first give attention to hygiene factors before introducing motivators into the employee's job.

Only motivators can motivate people. Motivated people exert a greater effort than what is expected of them in achieving goals. Motivators, also called growth factors, are closely related to the nature and content of the work done.

According to Swanepoel et al. (2000:254), included among potential motivators are: achievement (for example, successful execution of tasks); recognition for what has been achieved; the job itself (how interesting, meaningful and challenging it is); progress or growth (learning and developing); responsibility and feedback.

Herzberg advises that the answer to the motivation problem lies in the design of the work itself. Gerber, Nel and Van Dyk (1998:347) describe job enrichment as the vertical loading of an employee's job to make it more challenging and interesting, and provide opportunities for responsibility, growth and recognition. Job enrichment is an alternative to scientific management where specialised and standardised jobs lead to monotony, boredom and psychological stagnancy. Employees enjoy their work when they take pride in attaining a goal.

#### **2.10.5.4    *The equity theory of motivation***

Equity theory contends that people are motivated to seek social equity in the rewards they receive for performance (Steyn & van Niekerk, 2002:152). Equity is an individual's belief that the treatment he/she receives is fair relative to the treatment received by others. Equity theory relates to the way employees make judgements about whether the organisation is treating them fairly. Adams (1992:66) suggests that individuals mentally form ratios to compare their inputs and outputs with those of others doing similar work to determine whether they are treated fairly. When individuals perceive their reward to be greater than their inputs they take steps to restore the equity and may increase their inputs by higher performance, reduce their reward by taking a pay cut, distort ratios by rationalising, trying to reduce other people's inputs or trying to increase the person's reward. Inputs are what an employee gives to the job (time, effort, education and commitment to the organisation) to obtain desired outcomes.

Certo (2003:356) states that the outcomes from work include the feelings of meaningfulness and responsibility associated with enriched jobs and rewards, for example, recognition, promotion, and increased pay). Equity theory asserts that

employees compare their input-outcome ratio with the input-outcome ratio of relevant others. The comparable individual could be a co-worker in the organisation or a worker in a different organisation doing a similar job. A worker's comparison of his or her own situation with another comparable worker's situation leads to one of three conclusions: a feeling of being under-rewarded, over-rewarded or equitably rewarded (Swanepoel et al., 2003:333).

The fact that management believes employees are paid well compared with those in other organisations does not necessarily translate into employees' beliefs. There are two types of employee social comparisons, which are external and internal equity pay comparisons. External equity pay comparisons focus on what employees in other organisations are paid for doing the same general job. Noe et al. (2007:370) declare that such comparisons are likely to influence the decisions of applicants to accept job offers as well as the attitudes and decisions of employees about whether to stay with an organisation or to take a job elsewhere.

Internal equity pay comparisons focus on what employees within the same organisation, but in different jobs, are paid. Employees make comparisons with lower-level jobs, jobs at the same level and jobs at higher levels. These comparisons may influence general attitudes of employees, willingness to transfer to other jobs within the organisation, willingness to accept promotions, inclination to co-operate across jobs, functional areas or product groups and their commitment to the organisation (Noe, Hollenbeck, Gerhart & Wright, 2006:464). An institution's choice of job structure may influence its employees' internal comparisons and their consequences.

#### **2.10.5.5 Three needs theory**

According to Noe et al. (2007:188), McClelland proposed three basic needs are operative in the workplace:

- the need for achievement (nAch) is the desire to exceed some standard of behaviour; a need to excel or need to be successful;
- the need for power (nPow) relates to the need to make others behave in a way in which they would not otherwise have behaved; a need to control others, to be influential (Smit & Cronjé, 1992:316) and;

- the need for affiliation (nAff) refers to the need for warm and close interpersonal relationships; a need to be liked and accepted by others.

If these needs constitute the totality of needs, it remains for a manager to determine a subordinate's dominant need and to offer opportunities whereby the individual's needs and the organisation's needs are simultaneously met (Swanepoel et al., 2000:349). People with a high nAch prefer the following work situations and will work harder in them than individuals with a low nAch:

- situations of moderate risk – in situations of low or high risk, feelings of achievement are absent.
- situations where knowledge of results is provided – people with high nAch want to know whether they have achieved or not, they want feedback.
- situations where individual responsibility is provided – the high nAch individual wants to take personal responsibility for achieving (Swanepoel et al., 2003:330).

Under these conditions, high achievers will be strongly motivated. Since these types of situations are present in entrepreneurial roles, it is not surprising that people with a high need to achieve are successful entrepreneurs. Individuals with a high nAch generally do not make good managers. The best managers are people with a high need for power (nPow) and a low need for affiliation (nAff).

#### **2.10.5.6 The expectancy theory**

Expectancy theory is based on the assumption that motivation comprises two things: how much a person wants something and what the chances are of getting it. The formal framework of expectancy theory rests on the following assumptions (Swanepoel et al., 2003:335):

- Behaviour is determined by the combination of forces in the individual and the environment.
- People make decisions about their behaviour in organisations.
- Different people have different needs, desires and goals.

- People choose between alternative plans of behaviour. Their choice depends on their perception of the degree to which a given effort will lead to the desired result.

In the expectancy model, the assumption is made that motivation leads to a certain effort and that this effort, individual ability and environment result in a certain performance. Achievement has different outcomes and the individual assigns a specific value to each result.

#### **2.10.5.7 Reinforcement theory**

The basic premise of this theory is that behaviour which has pleasant results will probably be repeated, while behaviour which has unpleasant results will probably not. This theory is based on behaviour modification, which is a systematic effort to change an individual's behaviour by manipulating the behaviour reinforcing influences (Smit & Cronjé, 2002:357).

To encourage specific behaviour, individuals are rewarded as they move closer to the desired behaviour. Another way of reinforcing desired behaviour is through avoidance. Behaviour is reinforced by the avoidance of undesirable consequences. Reinforcement can also be negative and here we can distinguish between two kinds of negative reinforcement, namely: punishment and extinction. Punishment is used by managers to discourage undesirable behaviour (Smit & Cronjé, 2002:357).

According to the reinforcement theory, the unpleasant consequences of undesirable behaviour will discourage an individual from repeating the behaviour. Punishment motivates people as soon as it is meted out, but once the negative reinforcement is neutralised they fall back into their old pattern of undesirable behaviour (Smit & Cronjé, 2002:358). The negative side effects of punishment reinforces the view that it should not be a desirable form of behaviour reinforcement in the workplace. Extinction can be used to weaken behaviour, especially behaviour that was previously rewarded.

HEI's managers need to realise that all motivation theories talk about the needs of employees. This means that if these needs are satisfied the HEI will have a motivated workforce that will produce good performance.



### **2.10.6 Motivation and morale**

Effective motivation leads to higher morale. According to Michael (2002:376), when morale is high, employees are satisfied and contented about their tasks, working conditions, compensation and work environment. The greater the motivation, the greater will be job satisfaction and morale. Morale and productivity have a positive correlation. Good employee morale is the mental attitude of the individual or the group, which enables employees to realise that maximum satisfaction of their drives coincides with fulfilment of the objectives of the organisation. In other words, employees identify their objectives with those of the organisation, rather than merely subordinating their own desires to those of the organisation. It is the possession of a feeling on the part of employees, or groups of employees, of being accepted and belonging to the work group and the organisation, identifying themselves with the common goals and having confidence in the desirability of these goals (Gómez-Mejia, Balkin & Cardy, 2001:366).

Higher morale keeps people in higher spirit concerning the given task. The following characteristics are associated with high morale (Michael, 2002:376):

- a higher team spirit and concerted efforts
- maintaining a high quality of efforts
- zestful enthusiasm and a high spirit
- a general resistance to frustration
- a sincere involvement in the task
- a higher achievement motivation

It may mean that groups with high morale accomplish things with a minimum of bickering and that they do things because they want to do them. According to Bateman and Snell (2002:427), people with low morale are characterised by apathy, bickering, jealousy, disjointed effort and pessimism. In the situation of high morale, members of a group think in a "we" spirit, rather than an "I" spirit. According to Kreitner (2002:389), members help one another, rather than try to grab or win from one another, and the success of one is understood as a gain for all. Thus, morale and cohesiveness are positively related. Job satisfaction and job involvement will be greater when morale is high. This is the reason why morale is related to productivity.

Managers need to know that high staff motivation leads to higher morale. They should understand that higher morale keeps people in higher spirit concerning the given task. This understanding should help them assist their employees achieve their objectives in order for the institution's goals to be achieved. Managers also need to be aware that people with low morale are characterised by apathy, bickering, jealousy, disjointed effort and pessimism. Thus, they need to avoid this at all cost by motivating the workforce and thereby raising morale. They also need to know that job satisfaction and job involvement will be enhanced when the morale is high.

### **2.10.7 Money as a motivator**

The role of money as a motivator is often downplayed. Rather, emphasis is placed on the importance of factors like challenging jobs, recognition for achievement, and opportunities for personal growth and creativity in the workplace. But whereas motivation theories take the line that these factors do satisfy the higher-order needs of people in the workplace, there is also evidence that money has an influence on people's work performance. Most motivation theories accept that money is a motivator under certain conditions. For instance, in the satisfaction of the lower-order needs. Expectancy theory holds that money is a motivator if employees perceive that good performance results in monetary reward that they value highly (Smit & Cronjé, 2002:360). Reinforcement theory holds that money can be used as a reward to reinforce behaviour that leads to a positive job performance.

### **2.11 Performance**

Byars and Rue (2006:222) state that performance refers to the degree of accomplishment of the tasks that make up an employee's job. Bernardin (2003:143) maintains that performance is the record of outcomes produced on specified job functions or activities during a specified time period. Performance is determined by capability, motivation and environment. A person must know how to work (capability), must want to do the job (motivation), and the environment (material, equipment, physical environment) must be favourable for performing a task.

In taking full account of performance, managers will also need to have some criteria for assessing performance. This will help monitor progress towards the ultimate goal.

### **2.11.1 Objectives of performance evaluation**

Rational and political perspectives may come into play when evaluating an employee's performance. The rational perspective assumes that the value of each worker's performance can be estimated (Nel et al., 2004:478). The political perspective assumes that the value of a worker's performance depends on the agenda or goals of the supervisor. The political approach holds that performance measurement is a goal-oriented activity and that the goal is seldom accurate. The success of performance evaluation depends on two decisions: the person designated to carry out the evaluation and the technique chosen to measure the performance.

### **2.11.2 Who should evaluate performance?**

The requirement is that adequate opportunity be made available for performance to be observed over a reasonable period of time. The following raters may evaluate performance:

**(a) The immediate supervisor:** The supervisor is probably familiar with the subordinate's performance and has the best opportunity to observe actual job performance on a daily basis (Nel et al., 2004:478). The advantage of using the supervisors is that they can be lenient in rating an employee.

**(b) Peers:** The judgement of peers often provides a perspective on performance that is different from that of the supervisor. The potential of friendship bias to skew the feedback value of the information provided is always present and it is important to specify exactly what peers are to evaluate (Swanepoel et al., 2003:383). Even when peers' evaluation is well done, it is best to consider them as part of a system that includes input from other raters.

**(c) Subordinates:** Reverse appraisals can be a useful input to the supervisor's development. Subordinates know how well a supervisor delegates, communicates, plans and organises. Considerable trust and openness is a prerequisite if subordinate appraisals are to be valuable (Swanepoel et al., 2003:383). They can work well in a large organisation where a manager may have a large number of subordinates and anonymity of subordinates is assured.

**(d) Self-appraisal:** If appraisal is combined with goal setting and the chance to add value to the organisation, it improves the ratee's motivation and reduces defensiveness during the evaluation interview. Nel et al. (2004:478) accept that self-appraisal tends to be more lenient, less variable and more biased, and is probably more appropriate for counselling and development than for employment decisions.

**(e) Customer appraisals:** The organisation's external customers can provide a unique perspective on job performance (Nel et al., 2004:478). Although the customer's objectives cannot be expected to correspond entirely with those of the individual or the organisation, information that customers provide can serve as useful input for promotion, transfer and training decisions.

### **2.11.3 Setting performance standards**

Performance standards tell employees what level of performance is expected of them. They also measure how well employees meet expectations. Megginson et al. (2006:364) hold that performance standards are usually stated in terms of units consumed or produced or price paid or charged. Some examples are standard hours per unit to produce a good or service, miles per gallon used and price per unit for purchased goods. There are many ways of developing these standards such as intuition, past performance, careful measurement of activities, and comparison with other standards or averages (Holt, 2005:396). Once standards of performance are set, they should be communicated by means of written policies, rules, procedures, or statements of standards to the people responsible for performance. Standards are valuable for stimulating good performance and in locating sources of inefficiencies.

Institutions need to follow the right procedures for setting performance standards. These standards need to be clearly communicated to the employees, and, in the process, should not demotivate employees by demanding of them.

### **2.11.4 Six criteria of assessing the value of performance**

Bernardin (2003:147) lists the following criteria for assessing the value of performance:

**(a) Quality:** the degree to which the process or result of carrying out an activity approaches perfection, in terms either of conforming to some ideal way of performing the activity or of fulfilling the activity's intended purpose.

**(b) Quantity:** the amount produced, expressed in such terms of rand value, number of units, or number of completed activity cycles.

**(c) Timeless:** the degree to which an activity is completed, or a result produced, at the earliest time desirable from the standpoints of both coordinating with the outputs of others and maximising the time available for other activities.

**(d) Cost-effectiveness:** the degree to which the use of organisation's resources (human, monetary, material, technological, etc.) is maximised in the sense of getting the highest gain or reduction in loss from each unit or instance of use of a resource.

**(e) Need for supervision:** the degree to which the performer can carry out a job function without either having to request supervisory assistance or requiring supervisory intervention to prevent an adverse outcome.

**(f) Interpersonal impact:** the degree to which a performer promotes feelings of self-esteem, goodwill, and cooperativeness among co-workers and subordinates.

The selected HEI management needs to adopt and adapt these criteria or develop their own to assess the performance of employees.

### **2.11.5 Creating a good working environment**

It is suggested that individuals select the level of performance that seems to give the best chance of achieving the outcome they desire. The employer has to create a good working environment in order to encourage employees to perform. This implies a working environment that is free of harassment and bullying and where people feel they are rewarded in a meaningful way and want to grow with the business (Bernardin, 2003:76). Bernardin (2003:76) also suggests that in organisations where there is teamwork, the following points should be considered to get the best results out of the teams:

- identify what motivates each individual
- ensure that workplace harassment is prevented and there are clear policies
- determine the desired performance
- make the performance level achievable
- link rewards to performance
- ensure the reward is adequate

The task of management is to satisfy those factors that stimulate job satisfaction in order to create a climate of good performance and productivity.

## **2.12 How motivation affects performance**

Generally, an employee who is motivated will try harder to do a good job than one who is not motivated (Lussier, 1996:173). However, performance is not simply based on motivation. The level of performance attained is determined by the three factors found in the performance equation, which are ability, motivation and resources.

### **2.12.1 Performance equation**

Smit et al. (2007:339) state that the variables that determine performance are motivation (goal or desire), ability (training, knowledge and skills) and the opportunity to perform: in short,  $Motivation \times Ability \times Opportunity = Performance$ .

From this equation, it is clear that an employee must possess a high level of motivation plus the appropriate training, knowledge and skills needed to perform effectively in a given work situation. In addition to motivation and ability, the employee should have the opportunity to perform. Thus, the work environment should be supportive. Cronjé et al. (2003:175) maintain that the employee must have adequate resources such as tools, equipment, materials and supplies to be able to work. Conducive working conditions, helpful co-workers, supportive policies and procedures, sufficient information to make job-related decisions and adequate time to do a good job are factors that influence worker performance (Noe et al., 2006:61).

Managers need to motivate employees to put in their maximum effort to get their jobs done with the opportunity afforded. They also must ensure that there are adequate resources to enable employees perform better.

## **2.13 Productivity**

Although it is assumed that workplace harassment would impact factors such as job satisfaction, commitment, innovation and creativity (Bassman, 1992), empirical evidence of a relationship between harassment and productivity remains sparse. In part, this sparsity reflects the fact that productivity is difficult to measure, a reality that has also been pointed out in occupational stress research (Cooper, Liukkonen & Cartwright, 1996). Furthermore, the few pieces of evidence that have emerged focus

on self-reported measures of perceived change in performance because of harassment. Thus, in a study of Norwegian trade union members, a total of 27% of respondents agreed with the statement that workplace harassment reduces efficiency (Einarsen, 1996:124). When applied in a nationwide British study, the same measure yielded a figure of 33% (Hoel & Cooper, 2000a:346). In the latter study, respondents were also asked to assess their performance independently of their experience of harassment, as a percentage estimate of normal capacity. Applying this figure as a measure of productivity, a moderate negative correlation was found between self-rated performance and harassment, with the "currently harassed" on average reporting a decrease of productivity of approximately 7% compared with those who were neither harassed nor had witnessed harassment taking place (Hoel, Sparks & Cooper, 2001:56).

That people may be harassed irrespective of their organisational status or rank, including senior managers (Hoel, Cooper & Faragher, 2001:445), indicates the possibility of a negative domino effect, where harassment may be cascaded downwards as the targeted supervisors might offload their own aggression on their subordinates (Tepper, Duffy, Henle & Lambert, 2006:101). In such situations, a harassment scenario in the boardroom may actually threaten the productivity and performance of the entire organisation.

When reduced commitment or withdrawal is used as a coping strategy, one would expect a negative impact on performance and productivity. In some cases, targets of harassment will respond by increasing their effort. However, even where targets adopt a strategy of working harder in order to demonstrate their loyalty to the organisation, the net outcome in terms of productivity may be negative because mental exhaustion may reduce concentration and vigilance possibly causing irritation and frustration among co-workers. Problems with concentration may also, in their own right, increase the propensity to make mistakes, thus increasing the likelihood of accidents as well as reduction in output and quality of the products (Einarsen, Hoel, Zapf & Cooper, 2010:136).

In connection with reduced commitment to work or withdrawal, it appears reasonable to invoke the concept of presenteeism. This concept refers to situations where individuals extend their time at work beyond their official working day in order to

demonstrate commitment to the organisation. According to Brun and Lamarche (2006), however, presenteeism is likely to have the opposite effect, reducing output and lowering the standard of production.

Caverley, Cunningham and MacGregor (2007:305), indicate that sickness presenteeism, where employees are working less effectively because of health-related or medical problems, such as headaches, migraines, gastrointestinal ailments, represents hidden costs of substantial proportions, actually outstripping the cost of sickness absenteeism. They argue that presenteeism is particularly widespread where people work with or provide services to clients, for example in the health service, where there is unlikely to be any cover, where work tends to accumulate when one is away, or in situations where organisations are undergoing downsizing.

## **2.14 Bullying and harassment in the workplace**

Building on the foregoing argument Einarsen et al. (2010:22) suggest the following definition of bullying (cf. Einarsen & Skogstad, 1996; Leymann, 1996; Olweus, 1991, 1993, 1999; Zapf, 1999b):

Bullying at work means harassing, offending, or socially excluding someone or negatively affecting someone's work. In order for the label bullying (or mobbing) to be applied to a particular activity, interaction, or process, the bullying behaviour has to occur repeatedly and regularly (e.g., weekly) and over a period of time (e.g., about six months). Bullying is an escalating process in the course of which the person confronted ends up in an inferior position and becomes the target of systematic negative social acts. A conflict cannot be called bullying if the incident is an isolated event or if two parties of approximately equal strength are in conflict.

### **2.14.1 Conceptual models of harassment at work**

#### **2.14.1.1 *Leymann model***

Leymann (1990b, 1993, 1996), who has been influential in many European countries, argues strongly against individual factors as antecedents of harassment, especially when related to issues of victim personality. Instead, Leymann “advocates a situational outlook, where organisational factors relating to leadership, work design and the morale of management and workforce are seen as the main factors. He asserts that four factors are prominent in eliciting harassment behaviours at work



(Leymann, 1993:35): (1) deficiencies in work design (2) deficiencies in leadership behaviour (3) the victim's socially exposed position (4) low departmental morale. Leymann (1996) also acknowledges that poor conflict management might be a source of harassment, but in combination with inadequate organisation of work. However, Leymann (1996) again strongly advocates that conflict management is an organisational issue and not an individual one. Conflicts escalate into harassment only when managers or supervisors either neglect or deny the issue, or if they themselves are involved in the group dynamics, thereby fuelling conflict. Since harassment takes place within a situation regulated by formal behavioural rules and responsibilities, it is always by definition the responsibility of the organisation and its management”.

Some research has been conducted on the work environment hypothesis of Leymann (Agervold, 2009:276; Hauge, Skogstad & Einarsen, 2007:228). “Some 30 Irish victims of harassment described their workplace as a highly stressful and competitive environment, plagued with interpersonal conflicts and a lack of a friendly and supportive atmosphere, undergoing organisational changes, and managed by means of an authoritarian leadership style (O'Moore, Seigne, McGuide & Smith, 1998). In a Norwegian survey of 2 200 members of seven different trade unions, both victims and observers of workplace harassment reported a lack of constructive leadership, lack of possibilities to monitor and control their own tasks and, in particular, a high level of role conflict (Einarsen, Raknes & Matthiesen, 1994a:383). In a Finnish survey, victims and observers of harassment described their work unit as having the following features: poor information flow, an authoritative way of settling differences of opinion, a lack of discussions about goals and tasks and a lack of opportunity to influence matters affecting themselves (Vartia, 1996:207). A few studies, for example, Skogstad, Einarsen, Torsheim, Aasland and Hetland (2007:82), have also shown a link between organisational changes and bullying at work”.

It should be noted, however, that these results are based on cross-sectional studies that do not allow the researchers to interpret relations as cause and effect. Although researchers believe that, in many cases, organisational deficiencies contribute substantially to the development of harassment, it is equally plausible that severe social conflicts at work may be the cause, rather than the effect, of organisational

problems (Zapf, 1999b:72). Conflict may, for example, negatively affect the information flow and thus impair leader-member relationships. Moreover, relations between harassment and low levels of control can also be explained by the fact that restricting someone's opportunities to affect decision-making has been described as a harassment strategy (Leymann, 1990a:44). Yet, a study by Agervold (2009) supports the hypothesis that departments with high levels of harassment also have a poorer psychosocial work environment. Agervold (2009) studied the relationships between organisational factors and harassment on a departmental level, ruling out the effect of dissatisfied victims and supporting the hypothesis that the pressure of work, performance demands, autocratic management, and role conflict and lack of role clarity, as well as a poor social climate in a working group, can contribute to the emergence of higher incidence of harassment. The same conclusion was reached by Hauge et al. (2007) in a representative sample when comparing targets and observers of harassment with non-involved workers. Furthermore, the latter study showed that a lack of leadership in the form of laissez-faire leadership, as predicted by Leymann (1996), moderated the relationship between role conflict and exposure to harassment.

Yet, Einarsen, Raknes and Matthiesen (1994a:381) found that work environment factors explained only 10% of the variance in the prevalence of workplace harassment within seven different organisational settings, and in no subsetting was this greater than 24%. Thus, there is certainly room for alternative explanations. Leymann (1996) himself never presented any empirical evidence for his strong focus on organisational factors and disregard for the role of personality. Harassment is the product neither of chance nor of destiny (Einarsen et al., 1994a). Instead, harassment should be understood primarily as a dyadic interplay between people, where neither situational nor personal factors are entirely sufficient to explain why it develops. Although one may agree that the organisation and its management are responsible for intervening in cases of interpersonal conflict and harassment, this may still be caused by a wide range of factors, both on an individual level and on dyadic, group, organisational and societal levels (Hoel & Cooper, 2001; Zapf, 1999b). Zapf (1999b) provides some preliminary evidence for these various potential causes of harassment by identifying subgroups of harassment victims for which such

causal factors as the organisation or characteristics of victims themselves are likely to dominate.

Assuming that the concept of workplace harassment refers to a range of situations and contexts where repeated aggressive behaviour may occur and where targets are unable to defend themselves, Einarsen (1999:16) introduced the concepts of predatory and dispute-related harassment to broaden the perspectives and to account for the two main classes of situations where harassment may seem to originate.

#### **2.14.1.2 *Predatory harassment***

In cases of predatory harassment, the victim has personally done nothing provocative that may reasonably justify that behaviour of the harasser (bully). In such cases, the victim is accidentally in a situation where a predator is demonstrating power or is exploiting the weakness of someone who has become a victim by accident. The concept of petty tyranny proposed by Ashforth (1994) seems to refer to such kinds of harassment. Petty tyranny refers to leaders who lord their power over others through arbitrariness and self-aggrandisement, the belittling of subordinates, lack of consideration and the use of an authoritarian style of conflict management. In some organisations, harassment is more or less institutionalised as part of their leadership and managerial practice, sometimes in the guise of firm and fair management (Brodsky, 1976:17). However, firm and fair may easily turn into harsh and unfair management, which may, again turn into harassment and the victimisation of subordinates.

A person may also be singled out and harassed because they belong to a certain outsider group, for instance by being the first woman in a local fire brigade. If perceived as a representative of a group or a category of people who are not approved by the dominant organisational culture, such employees may indeed be harassed (bullied) without doing anything other than merely showing up at work (Archer, 1999:96). As such, the individual victim of harassment is in fact, a coincidental target.

An employee may even be harassed by being an easy target of frustration and stress caused by other factors. In situations where stress and frustration are caused

by a source that is difficult to define, inaccessible, or too powerful or respected to be attacked, the group may turn its hostility towards a suitable scapegoat (Thylefors, 1987:66). Bjorkqvist (1992:14) argues that such displaced aggressiveness may act as a collective defence mechanism in groups where much unstructured aggression and hostility prevail.

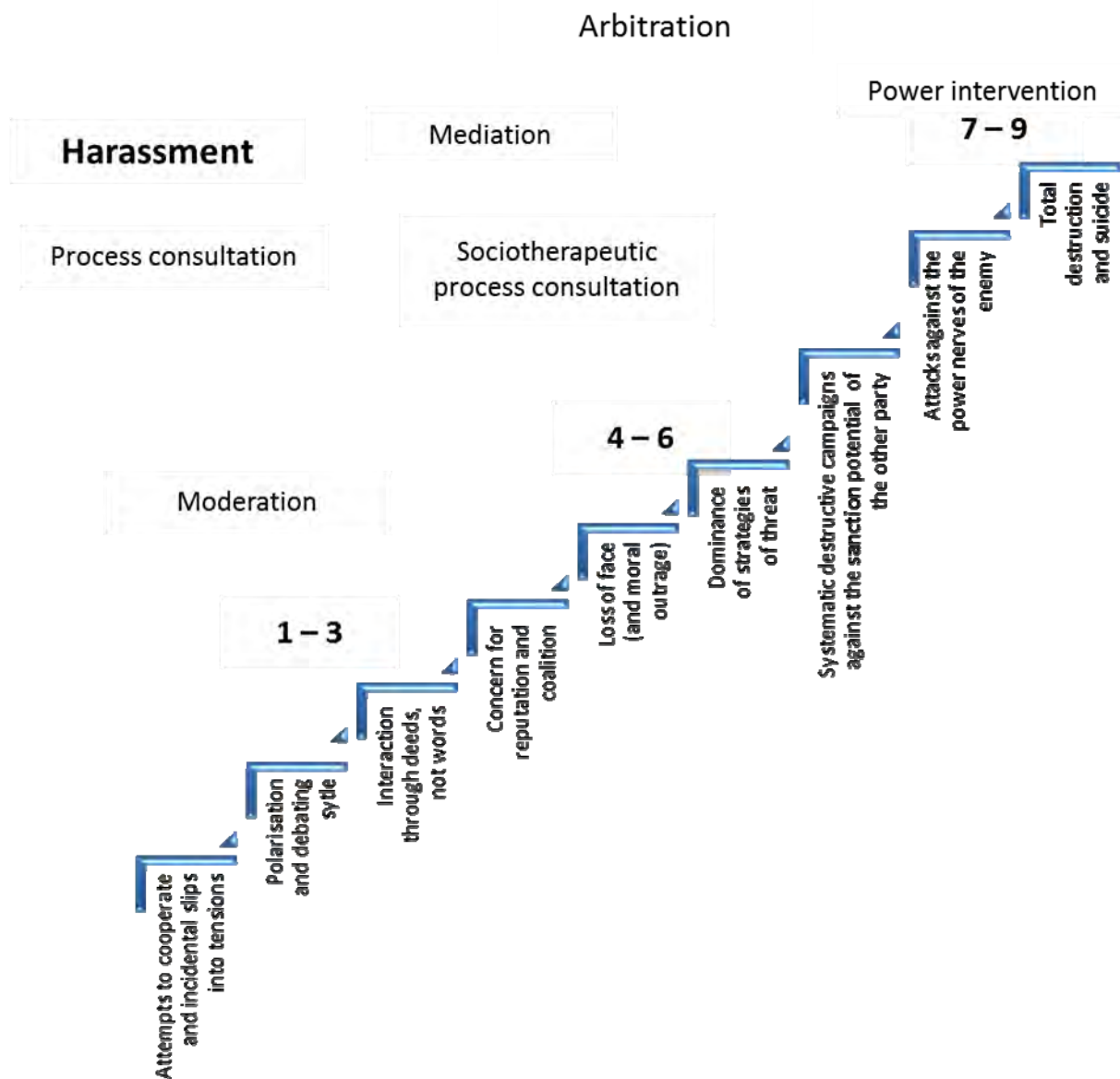
Allport's study (1954) details the process involved in acting out prejudices and seems to describe well how such harassment evolves. In the first phase, antilocution, prejudicial talk starts, but is restricted to small circles of the "in group" and takes place "behind the back of the victim". This stage is followed by a second phase, where the victim is openly harassed and discriminated against by being alienated and excluded or subjected to offensive remarks and jokes. In the third phase, physical attacks occur, which may lead to the final stage, extermination. Although the victims of harassment are not literally killed, some do commit suicide (Leymann, 1990b); others are permanently expelled from working life (Leymann, 1996:172) or at least driven out of their organisation (Zapf & Gross, 2001:503). These examples of predatory harassment suggest the following sub-categories: exposure to a destructive and aggressive leadership style, being singled out as a scapegoat and the acting out of prejudice.

#### **2.14.1.3 *Dispute-related harassment***

Dispute-related harassment occurs as a result of highly escalated interpersonal conflicts (Einarsen, 1999; Zapf & Gross, 2001). Although interpersonal struggles and conflicts are a natural part of all human interaction and must not be considered harassment, there may be a thin line between the disagreements between two parties in an interpersonal conflict and the aggressive behaviour used in harassment (Zapf & Gross, 2001:503). The difference between interpersonal conflict and harassment is to be found not in what is done or how it is done, but in the frequency and duration of what is done (Leymann, 1996:167), as well as in the ability of both parties to defend themselves in the situation (Zapf, 1999a). In some instances, the social climate at work turns sour and creates differences that may escalate into harsh personalised conflict and even "office wars", where the total annihilation of the opponent is seen as the ultimate goal to be gained by the parties (van de Vliert, 1998:353).

In highly escalated conflicts, both parties may deny their opponent any human value, thus clearing the way for highly aggressive behaviours. The party placed at a disadvantage in this struggle may become the victim of bullying (Zapf, 1999b:77). It may also be the case that one of the parties exploits their own power or a potential power imbalance, leading to a situation where the other is unable to mount a defence or retaliate against increasingly aggressive behaviours. The defenceless position will then lead to a victimisation of one of the parties.

Interpersonal conflicts where the identity of the protagonists is at stake, for instance, when one party attacks the self-esteem or self-image of the other, are often characterised by intense emotional involvement (Glasl, 1994:119). The latter includes feelings of being insulted, fear, suspicion, resentment, contempt, anger and so forth (van de Vliert, 1998:353). In such cases, people may subject each other to harassment behaviour or resent the behaviour of their opponent to a degree where they feel harassed and victimised even though there are few observable signs of harassment behaviour by the alleged offender. It may also be true that claiming to be a victim of harassment may be an effective strategy in interpersonal conflicts, in some cases even used by both parties. The conflict escalation model of Glasl (1982, 1994) has been proposed as a model suitable to explain how conflict may escalate into harassment (Einarsen et al., 1994a; Neuberger, 1999; Zapf & Gross, 2001). The model differentiates between three phases and nine stages (Figure 3.1). According to the model, “conflicts are inevitable in organisations, and under certain circumstances, are even fruitful, contributing to innovation, performance, and learning” (de Dreu, 1997:19). However, if allowed to escalate, conflicts may turn into so-called office wars and become extremely harmful and destructive on an individual as well as organisational level (see Figure 3.1).



**Figure 2-3: The conflict escalating model of Glasl**

Source: Adapted from Zapf and Gross (2001:506)

In the first stages of a conflict, the parties are still interested in a reasonable resolution of conflict about the tasks or issues. Although they may experience and acknowledge interpersonal tension, they mainly focus on co-operation to solve the problems in a controlled and rational manner. However, this joint effort becomes increasingly more difficult as the interpersonal tensions escalate (Zapf & Gross, 2001:509).

The second phase of conflict is characterised by a situation where the original issue of conflict has more or less vanished, while the interpersonal tension between the parties and their increasingly difficult relationship becomes the heart of the problem. The issue of the conflict has more to do with who is the problem than what is the problem. The parties cease to communicate and start to seek allies and support from others. They become increasingly more concerned about their own reputation and about losing face and experience moral outrage against their opponents, perceiving them as immoral, as having a personality deficit, or as being plain stupid. At this point, disrespect, lack of trust and, finally, overt hostility evolve. Ultimately, the interaction is dominated by threat as well as openly hostile and aggressive behaviour. In the following phase, confrontations become increasingly more destructive until the annihilation of the opponent is the sole aim of the parties. Both parties in this struggle are willing to risk their own welfare, even their own existence, in order to annihilate the opponent (Zapf & Gross, 2001:509).

Zapf and Gross (2001:509) argue that “harassment may be seen as a kind of conflict at the boundary between phases 2 and 3. In their interview study of 19 German victims of harassment, 14 victims reported a continuously escalating situation which became worse over the course of time. Almost 50% of the victims described a sequence of escalation resembling Glasl's model”.

Although Glasl (1982) argues that the latter stages of the model may not be reached in organisations, Einarsen et al. (1994a:386) argue that they are, in fact, reached in the more extreme cases of harassment. Some victims commit suicide (Leymann, 1990b:119), and many other consider it (Einarsen et al., 1994a:386). Some victims go to court even though they may be unable to afford a solicitor and are likely to lose. Others refuse a reasonable settlement out of court because they want to take their employer to court at any cost (Diegarten, 1994:72). Some work groups even take pleasure in the suffering of the victim.

#### **2.14.2 Theoretical framework for the study and management of workplace harassment**

In the following section, it is argued that a complex social phenomenon such as harassment is characterised by multicausality, involving a range of factors found at many explanatory levels, depending on whether we focus on the behaviour of the

actor or on the perceptions, reactions and responses of the target (Einarsen, 1999, 2000b; Hoel & Cooper, 2001; Zapf, 1999b). On an individual level, the personalities of both the perpetrator and the victim may be involved as causes of both bullying behaviour and perceptions of being harassed. Individual factors may also contribute to the victim's potential lack of coping strategies as well as other emotional and behavioural reactions to be perceived treatment. On a dyadic level, the focus is on the relationship and the interaction between the parties is central to the definition of harassment, a dyadic perspective is vital to the understanding of the concept of workplace harassment. According to Brodsky (1976:21), many cases of harassment involve an artless teaser who meets a humourless target. Also, to focus on a potential clash or mismatch in terms of personalities and power may be as relevant as to focus on the pathological and deviant personality of the perpetrator or the victim. On a dyadic level, we may also focus on the dynamics of conflict escalation and the dynamic transaction between the perpetrator and the victim in the course of the conflict (Glasl, 1994; Zapf & Gross, 2001). In most cases, and especially those involving disputes, the victim is not an entirely passive recipient of negative acts and behaviours (Hoel & Cooper, 2001). The victim's responses are likely to impinge upon the further responses of the perpetrator. As shown by Zapf and Gross (2001:511), victims who successfully cope with harassment fight back with similar means less often and avoid further escalation of the conflict. Less successful victims in terms of coping often contribute to the escalation of the harassment by their aggressive counterattacks and fights for justice (Gross, 2001:511).

On a social-group level, harassment and bullying may be explained in terms of scape-goating processes in groups and organisations. Such witch-hunting processes arise when groups displace their frustrations and aggression onto a suitable and less powerful group member. Being seen as an outsider or as part of a minority may be one criterion for this choice (Schuster, 1996:298). Another may be outdated behaviours that do not keep pace with the developments of the group. Also, being too honest or unwilling to compromise may also contribute to being put into the role of a scapegoat (Thylefors, 1987:67). On the organisational level, many factors may contribute to explain cases of workplace harassment and bullying (Hoel & Cooper, 2001:512). Archer (1999:94) has shown how harassment may become an integrated part of an organisational culture, while Zapf and Leymann (1996:171) have shown



that requirement for a high degree of co-operation combined with restricted control over one's own time may contribute to someone becoming a victim of harassment. This situation may lead to many minor interpersonal conflicts and may simultaneously undermine the possibilities of conflict resolution. Similarly, Vartia (1996:213) has shown that the work environment in organisations with harassment is characterised by a general atmosphere experienced by employees as strained and competitive, where everyone pursues his or her own interest.

In Figure 2-4, a theoretical framework is presented that identifies the main classes of variables to be included in future research efforts and future theoretical developments in the field of harassment. The model may also be utilised in order to guide and structure future organisational action programmes. This model pinpoints another level of explanation, the societal level, consisting of national culture and historical, legal and socioeconomic factors (Hoel & Cooper, 2001:513).

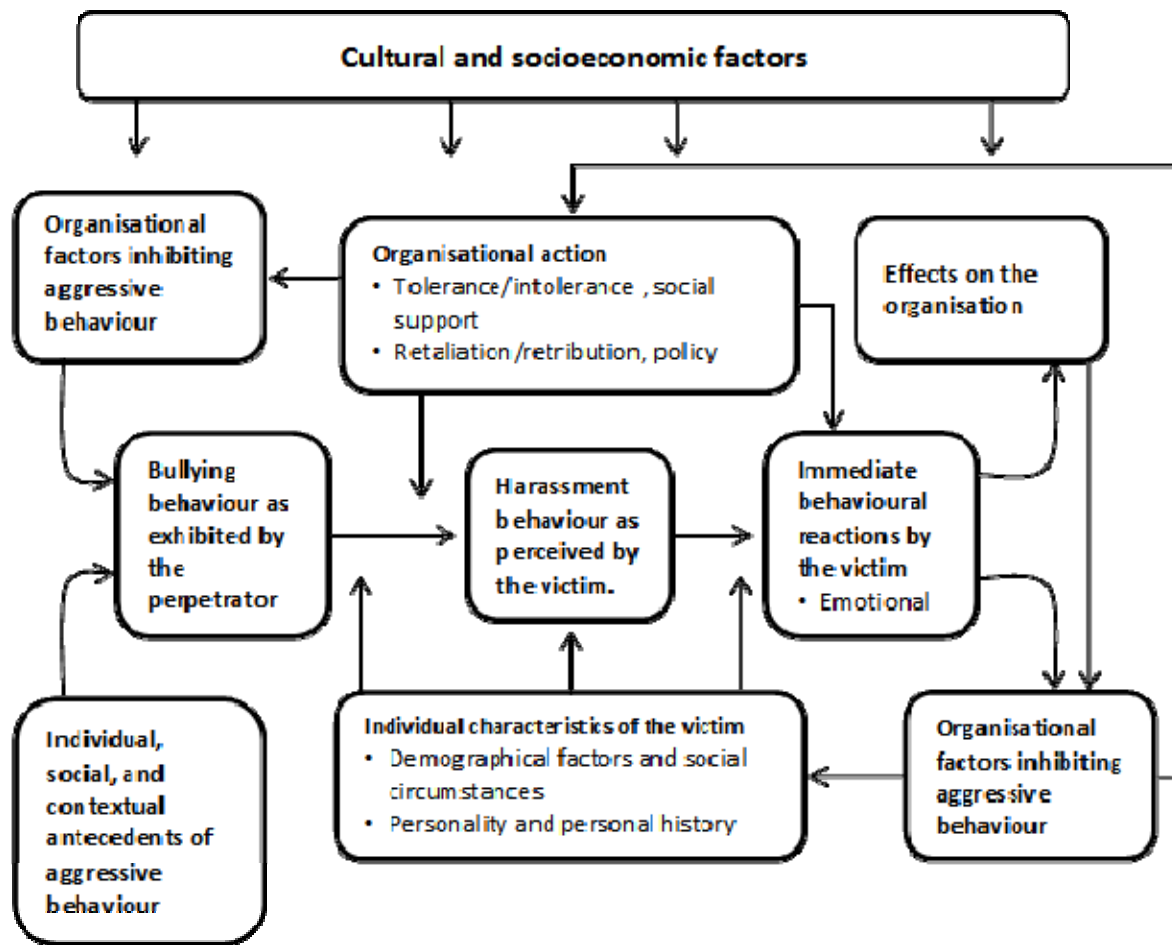


Figure 2-4: Theoretical framework for study and management of workplace harassment

Source: adapted from Einarsen, Hoel, Zapf and Cooper (2010:29)

Although it has not been much studied yet, the occurrence of harassment must always be seen against the following background (Ironsides & Seifert, 2003:383; McCarthy, 2003:231). The high pace of change, intensifying workloads, increasing working hours and uncertainty with regard to future employment that characterise contemporary working life in many countries influence the level of stress of both perpetrators and victims. This means both the level of aggression and one's coping resources may be influenced by such factors. In addition, tolerance of organisations and their management of cases of harassment must also, to some extent, be seen in the light of prevailing societal factors.

Following on from the debate on objective and subjective harassment and bullying, Leymann's model distinguishes between the nature and causes of harassment and

bullying behaviour as exhibited by the alleged offender and the nature and causes of the perceptions of the target of these behaviours. Furthermore, it distinguishes between the perceived exposure to harassment and bullying behaviours and the reactions to these kinds of behaviour.

Looking at the behaviour of the perpetrator first, Brodsky (1976) claims that although harassers may suffer from personality disorders, they will act as harassers only when the organisational culture permits or even rewards this kind of misbehaviour. Although there may be situational and contextual as well as personal factors that may cause a manager or an employee to act aggressively towards subordinates or colleagues, such behaviour will not be exhibited systematically if there are factors in that organisation that hinder or inhibit it. On the basis of survey data on the experiences and attitudes of British union members, Rayner (1998:591) concludes that harassment prevails because of an organisational tolerance of such behaviour. Ninety-five per cent of the respondents in her study claimed that harassment was caused by the fact that "harassers can get away with it" and "victims are too scared to report it." Harassment behaviour may be a result of the combination of a propensity to harasser because of either personal or situational factors and the lack of organisational inhibitors of harassment behaviour (Pryor & Fitzgerald, 2003:81).

Furthermore, Leymann's (1996) model shows that organisational prohibitive factors as well as an effective support system for victims, are key factors that may moderate the perceptions and reactions of the victim. The model argues that attention to organisational response patterns and other contextual issues within the organisation are highly important understanding the many different aspects of workplace harassment. The latter part of the model has an individual, subjective and, most of all, reactive focus (Einarsen, 2000b:374). Although harassment at work may, to some degree, be a subjectively experienced situation in which the meaning assigned to an incident will differ depending on the persons and circumstances involved, individual characteristics of the model highlight the necessity for any strategy against harassment and bullying to take perceptions and reactions of the victims seriously and functions as a real description of how they experience their work environment. Second, individual characteristics of the model argues for inclusion of a rehabilitation programme in an effective organisational strategy against harassment and bullying.

This theoretical framework also gives some credit to the dynamic process involved in the interaction among perpetrator, victim and organisation. Leymann (1986, 1992) argues that “the stress reaction of the victim to the perceived harassment and the consequential effects on the victim may backfire and justify the treatment of the victim. The process of stigmatisation may also alter the perception of the victim, which may, again, change how an organisation tolerates, reacts to, and manages a particular case of harassment. The behaviour of the perpetrator and the personal characteristics of the victim as well as the organisation's responses to harassment may be altered in the course of the process. Knowledge of the escalation and the dynamics of interaction involved in the victimisation process are essential to the understanding of this phenomenon”.

## **2.15 SUMMARY**

Part two of the literature review shed light on various motivation theories and concepts relevant to the study with emphasis on their application to the topic under investigation. The motivation process was discussed and several motivation theories examined, including: Maslow hierarchy of needs, ERG theory, Herzberg two-factor motivation theory, the equity theory, the three needs theory, the expectancy theory and reinforcement theory. This part also discussed performance and various ways organisations can improve the performance of their employees, along with the six criteria for assessing the value of performance and productivity, and concluded with conceptual models and theoretical framework of workplace harassment.

Part three outlines human resource management policies. It also discusses policy in detail. Issues covered include formulation and implementation of human resources policies, together with emotional intelligence and the relationship between motivation, job satisfaction and money. This part also examines literature on productivity, leading public human resources and transformational leadership. Lastly, employee evaluation, codes of employment, the role of counselling, emotional competence, harassment drama and managing diversity will be discussed.

## **LITERATURE REVIEW PART THREE: HUMAN RESOURCE MANAGEMENT POLICIES**

### **2.16 Introduction**

Part three of the literature review discusses in detail formulation and implementation of human resources policies. Emotional intelligence and the relationship between motivation, job satisfaction and money are explored. This part also examines literature on productivity, leading public human resources and transformational leadership. Lastly, employee evaluation, codes of employment, the role of counselling, emotional competence, harassment drama and managing diversity are discussed.

It is rightly said that labour (human resource) is the only resource in an organisation that reacts when acted upon. This means that, with the exception of human resources, all resources of an organisation are static. Other resources derive their dynamic character from human resources.

In the South African context, efficient and effective management and utilisation of human resources cannot be overemphasised. South Africa has a shortage of skilled and professional human resources and its labour market is characterised by an imbalance between skilled and unskilled human resources. In 1999 South Africa was rated number 58 out of 59 countries in this regard (Nel et al., 2004:4). Coupled with this, South Africa also has a low productivity ratio that inhibits natural growth in employment opportunities. As successful human resource management plays a key role in rectifying this situation, it should be given its rightful place in the management of South African organisations.

### **2.17 Policy**

Policy is defined as a statement of intent. Policy specifies the basic principles to be pursued in attaining specific goals. Policy interprets the values of society and is usually embodied in the management of pertinent projects and programmes. The policy process has several phases, including initiation, design, analysis, formulation, dialogue and advocacy, implementation and evaluation (Nel et al., 2004:7).

### **2.17.1 What human resource policies are**

Human resource (HR) policies are continuing guidelines on the approach an organisation intends to adopt in managing its people. They define the philosophies and values of the organisation on how people should be treated, and from these are derived the principles upon which managers are expected to act when dealing with HR matters. HR policies, therefore, serve as reference points when employment practices are being developed and when decisions are being made about people. They help to define the way things are done around the organisation (Nel et al., 2004:7).

HR policies should be distinguished from procedures. A policy provides generalised guidance on the approach adopted by an organisation and its employees concerning various aspects of employment. A procedure spells out precisely what action should be taken in line with the policy (Nel et al., 2004:32).

### **2.17.2 Essence of human resource policies**

Human resource or employment policies help to ensure that in dealing with matters concerning people, an approach in line with corporate values is adopted throughout the organisation. They serve as the basis for enacting values and converting espoused values into values in use. They provide frameworks within which consistent decisions are made and promote equity in the way in which people are treated. HR policies provide guidance on what managers should do in particular circumstances to facilitate empowerment, devolution and delegation. While they should fit the corporate culture, they can also help to shape it (Nel et al., 2004:32).

### **2.17.3 Formalisation of policies**

All organisations have HR policies. Some, however, exist implicitly as a philosophy of management and an attitude to employees that is expressed in the way in which HR issues are handled – for example, in the introduction of new technology. The advantage of explicit policies in terms of consistency and understanding may appear to be obvious, but there are disadvantages: written policies can be inflexible, constrictive, platitudinous or all three. To a degree, policies have often to be expressed in abstract terms and managers do not care for abstractions. They do prefer to know where they stand; people like structure and formalised HR policies can provide the guidelines they need.

Formalised HR policies can be used in induction, team leader and management training to help participants understand the philosophies and values of the organisation and how they are expected to behave within that context. They are a means for defining the employment relationship and the psychological contract (Nel et al., 2004:32). Although written policies are important, their value is reduced if they are not backed up by a supportive culture.

## **2.18 HR policy areas**

HR policies may be expressed as overall statements of the values of the organisation. The main points that could be included in an overall policy statement and specific policy areas are outlined in the section that follow.

### **2.18.1 Overall policy**

The overall policy defines how the organisation fulfils its social responsibilities for its employees and sets out its attitudes towards them. It is an expression of its values or beliefs about how people should be treated. Peters and Waterman (1982:77) state that if they were asked for one all-purpose bit of advice for management, one truth that they could distil from all their research on what makes an organisation excellent would be to figure out the organisation's value system. Selznick (1957:141) emphasises the key role of values of organisations in stating that the formation of an institution is marked by the making of value commitments, that is, choices which fix the assumptions of policy makers as to the nature of the enterprise, its distinctive aims, methods and roles. According to Selznick (1957:141), the values expressed in an overall statement of HR policies may explicitly or implicitly refer to the following concepts:

- **Equity:** treating employees fairly and justly by adopting an even-handed approach. This includes protecting individuals from any unfair decisions made by their managers, providing equal opportunities for employment and promotion and operating an equitable payment system.
- **Consideration:** taking account of individual circumstances when making decisions that affect the prospects, security or self-respect of employees.

- **Organisational learning:** a belief in the need to promote the learning and development of all members of the organisation by providing the processes and support required.
- **Performance through people:** the importance attached to developing a performance culture and to continuous improvement; the significance of performance management as a means of defining and agreeing to mutual expectations; the provision of fair feedback to people on how well they are performing.
- **Work-life balance:** striving to provide employment practices that enable people to balance their work and personal obligations.
- **Quality of working life:** consciously and continually aiming to improve the quality of working life. This involves increasing the sense of satisfaction people obtain from their work by, so far as possible, reducing monotony, increasing variety, autonomy and responsibility and avoiding placing people under stress.
- **Working conditions:** providing healthy, safe and, so far as practicable, pleasant working conditions.

These values are espoused by many organisations in one form or another, but to what extent are they practised when making business-led decisions, which can be highly detrimental to employees if, for example, they lead to redundancy? One of the dilemmas facing all those who formulate HR policies is how they can pursue business-led policies focusing on business success and also fulfill their obligations to employees in such terms as equity, consideration, work-life balance, quality of working life and working conditions. To argue, as some do, that HR strategies should be entirely business-led seems to imply that human considerations are unimportant. Organisations have obligations to all their stakeholders, not just their owners (Peters & Waterman, 1982:79).

It may be difficult to express these policies in anything but generalised terms, but employers are increasingly having to recognise that they are subject to external as well as internal pressures, which act as constraints on the extent to which they can disregard the higher standards of behaviour towards their employees that are expected of them.



### **2.18.2 Specific policies**

Specific policies should cover the following areas: equal opportunity, managing diversity, age and employment, promotion, work-life balance, new technology, health and safety, discipline, grievances, redundancy, substance abuse, smoking, AIDS, emails abuse and workplace harassment for example sexual harassment and bullying. Sexual harassment and bullying policies are briefly discussed in the next section.

#### *(a) Sexual harassment*

A sexual harassment policy should state that sexual harassment will not be tolerated and employees subjected to sexual harassment will be given advice, support and counselling as required and that every attempt will be made to resolve the problem informally with the person complained against and assistance given to the employee to complain formally, if informal discussions fail. Also, the policy should state that a special process will be available for hearing complaints about sexual harassment. This will provide for employees to bring their complaints to someone of their own sex if they so wish. The policy should stipulate that complaints will be handled sensitively and with due respect for the rights of both the complainant and the accused. Lastly, the policy should state that sexual harassment is regarded as gross industrial misconduct and, if proved, will make the individual liable for instant dismissal. Less severe penalties may be reserved for minor cases, but there will always be a warning that repetition will result in dismissal (Nel et al., 2004:53).

#### *(b) Bullying*

An anti-bullying policy should state that bullying will not be tolerated by the organisation and that those who persist in bullying their staff will be subject to disciplinary action, which could be severe in particularly bad cases. The policy should make it clear that individuals who are being bullied should have the right to discuss the problem with a management representative or a member of the HR function and to make a complaint. The policy should emphasise that if a complaint is received it will be thoroughly investigated.

### **2.19 Formulating HR policies**

DeCenzo and Robbins (2010:97) suggest that the following steps should be taken to formulate and implement HR policies:

- (a) Gain an understanding of the corporate culture and its core values.
- (b) Analyse existing policies, written and unwritten. HR policies will exist in any organisation, even if they are implicit rather than expressed formally.
- (c) Analyse external influences. HR policies are subject to the influence of employment legislation, Labour Relations Act and code of good practice. The codes of practice issued by relevant professional institutes should also be consulted.
- (d) Assess any areas where new policies are needed or existing policies are inadequate.
- (e) Check with managers, preferably starting at the top, on their views about HR policies and where they think they could be improved.
- (f) Seek the views of employees about the HR policies, especially the extent to which they are inherently fair and equitable and are implemented fairly and consistently through an attitude survey.
- (g) Seek the views of union representatives.
- (h) Analyse information obtained in the first seven steps and prepare draft policies.
- (i) Consult, discuss and on agree policies with management and union representatives.
- (j) Communicate the policies, with guidance notes on their implementation and supplement this communication with training.

## **2.20 Implementing HR policies**

The aim of institutions is to implement policies fairly and consistently. Line managers have a key role in doing this. Purcell, Kinnie, Hutchinson, Rayton and Swart (2003:354) state that there is need for HR policies to be designed for and focused on front line managers. It is normally line managers who are largely responsible for policy implementation. Members of the HR department can give guidance, but it is line managers who are on the spot and have to make decisions about people. The

role of HR is to communicate and interpret the policies, convince line managers that they are necessary and provide training and support that will equip managers to implement them. Purcell et al. (2003:354) emphasise that it is line managers who bring HR policies to life.

## **2.21 Emotional intelligence**

Goleman (1995:143) defines emotional intelligence as "the capacity for recognising our own feelings and that of others, for motivating ourselves, for managing emotions well in ourselves as well as others". The author describes the four components of emotional intelligence as follows:

**Self-management:** the ability to control or redirect disruptive impulses and moods and regulate your own behaviour coupled with a propensity to pursue goals with energy and persistence. The six competencies associated with this component are self-control, trustworthiness and integrity, initiative, adaptability (comfort with ambiguity), openness to change and strong desire to achieve.

**Self-awareness:** the ability to recognise and understand your moods, emotions and drives as well as their effect on others. This is linked to three competencies: self-confidence, realistic self-assessment and emotional self-awareness.

**Social awareness:** the ability to understand the emotional makeup of other people and skill in treating people according to their emotional reactions. This is linked to six competencies: empathy, expertise in building and retaining talent, organisational awareness, cross-cultural sensitivity, valuing diversity and service to client and customers.

**Social skills:** proficiency in managing relationships and building networks to get the desired result from other and reach personal goals and the ability to find common ground and build rapport. The five competencies associated with this component are: leadership, effectiveness in leading change, conflict management, influence/communication, and expertise in building and leading teams (Goleman, 1995:143).

Goleman (1995:144) argues that it is not enough to have a high IQ (intelligence quotient); emotional intelligence is also required. Goleman's (1995:143) definition of

emotional intelligence encompasses many of the areas covered by typical competency frameworks. Miller and Stewart (1999:43) found that one-third of employers covered by their survey had consciously included emotional intelligence-type factors such as interpersonal skills in their frameworks.

Dulewicz and Higgs (1999:53) produce a detailed analysis of how the emotional intelligence elements of self-awareness, emotional management, empathy, relationships, communication and personal style correspond to competencies such as sensitivity, flexibility, adaptability, resilience, impact, listening, leadership, persuasiveness, motivating others, energy, decisiveness and achievement motivation. They conclude that there are distinct associations between competency modes and elements of emotional intelligence.

As noted by Miller and Stewart (1999:43), a quarter of the employers they surveyed had provided or funded training based on emotional intelligence, the most common areas being in leadership skills, people management skills and team working.

## **2.22 Motivation**

All organisations are concerned with what should be done to achieve sustained high levels of performance through people. This means paying close attention to how individuals can best be motivated through such means as incentives, rewards, leadership and, importantly, the work they do and the organisational context within which they carry out that work. The aim is to develop motivation processes and a work environment that will help to ensure that individuals deliver results in accordance with the expectations of management (Allport, 1954:17).

Motivation theory examines the process of motivation. It explains why people at work behave in the way they do in terms of their efforts and the directions they are taking. It describes what organisations can do to encourage people to apply their efforts and abilities in ways that will further the achievement of the organisation's goals as well as satisfying their own needs. It is also concerned with job satisfaction, the factors that create its impact on performance (Robbins, 1994:51).

In understanding and applying motivation theory, the aim is to obtain added value through people in the sense that the value of their output exceeds the cost of generating it. This can be achieved through discretionary effort. In most, if not all,

roles, there is scope for individuals to decide how much effort they want to exert. They can do just enough to get away with it, or they can throw themselves into their work and deliver added value. Discretionary effort can be a key component in organisational performance.

Unfortunately, approaches to motivation are too often underpinned by simplistic assumptions about how it works. The process of motivation is much more complex than many people believe. People have different needs, establish different goals to satisfy those needs and take different actions to achieve those goals. It is wrong to assume that one approach to motivation fits all. This is why the assumptions underlying belief in the virtues of performance-related pay as a means of providing a motivation incentive are simplistic (Smit et al., 2007:342). Motivational practices are most likely to function effectively if they are based on proper understanding of what is involved. This covers:

- the process of motivation
- the various theories of motivation
- the practical implications of motivation theory
- job satisfaction

### **2.22.1 Process of motivation**

A motive is a reason for doing something. Motivation is concerned with the factors that influence people to behave in certain ways. There are three components of motivation as listed by Arnold, Robertson and Cooper (1991:196):

- direction – what a person is trying to do
- effort – how hard a person is trying
- persistence – how long a person keeps on trying.

Motivating other people is about getting them to move in the direction one wants them to go in order to achieve a result. Motivating oneself is about setting the direction independently and then taking a course of action which will ensure that one gets there. Motivation can be described as goal-directed behaviour. People are

motivated when they expect that a course of action to lead to the attainment of a goal and valued reward, one that satisfies their needs.

Well-motivated people are those with clearly defined goals who take action that they expect will achieve those goals. Such people may be self-motivated and as long as this means they are going in the right direction to achieve what they are there to achieve, this is the best form of motivation. Most people, however, need to be motivated to a greater or lesser degree. The organisation as a whole can provide the context within which high levels of motivation can be achieved by providing incentives and rewards, satisfying work and opportunities for learning and growth. However, managers still have a major part to play in using their motivating skills to get people to give of their best and to make good use of the motivational processes provided by the organisation. To do this, it is necessary to understand the process of motivation – how it works and the different types of motivation that exist (Arnold et al., 1991:197).

A needs-related model of the process of motivation involves a need, establishing a goal, taking action and attaining the goal. This suggests that motivation is initiated by the conscious or unconscious recognition of unsatisfied needs. These needs create wants, which are desires to achieve or obtain something. Goals are then established which it is believed will satisfy these needs and wants and a behaviour pathway is selected which is expected to achieve the goal. If the goal is achieved, the need will be satisfied and the behaviour is likely to be repeated the next time a similar need emerges. If the goal is not achieved, the same action is less likely to be repeated. This process of repeating successful behaviour or actions is called reinforcement or the law of effect (Hull, 1951:116). It has, however, been criticised by Allport (1954) as ignoring the influence of expectations and, therefore, constituting hedonism of the past.

### **2.22.2 Types of motivation**

Motivation at work can take place in two ways. First, people can motivate themselves by seeking, finding and carrying out work (or being given work) that satisfies their needs or at least leads them to expect that their goals will be achieved. Secondly, people can be motivated by management through such methods as pay, promotion and praise.

There are two types of motivation as originally identified by Herzberg, Mausner and Snyderman (1957:34):

- Intrinsic motivation: the self-generated factor that influences people to behave in a particular way or to move in a particular direction. These factors include responsibility (feeling that the work is important and having control over one's own resources), autonomy (freedom to act), scope to use and develop skills and abilities, interesting and challenging work and opportunities for advancement.
- Extrinsic motivation: what is done to or for people to motivate them. This includes rewards, such as increased pay, praise or promotion and punishment, such as disciplinary action, withholding pay or criticism.

### **2.22.3 Motivation theory**

Approaches to motivation are underpinned by motivation theory. The most influential theories are classified as follows:

- Instrumentality theory, which states that rewards or punishments (carrots or sticks) serve as the means of ensuring that people behave or act in desired ways.
- Content theory, which focuses on the content of motivation. It states that motivation is essentially about taking action to satisfy needs and identifies the main needs that influence behaviour. Needs theory was originated by Maslow in 1954. In their two-factor model, Herzberg et al. (1957) list a number of needs, which they termed satisfiers.
- Process theory, which focuses on the psychological processes which affect motivation; reference to expectations by Vroom in 1964, goals by Latham and Locke in 1979 and perceptions of equity by Adams in 1965.

### **2.23 Relationship between motivation, job satisfaction and money**

The basic requirement for job satisfaction may include comparatively higher pay, an equitable payment system, real opportunities for promotion, considerate and participative management, a reasonable degree of social interaction at work, interesting and varied tasks and a high degree of autonomy, that is, control over work pace and work methods. The degree of satisfaction obtained by individuals,

however, depends largely upon their own needs and expectations and the working environment (Purcell et al., 2003:261).

### **2.23.1 Job satisfaction**

The term job satisfaction refers to the attitudes and feelings people have about their work. Positive and favourable attitudes towards the job indicate job satisfaction. Negative and unfavourable attitudes towards the job indicate job dissatisfaction (Nel et al., 2004:47).

Morale is often defined as being equivalent to job satisfaction. Guion (1958:60) defines morale as the extent to which an individual's needs are satisfied and the extent to which the individual perceives that satisfaction as stemming from his total work situation. Other definitions stress the group aspects of morale. Gilmer (1961) suggests that morale is a feeling of being accepted by and belonging to a group of employees through adherence to common goals. The distinction between morale as a group variable, related to the degree to which group members feel attracted to their group and desire to remain a member of it, and job attitude as an individual variable related to the feeling employees have about their job.

### **2.23.2 Factors affecting job satisfaction**

The level of job satisfaction is affected by intrinsic and extrinsic motivating factors, the quality of supervision, social relationships with the work group and the degree to which individuals succeed or fail in their work. Purcell et al. (2003:262) believe discretionary behaviour which helps the organisation to be successful is most likely to happen when employees are well motivated, feel committed to the organisation and when the job gives them high levels of satisfaction. They found that the key factors affecting job satisfaction were career opportunities, job influence, teamwork and job challenge.

### **2.23.3 Job satisfaction and performance**

It is a commonly held, and a seemingly not unreasonable belief, that an increase in job satisfaction will result in improved performance. However, research has not established any strong positive connection between satisfaction and performance. A review of the extensive literature on this subject by Brayfield and Crockett (1955:347) concluded that there was little evidence of any simple or appreciable relationship



between employees' attitudes and their performance. An updated review of their analysis by Vroom (1964:53) covered 20 studies, in each of which one or more measures of job satisfaction or employee attitudes was correlated with one or more criteria of performance. The median correlation of all these studies was 0.14, which is not high enough to suggest a marked relationship between satisfaction and performance. Brayfield and Crockett (1955:347) concluded that:

Productivity is seldom a goal in itself but a means to goal attainment. Therefore we might expect high satisfaction and high productivity to occur together when productivity is perceived as a path to certain important goals and when these goals are achieved. Under such conditions, satisfaction and productivity might be unrelated or even negatively related.

Bennett and Minty (1999:58) argue that it is not job satisfaction that produces high performance, but high performance that produces job satisfaction, and that a satisfied worker is not necessarily a productive worker and a high producer is not necessarily a satisfied worker. People are motivated to achieve certain goals and will be satisfied if they achieve these goals through improved performance. They may be even more satisfied if they are then rewarded by extrinsic recognition or an intrinsic sense of achievement. This suggests that performance improvements can be achieved by giving people the opportunity to perform and ensuring that they have the knowledge and skill required to perform. It can also be argued that some people may be complacently satisfied with their job and will not be inspired to work harder or better. They may find other ways to satisfy their needs.

The level of job satisfaction can be measured by the use of attitude surveys. The four methods of conducting job satisfaction are the use of structured questionnaires, interviews, a combination of questionnaire and interview and focus groups (Smit et al., 2007:291).

#### **2.23.4 Meaning of performance**

Armstrong and Baron (2004:78) indicate that performance is often defined simply in output terms, the achievement of quantified objectives. However, performance is a matter not only of what people achieve but how they achieve it. The Oxford English Dictionary (1989) confirms this by including the phrase 'carrying out' in its definition of performance: "The accomplishment, execution, carrying out working out of anything ordered or undertaken". High performance results from appropriate

behaviour, especially discretionary behaviour, and effective use of required knowledge, skills and competencies. Performance management must examine how results are attained because this provides the information necessary to consider what needs to be done to improve those results.

The concept of performance has been expressed by Brumbach (1988:396) as follows:

Performance means both behaviours and results. Behaviours emanate from the performer and transform performance from abstraction to action. Not just the instruments for results, behaviours are also outcomes in their own right – the product of mental and physical effort applied to tasks – and can be judged apart from results.

This definition of performance leads to the conclusion that in managing performance both inputs (behaviour) and outputs (results) need to be considered. It is not a question of simply considering the achievement of targets, as used to happen in management-by-objectives schemes. Competency factors need to be included in the process. This is the so-called mixed model of performance management, which covers the achievement of expected levels of competence as well as objective setting and review.

### **2.23.5 Views on performance management**

Armstrong and Baron (2004:376) elicited the following views from practitioners about performance management:

- Line managers are expected to recognise performance management as a useful contribution to the management of their teams rather than a chore.
- Managing performance is about coaching, guiding, motivating and rewarding colleagues to help unleash potential and improve organisational performance. Where it works well, it is built on excellent leadership and high-quality coaching relationships between managers and teams.
- Performance management is designed to ensure that what one does is guided by one's values and is relevant to the purposes of the organisation.

Armstrong (2006:501) obtained the following additional views from practitioners about performance management:

Performance management is a management tool which helps managers to manage, driven by corporate purpose and values and used to obtain solutions that work. Other practitioners view performance management as a tool used to focus on changing behaviour, rather than paperwork. Performance management is about how managers manage people – it is not a system. Also, performance management is what managers do: a natural process of management based on accepted principles, but operating flexibly. Finally, practitioners view performance management as a tool that focuses on development, not pay. Its success depends on what the organisation is and needs to be in its performance culture.

## **2.24 Productivity**

Productivity may be defined as the rate of production in terms of the output of goods and services following the resources consumed, the workload and its impact (Fox & Meyer, 1995:102). Productivity is a value related to effectiveness and efficiency. It can be defined as the production of goods and services offset by the resources consumed in the process (Nel et al., 2004:67).

Measuring effectiveness, efficiency and productivity is often more complicated in the public sector than it is in the private sector. There are many reasons for this, including the complexity of goals and objectives aimed at improving the quality of life and the often conflicting assessments made because of public sector management's highly politicised context. It is, however, still important to strive towards improved performance. Great emphasis has recently been placed on the theory and practice of public management. Measuring and improving public sector effectiveness, efficiency and productivity and applied techniques such as total quality management (TQM) have been stressed.

### **2.24.1 Building blocks of productivity**

Klingner and Nalbandian (1993:173) hold that in order for employees to do their job well, the organisation should provide them with four so-called building blocks of productivity, which are the combined responsibility of managers at all levels. They include the following:

- Clear instructions: employees cannot perform well unless they know clearly what is expected of them.

- Adequate skill: employees are not able to perform well unless they are enabled to do the job they have been given.
- Feedback: employees do not know how they are performing unless someone tells them.
- Appropriate circumstances: good performance must be rewarded and bad performance punished if employees are to perform well.

### **2.24.2 Lower levels of productivity**

Lynch (1979:279) believes the idea of productivity is often misunderstood. It is falsely tied to harder physical work, when it should be synonymous with doing work with less effort, but with increased output. This is normally done with better work procedures, better use of machines and other physical aids or better worker attitudes towards the work.

In quantifying productivity, the mistake is often made of using outcomes (benefits to individuals and society), instead of outputs (products of a programme). Another conceptual confusion is that an increase in productivity may reflect a cost reduction, but a cost reduction is not always a result of an increase in productivity. Other reasons for cost reduction may exist, such as a budget cut, but too often productivity and cost reduction are correlated.

### **2.24.3 Functionality of human resources policies**

Although rigid policies may create problems by stifling initiative and managerial autonomy, Beach (1985:35) lists the reasons for having clear policies on human resources is beneficial.

- Formulating HR policies forces management to focus deeply on basic organisational needs and those of its employees. Basic convictions and prevailing practices in other organisations are systematically considered. These contribute to the process of reflection and can improve HRs management.
- Policies contribute to a consistent and considerate treatment of employees. In this way, favouritism, workplace harassment or discrimination may be reduced or avoided.
- When there are leadership or organisational changes, policies provide continuity. Policies promote stability.
- Policies serve as performance standards. Actual results can be compared with policies to find out how managers and staff are

performing. In this sense, policies are tools in the process of control and evaluation.

- If policies are fair, just and equitable they contribute to employee motivation and enthusiasm. The likelihood of this happening increases if policies provide growth opportunities within the organisation.

## **2.25 Leading public human resources**

Leading public human resources is, according to Stahl (1983:230), not merely a matter of conscious choice. Leaders in public service settings are subject to many conditions limiting choice and option. These conditions include, *inter alia*:

- the pressure of world and political events that often determines priorities
- the nature of public institutions where goals, objectives and the means to achieve them are often ambiguous, shifting and emerging rather than fixed and clear-cut
- changing demands from diverse client groups
- the attitudes of subordinates personnel coming from diverse professional and social backgrounds
- normal managerial constraints

Under these circumstances, leadership in public institutional settings requires the capacity to adapt easily to rapidly-changing situations, teamwork, temporary structures and personnel mobility and participative decision making. These conditions of constant change and challenge for leading public human resources indicate the need for a transformational leadership approach.

### **2.25.1 Theories of leadership**

Anderson (1992:38) provides a concise and useful overview of what he calls traditional theories of leadership, referring to the following theories:

#### **2.25.1.1 Biological-personality theories**

These theories advance the notion that people are born with particular characteristics or traits that make them leaders. A number of exceptions (i.e., leaders not possessing the surmised traits) disposes of this theory.

### **2.25.1.2 Environmental theories**

These theories postulate a role for environmental factors in determining and explaining leadership. Firstly, leader-behaviour theory suggests that circumstances create the leader. Under the appropriate circumstances the right leader will emerge. This theory is criticised for its lack of empirical validity as many adverse situations fail to produce leaders of any significance. Secondly, personal-situational theory postulates that success in leadership depends on the ability of leaders to understand their followers and surrounding environments. The leader must react appropriately to people and situations as they change. Thirdly, interaction-expectation theory states that, in solving mutual problems, the leader must create structures supported by group members. Leadership initiates and fulfils the expectations of followers.

### **2.25.1.3 Human theories**

These theories, introduced by Argyris, Blake and Mouton, and Likert and McGregor, focus on developing effective organisations by humanising the process of structuring work or the environment to meet personal needs and organisational objectives simultaneously. People who are well treated, valued and like what they do, tend to do better.

### **2.25.1.4 Situational or contingency theories**

These approaches move away from the notion that there is one best way of leadership. Contingency approaches require a proper diagnosis of the situation in which leadership takes place.

Fiedler's leadership contingency model requires the effective leader to accept the importance of the situation, analyse the situational variables and adopt the appropriate leadership behaviour. Under certain situational conditions, more directive styles may be called for – contrary to concentrating only on relationships as proposed by human relations theorists.

House's path-goal model suggests that the leader has to reward workers for achieving work goals and objectives. The leader must clarify the path leading to the goals, remove obstacles and behave in a way that increases workers' satisfaction on reaching the goals. If workers do not need direction, the leader can apply non-directive leadership.

Vroom and Yetton's decision-making model provides guidelines for subordinates' participation in decision making. Decisions are based on available information and acceptance of decisions is emphasised.

The situational leadership model, developed by Hersey and Blanchard considers maturity – or work-related development – of subordinates in selecting a leadership style. The leader applies task-or relationship-oriented leadership according to the maturity of the worker. When they reach maturity, the leader can leave subordinates to function on their own. Anderson (1992:51) maintains that the correct approach is the transformational leadership approach.

## **2.26 Transformational leadership**

Transformational leadership is a useful approach for public sector leadership as it emphasises visionary leadership linked to democratic organisational structures. It also works well with strategic management and organisation development approaches that are highly relevant applications for public management settings.

### **2.26.1 Characteristics of the transforming leader**

Anderson (1992:51) identifies the following characteristics of transformational leaders. They:

- are committed to long-term efforts as a by-product of longer-term service and/or relationships
- use personal and positional power to make positive changes and influence others
- initiate innovations and encourage others to do the same
- are more influenced by 90% of the workers, rather than by a vociferous 10%
- are more committed to positive relationships with others for the sake of their development and the development of the organisation as a whole
- stress the effectiveness philosophy of doing the right things for people and the organisation
- articulate philosophies, beliefs and values
- make contact with employees at all levels
- are receptive, expressive, supportive and warm (people and new ideas are of great interest)

- give attention and recognition to others' strengths
- articulate vision, goal and plans

Lovell (1994:148) summarises the transformational leadership approach. This style of leadership focuses attention on vision and draws on emotional and spiritual resources to energise and motivate the organisation's people. Transformational leadership requires greater self-discipline from staff in exchange for greater trust from the leader.

Anderson (1992:71) states that the process of transformational leadership involves

- creating and communicating vision and purpose
- strategic, versatile thinking and planning
- facilitating peer, subordinate and team development
- facilitating organisational development
- protecting individuals from destructive forces
- seeking and communicating consensus between groups
- specifying philosophy, values and creating culture
- creating insight

From the characteristics of transformational leaders and the process of transformational leadership, this approach to leadership will clearly serve the public manager well, especially in times of turbulence. It is an approach combining the ideals of giving inspired direction and proving individual motivation to achieve objectives. It also incorporates a practical and hand-on approach to employee motivation by leaders and public managers. Practising public managers should lead by example and motivate through vision, inspiration, enthusiasm and celebration of successes.

## **2.27 Employee evaluation**

Beach (1985:205) states that employee performance evaluation is the systematic evaluation of the individual's performance on the job and their potential for development. Immediate supervisors normally evaluate people through the various levels of the organisation. According to this author (1985:206) a proper personnel evaluation serves the following purposes:



- Employee performance is affected as the evaluations assist in generating and maintaining satisfactory performance levels by employees in their present jobs. Follow-up appraisal interviews with all employees can contribute towards increased performance.
- Employee development is served as needs and opportunities for growth are highlighted. Employee growth strengthens the whole organisation.
- Supervisory understanding is enhanced by periodic evaluations of personnel. The evaluation process, if carried out properly, can facilitate understanding between supervisors and subordinates.
- Evaluation assists as a guide to job changes by providing bases for decisions affecting promotions, transfers, retrenchments and discharges. Proper, controlled and systematic assessments contribute to making these decisions reasonable and sound.
- Wage and salary determinations are influenced by personnel evaluations. Performance-based remuneration schemes are increasingly being based on performance evaluation reports.
- Personnel programmes are validated through personnel evaluation by, for example, comparing the evaluation of the prospective employee during selection with their performance on the job. If performance on the job correlates with the evaluation made by the particular selection device, that device is validated.

Personnel evaluation is clearly important in providing data for decision making in respect of salary adjustments, promotions and transfers. It also validates selection devices. Further, it is useful for employee development, for example, performance improvement, training and counselling.

In public HR management, control and evaluation are immensely important. Control and accountability relate to public accountability, personnel systems control and personnel evaluation. All these control and evaluation measures aim at identifying trends and need to enable corrective action or to enhance proper HR decision making. It should be emphasised that these measures are not intended to be punitive, but should be applied constructively to enhance the performance of the organisation and the teams and individual working in it (Beach, 1985:206).

## **2.28 Codes of employment**

Various codes of employment have been designed to encourage organisations to promote the social and economic development of South Africans. They are a contribution to employment relations outside of the law.

It must be noted that a code of employment is not an employment relations policy in its own right. Subscribers or signatories to a code may well model their employment relations policy on the objectives laid down in their code, but the code itself is a policy statement with a much broader base, which merely expresses the organisation's intentions with regard to its labour force. A code of employment is sometimes used instead of a human resource policy.

### **2.28.1 Investigating a harassment complaint**

Harassment, sexual or otherwise, is a major issue for today's organisations. Given the rulings at all court levels, organisations can and should limit their liability. DeCenzo and Robbins (2010:82) recommend the following steps.

- (a) Issues of harassment policy describing what constitutes harassment and what inappropriate behaviour is. Just stating that harassment is unacceptable at your organisation is not enough. The policy must identify specific unacceptable behaviours. The more explicit these identifications, the less chance of misinterpretation later on.
- (b) Institute a procedure (or link to an existing one) to investigate harassment charges. Employees, as well as the courts, need to understand what avenue is available for an employee to levy a complaint. This, too, should be clearly stated in the policy and widely disseminated to employees.
- (c) Inform all employees of the harassment policy by educating employees (via training) about the policy and how it will be enforced. The policy will not convey the information simply because it is a policy. It must be effectively communicated to all employees. Some training may be required to help in this understanding.
- (d) Train management personnel in how to deal with harassment charges and in what responsibility they have to the individual and the organisation. Poor supervisory practices in this area can expose the organisation to tremendous liability. Managers must be trained in how to recognise signs of harassment and where to go to help the victim. Because of the magnitude of the issue, a manager's performance evaluation should reinforce this competency.
- (e) Investigate all harassment charges immediately. All means all, even those that you suspect are invalid. The HR manager (Industrial relations manager) must give each charge of harassment his/her attention and investigate it by searching for clues, witnesses, and so on. Investigating the charge is also consistent with the societal view of justice. The alleged harasser also has rights, which must be protected by giving the individual the opportunity to respond. You may also have an objective party to review the data before implementing your decision.

- (f) Take corrective action as necessary. It is necessary to discipline the harasser and make whole the harassed individual. If the charge can be substantiated, the organisation must take corrective action, up to dismissing the harasser(s). If the punishment does not fit the crime, organisation may be reinforcing or condoning the behaviour. The harassed individual should also be given whatever was taken away. For example, if the behaviour led to an individual's resignation, making the person whole would mean reinstatement, with full back pay benefits.
- (g) Continue to follow up on the matter to ensure that no further harassment occurs or that retaliation does not occur. One concern individuals have in coming forward with harassment charges is the possibility of retaliation against them, especially if the harasser has been disciplined. It is necessary to continue to observe what affects these individuals through follow-up conversations with them.
- (h) Periodically review turnover records to determine if a potential problem may be arising. This may be Employment Equity Opportunities audits, exit interviews, and HRs committee. A wealth of information at your disposal may offer indications of problems. For example, if only minorities are resigning in a particular department, which may indicate that a serious problem exists. Pay attention to your regular reports and search for trends that may be indicated.
- (i) Privately recognise individuals who bring these matters forward. Without their courageous effort, the organisation might have been faced with tremendous liability. These individuals took a risk in coming forward. You should show your appreciation for that risk. Besides, if others know that such risk is worthwhile, they may feel more comfortable in coming to you when any type of problem exists.

### **2.28.2 Guidelines for counselling employees**

DeCenzo and Robbins (2010:108) state that disciplinary meetings often involve counselling employees to achieve better performance. No one set procedure addresses counselling employees, but the following are the guidelines that should be considered when faced with the need to counsel an employee.

- (a) Document all problem performance behaviours. Document specific job behaviours such as absenteeism, lateness and poor quality in terms of dates, times, and what happened. This provides objective data.
- (b) Deal with the employee objectively, fairly and equitably. Treat each employee equally. Issues discussed should focus on performance behaviours.
- (c) Confront job performance issues only. Your main focus is on what effects performance. Even though it may be a personal problem, you should not try to psychoanalyse the individual. Leave that to the trained specialists. You can,

however, address how these behaviours are affecting the employee's job performance.

- (d) Offer assistance to help the employee. Just pointing the finger at an employee serves little useful purpose. If the employee could fix the problem alone, he or she probably would have. Help might be needed – yours and the organisation's. Offer this assistance where possible.
- (e) Expect the employee to resist the feedback and become defensive. It is human nature to dislike constructive or negative feedback. Expect that the individual will be uncomfortable with the discussion. Make every effort, however, to keep the meeting calm so that the message can get across. Documentation, fairness, focusing on job behaviours, and offering assistance help reduce this defensiveness.
- (f) Make sure the employee owns up to the problem. All things considered, the problem is not yours it's the employee's. The employee needs to take responsibility for his or her behaviour and begin to look for ways to correct the problem.
- (g) Develop an action plan to correct performance. Once the employee has taken responsibility for the problem, develop a plan of action designed to correct the problem. Be specific as to what the employee must do (for example, what is expected and when it is expected), and what resources you are willing to commit to assist.
- (h) Identify outcomes for failing to correct problems. The manager is there to help, not carry a poor performer forever. The employee must be informed what the consequences will be if he or she does not follow the action plan.
- (i) Monitor and control progress. Evaluate the employee's progress. Provide frequent feedback on what one is observing. Reinforce good efforts.

## **2.29 Workplace harassment: the role of counselling**

While most internal harassment and bullying policies recommend that counselling should be offered for targets of harassment and occasionally for the harassers, there is little in the literature to describe what an appropriate approach or model of counselling might be or, indeed, whether counselling is an effective method for reducing the distress experienced by those involved. It is, therefore, necessary to look at the nature of counselling and what an employee might expect when attending

an assessment and counselling session. While there is little objective evidence to show any significant difference in the effectiveness among different counselling models, the important success factors are described. Furthermore, counselling employees distressed by workplace harassment requires the counsellor to understand the nature of the harassment drama and the different players involved (Einarsen & Hoel, 2008:164).

Achieving an understanding of harassment is easier where the organisation's counselling is provided by a single counsellor or counselling organisation and data are collected on the number, nature and location of harassment cases, allowing for trends or harassment hotspots to be identified. Most counselling training, however, relates to one-to-one counselling relationships. This traditional form of counselling can be counterproductive when dealing with harassment, particularly where the problem involves a systematic failure or flaw in the organisational culture. Systematically and organisationally-trained counsellors deal with the issues raised by the individual employee, but their focus goes beyond the employee to include subordinates, colleagues, managers and the organisation or system that may have caused, facilitated or supported the harassment behaviours. Organisationally-aware counsellors are in a good position to identify potential flaws within a team, a section or the whole organisation. These flaws can be addressed through team training, mentoring or counselling employees or working with the organisation to create a culture that is much more respectful and able to deal creatively with the normal clashes and conflicts that arise in relationships (Einarsen et al., 2010:327).

The research presents an integrated approach to counselling in cases of harassment, together with a specific model of integrated counselling. Reference is also made to the need to counsel and support the organisation in dealing with workplace harassment in a positive and creative way.

### **2.30 Counselling**

Counselling is a helping relationship that enables the counsellor to work with one or more people to explore a difficulty being experienced. It is provided at the request of the people involved and entered into voluntarily (Cooper, 2008:9). Organisations may also send employees for counselling. However, for the counselling relationship to work, it needs to be entered into freely. While there are many models or types of

counselling, there are some basic principles that underpin the counselling relationship: "a warm concern for and acceptance of the other; openness and attunement to the other's experiential reality; a grasp of what the other needs; an ability to facilitate the realisation of such needs and an authentic presence" (Heron, 2001:11). In counselling sessions, the person seeking help should be treated as a client and not as a patient or customer. This relationship is, therefore, more equal than is commonly the case with patients or customers. During the counselling process, clients are encouraged to explore aspects of their lives and feelings. The counselling relationship is designed to make it easier to talk freely and openly in a way that is rarely possible with family members or friends.

The impact of harassment behaviours on its targets has been shown to cause intense feelings of anger, anxiety, grief and embarrassment" (Hogh, Mikkelsen & Hansen, 2007:104). Counselling offers clients an opportunity to explore their responses to the harassment within a safe relationship in order to gain an understanding of why harassment has occurred, what can be learnt from the experience and what needs to be done to regain a sense of autonomy and self-worth. During counselling, the counsellor should be alert to the presence of hidden or repressed thoughts, feelings and responses that may have gone unrecognised or unacknowledged by the client. "Depending on the counsellor's orientation and method of working, appropriate training and supervision should help them to accept and reflect upon their client's problems without becoming burdened or injured by them (British Association of Counselling and Psychotherapy (BACP, 2009).

One of the questions many people want answered when seeking professional help is: which form of counselling is most effective? While there is a current vogue for promoting counselling techniques that easily lend themselves to random-controlled trials, where studies have been carried out to compare the effectiveness of the different counselling models, evidence has shown that broadly similar results are achieved by all the therapeutic models (Cooper, 2008:09). It has been found that the major differences in counselling outcome is related to three factors:

- qualities and capabilities of the individual therapist (Okiishi, Lambert, Neilsen & Ogles, 2003),

- strength of the relationship between the counsellor and client (Cooper, 2008), and
- extent to which the client has been willing to engage in the counselling process (Orlinski, Grawe & Parkes, 1994).

In 2001, Wampold undertook a meta-analysis of counselling outcomes and estimated that only 1% of the variance in counselling effectiveness could be accounted for by the counselling model or approach.

### **2.31 Emotional competence and harassment**

While many people, particularly those who regard themselves as victims of harassment, hold the view that within the workplace there is a clearly defined group of anti-social workers and that these workers engage in harassing wholly innocent and unsuspecting colleagues, the reality is much less clear. There are, without doubt, some personality-disordered psychopaths within organisations who, through their use of charm, manipulation, ruthlessness and their lack of any feelings or conscience, selfishly take what they want and do as they please without a thought of their victims (Hare, 1993:57). However, this is not the situation found by Tehrani (2005), who has been called into a wide range of organisations to help in the formal and informal investigations of harassment as well as undertaking counselling with large numbers of employees. The experience of dealing with organisations and employees caught up in workplace harassment indicates that it is rare to find a totally innocent victim or a wholly guilty oppressor (Page, 1999:16). Frequently, players describe themselves as the victims of the other party while attributing their own behaviour to the circumstances in which the behaviour occurred, each side providing evidence to support its own version of events. To the question: how is it possible for people to have such disparate views of what are, on the surface, the same events?, the answer appears to be attributable to the way people view the world and the actions of others (Kelley, 1972:13). There is a bias to view one's own negative actions as a consequence of situational factors ("I was very cross that day because the baby was teething and I did not get any sleep"), while viewing the negative action of others as indicative of a persistent trait or intent ("That is typical of Jenny – she always gets angry when she does not get her own way").

Fortunately, the principles underpinning most counselling models provide counsellors with some insight into how individuals become engaged in and maintain negative behaviours. It has been suggested that the reason for this displacement of personal responsibility onto others lies within society, particularly in those cultures where there is little or no emphasis on enabling children to learn how to recognise, accept and deal with their negative emotional responses (Heron, 2001:42). Child-raising patterns frequently place on children the requirement to control their emotional responses in order to be socially acceptable. This emotional control is achieved without the child or its parent recognising or understanding the important purpose of the emotional expression as a mechanism for responding to and meeting basic human needs. As a result of this suppression of emotional process, children are left with the distress of their unmet needs. Instead of children achieving a healthy understanding of their deeper needs, they are taught to control their emotions into a range of behaviours including aggression and denial. Children begin to release their emotional distress resulting from displacing their emotions into a range of behaviours including aggression, demanding, blaming, clinging and whining. This pattern of learnt behaviours continues into adult life, with the earlier life traumas being added to and triggered by new traumatic events (Heron, 2001:43). Unless, as adults, people come to recognise and meet their hidden needs, this process continues throughout life and emerges in automatic, compulsive, unwarranted, unacceptable, and unexpected forms of behaviour.

Most adults are unaware of the influence of intrapsychic processes and, as a result, their rational and sensitive response to situations become mixed with compulsive, distress-driven reactions powered by a hidden inner distress. These displacement behaviours are often reinforced within the workplace, where they may become valued and legitimised, with the result that the rational and compulsive become intertwined. Employees become skilled at dressing up irrationally-driven behaviours as being reasonable; for example, being driven to succeed in achieving career goals regardless of the cost to themselves or their family. They justify their behaviour on the grounds of business need rather than recognising that their hyperactivity is a displacement of the distress or anger they experienced, but failed to express when they did not achieve the recognition or validation they craved as a child. Where employees have been found to have reported being victims of harassment



behaviours by colleagues or managers in every team or organisation they join, the employees blame others for causing their distress while failing to recognise that their difficulty in establishing positive working relationships originates from a repressed destructive anger that has followed their unexpressed feelings of the loss of a loved parent or sibling, a loss that manifests itself in an insatiable need for reassurance and support and feelings of being rejected (Einarsen et al., 2010:247).

People develop emotional competence through understanding and accepting their drives, response and reactions to their environment and their relationships. Emotionally competent individuals are able to accept their positive and negative emotions and willingly recognise that their experience of distress is a mechanism of self-healing, rather than provide evidence of their imminent psychological breakdown. Emotional competence requires people to identify when old emotional pain and distress are being re-enacted in displacement or other forms of distorted behaviours and then to attempt to recognise and understand and deal with the original hurt. To achieve emotional competence, therefore, people need to:

- “Gain insight into their early traumatic experience and the influence it is having on their adult behaviour.
- Notice when the conditioned or obsessional forms of displacement prevent more rational and flexible behaviours.
- Learn how to appropriately challenge others who are unconsciously acting out their denied distress in negative and other forms of disrupted behaviour” (Heron, 2001:45, Steiner, 1999:21).

This is not to say that employees may not be severely mistreated at work by others who abuse their power or who accept or condone harassment behaviours.

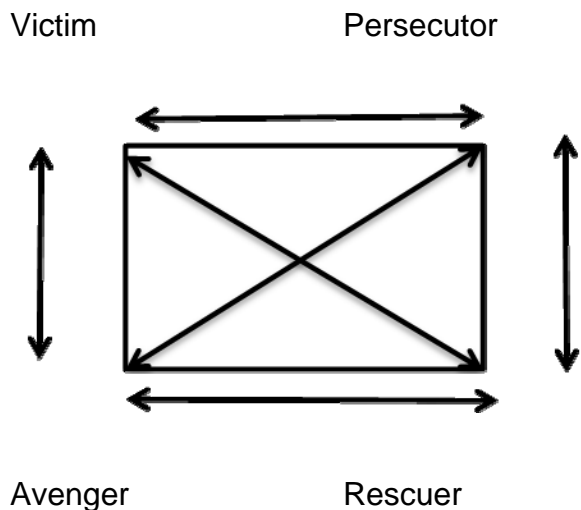
### **2.32 Harassment drama**

There are many forms of harassment, including the simple forms such as predatory, dispute-related and escalating bullying (Einarsen, 1999:16). However, the more complex forms are more difficult to recognise and resolve, such as delegated bullying, in which the bully persuades or coerces someone else to undertake bullying on their behalf; subordinate bullying, which is bullying of a more senior person by a subordinate person; passive-aggressive bullying, which involves non-assertive,

undermining behaviours; or personality disorder bullying, which is related to a personality disorder in the perpetrator (Tehrani, 2005:231). In dealing with harassment, counsellors provide therapeutic support to those who have become distressed by the negative behaviours of others. The distress that clients experience when faced with perceived or actual negative experiences can be extremely distressing. The stories surrounding harassment are dramatic, involving high emotions, with references to acts of deceit, favouritism, humiliation, intrigue and undeserved punishment. However, it is important for the counsellor to recognise that what is described by each of the players, particularly in complex harassment dramas, may become distorted and changed as it passes through the lens of unmet needs and unresolved life experiences (Tehrani, 2005:231).

Identifying the true nature of the drama is a skilled process requiring a detailed understanding of the life history of the client, an identification of the signs of emotional displacement observed during the interactions that take place within the counselling relationship and an awareness of the signals that provides an insight into what may be influencing the current perceptions and behaviours of the client, abusive relationships involve interactions in which all the players play their part. When a client tells their counsellor, "I did nothing to cause this to happen to me," the counsellor should be aware that this is unlikely to be the real situation and that their client may have failed to recognise, unwittingly or unknowingly, their own part in the harassment drama. This does not mean that the target of bad behaviour has done anything intentional or wrong. Rather, the harassment target's behaviour or presence was perceived by the perpetrator as a threat to their own power, position or self-esteem. Therefore, the true extent and complexity of the harassment drama may remain hidden unless the counsellor has the opportunity to observe and work with all the players. Only by understanding the real causes of the conflict and by resisting the temptation to apportion blame and responsibility will it become possible for the counsellor to address the underlying issues. This position of unconditional positive regard (Rogers, 1957:29) is an essential prerequisite of all counselling relationships. While counsellors may find the behaviours of their clients unwise, irresponsible or cruel, in order to bring about any change, counsellors must form a working alliance (Satterfield & Lyddon, 1998:411) with their clients based on respect for them as human beings. The drama triangle (Karpman, 1968), which describes a dynamic

relationship among the persecutor, victim, and rescuer, is a useful way of looking at abusive relationships (Protor & Tehrani, 2001). However, the drama triangle fails to recognise the importance of a fourth role common in harassment cases – that of the avenger. The avenger is typically someone who has experienced harassment in the past and attempts to deal with unresolved distress by taking action on behalf of others. In the new model shown in Figure 4.1, it is proposed the four roles interact with each other.

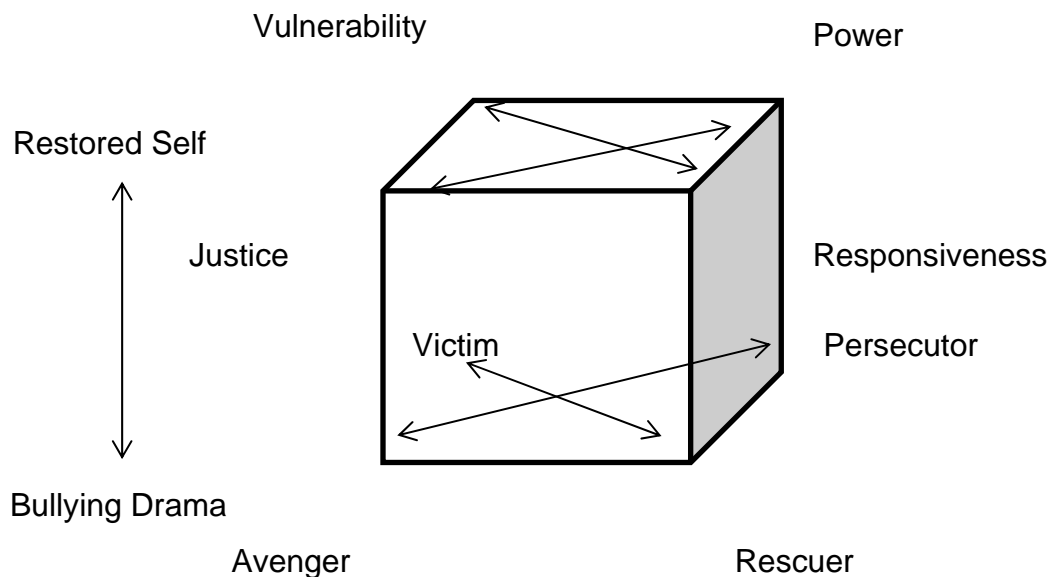


**Figure 2-5: Roles within the harassment drama**

Source: Adapted from Tehrani (2003:273).

Each of the roles in Figure 2.5 involves a compulsive maladaptive pattern of behaviour that is triggered by particular situations connected to an unresolved trauma from the past. While occasionally a single individual will fulfil the characteristics of a single role, never moving into any of the other roles, this is a rare situation. More typically, an individual will have a preference or feel comfortable in one or two of the roles and alternate between these roles as circumstances change. For the harassment drama to be played out, individuals will occasionally be forced to play roles with which they are less familiar. This situation may occur when there are changes in the balance of power within the system. For example, a victim may seek the support of a colleague regarding what is believed to be harassment. The victim may feel that the oppressive behaviour of their manager could be unintentional and discusses this with a colleague with the aim of seeking support to raise the issue sensitively in a team meeting. However, the colleague may have had difficulties with

the same manager and begin to push the victim to make a formal complaint against the manager. In this situation, the avenger uses their own victim status coercively and, as a result, becomes an oppressor of the victim, who wishes to take a more conciliatory action. The victim is now in a situation where they are faced with deciding whether to collude with the avenger and take out a formal complaint against the manager or to pursue the original decision, which would involve rescuing the manager from the aggression of the avenger. The harassment drama will continue for as long as the players remain unaware of the true nature of the games being played and begin to recognise their part in sustaining the drama interactions. Self-awareness is essential as is the ability to recognise that by moving beyond the game it becomes possible to recognise all the players' needs and frailties, which are so often obscured within these archetypal roles (Einarsen et al., 2010:233).



**Figure 2-6: The restored self-model**

Source: adapted from Tehrani (2003:274)

The restored self-model (Figure 2-6) illustrates how the harassment drama, shown at the lower level, is connected to a higher level of understanding and meaning. It is by engaging with this higher level that individuals can become aware of their sense of vulnerability, power, responsiveness and wish for justice. Counsellors need to encourage their clients to recognise that remaining within the harassment drama will lead not to justice and peace, but, rather to a continuation of the situation. Breaking

the harassment drama requires players to understand and operate at this higher level of functioning free from the negative feelings and fears found within the dynamics of the harassment drama. However, embracing vulnerability, power, responsiveness and justice requires determination and courage and considerable trust between client and counsellor. The role of the counsellor is to demonstrate that while being vulnerable may make it easier for an individual to become a victim, true vulnerability is a strength when it enables the vulnerable person to recognise the reality of a difficult situation and encourage seeking the support and understanding of others, rather than trying to take control of everything alone. Power can corrupt and lead to abuse, but it can also be used in a positive way when it enables the powerful person to act with justice or compassion for others. Being overly responsive can turn a counsellor or other supporter into a compulsive carer, whereas the ability to listen and reflect without taking over can have a positive influence. The application of justice without compassion and understanding can be experienced as punishing and damaging even when the just solution is recognised by all concerned as appropriate, fair and reasonable. In order to work with the harassment drama, counsellors must work at this higher level if they are to achieve an understanding of the patterns of behaviours being acted out and recognise their own vulnerability to becoming caught up in the drama (Page, 1999:211).

### **2.33 Harassment drama and the organisation**

The restored self-model can also be seen operating at an organisational level, with organisations becoming trapped in the drama of harassment, instead of recognising their own vulnerabilities, power and need for responsiveness and justice. Organisational counsellors can use their counselling skills to help organisations deal with harassment in a way that moves beyond inaction, sentimentality, vengeance and punishment to a place where the organisation demonstrates a positive regard for people with bad behaviours, including harassment, as well as being handled firmly and appropriately by organisations through fair investigation and disciplinary procedures (Hoel & Einarsen, 2009; Rayner & Cooper, 2006:121). While organisations have the responsibility for dealing with harassment, they should also recognise that they are not immune from becoming trapped in the harassment drama through a parallel process (Talbot, 1990:265), one in which the processes and behaviours at play in the relationship between harasser and victim are reflected in

the behaviour of the organisation. To become an agent of the restorative self, organisations need to balance their use of power, with justice, vulnerability, responsiveness to establish solutions that not only solve the problem of harassment, but also address the underlying causes of harassment.

### **2.34 The wounded helper**

When working with harassment, a counsellor needs to be able to work within a number of different models of intervention, continually monitoring the value and benefit of the particular intervention in use. Knowing how and when to move from one style of working to another and understanding how to maintain the creative balance in the use of their own personal power and vulnerability while simultaneously capturing and responding to the power and vulnerability of their client is essential for counsellors. However, counsellors and other helpers are not immune to experiencing the anxiety and distress of their own unresolved traumas. Indeed, some practitioners unconsciously choose to work with victims of harassment or their oppressors as a means of dealing with their own unresolved and hidden distress. Fundamental to counselling training and ongoing personal development is the professional requirement for all counsellors to present their client work in supervision. In this, the supervisor will not only deal with the nature and appropriateness of the counselling process and techniques used, but also spend time looking at the impact of the content of the counselling on the counsellor, including any of the hidden drives or motivations that may be influencing the counsellor's behaviour within the therapeutic relationship (Einarsen et al., 2010:164).

The professional requirement for all counsellors is to attend regular supervision sessions and to maintain their continuing professional development through attending conferences, undergoing training and engaging in other learning opportunities. Fulfilling this requirement is essential in order to protect clients from the abuse of power that could so easily occur within the counselling room, particularly so when the helper turns into the persecutor or the avenger (Einarsen et al., 2010:164).

### **2.35 An integrated counselling approach**

There are many counselling theories available to counsellors and counsellors introduce variations to adapt particular models to meet their own preferences or needs. For many counsellors, the ability to adopt an integrated approach allows a certain freedom of practice to suit their style of work, an approach appearing to be one of the most popular approaches in contemporary counselling practice (Dryden, 1992:29). While to the outsider the choice of technique or approach may appear random, to the experienced integrative counsellor this could not be further from the truth. Integrative counselling approaches have developed out of a lack of any strong evidence to indicate that any one approach is significantly more effective than other (Norcross & Arkowitz, 1992:83).

In simple terms, counselling falls into three main groups. The first group includes the psychodynamic schools, which have their origins in the work of Sigmund Freud. These approaches recognise and deal with the unconscious conflict relating to instinctual drives and repression. The second group, the behavioural school, has its origins in the work of Pavlov and Skinner and is characterised by conditioned learning. Finally, there are the humanistic or existential schools, with their roots in the work of Aristotle, Maslow, Rogers and Berne, with a belief in self-actualisation. While counselling training tends to teach each of the counselling models in isolation, many counsellors will pick and choose between models or approach to address an identified need or a client preference, or perhaps they will blend several theories together to form a hybrid approach (Lapworth, Sills & Fish, 2004:16). This integrative movement can be observed in recent developments within cognitive behavioural therapy (CBT), with its origin within the behavioural school. Over the past few years, CBT has begun to incorporate aspects of attachment theory, which is more closely associated with the psychodynamic school and mindfulness, with its origin in spirituality and self-actualisation (Tehrani, 2005:164).

### **2.36 An integrated model of counselling**

While there is no evidence to support a particular model of counselling, some models lend themselves more easily to the organisational need for a clearly defined process, ease of access and speed of recovery. The following model has been used by author (Tehrani, 2005) for many years with positive outcomes. The model involves five main

elements that are utilised throughout the counselling process. As the emphasis or importance of a particular element may change during the counselling progress, the counsellor will need to be continually aware of the process, the elements and the ultimate ending of the counselling relationship and contract. The five elements involved in this approach are:

- assessment
- education
- symptom reduction and other interventions
- integration and understanding
- rehabilitation and return to work (Tehrani, 2005:166).

### **2.36.1 Assessment**

Employees attending a counselling assessment session tend to fall into one of three groups. First are those employees who come to the assessment unaware that their symptoms of distress are related to an oppressive or negative relationship. For these people, it may come as a surprise to recognise that the behaviour they are experiencing is unacceptable and that they have the right to ask for it to be stopped. The second group comes because they have been referred by management following a disciplinary hearing in which the employee has been identified as the perpetrator or victim of harassment. Finally, there are employees who recognise that they are involved in a conflict with one or more people and want to find out what they can do to solve it. Regardless of the reason for attending the assessment session, each employee is made aware of the boundaries within which the counselling will take place, that the employee needs to attend voluntarily and that the counselling is not an easy option and will require the employee to fully engage in the process. The assessment begins with an outline of what will happen during this first session and the agreement that depending on the outcome of the assessment, a decision will be made on whether there is a basis for the client and counsellor to work together. In addition to the initial contracting assessments, there are three further sections. First, there is a structured interview, which involves the counsellor taking a life history of the employee, providing an opportunity for the client to describe what has caused them to seek counselling. Second, there is a review of results of a questionnaire that the client completed previously. The questionnaire assesses general health and



lifestyle, locus of control, behavioural style, coping skills and personality. During the assessment, the counsellor provides feedback on the questionnaire. Finally, there is an opportunity for the employee and the counsellor to talk about what the employee would like as an outcome and to decide on the best approach. It is important to ensure that prior to commencement of the counselling, the employee is not exposed to any further harassment or other negative acts. Attempting to undertake counselling while the client is in real danger of further traumatic exposures undermines the counselling. Following the assessment, the counsellor provides the employee with a written report of the assessment and, where appropriate, an agreed programme or plan for future sessions. Only when the counsellor and client have agreed on the content of the report and counselling programme does the actual counselling begin (Einarsen et al., 2010:392).

### **2.36.2 Education**

Education is an important part of this integrated approach. The education process is continual and fully integrated into all the other counselling activities. In an assessment, typically there will be a description of the biological basis of stress and trauma, including the use of drawings and descriptions of how the brain copes with aversive events by locking the sensory memory traces within the amygdala, where they are inaccessible to conscious review or understanding (Damasio, 2006:213). This education is augmented by other information taken from the psychometric results with, for example, clients being shown where they may be lacking a basic coping skill and what they need to do to develop this ability. For clients, the whole counselling experience is one of action learning in which they are asked to seek answers and meaning from their experiences. Many clients will also take the opportunity to read recommended books or formulate hypotheses on their reactions and responses by drawing on information from their own area of expertise, family feedback and reading. The action learning process encourages the client to become intrigued by their own responses and reactions, rather than a victim of them. Occasionally, the trauma response to the harassment situation involves strong physical reactions, including panic attacks, palpitations, diarrhoea and trembling. Where such reactions occur, the education will include information on the nature of human responses to strain and how these responses are important to survival. A simplified version of Damasio's tree (Damasio, 2003) – which shows the intimate

relationship among the immune responses, pain and pleasure behaviours, drives and motivations, and their connection to the expression of emotions and feelings – is often used to illustrate the way that early life traumas may be restimulated without conscious awareness (Tehrani, 2005:166).

### **2.36.3 Symptom reduction**

The main body of counselling work involves symptom reduction. Each activity is discussed with the client and introduced flexibly in response to the client's needs. The initial work tends to be a response to the needs identified in the psychometric testing and personal history, particularly where the client has been found to have an issue that may be making them vulnerable to distressing symptoms. When the assessment has shown, for example, that the client has a poor lifestyle, this problem is addressed by talking about the benefits of reducing caffeine intake, taking regular exercise, cutting out excessive alcohol and eating regular meals. Inadequate use of a particular coping skill is addressed by organising training or coaching in the required skill. While these practical steps may not be regarded as a normal part of the counsellor's role, particularly by those counsellors who take a nondirected stance to their counselling work, in this pragmatic approach to counselling there are clear benefits for the client engaging in some practical activities that provide them with relief from their symptoms and increases their self-confidence (Einarsen et al., 2010:396).

Typically, one of the first tools to be offered to a client is an ability to relax and create a safe place. This sense is achieved by use of a relaxation script in which the client is encouraged to find an imaginary place where he or she feels at home and at peace. Only when this sense of safety has been achieved is it advisable to go to the next stage, where some of the re-experience symptoms are addressed. Re-experience comes in a number of forms, including flashbacks, nightmares, hallucinations, and emotional or physical reactivation. A re-experience is different from a recall or remembering a distressing event. Within the re-experience, the client responds as if the incident is actually occurring. The main task involved in reducing the power of the re-experienced responses is to encourage the client to summon up the trigger of this reaction, which may be an upsetting image, sound, smell, body response or taste. For each of the five senses, the process is similar, involving the

client going through relaxation exercise, then gradually, and at the client's own pace, purposefully bringing the feared stimuli to mind, and then finding ways to manipulate them by changing their size, shape, colour, smell or intensity. Through this process, the conscious mind comes to recognise that the feared perception is a construction, rather than a real event. At the end of each exercise, the client is asked to switch the stimuli off and to check that they remain off until they decide to visit the stimuli once more. Through this process of desensitisation, the client becomes aware that the feared flashbacks, hallucinations, and sensory reactivations can be brought under conscious control (Pennebaker & Chung, 2007:263).

#### **2.36.4 Integration and understanding**

Throughout the counselling, clients need to learn how to reflect and become interested in their responses to events. The mindfulness approach to reactions requires them to adopt a concentrated awareness of their present thoughts, actions and motivations without becoming emotionally attached or distressed by them (Brown & Ryan, 2003:823). Writing and keeping journals encourages clients to reflect on their changing perceptions through the identification of repeating patterns of behaviours, events or emotions. The process is helpful in creating deeper meanings and reducing distress (Pennebaker & Chung, 2007:263). For many clients, it is difficult to accept that they may have played any role in the harassment drama apart from being the innocent victim. It may be difficult to contemplate that one of the more negatively perceived roles is anything but bad. However, despite this view, it is clear that seemingly negative roles involve qualities that are not in themselves negative, but can possess positive elements (Karpiak, 2003:18). The harassment drama model predicts that where clients are able to accept their shadow side through the expression of their vulnerability, power, responsiveness and need for justice – all virtues inherent within the victim, oppressor, rescuer and avenger roles – this acceptance will enable them to gain self-awareness and wisdom.

#### **2.36.5 Returning to the workplace**

Counsellors have an important role in preparing their clients for returning to work. Although many people involved in harassment do not return to the same role or even to the same organisation, the workplace is the place where the traumatic harassment experiences took place. Therefore, it can hold the triggers to memories that have not

been fully processed. The use of visualisation prior to actual return to work can be extremely helpful to flush out some of these triggers and deal with them. Walking along a corridor, going into a meeting room or coming face to face with a person associated with the harassment can reactivate high levels of distress. It is helpful to practice the return to work through the medium of visualisation prior to actual return. This virtual return to work can identify areas of counselling or practical steps that need to be undertaken if return is to be successful. Even if the initial return is successful, it is important to arrange for the counselling to continue during the first few weeks following the return to work in order to deal with the unexpected responses to the working environment (Einarsen et al., 2010:394).

Bullying involves complex human interactions, some of which are open and observable, while others are hidden and frequently denied. Harassment and harassment drama are inevitable consequences of a cultural and personal failure to accept and understand the shadow side of our nature. The process of splitting in which people are labelled as victims, targets, bullies or perpetrators adds to the problem by failing to recognise that within every human being is the potential of both good and evil, kindness and cruelty. At its best, counselling can contain the anxiety and hurt of all those in the harassment drama and with wisdom and patience create a place of learning where the shadow can meet the light (Einarsen et al., 2010:394).

### **2.37 New approaches in public resource management**

Public resource management is a dynamically developing field constantly influenced by new ideas, changing circumstances and innovations. New approaches to public resource management appear continuously on its ever-changing horizon. Some of these emerging trends may not develop substantively and could disappear. Others, however, might influence the field profoundly.

### **2.38 Managing diversity**

In many parts of the world, political, social and economic changes and trends have resulted in increasing diversity in national populations and in the workforce employed to serve these populations. This diversity in the workplace creates new challenges for public sector resource managers. The way in which diversity is dealt with can have beneficial or detrimental effects for the people and organisations involved.

According to Adler (1986:229), any form of effective diversity management has to start with a conscious effort to recognise cultural diversity without judging it and, in this way, perceive differences where differences exist. There also has to be a realisation that cultural diversity has advantages and disadvantages. According to Adler (1986), disadvantages occur most frequently when convergence is needed and employees are required to act and think in similar ways. Communication (converging on similar meanings) and integration (converging on similar actions) become more difficult in situations of diversity.

Advantages are gained in divergent processes where diversity helps in starting new projects, creating new ideas, developing new strategic plans or actions and assessing new trends. Multiple perspectives help in avoiding possible groupthink. Through diversity creativity, flexibility and problem solving are improved.

It is possible to manage cultural diversity so that it becomes a resource rather than a problem. A first step in this process of managing diversity is to educate managers about diversity.

### **2.38.1 Educating managers about diversity**

Kogod (1992:242) states that managers should be made aware of diversity through education. Some guidelines in this regard are understand that cultural differences exist and acknowledge one's own stereotypes and assumptions. Develop consciousness and acceptance of your own cultural background and style. Learn about other cultures and be flexible, try to adapt to the style of the person with whom you are communicating. Provide employees who are different with what they need to succeed, e.g. access to information and meaningful relationships with people with power. Treat people equitably but not informally and encourage constructive communication about differences.

These guidelines should be reinforced by proper training programmes on diversity and its management. The training should increase understanding managers have of diversity and help them to deal with diversity in their actions.

### **2.38.2 Approaches to managing diversity**

There are various options to deal managerially with diversity. A first step is to realise that there are different organisational responses to diversity and, depending on the

dominant response, management's dealings with diversity might differ (Schwella, Burger, Fox & Muller, 1996:326).

*(a) Organisational responses to diversity*

Adler (1986:232) identifies the possible responses to diversity in the workplace as parochial, ethnocentric and synergistic.

Members of parochial organisations do not perceive cultural diversity or its impact on the organisation. Members believe their way is the only way to manage and organise. A second response to diversity is ethnocentric where diversity is recognised, but seen to cause only problems. The ways of others are seen as inferior and differences are believed to be the cause of problems.

In a synergistic response organisation members believe that 'our way and their way differ, but neither is inherently superior to the other'. Combining responses and efforts constructively to accrue the benefits of diversity through appropriate management strategies is best. A cultural synergy requires organisational policies and practices based on, but not limited to, the cultural patterns of individual organisational members and clients. Synergistic organisations create new forms of management transcending the individual cultures of their members.

Several assumptions underpin the synergistic approach. The first assumption is born of a realisation that the homogenous 'melting pot' is a myth. Synergism espouses the belief that heterogeneity is a fact and that there are many culturally different groups in society maintaining its distinctiveness.

Synergy also assumes that similarities and differences are of equal importance. The parochial idea of 'our way is best' is refuted and it is accepted that there are many equally good ways of living and working (Schwella et al., 1996:327). Cultural synergy assumes equifinality by which there are many equivalent ways to reach a goal (finality) and that there is no one superior way. This is linked to the assumption of cultural contingency that assumes there are many equally good ways to reach a goal.

*(b) A strategic management approach to managing diversity*

Kogod (1992:245) provides an approach to managing diversity that is analogous to a strategic management methodology. The author's approach requires that: (1) the

organisational climate has to be analysed and enhanced and (2) a vision, strategies and action plans be created and implemented.

By analysing and enhancing the organisational climate, the present organisational attitude to diversity is assessed. Attempts are made to influence this climate towards recognising and supporting cultural differences. Communication, for example, is seen and analysed from a multicultural perspective and people are made aware of the importance of diversity and the need to treat every employee with respect. Barriers to accepting and managing diversity are identified and dealt with constructively.

A vision of where the organisation could and should be in terms of present reality of diversity has to be developed. This vision then has to be compared with the present reality in respect of diversity. Any gap or disparity has to be addressed by strategies. Strategies can be at the level of the system, task and person. System-level strategies may include consultants as culture brokers linking diverse cultural groups, developing success stories and heroes of the diversity management process, creating incentives for managing diversity effectively, celebrating events that honour diversity and instituting creative rewards and recognition of good practice (Schwella et al., 1996:329).

At the task level, strategies can be designed to develop job aids accommodating cultural differences and systems envisioning results. At a personal level, strategies of negotiation and conflict resolution need attention. After designing strategies, they have to be implemented through proper action plans. Action plans must state what tasks have to be performed, who will do them and by when. Possible obstacles should also be contemplated and actions designed to remove them or reduce their possible impact.

During this whole process, communication is important. Communication should be enhanced by active listening, proper evaluation and negotiation and accommodation. Finally, the whole process has to be evaluated. If necessary, corrective steps must be taken to keep the process on track (Schwella et al., 1996:329).

### **2.38.3 Individual mindsets and organisational imperatives for successfully managing diversity**

Gardenswartz and Rowe (n.d.: 427-434) provide some individual and organisational guidelines in dealing with diversity as a person and manager.

At the individual level Gardenswartz and Rowe (n.d.:428) suggest the following as central ideas.

Diversity is not about them but it is about us. Knowing the cultural values, norm, religion and practices of other is important but not central. Of central importance is to come to terms with oneself and understand ones reactions to diversity. The individuals and institutions are faced with issue of change and perceived losses. It must be realised that a changing workforce presents fears to staff in terms of how it will affect their ways and job opportunities. The positive aspect of the change should be identified and shared while the negatives should be perceived, noted and actively managed. HEI should create a more participative power structure. This requires enhancing the ideas and practice that all staff have a right to any job despite race, gender, age, religion or background. Diversity requires individuals to let go of tried and tested techniques. A repertoire of behaviours is need for which appropriate choices have to be made under different circumstances.

Individuals should realise that all staff view the world from their perspective and tolerances of doing things differently is needed. One should emphasise common experiences that unify, rather than differences that divide and staff have shared experiences from long time ago. These include death, marriage, birth, growth, the need to feel connected and the desire to be engaged in meaning work. If individuals consider these similarities makes it is easier to accept that they are more alike than different. Individuals should demonstrate values through actions and not words, and lip service to diversity will be self-defeating and costly in terms of trust and employee commitment. The HEI and staff should remember that diversity includes everyone. To regain the competitive edge and create kinder, gentler and more successful and productive HEI, power has to be shared. All stakeholders has to be represented in the decision-making process. Previous disadvantaged groups who point fingers and grind axes move the process backwards as do previously advantaged groups who see everything as reverse discrimination and resist everything but tokenism.



Diversity is about trying to extend empathy and understanding across the spectrum. If this is not done, individuals will become polarised and adversaries created and everyone will lose and the institution's performance and success will be affected (Gardenswartz & Rowe, n.d.:431).

The following organisational imperatives are suggested by Gardenswartz & Rowe (n.d.:431).

Executive management should show commitment and diversity management programmes demand the support of the institution's highest levels. This support should include modelling by executive management and providing resources for the programme. Accountability should be enforced at the highest level. Executive management should seek involvement and commitment from the bottom up. All employees from entry level to the most senior staff members should be provided training in dealing with diversity and this call for a long-term, reinforced and sustained effort.

A wide array of management techniques that work cross-culturally should be taught. In order to be effective, managers should treat all employee equitably. Individuals should respect and honour different cultural norms. Diversity should be integrated into the fabric of the HEI. Diversity should be introduced to systemic and structural facets of the HEI such as recruitment, career development, communication and reward system. Successful diversity management requires cultural changes that take vision, mission values and tolerance. The HEI should set benchmarks to note and celebrate if they are achieved.

Demographic reality should be accepted. Because of globalisation, isolation cannot be sustained and diversity is the reality everywhere and offers great opportunities and challenges. Accepting reality will enable the HEI and staff to deal with diversity more productively. One live in the world of the information age and technology, and change is so rapid that everything seems fluid and individuals and HEIs have to be flexible if they are to cope.

One need to be willing to pierce the power and work through the discomfort, as diversity is about sharing power. This is a tough issue to deal with, as it often creates anxiety and frustration and essential changes to the power configuration can be a

battle, but the changes provide opportunities to invest in staff. Honesty with oneself about changes and reaction to them is paramount. Realising one's own situation helps individuals deal with their fears, anger, trends and frustrations and from that basis relating more authentically to others is possible. Showing and feeling kindness and respect to people will usually elicit a similar response from them. Goodwill is emphasised by the realisation that success depends on one's ability to live and work with others.

Combining these individual mindset and organisational imperatives will contribute to a success dynamic of managing diversity in the HEI.

Diversity is becoming prevalent worldwide and managers and employees should be made aware of and educated about it. There are advantages and disadvantages in diversity and HEIs must handle it synergistically. A strategic management approach can also be used in managing diversity and individual mindsets. Proper organisational attitudes and actions contribute to managing diversity productivity.

### **2.39 Summary**

Individual performance in organisations has traditionally centred on the evaluation of performance and allocation of rewards. Organisations are increasingly recognising that planning and enabling individual performance have a critical effect on organisational performance. Contemporary approaches to performance in the workplace emphasise the importance of a shared view of expected performance between manager and employee. Many organisations are grappling with a process of self-renewal as a result of constant pressure for enhanced competitiveness. However, comparatively few have simultaneously overhauled their outdated performance management systems. Strategic success lies in focusing attention at all levels on key business imperatives, which can be achieved through effective performance management (Bennett & Minty, 1999:58).

This part discussed HR policies, performance, productivity, motivation and their role of counselling in workplace harassment. It has explored the literature on HR, formulation and implementation of human resources policies. Emotional intelligence and the relationship between motivation, job satisfaction and money is also explored. This part has also examined productivity, leading public human resources and

transformational leadership in the context of the study. Finally, employee evaluation, investigating a harassment complaint, guidelines for counselling, an integrated model of counselling, emotional competence, harassment drama and managing diversity are discussed.

Part four of the literature review discusses literature on the formulation of a systemic model on workplace harassment. Part four also discusses the formulation of a systemic model on workplace harassment by evaluating best practices in dealing with workplace harassment. This part discusses the role of policies, common mistakes in policy making and delivery, and monitoring and review. The part also examines literature on investigating complaints of harassment, investigative responsibilities, investigation process and barriers to a fair hearing.

## **LITERATURE REVIEW PART FOUR: BEST PRACTICES IN DEALING WITH WORKPLACE HARASSMENT**

### **2.40 Introduction**

Part four of the literature review discusses the formulation of a systemic model on workplace harassment by evaluating best practices in dealing with workplace harassment. This part discusses the role of policies, common mistakes in policy making and delivery, and monitoring and review. This part also examines the literature on investigating complaints of harassment, investigative responsibilities, investigation process and barriers to a fair hearing.

Court case law against psychological harassment at work has been building since one of the first cases that clearly articulated the right of workers to be treated with respect occurred in 1996. It involved a wrongful dismissal suit in Alberta. An employee complained that his boss was continually rude and abusive, failed to schedule his holidays, falsely implied that he had been sexually involved with a female employee, constantly screamed at him and repeatedly threatened to terminate his employment.

In that case, the court found that the relationship between the manager and his employee went well beyond a personality clash and that the employee's resignation was, in effect, a constructive dismissal. The court ruled that there was a fundamental implied term in any employment relationship that the employer will treat the employee with civility, decency, respect and dignity (Einarsen et al., 2010:172).

### **2.41 Signs of a harasser or bully**

One might be surprised by what is considered workplace harassment and bullying under new workplace guidelines: physically abusing, or threatening abuse; yelling or using profanity; making obviously offensive jokes, spoken or by e-mail; intruding on another's privacy by pestering, spying or stalking; spreading malicious gossip; undermining or deliberately impeding another's work; removing areas of responsibility without cause; constantly changing work guidelines; criticising a person consistently; belittling another's opinions; setting impossible deadlines; assigning unreasonable duties; withholding necessary information or purposely giving wrong

information; and blocking applications for training, leave or promotion (Canadian Centre for Occupational Health and Safety, 2008:54).

Employers are legally required to protect their staff against discriminatory harassment by other employees, but how far should this extend to harassment by third parties such as clients and contractors? Previously, the law covered only third-party sexual harassment, but the 2000 Equality Act extended this to other grounds, including race, disability, age and sexual orientation. So if a customer racially abuses a black employee, the employer can be sued if it has failed to take reasonably practicable steps to prevent such conduct. But the position is complicated by a three-strikes rule. To be found liable, the employer must know that the employee has been harassed at least twice before - not necessarily by the same third party. Despite having implemented this section of the Equality Act, the Canadian government is having second thoughts. Describing the third-party harassment provisions as unworkable, it plans to consult on removing them. Yet good practice dictates that employers should take measures to protect staff from offensive treatment by business partners, so surely the law should reflect that. Judicious reform would be a better option (Canadian Centre for Occupational Health and Safety, 2008:55).

## **2.42 Managing workplace harassment: the role of policies**

A harassment policy is the employer's statement of intent and a summary of processes regarding harassment in their organisations. The role of policy in the management of workplace harassment is central to all concerned. It is a mistake to think that a policy is used only in situations of formal complaint. All policies outline formal procedures, but an effective policy has a far wider purpose and includes, for example, guiding statements about how the organisation intends to prevent harassment and deal with harassment if it occurs. As such, a policy has two immediate roles, that is, as a statement of intent, and also as a document to all stakeholders through the formal and informal processes connected to harassment prevention and intervention (Richards & Daley, 2003a:128).

Those people who work in the formulation of policies know that one can have a terrific policy that does not make any difference in the workplace itself (Ferris, 2004:389). The selected HEI needs to include facets beyond what one might find in a policy, such as effective communication and monitoring. Research on harassment

is enormously challenging, as all organisations are unique and policies tend to be written only every few years. There is no systematic data to compare policies and their effectiveness. That said, some organisations have made strides in this field, learning as they try different approaches (Rayner & McIvor, 2008).

This section first considers the nature of the challenge that policies on harassment need to meet. The rest of the chapter follows the sequence of policy setting, monitoring and review and what should be in a policy. Secondly, there is reflection on common errors associated with policies and what can go awry in the communication of the policy. Finally, the research stresses that if the policy is to be a functional system and a useful tool for the organisation, it will need monitoring and review.

### **2.42.1 The nature of the challenge**

To be able to design a policy, one first needs to consider the nature of the problem at hand. Academic knowledge here is helpful to inform the challenge and map relevant aspects. Workplace harassment has not received much attention in the academic literature in South Africa. Ways of considering this issue will be outlined. There is no definitive list of behaviours that constitute workplace harassment. People can feel harassed because of the absence of behaviours, such as withholding information or being excluded from groups and decisions (Liefoghe & McKenzie, 2001:385). Academics have the luxury of leaving such ambiguities unresolved, instead of exploring their nature. The HEI has to confront such difficulties. Doing this provides a major challenge for those designing policies and their use.

Lutgen-Sandvik, Tracy and Alberts (2007:855) offer “a delineation of harassment behaviours using the analogy of degree burns. Thus, “third-degree” harassment is greater than “first degree.” In their continuum, first degree abuses are low-level abuses that “can cause damage over time, but are common ... and usually quick to heal”; second-degree abuses are “intensive, frequent and persistent ...[and] more painful”, and third-degree burns are “extremely escalated ...often resulting in deep scarring and permanent damage”. Most organisations have no problem with committing themselves to dealing with third-degree harassment, but as the significance lessens, ambiguities found in the academic literature are likely to impact the organisation. A single dramatic incident may count as harassment, but would the

organisation take seriously a series of small events that an employee has found very difficult to deal with? Consider also the notion that what is socially acceptable (and unacceptable) at work changes over time (Caza & Cortina, 2007:338). Because our understanding of what constitutes harassment is constantly under review (Burnes & Pope, 2007:289), it soon become apparent that we seek to define a moving target. As a result, it is common to find very broad conceptualisations of harassment in policies, partly as a pragmatic response to its complexity.

Broad definitions help defend the policy from becoming outdated and this is the preference of many organisations. However, broad definitions are less useful for the employee who seeks to know what behaviour is acceptable or not (Bowen & Blackmon, 2003:1397). There is a need for an operational definition that may change - perhaps as part of an employee code of conduct, as for example, evident in the policy of Staffordshire University ([http://www.staffs.ac.uk/images/behaviour\\_tcm68-15921.pdf](http://www.staffs.ac.uk/images/behaviour_tcm68-15921.pdf)) – which can be reviewed more frequently than the procedural aspects of the policy. Practitioners may look to academic writing for clarity on what harassment is or is not. However, as academic questions run in parallel to those of practitioners, easy answers will not be found. This said, analysis of the nature of harassment and its precursors (for example, Salin, 2003b:1213) can provide helpful frameworks for structuring the description of the construct.

A related area as yet undocumented in the academic literature on workplace harassment is the notion of variability of tolerance of behaviour within the organisation. Does one expect the same levels of behaviour from security and senior technicians who all work for the same organisation? Anecdotal evidence suggests that many employees think one should (Rayner & McIvor, 2008), as would evidence from the academic literature on fairness and justice” (Trevino, Weaver & Reynold, 2006:953). The few studies that have examined workplace harassment among hierarchical levels have found the same reported incidence at all levels (Hoel, Faragher & Cooper, 2004:376). “Although the nature of behaviours may be different because different social contexts provide different cues and opportunities (Tajfel & Turner, 2001:94), allowing variations in tolerance is hard to defend to employees. It is important that the variability debate is brought into open forum so that assurance of evenness of treatment is public noted (Schat & Kelloway, 2003:110).

In these early conceptual stages, it is also helpful to work through the scope of the policy and how existing policies might be linked. Hence, one might need, not to describe the disciplinary process, but to link into the existing policy organisation if such a process is already in existence.

How far should one extend the scope of the policy to informal routes? Arguably, workplace harassment is a very much a social phenomenon (Lewis, 2002) and so the informal social context is a prime target for intervention through bystander (Rayner, 2005:61). Thinking through the organisational appetite for extending the scope of the policy into selection, training, induction, and management working practices is helpful to be considered.

#### **2.42.2 The process of policy setting**

One decision that needs to be made when considering a policy on workplace harassment is that of ownership. Where does this policy belong in the institution and who owns it? Much that is written on workplace harassment is from a health perspective (for example, Vartia, Korppoo, Fallenius & Mattila, 2003:285), and some organisations have placed their policy in the health and safety area. This is logical because the main outcomes that cause problems to organisations are sickness absence and stress (Giga, Hoel & Lewis, 2008:63). Although a health and safety approach may draw on excellence in helping the targets of workplace harassment, the practices needed to prevent or minimise workplace harassment lie in line management, training and the disciplinary or investigative routes that are normally the province of personnel or HR departments (Richards & Daley, 2003b:247). Integration into other organisational policies as well as new legislation concerning equality and human rights means that policies on workplace harassment are most usually situated in the HR department. Whichever department owns the policy must be able to exert sufficient influence to enable delivery of the policy itself (Salin, 2009:26).

Thing to be included in policy making. At the end of this chapter, the researcher will summarise by stating that success is to be gained from buy-in and commitment from all players to undertake whatever is stated in the policy. Conversely, policy failure is related to the organisation's being unwilling or unable to deliver what has been committed to in the policy statement. The ability to avoid failure lies in starting at the



right place in the policy design process. A larger study in the United Kingdom (Rayner & McIvor, 2008) found that organisations reported great benefits when enabling high levels of involvement in the design process. The same study discovered that the best organisations approached workplace harassment as "our" problem, sharing responsibility throughout the organisation. Hence while a policy may be owned by the personnel or HR department, the design process needs to include those people who will be delivering the various aspects of the policy. Thus the policy must include HR and trade unions or workers representative (Lewis & Rayner, 2003:374) as well as managers. One might also include occupational health and safety and/or organisational counselling services, complaints managers, trainers, finance officers (who will need to monitor extra costs) and others such as diversity and equality officers. Organisations often use advice and guidance from external agencies and professional bodies. Support from the Vice-Chancellor or executive management is needed to add validity to the whole exercise and host the passage of the policy through to organisational approval. Policies that are not supported by the university Council will fail.

The final aspect of this step is to consider what type of policy one wants. Unfortunately, no current data exist on organisational practice worldwide. Local law may be dominant in this choice (Leka & Kortum, 2008:294). There appears to be three main approaches in existence. The first approach is to have a policy specifically for workplace harassment and is most appropriate where the law might demand specific conditions be met within a workplace harassment policy as distinct from other policies. Another approach, which has become popular in Europe in the last few years (where one sees new legislation in discrimination, harassment, and equality), is to combine the areas of workplace harassment into a single inclusive policy. Finally, instead of an anti-harassment policy, one might choose a positive "dignity at work" policy. Those people who prefer the last suggest it is easier and more functional to encourage employees to go towards a positive statement and embed "good behaviour" into the organisation, effectively using all aspects of anti-harassment policies when they examine situations where dignity and respect have not been adhered to. Different styles will appeal to different organisations, but organisations that are more mature in their approach generally take a dignity

approach. "We have seen good organisations using any of these three approaches, as in the end it is implementation that matters the most (Einarsen et al., 2010:331).

### **2.42.3 Sequencing policy**

If the route of participative policy setting is adopted, then it is often helpful to bring together a group very early on in an open discussion forum to flush out early concerns with the existing system (or lack of systems). Not presenting a draft of the new policy will enable participants to see that they are genuinely being involved from the beginning (Costantino & Merchant, 1996).

Often an organisation changes an existing policy rather than start afresh. If the current policy is not respected by staff members, then it may be a positive move to begin with a new format and to counter perceptions of a laissez-faire attitude (Skogstad, 2005). Drafts and revisions need to be taken to the group before being signed off at a high level, thereby creating a genuine consultation mechanism that can avoid dislocation from the employee group the policy should be serving (Ferris, 2004:390). The group can be extremely useful as a mechanism for wider engagement and information gathering, as the whole process of policy development and revision can be a positive engagement experience in itself.

### **2.42.4 The content of a policy**

#### **2.42.4.1 *Setting the scene***

The initial section of a policy should make clear the scope and purpose of the document: the style needs to be welcoming based on a clear statement of intent that is unambiguous in the institution's opposition to workplace harassment.

The style of writing communicates how much the owners of the policy want it to be used (Pilbeam & Corbridge, 2006:72). The best organisational policies are short, clear and simple to read, allowing easy access by all staff members (Richard & Daley, 2003b:251). Policies that use inaccessible language or formats risk that staff will interpret that the institution does not want to use the policy (Harlos & Pinder, 1999:107).

After introductory anti-harassment statements, a policy will normally move to a definition of harassment. One should not underestimate the amount of reading any

definition will receive. The definition may, in the worst case, become a legal issue and it should always be checked by a legal representative (Spurgeon, 2003:337). Most organisations use a broad definition of workplace harassment that enables the policy not to need change over several years.

As well as a textual definition of harassment, including a set of examples, is important in order to "bring alive" the issue to the context. What is important here is that a full range of behaviours used. One might consider cross-checking against an academic questionnaire, but care should be taken because such questionnaires can be overly prescriptive (Fevre, Robinson, Jones & Lewis, 2010:71; Lewis, Sheehan & Davies, 2009:283). Generating the set of behaviours can cause debate and may be where one begins to unpick a key aspect for policy writers: how is workplace harassment interpreted within the organisation? The question is one that has already been considered earlier.

These opening paragraphs of an organisation's anti-harassment policy may need reference to other documents (for example, a code of conduct) and should provide sources of informal help should someone need clarification regarding the harassment concept. Some organisations have networks of regular employees who volunteer to be sign posters and confidential listeners for their colleagues (in Britain, such persons are commonly called dignity advisers or first contact officers). They, or other sources of assistance, need to be highlighted in the organisation's document so employees can consult with them. The statements, definitions, examples, and sources of help for clarifying harassment can be replicated in recruitment literature and websites induction, posters, literature used by trade unions, and all other information sources, including workplace posters, emails, and staff surveys. By providing such a documented plan, a coherent approach is created for employees and is likely to heighten the perception of organisational intent from employees. Inconsistency is likely to reduce faith in any system (Yamada, 2000:476).

Early intervention can stop situations from escalating (Andersson & Pearson, 1999:452; Hoel & Cooper, 2000a:111) and avoid an expensive formal process. Add to these benefits the avoidance of prolonged stress on the target, the accused, harasser, work colleagues and the related sickness absence or risk of personnel leaving their jobs, then the argument for early informal resolution is both financially

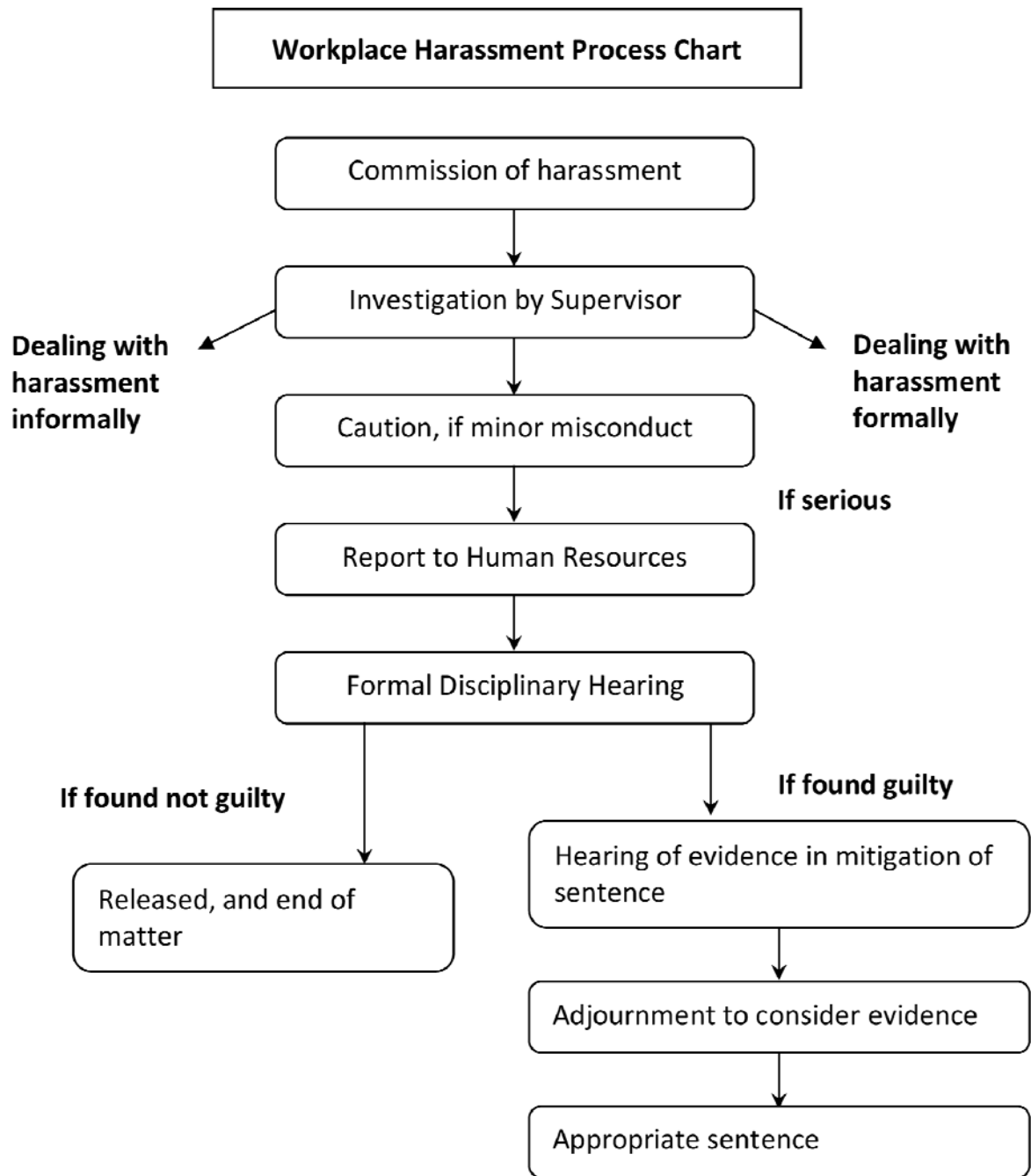
and morally sound. To use such informal systems, one has to be alerted to situations of low-level conflict and clear examples can enable employees to know a situation is not right and prompt informal and speedy resolution. The researcher will now look at these systems.

#### **2.42.4.2 *Dealing with issues informally***

If one accepts the position that many situations of harassment can be described as escalated conflict (Leymann, 1996:165), the argument that in many cases harassment is a failure of ordinary line management to detect and deal with negative experiences quickly becomes persuasive. To limit trauma to those involved, the speed, skills and confidence of those who may potentially defuse and resolve the conflict situation, or at least intervene, are salient. Line managers are likely to be closest and best able to intervene. Ideally, managers can seek out potentially damaging behaviours in a proactive, preventive manner. But do they have the skills and confidence to do so? If the policy suggests, as it should, that line managers are the first stop, then there are training implications to ensure such skills and confidence exist. For example, direct intervention by a manager in a colleague-on-colleague situation needs to be skilful to avoid escalating the situation (refer to Figure 2-). In the United Kingdom, the informal approaches are being developed. For example, such organisations are bringing mediation skills into everyday management training to enable conflict resolution to be undertaken quickly by line management as part of their regular activities. This early stage is endorsed by most writers in the field (for example, Einarsen, 1999:19; Keashly & Jagatic, 2000; Zapf & Gross, 2001:507).

Larger organisations often have a network of staff who can also be reached. Employees may be reluctant to see their line manager (or any superior, for that matter) if they perceive that person to be the problem or a part of their problem and so a network of volunteers can be used at this stage. How much the networks actually advise varies; many HR departments prohibit such staff from giving advice because of concerns about the legal correctness of any advice and implications in the event a case reaches a courtroom. Naturally, confusion can arise for a consumer if the name of the network suggests that the network gives advice. The military in the United Kingdom in 2001 extended its training of advisers to lower ranks so that all

service personnel can talk to someone close to their own level. Encouraging is the example of Glasgow Caledonian University, where the university's in-house volunteers advise all parties and are trained to act as mediators at an early stage. Again, the university group reflects a range of seniority in the hierarchy so that senior staff can mediate for their own level and so on. There is a dearth of systematic research that evaluated exactly who is seen by whom; but because data could be collected straightforwardly and anonymously, this would be a fruitful area for research (Einarsen et al., 2010:342).



**Figure 2-7: Workplace harassment process chart**

Source: Adapted from DUT disciplinary policy and procedure (2008:17)

Although it is ideal to leave informal resolution to line management, no organisation is perfect and staff may choose to use informal resolution routes (for example, advisers) outside the normal hierarchy. What is crucial is that informal routes work.

Most written policies progress from definition to the first level of resolution, that of the informal process (refer to Figure 2.7). Unfortunately, many written policy statements have a short paragraph stating, "Wherever possible, informal methods should be used to resolve situations informally, which is then followed by many pages of text concerning the formal policy. The message that can be conveyed is that the organisation focuses on formal systems. In countries with a tradition of informal solutions (for example, in Scandinavia), the situation may be opposite; thus more weight should be placed on developing sound formal systems to complement the existing informal ones. Very often UK HR and trade unions have a focus on the formal, which is understandable (Hoel & Beale, 2006:246; Lewis & Rayner, 2003:378), but the reality is that the informal process is completely different from the formal, requiring different skills and approaches (Rayner & McIvor, 2008), which leverage trust and positive relationships between both parties and line management (Hubert, 2003:302). In some countries, developing trust will be a marked change in role of both groups.

How the harassment policy sits in the organisation is important for HR personnel and their understanding of the process. If one adopts a health and safety perspective, then harassment is a risk that must be dealt with as soon as it is known about, for it may affect someone's psychological health (i.e., this is an organisation-owned risk to be dealt with). However, most HR departments take a complaint policy route, where one can act only if a written complaint is received and the complainant is willing for the accused to know details of the problem (i.e., this is an interpersonal issue between two or more employees). This written requirement can be the source of HR's effectively negating the informal stage. Thus, it is essential that these competing approaches dilemma be resolved, and the health and safety angle should predominate. The same issues can affect trade union representatives' perceptions of a harassment situation. The policy-drafting process is an ideal place for both sides – management and workers – to work through their protocols to facilitate a balance and compatibility between formal and informal solutions (Einarsen et al., 2010:344).

#### **2.42.4.3 The formal process**

Some situations cannot be resolved informally (see Figure 2.6). Very often the reality is that mechanisms do not exist or do not work at the informal level as they should

(Salin, 2009:32). Other times, even effective systems are unable to resolve the situation (Kim, Ferrin, Cooper & Dirk, 2004:106). Sometimes formal action is seen as desirable from the complainant, HR, and trade unions – such as when very serious behaviour is reported (e.g., overt abuse in initiation rites) and the organisation management wants to be seen to take action.

At this stage, one should then be able to link into existing policies of complaints and the disciplinary and grievance procedure if these exist (Richards & Daley, 2003a:129). As these topics are the purview of other academic and practitioner areas, it is better not dwell on them, but rather highlight aspects of formal policies that can fail in situations of harassment.

Early resolution is important for the formal stage, just as it is for the informal. Prolonged processes can cause trauma and time is a key factor. Policies that contain service-level agreements (for example, the investigation will commence within ten working days of receiving the complaint) can be useful. All parts of the process need to be done well. Sometimes HR and trade unions balk at time-bound systems because they worry that complex cases will not be dealt with properly. Consequently, all parties become slaves to the policy, rather than the policy working for effective outcomes. This dilemma can be resolved through having working practices that allow for exceptions, but where the nature of such exceptions is very well defined (Einarsen & Hoel, 2008:169).

Investigations in harassment cases, especially bullying composed of many small occurrences, need a higher level of sensitivity than they might require in other complaint situations. The need for training for investigators and decision-making panels has emerged as harassment has been brought onto organisations' agendas. Royal Mail (the United Kingdom's postal service) has developed a specialist team of investigators who can be called on if line managers choose to do so. In response to this trend, specialist training for line managers to act as investigators is now more widely available in the United Kingdom (for high-quality examples of training, see <http://www.nweo.org.uk>). The anecdotal evidence suggests that investigators can often spend much time working on harassment cases and resourcing investigators can be an area of difficulty for those managing the process (Tehrani & Monkswell, 2001). Having a team of specialists takes such pressures away from line



management. However, undertaking investigations is an excellent way of exposing line managers to the nuances and differing realities one finds in harassment cases (Rayner & McIvor, 2008). More mature organisations do use specialist external investigators only in highly complex (hence excessively time-consuming) or very high-level cases (for example at board level), with all remaining cases being investigated internally. There are cost and other resourcing implications for undertaking investigations that need clarity at the time of policy making and acceptance of budgetary implications by senior management.

In making judgement on cases after a report has been submitted, HR can find a conflict of interest (Lewis & Rayner, 2003:372) and an inconsistency in outcomes may be perceived (Rayner, 1998; Salin, 2009). If targets are moved after they have won a case, other employees can become confused as to why a target should have the upheaval of changing jobs when his or her case has been proven.

A negative aspect of traditional UK disciplinary procedures is that the outcome is confidential. In harassment, this secrecy can leave us with no feedback loop to the rest of the organisation. Furthermore, the organisation's officers remain unable to let employees know they are taking action. Royal Mail now takes a small space in the internal newspaper to summarise the nature of disciplinary outcomes on harassment to show that there is a penalty for those found to have been harassing and bullying. This is a simple and innovative way to close the learning loop and get the unacceptability message across without using any names. Commitment to feedback can be part of a written policy. Other organisations allow the nature of the discipline to get out into the grapevine and hence circulate the message to staff. The researcher would prefer to see the former system because it means the organisation is dealing with cases as normal routine behaviour and not allowing the grapevine to possibly get it wrong (Einarsen et al., 2010:347).

### **2.43 Common mistakes in policy making and delivery**

Harassment is an area about which most employees will have emotion (Richards & Daley, 2003a:134). Having written the policy, it is a common mistake to then not promote it effectively and, thereby, fail to confirm seriousness over the issue – employees notice this. An organisation that wants a policy to work must promote the policy by embedding it in training, induction, websites, and publications for those who

do not access computers. The trade union can be a useful promoter and will, of course, do a better job if union representatives have been involved in the process of policy making.

Sequencing is critical such that to write a policy and then launch it without giving sufficient training to managers may actually be counterproductive. Implementation of the policy needs to work through ensuring provisions for those using the policy are in place before any launch.

Communication is a common feature to many problems. Failure to communicate the policy or make it available has already been mentioned. Within the anti-harassment process, much communication is needed. Protocols regarding confidentiality need to be made and carefully adhered to. Communicating during an investigation, especially if it runs late, is essential and a mitigating factor for stress to those concerned (Dollard, Siunner, Tuckey & Bailey, 2007:2). Communicating the outcome of any formal complaint and discipline to any party needs to be extended to the wider community to enhance the seriousness with which a policy is taken by the organisation. Finally, communicating that the policy still exists after launch is essential. This communication can occur during the monitoring and review process.

#### **2.44 Monitoring and review**

A harassment policy is a whole system for prevention and intervention in cases of harassment. Policies do become out-of-date and sometimes external factors such as new law mean that review is forced on organisations. Einarsen et al. (2010:337) argue that any anti-harassment system needs to have effective monitoring built in. How does one know if a policy is successful or not?

Staff perception surveys are now being run in many organisations on an annual basis. This is a good place to pick up how many people consider themselves harassed (to be compared to the number of complaints received). Over time this figure should reduce. Surveys can identify users' attitudes to and use of the various informal and formal mechanisms as well as show barriers to use (for example, not trusting confidentiality) or awareness of systems. Naturally, such figures are only indicators, but over a number of years one would expect to see improvement. If none

were found, then local focus groups, exit interviews, and other investigative techniques might be used to redesign the system and the policy.

Managers are central to successful policy by not applying harassment and bullying tactics themselves and by demonstrating clear leadership in tackling harassment events immediately. Consequently, monitoring managers' feelings and attitudes about the support in place for them to act effectively is essential. When involved with systems that deal with harassment, the interconnectedness of many aspects of the organisation becomes swiftly apparent. Are we hiring and promoting the right people? Do we train in conflict management and mediation? Are we giving our staff an accurate understanding of what is acceptable behaviour? Are we managing the information flows in cases that are known and being watched by employees? Are our decisions consistent, or do we avoid accepting cases where managers are put in the spotlight? Do we have any untouchable employees who appear to escape systems or sanctions? One has known many organisations and may only advise policy designers that they will be judged by employees on their worst cases, not the best ones. As such, close monitoring allows the designers to be aware of seismic shifts (small and large) as employee attitudes make or break the use of such systems. It is essential that formal reviews of the policy and data connected to it are undertaken at least once a year (Rayner & McIvor, 2008).

A well-designed and coordinated anti-harassment policy can work, but conversely a policy that is designed by one department in isolation from users and other service deliverers can have no impact at all. A harassment policy weaves together many strands of the organisation – personnel/HR functions such as recruitment, selection, training, discipline, and complaint systems; trade union activity in prevention, promotion, and intervention; line management in role modelling and dispute handling; as well as helping services such as occupational health, counselling, advice networks, and external providers of assistance. The answer to maximising a policy is to ensure two things: first, that employees and service deliverers are all involved in its design; and second, that dilemmas and discrepancies are actually resolved rather than ignored. The policy can then move with the issues and the organisation as it matures away from destructive conflict (Einarsen et al., 2010:348).

## **2.45 Investigating complaints of harassment**

HEIs are increasingly acknowledging the need to have in place proper policies and procedures to deal with cases of harassment should they arise (Rayner & Lewis, 2006:341). Reflecting such a need and to ensure an equal playing field, the social partners in Europe, represented by various employer associations (for example, Business Europe) and the European Trade Union Confederation (ETUC) signed a framework agreement in 2009 on the prevention of violence and harassment. The agreement ensures the right of employees to file complaints against alleged perpetrators with the aim of having their case heard by means of an impartial investigation and given the outcome, the appropriate actions taken (European Social Dialogue, 2007).

In an increasingly diverse workplace (Rayner & Lewis, 2006:342), outlets or institutional mechanisms for dealing promptly and fairly with complaints are essential. Whilst increased diversity represents potential for organisational opportunities and strength, it also gives rise to situations where misunderstandings, disagreements and resentments may be rife (Baron & Neuman, 1998:451). While such situations can be minimised if they are properly managed, all organisations should be prepared for the need to investigate allegations of behavioural misconduct. The presence of well-planned procedures for investigation and their proper implementation provides the organisation with an opportunity to make correct decisions, to re-establish fairness, also provide security for the individual and send a strong signal to employees that these issues are taken seriously and not tolerated by the organisation (Stockdale & Sagrestano, in press). By contrast, where such response mechanisms are not in place, cases of this nature often remain unresolved for a long time, sometimes even for years, causing frustration and resentment to many or even all of those involved (Einarsen et al., 2010). In addition to the negative organisational effect such ongoing cases or scenarios are likely to generate, which also increasingly show up on the organisation's balance sheet (Hoel & Beale, 2006:243), organisations may face the prospect of litigation. In this respect it is important to point out that while organisations vary with respect to the risk of harassment, no organisation can be considered "harassment-proof" (Rayner, Hoel & Cooper, 2002), thus the need to have in place policies and procedures on harassment applies to all organisations. The case for having a complaint of

harassment heard and impartially investigated can equally be made on the grounds of justice and fairness, as reflected in the growing attention being paid to issues associated with respect to the dignity of individuals in terms of their work experience (Di Martino, Hoel & Cooper, 2003).

Where proper procedures exist and these are applied correctly in terms of a fair investigation process, the conclusions reached and the appropriate sanctions towards the perpetrators taken, their presence may also have an impact on behaviour within the organisation (Hulin, Fitzgerald & Drasgov, 1996:137). Although it is vital that organisations put in place processes and mechanisms to prevent harassment in the first place, organisations must equally be ready to respond to those cases that slip through the safety net and where a formal investigation is warranted. Having procedures in place for such situations also ensures predictability for everyone involved and their perceptions of procedural justice (Neuman & Baron, 1998), a key element in perceptions of fairness. In addition, a written procedure that allocated clear roles and responsibilities also acts as a guarantee of a planned and systematic process in which the impact of potentially interfering factors such as organisational politics (Salin, 2003b:1216) and heightened emotions can be reduced to a minimum.

The following section, describes how to conduct a fair and correct internal investigation. In principle, every investigation into complaints of harassment instigated by the employer is an internal investigation (as opposed to any such investigation conducted by national or local bodies or other official inspectorates), though the employer may use both internal staff and externally hired consultants. The focus of this section is, however, on the use of internal staff. In cases where the complaint involves very senior members of staff, it may, however, be advisable to employ external expertise, not least to ensure that the investigation is taken seriously by those involved and that the result will be respected.

#### **2.45.1 Principles governing the investigation process**

Predictability of process and how it is progressed and concluded is a key issue for trust in the process to be established. This can be best achieved by embedding the investigation process firmly in existing organisational policies and procedures. Some

core principles that need to be observed for the investigation process to be successful are examined.

#### **2.45.1.1 Investigation informed by local policy**

It is left to the employer to ensure that any complaints of harassment are dealt with in a fair as well as ethically and legally correct manner, ensuring the rights of both targets and alleged perpetrator (Einarsen & Hoel, 2008:173). To avoid having to respond to an aggravated situation unprepared or in haste, when emotions are running high, it is essential to have thought through the process of how a complaint should be handled independently of, or divorced from, any ongoing harassment scenario. Although such local policies and other organisational anti-harassment measures are often introduced in direct response to awareness of local problems (Salin, 2009:27), to avoid suspicion and defensiveness, policies and procedures should be generated in peacetime, and not in connection with any particular dispute (Einarsen et al., 2010).

In terms of investigation of complaints of harassment, the policy has specific functions and fulfils certain needs. For the individual, it should provide the opportunity to have one's case heard and thus offers the prospect of personal vindication or redress (Meglich-Sespico, Faley & Knapp, 2007:36). Furthermore, the presence of a policy and accompanying procedures for dealing with formal complaints represents predictability and security for the individual in terms of how his or her case is handled as well as the implications for any perpetrators found guilty of an offence. In this respect, the policy can be seen to represent an expression of the balance between the employers' duty of care to their employees, on the hand, and the managerial prerogative, or managers' right to manage, on the other. For the organisation, it is a way of resolving or bringing an ongoing case to conclusion and reduces that chance of litigation.

It is suggested that effective policies on harassment should emphasise the following principles (for example, Einarsen & Hoel, 2008:171; Stockdale & Sagrestano, in press):

- The right of every employee to work in an environment free of harassment, bullying and intimidation.

- Nontolerance of harassment, emphasising the seriousness with which any breach of the policy will be considered, highlighting that disciplinary action may be taken depending upon the severity of the offence.
- The demand for compliance applied to all employees, workers, and managers, as well as any individuals subcontracted or seconded to work for the organisation.
- Nontolerance of any attempts at recriminations against or further victimisation of anyone using the policy to complain, including a nontolerance of malicious complaints.

In addition to highlighting the afore-mentioned principles, the policy should also contain the following elements:

- Standards of behaviour or conduct (against which the investigators judge the complaint and the evidence in its support). Because many people will not label their experience as harassment, it could be even more appropriate to include a range of examples of unacceptable behaviour rather than to provide a definition (Eberhardt, Moser & McFadden, 1999:353).
- Designated, reasonable timeframes for the various stages of the complaint process.
- A description of the complaints procedures and the nature of the investigative process.
- Systems for monitoring, recording, and internally publicising complaints and their outcomes (Stockdale & Sagrestano, in press).
- Due process and natural justices.

To treat everyone involved fairly and in order to arrive at a just conclusion that is also perceived as such by those directly involved and by the wider organisational community, certain principles need to be taken on board. Of particular relevance here is the principle of natural justice, or what is also referred to as due process, "typically construed as the right to know the charges and respond to evidence against oneself" (Stockdale & Sagrestano, in press, n.d.:26). Fair treatment means that someone accused of harassment should know what he or she is being accused of and the exact nature of the complaint. Furthermore, The alleged perpetrator must

be given the opportunity to defend themselves against the complaint by being given access to any evidence relevant to the outcome of the case as well as having the opportunity to call witnesses and present other evidence that may support their side of the case. Moreover, in order for fairness and justice to prevail, the parties must be treated equally throughout the process. This treatment implies that no one should be judged before the investigation is concluded, which is, according to Cropanzano, Bowen and Gilliland (2007:39), essential in order to preserve workplace harmony. This also suggests that investigators must refrain from making moral judgement or obtaining character statements and that any conclusion must be based entirely on the facts of the case and not on sympathies or personal feelings (Ishmael, 1999; North Western Local Authorities' Employers' Organization. 2005).

#### **2.45.1.2 Subjective versus objective experiences**

Harassment as psychological phenomena is, of course, subjective experience, to some extent being in the eyes of the beholder (Einarsen et al., 2010:345). By contrast, the aim of an investigative process is to look at bullying from an objective perspective to see if experiences can be verified or confirmed by other third parties or by other objective evidence (Brodsky, 1976:48). Although individuals may have different thresholds with respect to their level of tolerance and, therefore, assess similar experiences differently, organisations need clear criteria for what is tolerated and what is not. Moreover, in order to take action against someone accused of harassment, the organisation needs to establish objectively whether the alleged behaviour has taken place, the nature of such behaviour, and whether the actual events must be considered as a breach of either internal codes of conduct or possibly the relevant national legal code.

#### **2.45.1.3 Confidentiality versus anonymity**

Confidentiality and anonymity are two other principles of great relevance to investigations. The issue of confidentiality in connection with complaints about harassment has been the subject of considerable debate (Rayner et al., 2002). It is essential to emphasise that the confidentiality that can be offered to the complainant and others implicated is an assurance that the case and the information received will be treated in confidence as far as it possible to progress the investigation (Merchant & Hoel, 2003:259). Thus, complete confidentiality cannot be promised because it



would jeopardise the organisation's duty of care, not only to the complainant but also to other organisational members who may be at risk of similar treatment (Ishmael, 1999:13). By contrast, because doing so would breach the principles of natural justice, organisations should not offer anonymity. The potential downside of this is that it could make witnesses reluctant to come forward. But here it is also relevant to point out that researcher is talking about an organisational process and not a criminal investigation.

#### **2.45.1.4 *Vexatious, false and malicious complaints***

The complaint procedure applies to genuine complaints about harassment. In this sense, it is important to stress that most complaints that are not upheld or proven may still be genuine and made in good faith. By contrast, vexatious complaints, for their part, refer to grievances that are considered not to be made in good faith, as, for example, when made for personal gain (see <http://thebullyinghelpline.blogspot.com/unfounded-or-vexatious.html>). False or malicious complaints must not be tolerated by the organisation, a principle also laid down in the European Framework Agreement on Violence and Harassment developed by the European Social Dialogue (2007).

#### **2.45.1.5 *Investigation based in law and statutory requirement***

An investigation must be rooted in relevant organisational policies and procedures. It must also, in principle, be governed by statutory regulations relevant to the case (for example, health and safety regulations) and specific regulations on harassment where such legislation exists. It must, therefore, be expected that the investigators will have a clear understanding of these issues and their implications for the process and the role of the investigation. Understanding of the case is particularly evident when the investigators draw their conclusions, as it is against standards laid down in statutory regulations as well as internal policies that the actions and behaviour revealed by the investigation will be assessed and judged. Where such standards might not be specific or descriptive but, rather, refer to general principles of fair human interaction and management, it is to some extent left to the discretion of the investigators to judge whether the conduct in question represents a breach of such standards (Einarsen et al., 2010:347).

#### **2.45.1.6 Investigation supported by collective agreements**

As reported initially, the European Framework Agreement on Violence and Harassment at Work (European Social Dialogue, 2007) relies on existing legislative instruments (European Economic Community, 1989, concerning measures for improvements in the safety and health of workers at work; European Trade Union Confederation, 2009) and commits the members of the signatory parties or of organisations on the employer and trade union sides to implement it within a time scale of three years. The agreement suggests that "a suitable procedure will be underpinned but not confined to the following (European Social Dialogue, 2007):

- It is in the interest of all parties to proceed with the necessary discretion to protect the dignity and privacy of all.
- No information should be disclosed to parties not involved in the case.
- Complaints should be investigated and dealt with without undue delay.
- All parties involved should get an impartial hearing and fair treatment.
- Complaints should be backed up by detailed information.
- False accusations should not be tolerated and may result in disciplinary action.
- External assistance may help.

It is important to note that establishment, revision and monitoring of procedures should be done in partnerships and across South Africa.

#### **2.46 Investigative responsibilities**

To ensure that investigation is carried out in line with principles for fairness and reasonableness, clear allocation of roles and responsibilities is essential. In terms of the organisation's role, it must ensure that the investigation is carried out in line with the requirements of any relevant policy and any written accompanying internal procedures. Furthermore, the employer, or the employer's representative as set out in internal policies, gives the mandate for the investigation and in this way agrees that it can go ahead. In practice, this role is often allocated to the head of HR or head of personnel. As has already been emphasised, the organisation must ensure that the rights of complainants as well as alleged perpetrator or those complained against are respected. Any support system available to the parties involved must also be established and explained by the employer. To ensure that the remainder of the

process is carried out in a way that is fair and defensible should the case still at one stage go to court, those entrusted with the role of investigator must have received training in the principles guiding such investigations and in their practical application (Einarsen et al., 2010:351).

As far as the investigators are concerned, their overall responsibility is to conduct an assessment of the extent to which the complaint is upheld or supported. To this end, they will gather the necessary evidence from interviews with those directly involved and from witnesses, and if necessary, by obtaining other forms of relevant proof or evidence. Furthermore, their role is to assess and weigh up the evidence, drawing a conclusion in terms of fully or partially supporting the complaint or of dismissing it where no, or insufficient, evidence has come to light. As stated earlier, the evidence must be assessed against any relevant statutory regulation as well as standards laid down in internal policies.

#### **2.47 The investigation process**

There is, of course, a requirement that successful outcomes rely on investigators being comprehensively trained for their task. Furthermore, it is advantageous that the investigators come from different organisational units, although optimal solutions might sometimes be difficult to achieve. These requirements also apply to the number of internal investigators employed for the task. Here, a team of investigators (two or more) has a clear advantage in terms of speed of investigation and the opportunity to reflect on the case and the evidence gathered as the investigation progresses.

Although a dose of realism is healthy when considering schedules for progressing a case, time is at a premium here; and the longer the case drags on, the greater the negative impact on individuals involved as well as on the organisation. Therefore, the organisation should state within their policy a reasonable, specified timeframe within which the investigation should be completed (for example, within 20 working days after the submission of the complaint). Organisations aiming higher, say, 10 days, may find themselves fighting a losing battle. However, as circumstances may vary in terms of the nature of the complaints (for example, to what extent the nature of their work allows people to leave their other duties), and the particular situation within which they emerge (for example, unanticipated work pressures, or vacation time),

there must be room for flexibility because such targets cannot always be achieved. All in all, considerations relating to organisation of the process at the outset should not be underestimated, and as was argued by Merchant and Hoel (2003:264), much can go wrong that cannot easily be repaired if attention to detail slips, particularly at the planning stage.

The investigation process can therefore be seen to consist of four separate stages:

- Preparation or planning
- Gathering evidence
- Reaching a conclusion
- Writing a report

#### **2.47.1 Preparation**

It is the employer, typically the head of personnel or HR, who identifies investigators and gives the mandate for the investigation. Such a mandate is essential because it provides investigators with the necessary authority, acting on behalf of the employer, to call individuals to interviews; to access relevant information, including personnel files (within the confines of national data protection legislation); and to gain admittance to work areas where necessary. Implicitly, it also grants the investigators the time to carry out the investigation, taking into consideration possible time constraints of an operative nature as well as constraints related to demands from their normal job, ensuring that the investigation can proceed in line with requirements laid down in internal procedures. Where two or more investigators are involved division of labour between the team members must be clarified. Because it is essential that information obtained is effectively shared between the team members, channels for communication need to be agreed upon. Similarly, the information that needs to be communicated to the organisation during the investigation need to be considered (Einarsen et al., 2010:355).

In order to devise a strategy for the investigation, investigators need to study the complaint in detail. Does the complaint suggest that any particular regulation or policy has been breached? In particularly serious cases – for repetition or retaliation – suspension of the alleged perpetrator (on full pay) may be considered. Alternatively, it may be necessary to physically separate the parties for the period of

the investigation. To ensure that the process is fair and to limit the influence of potential biases, the investigators ought, at the outset, to reflect on their own attitudes and possible prejudices to the parties involved.

As far as letters or other written communication regarding interviews is concerned, Merchant and Hoel (2003:267) argue, their wording is of vital importance and needs particular consideration. Considerations of fairness suggest that the same message should be communicated to complainants and to the alleged perpetrator in terms of the process, it is useful to include a passage emphasising the potential witnesses should not be approached and that any intimidation of witnesses or the opposing party will not be tolerated (Merchant & Hoel, 2003:267). Similarly, to prevent distortion of facts, witnesses should be advised to maintain confidentiality (North Western Local Authorities' Employers' Organisation, 2005).

In order to create a nonconfrontational, albeit formal, atmosphere in what may be highly charged situation, attention needs to be paid to the physical layout of the interview room in terms of how furniture is placed. Where a case is highly visible – for example, where the organisation is small and the nature of the case may be associated with personal embarrassment on the part of those involved – it may be necessary to locate the interviews on neutral ground (for example, off the premises). Interviews should be informed about their right to be accompanied during interviews (for example, by a trade union representative or a colleague), although these persons should not represent the interviewees by speaking on their behalf. By providing interviewees with support, such arrangements could help calm down an emotionally heightened situation and may, therefore, be beneficial to the progress of the investigation.

The order of interviews is of importance for the effectiveness of the investigation and to uphold principles of natural justice. Thus, it is recommended to start by interviewing the complainant, followed by the alleged perpetrator (North Western Local Authorities' Employers' Organisation, 2005). Only when these interviews have been carried out will it be possible to have a clear picture of which witnesses to be interviewed.

### **2.47.2 Gathering of evidence**

Because the investigators should establish whether and to what extent the complaint is substantiated (or proven), their objective is to identify and uncover any evidence that may help them arrive at a conclusion about the complaint one way or the other. Typically, the evidence is collected by means of interviews of those directly involved as well as possible witnesses or by other evidence. Through this process the focus must be on facts, disregarding any statement based on beliefs, opinions, or personal characteristics.

Because the outcomes of the interviews are the basis for the progress of the investigation and the ability to draw fair conclusions, due attention must be given to the preparation for the interviews. However, Einarsen et al. (2010:350) state that their experience of training investigators tells them that many would-be investigators severely underestimate the difficulty of getting the optimal outcome from an interview.

Einarsen et al (2010:350) argue that even extensive experience of interviewing employees for selection, appraisal, and even disciplinary hearings does not automatically translate into the skills needed for the investigation interview. It is a question of not only dealing with emotionally difficult situations in a constructive manner but also not allowing personal biases to prejudice or interfere with the process. Investigation interviews should neither be open for dialogue, as in appraisals, nor be an opportunity for interviewees to take the initiative or respond entirely on their own terms, steering the interview in their own preferred direction. Nevertheless, it is important that the interviewee initially be given the opportunity to tell the story the way he or she sees it, elaborating on issues the interviewee considers relevant to the case. This scope is particularly important for the complainant and the alleged perpetrator, whereas witnesses are to be seen more as a source of specific information that the investigators may need in order to draw conclusions about the case. Giving interviewees such scope also tends to calm down the situation and help the interviewees relax. Doing this is paramount, for where there is a lot at stake, interviewees, particularly those accused of harassment, but also complainants in their defence or in their allegations, will attempt to portray

themselves in a positive light while often trying to weaken the case of their opponents.

Thus, investigators must study the complaint and think through the interviewing process in advance, identifying issues in need of clarification. The way questions are best phrased in order to discover and obtain the facts of the case must be given consideration. For example, open questions should be used for interviewees to elaborate or give their account of issues or events, whereas prompts should be provided for the confirmation of facts (North Western Authorities' Employers' Organisation, 2005). Although the ability to phrase questions in a way that unlocks and provides access to facts, access to chains of events and their underlying motives, and the capacity to capture and follow up leads during the course of interviews will greatly improve with practice, experience should never replace the need for preparation.

Being part of a team of investigators will also ease these challenges. Given the importance of being proactive throughout the interview, not letting slip opportunities to follow up a lead requires concentration. As has been argued by Merchant and Hoel (2003:259), a failure to pick up threads of evidence could actually lead to injustice. Nevertheless, while being fully in control of the process, interviewers should let the interviewees do most of the speaking and strictly avoid prompting particular responses or putting words or arguments in their mouths. Furthermore, any request from interviewees to speak off the record should be denied.

Having interviewed the complainant(s) and then the alleged perpetrator(s), witnesses who could throw light on the case should then be called. Again, it is important to highlight that personality characteristics, beliefs, or opinions should have no role to play. Witnesses are sources of fact only and do not have a say regarding the conclusion. The number of witnesses to be interviewed will be determined by the needs of the case in terms of the ability of the investigators to gather sufficient evidence to reach a defensible conclusion. Attention to fairness, in terms of a balance of witnesses interviewed for each side, will also have an impact on the total number of witnesses interviewed, as will the organisational resources available. One should not think that it may be necessary to interview an informant more than one to clarify matters or when the emergence of new information requires this. A cautionary

note needs to be sounded with respect to other issues giving rise to concern that may surface during the course of the investigation. In this respect, it is advised that these issues are kept separate from the ongoing investigation and are, if necessary, reported to the employer. In this respect, it is important to stay on track and not be diverted into investigating other issues that may surface during the investigation process (Einarsen et al., 2010:356).

How best to take records of interviews has also been a matter for discussion. While Merchant and Hoel (2003:263) argue in favour of tape-recording, emphasising that this removes any question about the accuracy of the account and leaves the interviewer to focus on the interactions, traditional note-taking on paper or computer may be a more appropriate approach depending on the nature of the situation and as a way of reducing paperwork by focusing on key issues. A useful compromise may be to rely on note-taking for the summary or minutes and use the recordings only as a backup where there may be disagreement about what was actually said. However, to maintain trust in the process, it is essential that the interviewee agrees that the minutes represent a true account of the interview by signing it.

Where there are no witnesses or none is willing to come forward, or where it is one person's word against another's, investigators should seek out other evidence which could corroborate any claim made for example, physical marks could be presented as evidence of an assault. Similarly, unusual behaviour and emotional reactions exhibited by the target could equally back up a claim of harassment. As part of the investigation, it can sometimes also be necessary to inspect the physical environment in which an incident is claimed to have taken place to get a clear picture of events or, where there is doubt, to verify the feasibility of the said events (Merchant & Hoel, 2003:263). For the same purpose, it may be necessary to check information available on personnel files or on personal computers (for example, job descriptions, sickness records, or emails), although national legal provisions may restrict access.

### **2.47.3 Reaching a conclusion**

Investigators should work on the assumption that their task is to involve a sufficient number of witnesses to be able to draw a defensible conclusion and not to carry out a complete or exhaustive process (Einarsen et al., 2010:352). In reaching a



conclusion, they should base their judgement on the principle of probability, rather than providing evidence to prove the case beyond reasonable doubt as would happen in court. However, the more serious the case is in terms of the potential implications it could have for alleged perpetrators should the investigation support the complaint, the higher the level of proof that will be required. Thus, in serious cases where dismissal is a likely outcome should the complaint be upheld, the investigators must have strong evidence on their side. Such cases may well end up in court at a later stage. Therefore, while less serious cases would require only a probability greater than 50% to be supported, very serious complaints may require a probability in the order of 70%-80%, or higher. However, where it is a case of one person's word against another's and insufficient evidence emerges to enable investigators to reach a particular conclusion, the complaint cannot be supported. Yet, as has been argued by Merchant and Hoel (2003:265), this does not mean that the complaint is false or malicious, simply that insufficient evidence has emerged to substantiate it. Based on the facts and an overall assessment of the case, it may be necessary to conclude that the complaint is vexatious or, in some rare cases, even malicious or false.

#### **2.47.4 Writing a report**

To complete the process, investigators are required to write an investigation report summarising the process, the facts, and the conclusions. The role of the report is to document the investigation process, provide an account of the evidence, and present the investigators' conclusions. Because employers will rely on the report and its conclusion in their final judgement with respect to the nature and severity of sanctions, if any, and as a basis of organisational intervention where important shortcomings are revealed, the report is of considerable importance. As a record of the investigation process, it is of great importance should the case in the end go to court. While format and order will vary, the report will normally contain the following elements:

- the complaint itself and the response from the alleged offender
- external (for example, laws and statutory regulations) and internal (for example, policies and procedures) provisions applicable to the case
- documentation of the investigation process and the evidence revealed

- assessment of evidence and conclusions
- reference to other potential organisational problems that become evident during the process (North Western Local Authorities' Employers' Organisation, 2005).

Following the submission of the report, it is left to the employer to ensure that the investigation conclusion is translated into appropriate action depending on the seriousness of the offence and in line with policy and organisational custom and practices. Appropriate action must first of all provide a restoration of the working environment of the complaint, securing a harassment-free work situation. Second, in line with the organisational policy, the employer must decide on any disciplinary action to be taken against the perpetrator.

#### **2.48 Barriers to a fair hearing**

The primary objective of investigators is to establish whether there is sufficient evidence to support or uphold a complaint. However, to meet such an objective investigators need to have the skills to obtain the information necessary to reach such a decision. Einarsen et al. (2010) argue that “this process is far from straightforward and that success relies largely on investigators' knowledge about harassment phenomena as well as on their acquired investigative skills. This is evident as a number of factors associated with the harassment process may militate against the opportunity for targets to receive a fair hearing (Hoel, 2009). First, because much harassment may take place in private, out of sight of observers, it may come down to one person's word against another's. second, even where alleged perpetrators agree about the nature of individual events, they may argue that these represent separate, isolated events, each with its own logical explanation, thus contradicting targets' perceptions that a pattern of abuse exists (Einarsen & Pedersen, 2007:34). Yet, the investigators have to reach a conclusion based on the facts of the case and on the principle of probability, and not on any admission of guilt by the alleged perpetrator. Third, as the parties are likely to have a past (and a future) together, individual acts and their meaning for the protagonists cannot be understood in isolation (Hoel, Rayner & Cooper, 1999:202). For example, acts that on the face of it appear harmless or even friendly to observers may be seen as ironic and directly unfriendly when seen in connection with previous negative interaction

and disagreement (Hoel, 2009). In addition such factors as the alleged perpetrator acting differently in different situations and with different people (Rayner, 1999:28), the tendency to believe those with greater power (Vickers, 2006:267) or to side with an alleged perpetrator who fulfils a key organisational role (Hoel, 2009), as well as victims' failure to attract sympathy for their cases as a result of their mental instability (Einarsen & Mikkelsen, 2003:129), all could have implications for how their cases are treated. Given this, Einarsen et al. (2010:354) argue that the ability to uncover the facts of the case and act impartially throughout the process hinges on a combination of knowledge of the phenomena and their effects on those involved, the ability to organise and carry out a complex investigation, interviewing and listening skills, and the ability to consider the facts and draw a balanced conclusion. Finally, investigators need to have a sound ethical stance towards the problem and their role.

In addition to the points raised above, Einarsen et al. (2010) suggest that there may be further barriers to a fair process:

Firstly, where employees question the fairness of the procedures or consider complaining to be unsafe in terms of possible retaliation (Hoel & Cooper, 2000a), their use will gradually cease. It is, therefore, important to reiterate that even where a complaint filed in good faith is not substantiated, it must never be used as a justification for punishment or retaliation.

Secondly, because investigations can be costly in terms of the resources they absorb, there can be pressure within the organisation to limit the number of complaints by introducing measures to assess their seriousness and likely outcome. Such moves could lead to unfairness and could involve some kind of character judgement, particularly where such pre-screening processes are not transparent. Such processes could also be seen to protect particular groups or members of the organisation, making the powerful or seemingly irreplaceable untouchable or putting them beyond complaint.

Thirdly, as part of drives to get organisations to adopt mediation more widely as a conflict resolution tool, complainants of harassment could find their cases forced down the mediation route, possibly putting pressures on individuals to agree to such

an approach where this is not, strictly speaking, in the interest of the target – for example, where the case has progressed to a point where mediation is seen as ineffective or even directly harmful to the target (Keashly & Neuman, 2009:23).

Where investigations are taken seriously and dealt with in a professional and fair manner, and their conclusions are followed up by means of appropriate sanction that makes it clear that the organisation does not tolerate harassment, they may not only represent a powerful tool to bring a complaint to a close but may also contribute to prevention by leading to a behavioural change in the work environment. Thus, harassments are less likely to occur in an environment intolerant of harassment where complaints are seen to be taken seriously and where there are serious consequences for perpetrators found guilty of such behaviour (Stockdale and Sagrestano, in press)

An argument against introducing a policy against harassment, including complaints procedure and investigation, may be that the organisation risks being flooded with complaints. However, the reality is that few people decide to label their experience of harassment for what it is (Nielsen, Matthiesen & Einarsen, 2008:131), and among those who do, only a minority proceed to file a complaint within their organisation or through any other institutional arrangement available to them (Stockdale & Sagrestano, in press). The arguments for not proceeding to a complaint could vary but may include being less concerned with punishing any perpetrator than ensuring that any harassment stops, the belief that the complaint would not be taken seriously, reluctance to have a complaint filed on one's personal employment record, fear of repercussions and secondary victimisation (Berdahl & Raver, in press). A fair policy and fair investigation processes are vital guarantees against such obstacles.

## **2.49 Summary**

Allegations of workplace harassment should be responded to promptly and thoroughly. When there are allegations of actions that would violate the employer's rules, an investigation is necessary. This means carefully interviewing the accused, the accuser and witnesses and then coming to a reasoned conclusion. By doing so the employer is complying with the law and, in many instances, this type of investigation will shield the employer from liability for discriminatory harassment, wrongful termination and defamation.

This part discussed the formulation of a systemic model on workplace harassment. This part also considered common signs of a harasser/bully, managing workplace harassment, the process of policy setting, the content of a policy, dealing with harassment informally and formally. Common mistakes in policy making and delivery, and monitoring and review were also explored. This part also examined literature on investigating complaints of harassment, investigative responsibilities, investigation process, that is, preparation, gathering evidence, reaching a conclusion and writing a report, and barriers to a fair hearing. The next chapter describes the research methodology and design used in the study.

This chapter explores research design and methodology used in the study. The chapter examines the importance of research, kinds of sampling, description of the target population, data-collection techniques and selection, and data-collection methods. The chapter also discusses the questionnaire used in the study, pre-testing, pilot testing, organisation and administration of questionnaire, editing, coding, validation, statistical techniques used and analysis of data.

## **CHAPTER 3**

### **RESEARCH DESIGN AND METHODOLOGY**

#### **3.1 Introduction**

The empirical investigation focuses on workplace harassment and its impact on staff performance at a South African higher education institution. This chapter explores research design and methodology used in the study. The chapter examines the importance of research, kinds of sampling, description of the target population and data-collection techniques. The chapter also discusses the questionnaire used in the study, pre-testing, pilot testing, organisation and administration of questionnaire, editing, coding, validation, statistical techniques used and analysis of data.

According to Hussey and Hussey (1997:126), research questions are not the detailed questions a researcher might use in questionnaires or interviews, but are questions that identify the nature of the research problem or the issue the researcher wants to focus on. Without asking appropriate questions, the researcher will not be able to collect suitable data and arrive at sensible conclusions. This is the crucial part of the research.

The research questions for this study were:

- What form/forms does workplace harassment of staff take place at the selected HEI?
- What is the extent of workplace harassment at the selected HEI?
- How does workplace harassment affect the morale of staff at the selected HEI?
- How does workplace harassment affect the performance of individuals at the selected HEI?
- What can be done to prevent workplace harassment at the selected HEI?

Struwig and Stead (2001:3) describe research as a process of critically examining systematic, reliable and valid data. The interpretation and understanding of the data is largely based on the researcher's knowledge of existing theory and literature in the field, as well as the researcher's personal experiences and perspectives. It is imperative that research is based on an open system of thought so that valid

generalisations can be effectively established. This can be achieved through the development of explanatory theory as it is the application of theory that turns fact-finding into research (Tesch, 1992:2). It is important to know to which samples and in which contexts a researcher's findings are applicable. The research process often includes quantitative or qualitative methods or a combination of the two.

## **3.2 Research design**

The next section explicates the research design. Theoretical postulates of research design is discussed.

### **3.2.1 Research philosophy**

Research paradigms incorporate the fundamental philosophical concepts and values about the nature of reality and the scientific pursuit of knowledge. Essentially, there are two schools of thought about science and knowledge (positivism and phenomenology). They hold diametrically different views about the research process and research design.

#### **3.2.1.1 *Positivist (quantitative research)***

According to Saunders, Lewis and Thornhill (2007:46), positivist research is generally quantitative and involves the use of numerical measurement and statistical analyses of measurements to examine social phenomena. It views reality as consisting of phenomena that can be observed and measured. The advantages of this quantitative approach are that it places a premium on objectivity and reliability of findings and encourages replication. Applied to social sciences and business research, positivism may not always be appropriate, as not all social phenomena can be accurately and reliably measured, thus reducing the validity of the findings.

Quantitative research is a form of conclusive research involving large representative samples and fairly structured data-collection procedures (Tesch, 1992:1).

Among the characteristics of quantitative research are the following, as listed by Struwig and Stead (2001:3):

- examining variables based on the hypotheses derived from a theoretical scheme;
- establishing causal relationships (cause and effect) between constructs;

- results are often generalised beyond the confines of the research sample;
- replication of a study provides a way of determining the extent to which findings are applicable to other contexts; and
- the individual is the focus of the empirical inquiry

Phenomenological (qualitative) research, in contrast, argue that the world is socially constructed, that science is driven by human interests and that the researcher, as a subjective entity, is part of the world he/she is observing. Objectivity, in short, is an impossible aim. The advantage of this qualitative, interpretive orientation in research is that the findings often have greater validity and less artificiality as the process of observing phenomena in natural, real-life settings often allows researchers to develop a more accurate understanding of those phenomena. Good qualitative research often reveals depth of understanding and richness of detail. However, research driven by phenomenological philosophy is sometimes undermined by subjectivity of the researcher and poor reliability of the findings in that two researchers may arrive at different conclusions based on their observations of the same phenomena at the same time (Saunders, Wilcox & Gadlin, 2009:87).

According to Tesch (1992:04), qualitative research defies definition since there is no codified procedure for qualitative analysis. The reason is that qualitative research is interdisciplinary, multi-paradigmatic and multi-method (Struwig & Stead, 2001:11).

Struwig and Stead (2001:11) list the following characteristics that distinguish qualitative research from quantitative research:

- The researcher is interested in analysing and interpreting research data in association with the participants.
- Contextualism is emphasised whereby a comprehensive description and analysis of the environment or social context of the research participants is provided.
- It is process oriented whereby interrelated events along a developmental continuum is examined.
- Research is relatively open and unstructured and less reliant on theory.



Struwig & Stead (2001:18) state that while quantitative and qualitative research distinguish between two different forms of research, the dichotomy is not as clear-cut. All data is soft and any mode of gathering data is a situation of compromises. The importance of research lies in transforming data into information insights and knowledge.

### **3.2.1.2 Combined research approach**

Saunders et al. (2009:134) make the point that, noting the strengths and weaknesses that flow from purely positivist and phenomenological bias in research, researchers sometimes adopt a mixed approach that draws on both positivism and phenomenology. Many studies thus reveal a combination of quantitative and qualitative research methods. The use of multiple research methods enables the researcher to increase the reliability and validity of the findings. The weaknesses of one method are balanced by the strengths of other methods incorporated in the same study.

Research can be either applied or action research, fundamental or basic pure research. A discussion of applied and pure research follows.

### **3.2.1.3 Applied and pure research**

According to Chaudray (1991:6), applied research is based on the application of known theories and models into the actual operational fields. The problem is identified and the results are expected to be applicable in the improvement of the practice or solution to a problem, thereby producing benefits. Applied research can contribute to new facts, test theory, help in conceptual classification and integrate theory of a previous study.

Pure research is based on theoretical knowledge and the logical process involved in the phenomenon (Chaudray, 1991:7). Knowledge is pursued for the sake of knowledge itself. Pure research studies theories or principles as they are.

The distinction between applied and pure research is a matter of degree; both can be said to be interdependent. Chaudray (1991:8) states that it has always been a tradition in science, guiding the activities of many generations, that science should be applied to practical purposes and the practical application should be a check on the validity of results and a justification for the efforts.

### **3.2.2 Research process within a positivist framework**

According to Saunders et al. (2009:102), the research process within a positivist paradigm generally has the following sequence of stages:

- a theory is advanced;
- concepts and variables are derived from the theory;
- hypotheses or research questions are developed from the theory;
- concepts and variables are operationalised into visible, definable indicators so that they can be measured (for example, the variable 'kindness' can be operationalised into indicators such as giving money to charity, paying the hospital costs of employees, and assisting elderly people; and
- a research instrument is used to measure the variables and operationalised indicators to test the hypothesis.

### **3.2.3 Research process within a phenomenological paradigm**

Saunders et al. (2009:103) further suggest that in phenomenological, interpretive research the sequence of stages is broadly as follows:

- A broad area of focus is defined, sometimes with a broadly-based research question.
- The researcher asks open-ended questions and records observations about the phenomena in a real-life context.
- The researcher searches for categories and groupings in the data.
- The researcher looks for patterns and recurrences in the data.
- The researcher interprets these patterns into a reasoned explanation of the phenomena.
- Using an inductive approach, the researcher develops a tentative theory or compares his explanations with other theories.

### **3.2.4 Research process within a combined quantitative-qualitative framework**

As Hussey and Hussey (1997:74) point out, the two main paradigms represent two extremes of a continuum and it is therefore possible for a researcher to use a blend of philosophical assumptions and methodologies., as Cresswell (1994:77) notes some of the ways in which this is commonly done:

- the two-phase design in which the researcher conducts entirely separate positivist and phenomenological examinations of the problem
- the dominant/less dominant where one paradigm predominates, while the other is used for a small component of the study (for example, a researcher may use observation and in-depth study to generate themes and variables and then use a quantitative, hypothesis-testing design for the study as a whole)
- the mixed-methodology design where the researcher intentionally combines aspects of both paradigms throughout, using the advantages of both where appropriate

A combined quantitative-qualitative framework was not used in this study; rather a quantitative framework was employed.

### **3.3 Importance of research**

Research adds new knowledge, thereby making progress possible. Chaudray (1991:11) lists a number of reasons why research is important:

(1) As a basis of government policies: the impacts of policies are studied with the help of research. Research, as a tool, is used to investigate government policies with facts and figures, diagnose events and predict future developments. (2) For solving operational and planning problems. (3) For solving social problems: research is useful for social scientists because it provides the intellectual satisfaction of knowing things, thereby increasing knowledge and using knowledge in practical life. (4) Research has specific importance for people engaged in particular categories of endeavour:

- For individuals engaged in writing a Master's or Doctorate thesis, research is the basis of their career and it helps them in attaining high positions in society.
- Professionals are also engaged in research and for them it is a source of livelihood.
- Philosophers and thinkers engaged in research benefit as it provides new knowledge, ideas and insights.

- Literary men and women get new styles and creative work from research methodology.
- New theories are generalised with the help of research which has importance of analysts and intellectuals.

It can, therefore, be stated that research is a source of new knowledge which adds to existing knowledge and an important source of providing guidelines for solving different problems in the field of business, government and society (Saunders et al., 2003:123). The importance of this study was to produce a doctoral thesis and this relates to the first point concerning the importance of research.

### **3.4 Kinds of sampling**

Cooper and Schindler (2000:123) call the two broad categories of sampling designs probability sampling and non-probability sampling. Probability sampling is based on the concept of random selection – a selection procedure that ensures that each element of the population is given a known chance of selection. The authors describe some general concepts associated with probability sampling, namely:

- The sample obtained should be representative of the population from which it is drawn.
- The sample must be selected randomly from the population.
- Every element/member in the population has an equal probability of being chosen once they are included in the sampling frame.
- It is possible to generalise the findings from the sample to the population.
- Probability sampling, thus, exists within the positivist/quantitative paradigm as it is based on scientific assumptions of developing generalised knowledge about categories and aspects of reality and not about the individual and the unique.

Table 3.1 illustrates the two broad categories of sampling design.

Table 3-1: Types of sampling designs

Probability	Non-Probability
Simple random	Convenience
Systematic	Judgement
Stratified	Quota
Cluster	Maximum variation
	Snowball

Source: adapted from Saunders et al. (2009:179)

Non-probability sampling, in contrast, is non-random, subjective and purposive, in that the researcher may select the sample using criteria other than those associated with randomness of selection. Some general points about non-probability sampling are:

- The overall aim is to select a sample that, by design, allows the researcher to capture a wide range of facts.
- Elements from the population are not selected randomly but in a deliberate, consciously controlled manner with prior design and purpose.
- Every member or element of the population does not have an equal chance of being selected from the sampling frame.
- Non-probability sampling does not have generalisation beyond the sample as a critical aim.
- Non-probability sampling, thus, exists in the phenomenological/qualitative paradigm because of its concentration on specific cases and in-depth analysis of the specific.

**Table 3-2: Comparative summary of various types of probability sampling**

Type	Description	Advantages	Disadvantages
Simple random	Each population element has an equal chance of being selected into the sample. Sample drawn using random number table/generator.	Easy to implement with automatic dialling (random digit dialling) and with computerised voice response systems.	Requires a listing of population elements. Take more time to implement. Uses larger sample sizes. Produces larger errors. Expensive.
Systematic	Selects an element of population at a beginning with a random start and following the sampling fraction selects every even ( <i>K<sup>th</sup></i> ) element.	Simple to design. Easier to use than the simple random. Easy to determine sampling distribution of mean or proportion. Less expensive than simple random.	Periodicity within the population may skew the sample and results. If the population list has a monotonic trend, a biased estimate will result based on the start point.
Stratified	Divide population into sub-populations or strata and use simple random sample on each strata. Results may be weighted and combined.	Researcher controls sample size in strata. Increased statistical efficiency. Provides data to represent and analyse subgroups. Enables use of different methods in strata.	Increased error will result if subgroups are selected at different rates. Expensive. Especially expensive if strata on the population have to be created.
Cluster	Population is divided into internally heterogeneous subgroups. Some are randomly selected for further study.	Provides an unbiased estimate of population parameters if properly done. Economically more efficient than simple random. Lowest cost per sample, especially with geographic clusters. Easy to do without a population list.	Often lower statistical efficiency (more error) due to subgroups being homogenous rather than heterogeneous.

Source: adapted from Cooper and Schindler, (2000:243)

### **3.4.1 The sampling procedure**

The sampling procedure entails drawing a representative sample which includes all the elements of the universe, which can be finite or infinite. Loubser (1996:251) maintains that a population or universe is the aggregate of all the elements, while the survey population is the aggregate of elements from which the sample is selected. The target population refers to the group of people who form the object of the survey and from which conclusions are drawn. The sampling unit refers to the entity which is the focus of the survey.

In order to select sampling units, a sampling frame is required. This could be obtained from a census list, telephone directories, yellow pages, maps, pay rolls and membership lists of organisations. The sampling frame comprises the complete list of all the units from which the sample is drawn.

Sekaran (1992:226), states that a sample is a subset of the population. However, not all the elements of the population would form the sample. By studying the sample, the researcher may draw conclusions or make inferences that allow generalisations about the target population. The selection of a sample can be attributed to various factors, the most important being that it is simply not possible to study every element in the population or to engage in a laborious exercise to collect data from the entire population. Even if it were possible, the financial costs entailed would be enormous. Furthermore, quantifying the voluminous data would be a slow and arduous task. Studying a small sample is likely to yield reliable results and facilitate data collection, while lessening the impact of error. The population parameters cannot be determined precisely in a sample survey since not every element in the target population is included in the research design. However, the fundamental premise when choosing a good sample is that it should be representative of the target population.

The most important requirement of a good sample is that each unit in the target population should have an equal chance of being included in it. When making inferences about the target population, most researchers use a probability sampling procedure. A brief explanation of non-probability and probability sampling methods follows:

### **3.4.2 Non-probability sampling**

In non-probability sampling, no inference regarding the target population can be made and the sampling error cannot be estimated. Loubser (1996:253) asserts that in non-probability sampling there is no way of estimating the probability that any element will be included in the sample and, therefore, there is no method of finding out whether the sample is representative of the population. Some researchers may opt for non-probability sampling because of the non-existence of lists or sampling frames. However, if statistical inferences have to be made then a probability sampling procedure should be adopted. A major disadvantage of the non-probability sampling procedure is reliance on luck and judgement on the part of the researcher.

### **3.4.3 Probability sampling**

A probability sampling procedure is one in which every element has a known non-zero probability of being selected (Loubser, 1996:253). Further, each unit in the target population should be identifiable; if not, a unit will not have a positive chance of being selected. Probability sampling is widely used by most researchers because of its simplicity. It is reputed to be the most objective method of sampling a population. In using the random sampling method, some difficulties are experienced because not all lists or maps contain a complete, up-to-date information about the population, which leads to sampling errors. Hence, the conclusions drawn may not necessarily be true for the entire population. For the present study, the probability sampling procedure using stratified random sampling was adopted.



### 3.5 Description of the target population

Table 3-3: Headcount of staff of the selected HEI by race for 2012

Race	2012			2012 Total
	Permanent	Contract	Part-time	
African	493	54	332	879
Coloured	38	4	17	59
Indian	571	15	282	868
White	210	11	221	442
Other	7	6	8	21
Grand Total	1319	90	860	2269

Table 3-4: Percentage of staff of the selected HEI by race in 2012

Race	2012			2012 Total
	Permanent	Contract	Part-time	
African	22%	2%	15%	39%
Coloured	2%	0%	1%	3%
Indian	25%	1%	12%	38%
White	9%	0%	10%	19%
Other	0%	0%	0%	1%
Grand Total	58%	4%	38%	100%

Source: Statistics supplied by the Department of Management Information at the selected HEI, 24 August 2012

Table 3-3 and table 3-4 provide demographic information for the selected HEI staff expressed both in numbers and percentages. There are three categories of employment: permanent, contract and part-time. The staff consist mainly of Africans,

Coloureds, Indians and Whites. The 'Other' category refers to staff of Asian origin. The target population comprised 1 319 permanent employees, covering senior management, academic staff and support staff. This figure was obtained from the HR Department and the Department of Management Information at the HEI.

In compiling the typed composite schedule, each employee belonging to the target population was numerically tabulated, indicating the name of the employee, rank, faculty, department, gender, race and category (academic or supporting staff). The target population, in the form of the composite schedule of the selected HEI, thus also met the following criteria:

- It contained accurate and complete information.
- There was no duplication.
- It only included those employees who met the selection criteria.

### **3.6 Drawing the sample: computer-aided random sampling**

The literature highlights various sampling methods, namely: simple random sampling, stratified random sampling, cluster sampling, quota sampling, convenience sampling, judgemental sampling and randomisation using numbers from tables (Bless & Higson-Smith, 1995:167; Bailey, 1994:65; Melville & Goddard, 1996:234). It is contended that the essence of selecting an unbiased sample which is representative of the population can best be done by a computer program.

For this study, the sample size comprising 200 employees generated by computerised random numbers from the target population of 1 319 was an acceptable level for significance and is considered representative for a statistical test to be performed, since 200 employees represent 15% of the target population. It also allowed for a built-in factor for non-refusal on the part of some respondents. In the main, however, reasonable returns were expected and the scientific probability sampling procedure ensured that accurate statistical inferences could be made.

#### **3.6.1 Sampling, selection and size**

The total population of the selected HEI full-time employees (both academic and academic support) was 1 319 (N=1 319). Due to poor response rate experienced in

past research studies, a stratified random sampling was carried out to ensure that a greater response rate was achieved.

### **3.6.2 The sampling cycle**

According to Saunders et al. (2009:152), the sample in social sciences research may be divided into three specific sub-components: the invited sample, the accepting sample and the data-producing sample. The invited sample is all elements of the population selected to form the sample and invited to participate in the study. The portion of the sample that accepts the invitation to participate in the study may be categorised as the accepting sample. The data-producing sample is the actual portion of the accepting sample that provides data for the study.

The portion of the sample that actually yields data is seldom the researcher's primary focus of interest. The researcher is primarily concerned with learning about the population and sometimes the universe. The research processes that are set in motion with the selection of a sample are, thus, satisfactorily completed when the findings of the study are extended as generalisations that are applicable to the population.

### **3.6.3 Representativity**

Applying the findings and generalisations of the study to the population and the universe is only permissible when the sample can be considered to be representative of the population and the universe. Throughout the sampling process therefore, the researcher must be guided by the recurring requirement to ensure representativity. When the researcher locates the problem being investigated in the larger world, he/she has to identify the population and ensure that it can be considered representative of the universe. If this condition is met, the researcher can proceed to selecting the sample and data-collection procedures. Next, when the data-collection instruments have been administered, the researcher must face the critical issue of determining whether the actual number of respondents constitute an adequate percentage of the sample for the findings of the study to be representative of the population and the universe (Saunders et al., 2009:185).

### **3.7 Data collection techniques and selection**

As described by Saunders et al. (2009:186), data-collection techniques enable researchers to systematically collect data in order to answer questions in a conclusive way. A survey is conducted to answer certain questions, test certain hypotheses or serve as an exploratory study. It is essentially a method of obtaining data from a group of respondents by means of direct contact, through personal interviews, telephone interviews or self-administered mail questionnaire. Simon and Burstein (1995:185) note that the choice among self-administered mail survey, personal and telephone interviews is a judgemental process.

The research planning, design and literature review processes all converge on the data-collection stage (Saunders et al., 2009:188). All the hard thinking is a preparation for the actual process of collecting primary data on the topic from the research subjects. Additionally, however, the researcher must have the data analysis plan established before commencing with the data-collection process. Saunders et al. also point out that the essential pre-planning for data collection and data analysis requires clarity on the following points:

- The format of the research instrument. The researcher must ensure that all the categories of data required for the completion of the research objectives have been included. In addition, there has to be clarity about the way in which each area of the research instrument(s) will be analysed, how qualitative and quantitative items will be processed and how the computer will be used during the data analysis stage.
- Identification of appropriate statistical techniques. The researcher must have full grasp of the specific statistical techniques that will be used in the analysis of each section of the research instrument(s). Should inferential statistics be required, the researcher must familiarise himself/herself with the procedures and the interpretation of the relevant statistics.
- Data presentation and layout. The researcher must select the type of tables and graphics that will be used in presenting the data.
- Pilot study. The researcher must administer the instruments to a small pilot group, examining the user-friendliness, comprehensiveness and adequacy of

the data-collection procedures and instruments. In addition, the data must be analysed to establish the adequacy of the data analysis plan of action.

A critical point in data collection is that once the data is collated and about to be analysed it is often too late to return to participants to gather additional data on the gaps revealed during the data analysis stage.

### **3.8 Data-collection methods**

There are several data collection methods, some of which are discussed in the following sections.

#### **3.8.1 Case studies**

The case study generally involves an in-depth study of a phenomenon with reference to a particular case or cases. It is usually an exploration of a question or phenomenon of interest when little is known in advance and where the situation may be complex. Case studies examine the processes and dynamics within a specific case, draw on multiple sources of and tell a story, usually in a chronological order. In case studies, the researcher can create a rich, textured description of a social process or the operation of an organisation. This can set the stage for more specific questions that might be probed later using more tightly structured methods (Saunders et al., 2009:188).

##### **3.8.1.1 Use of case study methodology**

Case studies can be undertaken for a variety of reasons. Five distinct types of case studies can be identified:

- Exploratory case studies are undertaken in little researched or new areas where there are few existing theories or a deficient body of knowledge.
- Descriptive case studies limit themselves to present a comprehensive description of current practices and operation in an organisation or of the research situation.
- Illustrative case studies attempt to illustrate new and possibly innovative practices adopted by particular companies.

- Experimental case studies examine the processes and problems in implementing new procedures and techniques in an organisation and evaluating the outcomes.
- Explanatory case studies use existing theory to understand and explain event and practices with the observational context (Saunders et al., 2009:243).

Within this typology of case studies, there are two broad categories – the single case study design and the multiple case study design. The former tends to be more frequently used in qualitative studies. Multiple case study designs are widely used in both qualitative and quantitative research and have the advantage that they allow the researcher to compare and contrast aspects of the phenomenon of research interest in different contexts.

### **3.8.1.2 *Issues with case study methods***

The case study, like all social research, should clearly and thoughtfully be designed to facilitate the data-collection stage. Saunders et al. (2009:248) assert that the researcher should pay attention at the outset to:

- Evaluation questions. The researcher should have a clear sense of what he/she is going to examine in the research process, with the variables of interest clearly defined.
- Propositions. The researcher must have a clear map of all the things that should be examined within the scope of the study. Propositions should address the aspects of the study that are relevant to the question at hand. To the extent possible, propositions should derive from theory, that is, some theory about the variables involved in the study should provide the researcher with the guide as to what to look for that is important, and where that information might be found. For example, if the researcher is examining the way companies handle staff grievances, the researcher might state as a proposition: "Companies with carefully designed grievance procedures that require written submission of grievance are likely to encounter greater polarisation between complainant and company." The propositions provide the researcher with information on what to look at (for example forms of submission of grievances, filing and processing of grievances).

- Unit of analysis. This refers to the level at which the case study is focused. This may be the section of the HR division responsible for staff welfare. The unit of analysis will be determined by the research question and availability of time and other resources. The research may also go beyond the unit of analysis to develop a more textured and detailed presentation of the case study. For example, in the example above, the researcher may also focus on the nature of the link between the HR division and union representatives.

### **3.8.1.3 Advantages of the case study design**

In general, a number of benefits accrue from the use of case study designs. Perhaps most compelling is the fact that it can incorporate multiple methodological approaches in a single research. There can thus be triangulation of methodologies: different investigative methods can be combined within the study, increasing its validity. Thus, within the context of the case study, questionnaire, interviews and observational research might all be combined, in the a clear research framework. Similarly, quantitative and qualitative approaches can be used, either separately, or in combination. Case study is a way of presenting data, more than it is a data gathering technique. Data gathered in different ways can be presented in a unified case study format (Saunders et al., 2009:251).

### **3.8.1.4 Gathering data for the case study**

As noted earlier, a variety of quantitative and qualitative data-gathering techniques can be used in the case study framework. Indeed, to increase the reliability and validity of the study, it is imperative that there be multiple sources of data. Possible data gathering techniques are: narrative/ log/ diary/ journal, documentary records, focus group meetings, in-depth interviews, direct observation, and participant observation.

Data should be stored in such a way that the raw data, field notes about the data and other reports of the investigator are maintained in separate databases. A chain of evidence should be maintained in which the researcher's logic and reporting informs the reader of the steps taken from initial propositions to final reporting of data. The specifics about data collection should be reflected in the case study protocol and the protocol should relate to the original study questions and proposition.

### **3.8.1.5    *Developing a case study protocol***

During the design stage, the researcher should develop a comprehensive case study protocol. The protocol acts as a driver's manual from the initial stages of the study to its completion. The protocol usually includes the following:

- overview, including project objectives, case study issues, propositions and relevant readings;
- sources of information, including locations for information, and general procedures;
- case study questions; and
- guide for the case study report, including an outline, narrative format, and any bibliographic or background literature.

Questions about which type of data-gathering method is the best are really false. The real issue is the choice of the appropriate data-collection method in terms of the specific demands of the research objectives. Moreover, it is increasingly desirable that researchers use multiple methods to increase the reliability and validity of their findings through an approach generally referred to a triangulation.

The essence of triangulation is that multiple techniques are used in a parallel sense, so that they provide overlapping information, making it possible to check results from more than one viewpoint. There are four distinct types of triangulation:

- data triangulation, where data is collected at different times or from different sources in the study of a phenomenon;
- methodological triangulation, where different methods of data collection, commonly both qualitative and quantitative, are combined in the study;
- investigator triangulation, where several different researchers collect data independently on the same phenomenon and compare their findings; and
- triangulation of theories, where the research phenomenon is examined from different theoretical perspectives, disciplines or sub-disciplines (Saunders et al., 2009:266).



### 3.8.2 Questionnaire

The two most common primary data-collection methods are the questionnaire and the interview. All research is generally concerned with obtaining answers to questions. The questionnaire and interview are data-collection instruments that enable the researchers to pose questions to subjects in their search for answers to the research questions. Both these instruments, however, have distinct features that have a bearing on the correct and appropriate use of each for specific data-collection purposes.

#### *(a) Appropriate research context*

Questionnaires are most widely used in surveys with descriptive or exploratory purposes. They can, however, also be effectively used in studies with experiment and case study research strategies. The appropriateness of questionnaires as research tools, however, must be carefully examined in the context of each study. Researchers sometimes fail to grasp that observation, semi-structured interviews and other data-collection procedures may be more appropriate for their research objectives than questionnaires. Saunders et al. (2003:280) maintain that it is generally good practice not to rely solely on questionnaire data, but to use the questionnaire in conjunction with at least one other data-collection instrument. For example, a questionnaire designed to establish the existence of workplace harassment can be complemented by in-depth interviews to explore and understand the basis of workplace harassment. In conducting this study, it was difficult to interview staff to get an in-depth views as they were reluctant to discuss the issue due to fear of victimisation, despite the assurance of anonymity.

#### *(b) Questionnaire design*

Saunders et al. (2009:178) list five main issues that require attention, namely:

##### 1) Categories of questions

The questions included in the questionnaire should, individually and collectively, provide the data required for successful achievement of the research objectives. A well-constructed questionnaire also has a range of question categories, each consisting of a small number of related questions, intended to elicit information of a particular type relating to the research topic. Some of the common categories of questions suggested by Saunders et al. (2009:178) are:

- Socio-demographic questions: to develop a profile of the respondents by asking questions about gender, marital status, age group, occupation, income and related personal information.
- Orientation questions: to orientate the respondent on the core issues relating to the research and sometimes to test his/her level of grasp of the topic area that follows.
- Behavioural questions: to measure attitudes, beliefs, opinions, motives and behaviours. Attitude questions record how respondents feel about something; belief and opinion questions record what respondents believe or think is true or false. Items that focus on the motives and behavioural variables elicit data on what individuals (or their organisations) did in the past, do now, will do in the future and the motive for these behaviours.
- Content-related questions: to elicit data on the major purpose and content area of the research topic.

## 2) Number and content of questions

Most researchers make the mistake of including too many questions in their questionnaires. This often arises from an incomplete analysis of the research objectives. This was kept in mind during the planning and design stage of this study to ensure that all the items in the questionnaire were relevant, concise and efficient. In short, every question was relevant and had a clear purpose. Clear, concise and well-constructed questionnaires generally result in a better participant response rate.

## 3) Structure and layout of questionnaire

Once the researcher has decided on the number, question categories and the types of questions that will be asked, they should think about the actual structure and layout of the questionnaire – on the component sections and the sequence of the questions. Saunders et al. (2003:281) suggest that the researcher should start with similar and familiar orientation questions, proceed to content and behavioural questions and keep the personal, socio-demographic items at the end and to word these carefully to avoid giving offence. However, most researchers prefer to start with socio-demographic/biographic items.

#### 4) Type of questions

Saunders et al. (2003:281) suggest some broad points in relation to possible types of questions:

- Closed questions that circumscribe respondents' range of responses to questions are better suited to questionnaires as they readily lend themselves to coding and quantitative analysis.
- Questions should be designed to facilitate computer analysis as this allows for rapid computation, statistical analysis and graphical presentation of data.
- Depending on the needs of the research topic and the range of data required for a comprehensive coverage of the research objectives, the typical question formats include:
  - single-option responses ('yes', 'no' or short answer)
  - multiple-choice responses (set of options)
  - rating questions (using, for example, Likert scales)
  - ranking questions (ranking a set of options)

#### 5) The wording of questions

Clear communication should be a fundamental goal for questionnaire. Researchers must also use extreme care in avoiding wording that gives rise to misunderstanding, suggests researcher bias or gives offence.

### 3.8.3 Interviews

#### *(a) Interviews and questionnaires*

Questionnaires and interviews are two of the most widely used primary data-collection methods. The interview is a form of data collection that is common in descriptive research such as surveys, but can also be used to collect valid and reliable data in other types of research. In contrast to questionnaires, interviews generally tend to:

- make greater use of open-ended questions;
- be associated more typically with qualitative, phenomenologically-oriented research;
- make use of small, deliberately selected purposive sample; and

- give a large, and potentially unlimited, information yield (Saunders, et al., 2009:221).

*(b) Direct, verbal interaction*

The interview is unique in that it involves collection of data through direct verbal interaction (often face-to-face). The interview situation permits the researcher to follow up verbal leads and, thus, obtain more data and greater clarity. The interview situation permits much greater depth than other methods of collecting data.

There are various types of interviews with the highly-structured, interviewer-administered questionnaire and the unstructured, open-ended, in-depth interview as opposite ends of the continuum. Table 3.5 outlines types of interviews and their respective strengths.

**Table 3-5: Types of interviews**

Highly-structured	Structured	Semi-structured	Unstructured, open-ended
Only closed questions with pre-coded answers	Closed questions predominate	List of themes and questions with opportunities for open-ended discussion of items	No predetermined questions.  Informal, in-depth discussion of a general topic
Fast completion	Fairly fast completion	Relatively longer to complete	Time consuming to conduct
Quantitative analysis	Mainly qualitative focus	Both quantitative and qualitative	Qualitative analysis required. Relatively difficult

Source: adapted from Saunders et al. (2009:224)

Each type of interview has a different purpose. Highly-structured and structured interviews may be used in surveys and processed quantitatively. In contrast, semi-structured and unstructured interviews are essentially qualitative, phenomenologically-oriented data-collection methods. They enable exploratory discussions that allow the researcher not only to understand the what and the how,

but to also grasp and explore the internal dynamics of the research topic (Saunders et al., 2003:224).

The various types of interviews can be used in a single study to increase reliability of the findings. For example, in-depth, unstructured interviews may be used in the initial stages of the study to identify themes and variables. This data can then be used to design a questionnaire or a structured interview to examine specific themes and the interaction of specific variables. Similarly, in the second stage of a quantitative questionnaire-based study, semi-structured or unstructured interviews may be used to explore and to validate the findings from the questionnaire.

*(c) Design of interview*

Most interviews use a written script of one kind or another with varying levels of flexibility designed into the interview schedule (the formal, written listing of the questions or themes). In a highly-structured interview, the design of the interview would be very similar to that of a questionnaire. The unstandardised open-ended interview, however, would have no schedule of questions at all. In addition, semi-structured interview schedules would consist of some closed questions with the interviewer having the freedom to ask the subject to enlarge upon his responses as well as a test of open-ended questions and themes for discussion.

*(d) Conducting the interview*

Interviews do not require large samples. The subjects are often deliberately selected for their experience and specialist background and, thus, constitute a purposive sample. In the interaction with the subjects in the sample, the interviewer should avoid common pitfalls in the interview situation which may affect the reliability and validity of the findings. These include: agreeing or disagreeing with the subject, suggesting answers, displaying bias or prejudice, leading the subject, being in any way judgemental and lapsing into general conversation (Saunders et al., 2009:226)

In addition, interviewers should use an appropriate dress code and create a conducive climate before commencing with the interview proper.

*(e) Recording the interview data*

Generally, it is not appropriate to take notes as the interview is in progress because it is not only distracting to the subject, but disrupts the flow of the interview. The

researcher may also give the subject clues about points of importance and so influence the subject's later responses. More appropriately, the interviewer may make use of a tape recorder (with the subject's consent) use an accompanying note-taker or depend on his/her memory and make the relevant notes as soon as possible after the interview. In summary, the interview is an excellent technique for gathering certain kinds of research information. However, because of its subjectivity, there are, as noted, many potential sources of bias.

### **3.9 Description of the questionnaire**

The instrument used for this survey was a pre-coded questionnaire which was carefully constructed to facilitate maximum response and, at the same time, obtain more detailed information. The questionnaire was directed to executive management, senior management, academic staff and support staff of the selected HEI.

Given that data to be collected were extensive and unique to this study, a questionnaire was deemed the most appropriate data-collection instrument to obtain specific data from the participants. Although they have shortcomings, questionnaires are easy to administer, economical in time and cost, good for wide coverage, ideal for direct comparison, have a fairly good response rate and enhance ecological, external and population validity. An additional advantage is that respondents are able to give frank responses and relay their views in their own words, once confidentiality and anonymity are guaranteed.

The questionnaire for this study comprised the following six sections:

- Section A: Background information
- Section B: Form(s) of workplace harassment
- Section C: Extent of workplace harassment
- Section D: Impact of workplace harassment
- Section E: Workplace harassment, performance and staff morale
- Section F: Prevention of workplace harassment

The questionnaire comprised 77 structured questions, which elicited data from the respondents selected for the survey.

Apart from obtaining brief respondents' data, the questions in the main were derived from the literature review and research objectives. They were also directed towards applying the various descriptive and inferential statistical tests which generate the quantitative analysis using the Microsoft Excel and SPSS packages.

### **3.10 Pre-testing**

According to Martins, Loubser and Van Wyk (1996:232), "the researcher who avoids a questionnaire pretest and tabulation of replies is either naïve or a fool". Similarly, Churchill (1987:357) advises that the pretest is the most inexpensive insurance that the researcher can buy to assure the success of the questionnaire and the research project. Pre-testing the questionnaire refers to the initial testing of the questionnaire by friends or work colleagues to determine the following:

- How long does it take to fill in the questionnaire?
- Are questions clearly stated? Is there any ambiguity?
- Is the wording of the questions clear?
- Is the layout of the questionnaire simple and easy to understand?

Pre-testing is important for the researcher to be satisfied with the design of the questionnaire, facilitate administration of the task by the research assistants and encourage positive respondent participation. The responses generated should be clear and accurate to expedite the process of data capturing.

For this survey, the questionnaire was given to five colleagues at the selected HEI. The staff members were familiar with the nature of the survey and the aims of the research study. They made valuable comments, such as:

- the need to re-phrase certain questions
- provision to be made for rephrasing the open-ended question at the end of the questionnaire
- inclusion of the time for collection of all questionnaires from the date of transmittal, which was two weeks

The comments were important in the subsequent editing, phrasing and wording of the questionnaire. Further, the questionnaire was amended for fluidity, consistency and standardisation. There were no problems envisaged with the construction of the research instrument, as the instructions and questions were clearly stated. Pre-testing was also conducted with the data collection co-ordinator for technical advice and for final refinement of the instrument for implementation.

### **3.11 Pilot testing**

Before administering the questionnaire to participants in the study, it must be tested on a small sample. Analysis of the pilot survey will reveal flaws in some questions, suggest possible improvements and supply a range of possible answers to open-ended questions. Additionally, the pilot survey enables the researcher to:

- make amendments necessary to maximise returns and minimise the error rate on answers
- categorise the open-ended questions to a reasonable degree
- perform the analysis on the pilot sample and test out all the computational procedures and produce some initial hypotheses
- evaluate the adequacy of the data for the research questions

### **3.12 Organisation and administration of questionnaire**

The questionnaire developed was used to collect primary data from respondents for the study. According to Tull and Hawkins (1984:252), a questionnaire is a formalised set of questions for eliciting information and is generally associated with survey research to obtain primary data regardless of the form of administration. The construction and design of the questionnaire went through several drafts, which entailed a fair amount of time for refinement until the final research instrument was formulated. The questionnaire was designed according to the stated objectives of the study.

Loubser (1996:215) suggests that the researcher must establish three parameters before a questionnaire can be developed. The first is to state the problem which initiates the research and to determine the information required to solve it, the second is to define the population to be surveyed and the third is to choose the best means of collecting the required information (Loubser, 1996:215).



Sound criteria were considered in the design of the instrument. These included relevance to the study objectives, intellectual level of the respondents, mechanism used to administer the instrument and application of the various types of statistical techniques to be employed. The data-collection method, in turn, influenced the question wording, order or sequencing of the questions, format of the responses, questionnaire layout and the complexity of questionnaire itself.

The questionnaire for this survey was designed to include the mix of structured questions, closed-ended questions and a one open-ended question. The questions were phrased to focus on a specific area in order to generate accurate data which would facilitate statistical analysis. In using structured questions with structured answers, the respondents were given various alternatives to choose from. The questionnaire for the study comprised structured questions with a mix of the kind discussed by Loubser (1996:221) as outlined below:

- dichotomous questions, which offer only two fixed alternatives to choose from
- multiple-choice questions with single answers, where the response is restricted to one of the given alternatives
- multiple-choice questions with multiple answers, which allow the respondent to select more than one response
- scaled questions, with an array of different types of rating scales

For this questionnaire, the five-point Likert scale was also used, to elicit the degree of agreement or disagreement, with provision of a neutral column for each of a series of statements related to the study object. In the design of such statements, Loubser (1996:228) advises that the statements must be closely connected with the subject and approximately half of them should be positive and half negative.

Some of the key elements in a sound questionnaire design are discussed by Simon and Burstein (1995:302):

- Keep the study's purpose clearly in mind at all times. This will help ensure that all questions related to the study area are asked and that unnecessary questions that are irrelevant to the study are left out.
- Begin by jotting down the topic which requires information without worrying about wording and logic.
- Number the topics in a logical order.

- Pretest the questionnaire by personally going out and asking the questions in an open-ended manner.
- Rewrite ambiguous questions, reorganise the questionnaire where necessary, convert some open-ended questions to closed-ended questions and generally tighten up the questionnaire.
- Write an introduction that will persuade potential respondents to participate.
- Improve the questionnaire.
- Go into the field for part of the interviews.
- Check the preliminary results for the satisfactory completion of the work.

Melville and Goddard (1996:43) assert that a good questionnaire design should also satisfy the following criteria:

- It is complete and elicits all the data required.
- It asks only relevant questions.
- It gives clear instructions.
- It starts with general questions.
- It has objectives questions with sensitive questions spread at the end.

These elements were given due consideration, including proper phrasing of the questions to avoid ambiguity and to facilitate questionnaire administration with active respondent co-operation.

Primary data was gathered using the purposefully-designed questionnaire. The procedure for the data collection was as follows:

- The questionnaire was initially piloted at Ritson Campus of the selected institution using five academic and non-academic staff members. A number of changes were made based on the results of the pilot study.
- The improved, piloted questionnaire was hand-delivered to potential respondents and some questionnaires were sent via internal mail services of the selected HEI.
- Emails were sent to remind respondents to complete and return the completed questionnaire.
- Once respondents completed the questionnaire, it was either collected personally or respondents returned the completed questionnaire via the selected HEI's internal mail services.

The total population of the selected HEI permanent staff (both academic and academic support) as of March 2012 was 1 319. All were potential participants. However, 200 academic and non-academic staff in all six faculties (Accounting and Informatics, Applied Sciences, Arts and Design, Engineering and the Built Environment, Health and Management Sciences) were used in the study. Of this number, there was a balance in the number of males and females. African, Coloured, Indian and White participants were matched against their respective population size in the institution. Poor response rate experienced in past research studies made it necessary for a stratified random sampling to be carried out to ensure that the desired response rate was achieved. To ensure the sample was fairly representative of the selected HEI staff demographics and to eventually conclude that respondents' views broadly reflected those of the academic and non-academic staff and management, a stratified random sampling method was used. Of the 200 respondents, 160 respondents completed and returned the questionnaire, which represents 80% response rate, a good overall outcome given the sensitivity of the research topic and past poor response rate experienced by previous researchers.

### **3.13 Editing**

Editing entails a thorough and critical examination of a completed questionnaire in terms of compliance with the criteria for collecting meaningful data, and in order to deal with questionnaires not fully completed (Martins et al., 1996:295). It is therefore essential that the data are checked for completeness and accuracy before being accepted for coding and capturing. Editing of the data for this study was conducted with the assistance of an editor from the selected HEI Postgraduate Development and Support Directorate (PDSD). Each completed return was scrutinised and carefully edited to ensure that the criteria of completeness was adhered to.

### **3.14 Coding**

Construction of the questionnaire enjoyed the advantage of including the pre-coded questions in the sequence of alternatives given. Coding entails assigning numeric codes to each response which falls in a particular category. As it was not possible to generate all the alternative responses, provision was made for an open alternative, which Martins et al. (1996:301) render as: "Other: (Please specify) ...".

The inclusion of pre-coded questions facilitated data capturing. However, for an open alternative, the coding procedure was followed for processing such responses. Coding frames were used for the post-coded open-ended questions. The questionnaire was pre-coded with the exception of only one qualitative type question, which was open-ended. This was to be post-coded later. Most questions were pre-coded and merely required of the respondent to tick or mark with an 'X' on the questionnaire to facilitate data capturing directly on the computer. The questionnaire was printed on single sheets and not back-to-back, again to facilitate data capturing.

### **3.15 Validation**

The difference between information required and information obtained is referred to as measurement error and it is important to avoid this pitfall in designing a questionnaire. Churchill (1987:382) agrees that a measuring instrument is valid to the extent that differences in scores among objects reflect true differences of the objects on the characteristics that the instrument tries to measure.

Content validity involves assessing the representativeness or the sampling adequacy of the items contained in the measuring instruments. Bless and Higson-Smith (1995:137) assert that content validity is achieved by referring to the literature relating to the area of study. In this regard, the design of the questionnaire enjoyed high content validity and the techniques used were evaluated by pre-testing to ensure that the instrument measured what was supposed to measure.

Construct validity derives its purpose when the researcher makes a list of the different pieces of information that the instrument is required to uncover and then designs questions to secure that information (Bless & Higson-Smith, 1995:138). The measuring instrument used for this study was closely linked to the theory impacting on the scope of the study and was confined to the variable to be tested in the area of workplace harassment and performance. The research variable items were drawn from the literature review and a sample review of questionnaires used for other studies, but broadly pertaining to the scope of interest. This conformed to the criterion for internal validity, which was supported by further pre-testing of the instrument. The pre-testing also determined the reliability of the measuring instrument and tested how consistently a measuring instrument measured whatever concept it was measuring (Sekaran, 1992:171).

The questionnaire developed focused on the theoretical dimensions of the study and ensured that the variable items were relevant to the research objectives, as well as applicable to the respondent. In ensuring face validity, Bless and Higson-Smith (1995:139) emphasise the importance of the instrument being tailored to the needs of the respondents for whom it is intended. The questionnaire was designed with the key elements related to structured questionnaires in order to elicit maximum detail from the respondents. A comprehensive literature review also generated important issues to be included in the survey instrument.

In relation to designing the questionnaire, Moser (1969:218) notes that most survey questions are concerned with either facts or opinions. Moser and Kalton (1977:342) point out that pre-coded questions give the respondents a limited number of answers from which to choose and the respondent will tick the response to the appropriate pre-coded category.

### **3.15.1 Validity**

Validity addresses the issue of whether the researcher is actually measuring what he/she set out to do. There are four specific types of validity, each of which the researcher would ideally want to establish for the research instrument prior to administering it for the actual study. Face validity requires the research instrument to be relevant to participants in the study. Face validity can be established by asking friends, colleagues and individuals from the target population to comment on the relevance, balance and adequacy of the research instrument in relation to the research objectives. The reason for this is that respondents sometimes become resentful and uncooperative if they think they are being misrepresented to others, or worse, if they believe the researcher is not being frank with them. Content validity is similar to face validity except that the researcher must seek the opinion of experts in the field on the adequacy of his/her research instrument. Criterion validity has two distinct forms of validity associated with it. Predictive validity refers to the capacity of a respondent's ratings and responses to items on the instrument to predict behaviour outside the immediate framework of the research instrument. For example, can positive responses to questions on the job survey predict the work ethos and capacity of the respondent?, and concurrent validity indicates whether the level of responses to items on the research instrument is parallel to other facets of the

respondent's overall behaviour. For example, are low attitude responses concurrent with low levels of job satisfaction? (Saunders et al., 2009:319).

### **3.15.2 Reliability**

Reliability of a research instrument refers to the consistency or repeatability of the measurement of same phenomena. The observed score is one of the major components of reliability. There are three types of reliability. Parallel forms of reliability is a measure of equivalence and it involves administering two different forms of measurements to the same group of participants and obtaining a positive correlation between the two forms. Test-retest reliability essentially involves administering the same research instrument at two different points in time to the same research subjects and obtaining a correlation between the two sets of responses. Inter-rater reliability, is a measure of homogeneity. With inter-rater reliability one measures the amount of agreement between two people who rate a behaviour, object or phenomenon (Saunders et al., 2009:319).

### **3.16 Ethical clearance**

A covering letter addressed to the respondent outlined the importance of the study, the aim of the survey and the value of participation. The return rate was reinforced by assuring confidentiality and anonymity of respondents to allay any anxiety, while stressing the importance of workplace harassment and its impact on staff performance. The covering letter was prepared and typed according to the requirements of the School of Management, Information Technology and Governance at the University of KwaZulu-Natal and was to be retained by the respondent, while the questionnaire was to be returned.

Before the commencement of the research study, it was necessary to ensure that the ethical issues of the subjects were observed. Therefore concerted efforts have been made to ensure that the study conformed to the principles of ethics. Ethical clearance of the research topic, protocol as well as the research instrument was solicited from the University's Ethics Committee before the commencement of the research study. In keeping with the provisions of the University's Ethics Committee, the survey was conducted anonymously with no identifying information. Participants were given the assurance that anonymity in so far as the name, position, race as

well as the department would be observed to elicit maximum response. The information consent form formed an integral part of the research instrument and was annexed to the questionnaire (Annexure A) prior to its completion. Confidentiality in terms of individual responses was maintained in terms of the undertaking given and all results are presented in percentage form.

### **3.17 Statistical techniques and analysis of data**

The process of data collection and data analysis go hand-in-hand. If the research has a positivistic bias, then the data collection and the data analysis procedures will most likely be quantitative. However, if the study is located in a phenomenological paradigm both the data collection and data analysis techniques will tend to be qualitative (Saunders et al., 2009:326).

The objectives of the survey determine, to a large extent, the type of statistical techniques to be used. Each question measures some relevant aspect of the survey and each question may generate one or more response. This gives rise to a variable which has certain characteristics and determines the type of statistical analysis to be applied.

A large number of statistical techniques are available for analysing data and the researcher is often confronted with the problem of selecting the most appropriate technique. The technique selected to analyse the data is also dependent upon the nature of the survey undertaken, characteristics of the population, level of measurement and sample size. Sharma (1992:235) explains the various points to be considered when selecting a statistical test:

*Purpose of using a test:* The intention is to determine whether significant differences exist between groups of data, or associations between two or more variables.

*Measurement of scale involved:* The researcher, using statistics, must determine whether a nominal, ordinal, interval or ratio scale is to be used. The nature of the numbers involved determines which tests can be used in analysing the data collected.

*The number of variables involved:* A bivariate relationship explores the interaction between two variables. However, when the relationship involves more than two variables the multivariate technique is used.

According to Sandy (1990:1), statistics are used in the analysis of data to aid in decision making. The term 'statistics' designates "a summary measure of the numerical characteristics of a sample" (Sandy, 1990:1). Statistics could be divided into two primary groups, namely: non-parametric statistics, which includes nominal and ordinal data, and parametric statistics, the assumption for the population from which the sample is drawn is normally distributed, can be made, given sufficient sample size. In using non-parametric statistics no explicit assumption regarding the normality of distribution in the population is made (Sekaran, 1992:259).

### **3.17.1 Descriptive statistics**

Descriptive statistics describe the phenomena of interest (Sekaran, 1992:259) and are used to analyse data classifying and summarising numerical data. They incorporate the analysis of data using frequencies, dispersions of dependent and independent variables and measures of central tendency.

Descriptive statistics facilitate initial data analysis, but the researcher was also interested in making statistical inferences about the population from the sample. Inferential statistics was introduced to present the data in statistical format so that important patterns, relationships (associations) and analysis become more meaningful. For this study, descriptive statistics such as frequencies, measures of central tendency and measures of dispersion were used to analyse the data.

### **3.17.2 Inferential statistics**

Inferential statistics, which can be classified as parametric or non-parametric, allow the researcher to draw inferences from a sample to the population (Sekaran,



1992:259). According to Keppel and Saufley (1980:148), inferential statistics are employed when generalisations from sample to population are made. Bless and Kathuria (1993:185) state that such tests estimate the probability of a true difference between the parameters of two or more populations under study.

Hanke and Reitsch (1991:779) note that non-parametric tests, also called distribution-free tests, do not make stringent assumptions about the underlying form of the population data, and can be used with qualitative data which is largely on an ordinal or nominal scale. The data for this study point towards a categorical nature, with largely ordinal and nominal type data. This study was not based on hypothesis and hence developing and testing hypothesis was not relevant.

### **3.17.3 Quantitative analyses of the data**

Once the questionnaire had been administered, data were edited, cleaned and captured on the computer by the researcher for statistical analysis. The responses to the questionnaire were also collated, checked for completeness and numerically referenced to facilitate the process of data capturing. The quantitative analysis of the data was undertaken by the researcher and Microsoft Excel 2010 program was used to present the graphics.

### **3.18 Summary**

To summarise, the chapter has described the research design, objectives of the survey, target population and how the sample was drawn. It has also highlighted the sampling technique employed, description of the questionnaire and how it was administered. Issues such as pre-testing, pilot testing, editing, coding, validation, statistical techniques used and analysis of data have also been discussed.

Despite financial constraints, the survey method selected was administration of questionnaires, which entailed the employment of trained and qualified research assistants to administer the questionnaires to the 200 selected respondents. This method of data collection ensured proper collection of the questionnaires and justified the imperatives of accuracy, speed, and completeness of data, to facilitate data capture and analysis.

The study focused on both academic and support staff of the selected HEI.

The analysis of the questionnaire responses was conducted by the researcher with the assistance of the selected HEI's Postgraduate Development and Support Directorate statistician. The data was analysed with the aid of Microsoft Excel program, which allows for the application of the appropriate statistical tests.

Chapter four focuses on data analysis and interpretation of results. This chapter will presents the main findings and analysis of the survey based on the responses of 160 respondents. Thus, the main aim of this chapter will be to interpret and analyse the findings.

## **CHAPTER 4**

### **DATA ANALYSIS AND INTERPRETATION OF RESULTS**

#### **4.1 Introduction**

The research findings are presented in this chapter. These findings are based on the data collected from the survey questionnaire. The survey was conducted to assess workplace harassment and its impact on staff performance: an institution of higher education. The central purpose of the survey was to collect data on workplace harassment and its impact on staff performance and to obtain the opinions of the employees at various levels at the selected HEI. The population for the survey comprised management, academic staff and academic support staff. This chapter presents an analysis of the survey and main findings based on the responses of 160 respondents. Thus, the main aim of this chapter is to interpret and analyse the findings.

A questionnaire was administered to management, academic and non-academic staff at the selected HEI. It was sent by internal mail services of the selected HEI and hand-delivered to the respondents. The completed questionnaire was analysed using Microsoft Excel 2010 program.

For editing purposes, each questionnaire returned was checked before the responses were processed. All the questionnaire were checked for: adherence to sample requirements, relevance, completeness, legibility, comprehensibility, consistency and uniformity.

The preliminary presentation and analyses of results begins with Section A, which uses descriptive statistics to discuss the sample profile and key demographics. In order to enhance the quality of the study, significant trends emerging in the data were also highlighted.

#### **4.2 Analysis of questionnaire returned**

A sample of 200 respondents was chosen for this study using stratified random sampling. The questionnaire was administered to the 200 chosen respondents, who were given three weeks to complete the questionnaire. One hundred and sixty

respondents returned the questionnaire fully completed. This represented a return rate of 80%.

The section that follows focuses on statistics which provides an overview of the demographic profile of the sample accessed in the study. Statistical data are presented in the form of tables and charts. Meaningful results are also contextualised with the objectives of the study.

#### 4.2.1 Biographical information on respondents (Section A)

Table 4-1 and Figure 4-1 set out the organisation of background information on the respondents in relation to the numbered items in section A of the questionnaire.

Table 4-1: Biographical information of the respondents

Item	A	B	C	D	E	F	G	H	Total
1	59%	41%							100%
2	6%	10%	13%	32%	15%	14%	10%		100%
3	25%	48%	27%						100%
4	37%	31%	32%						100%
5	100%	0%	0%	0%	0%				100%
6	02%	07%	13%	23%	43%	12%	0%	0%	100%
7	69%	18%	13%						100%
8	100%	0%							100%
9	1%	11%	84%	03%	1%				100%
10	67%	33%							100%
11	76%	5%	11%	8%					100%
12	38%	3%	43%	16%					100%

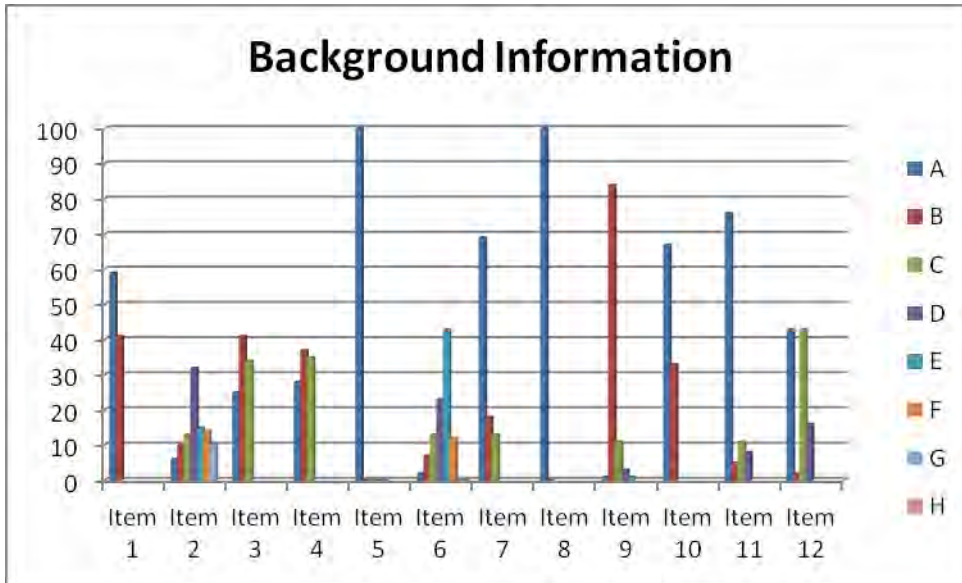


Figure 4-1: Background information on the respondents

Itemised background information on respondents

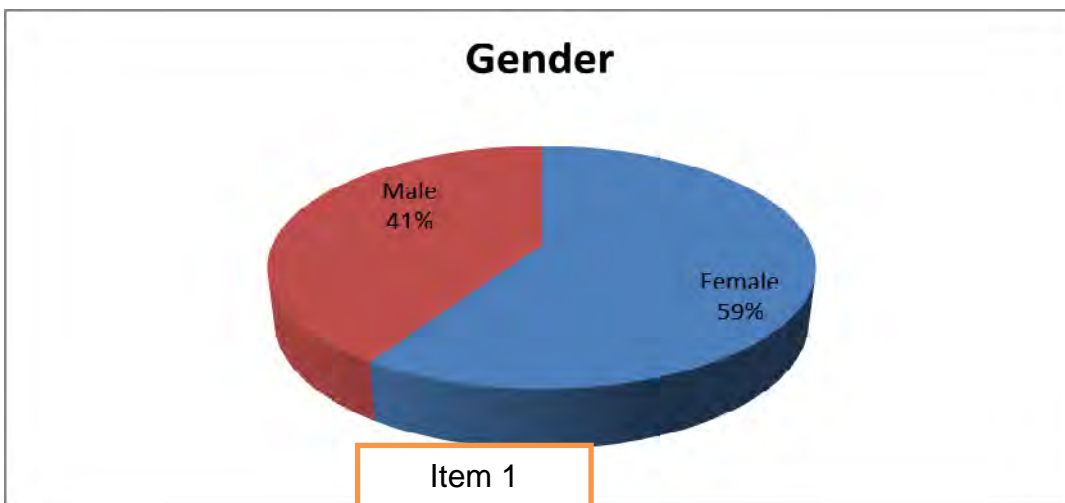


Figure 4-2: Gender of respondents

The breakdown of respondents by gender, with 59% females and 41% males out of 160 respondents who participated in the survey as shown in Item 1, was in line with the overall demographic profile according to gender in the institution.

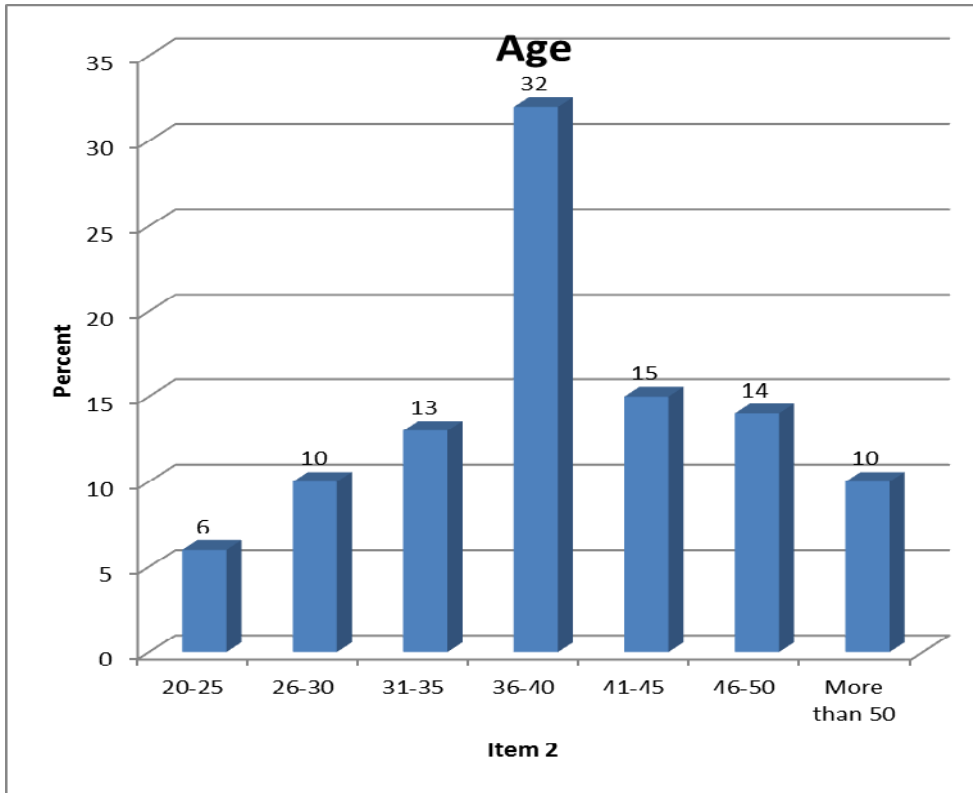


Figure 4-3: Age of respondents

In the biographical information, item 2 indicates the distribution of respondents according to age. The highest number of respondents (32%) were between the ages of 36-40. This was followed by age group of 41-45, 15%; 46-50, 14%; 31-35, 13%; 26-30 and more than 50 years, 10%; and 20-25, 6%. The sample was spread across all age groups.

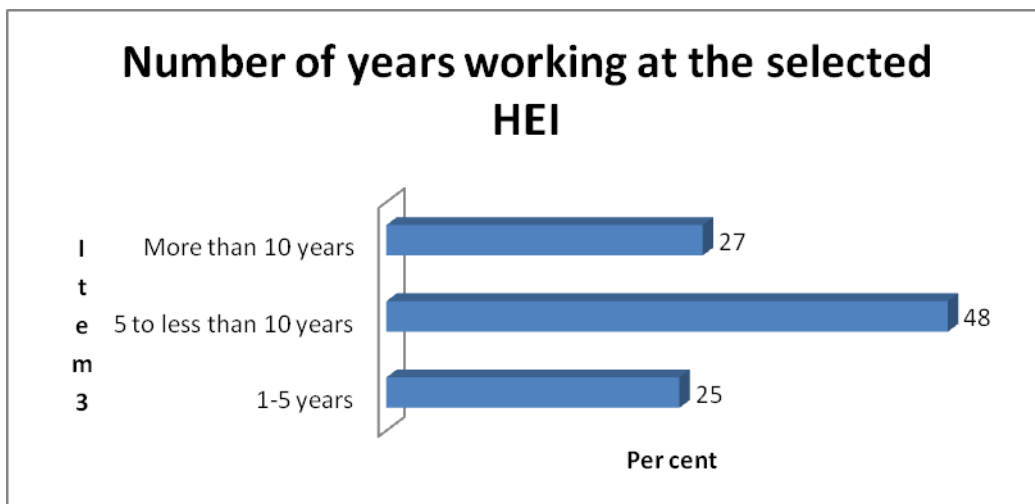


Figure 4-4: Number of years working at the selected HEI

Item 3 indicates distribution of the respondents according to the number of years of service that they had with the selected HEI. Almost half of the respondents (48%) had been with the institution for between 5 and 10 years, 25% had spent 1 to 5 years working for the HEI and 27% had worked for more than 10 years. This represents a fair distribution of employees in terms of their experience in the institution to be able to give a balanced perspective on workplace harassment and its impact on staff performance.

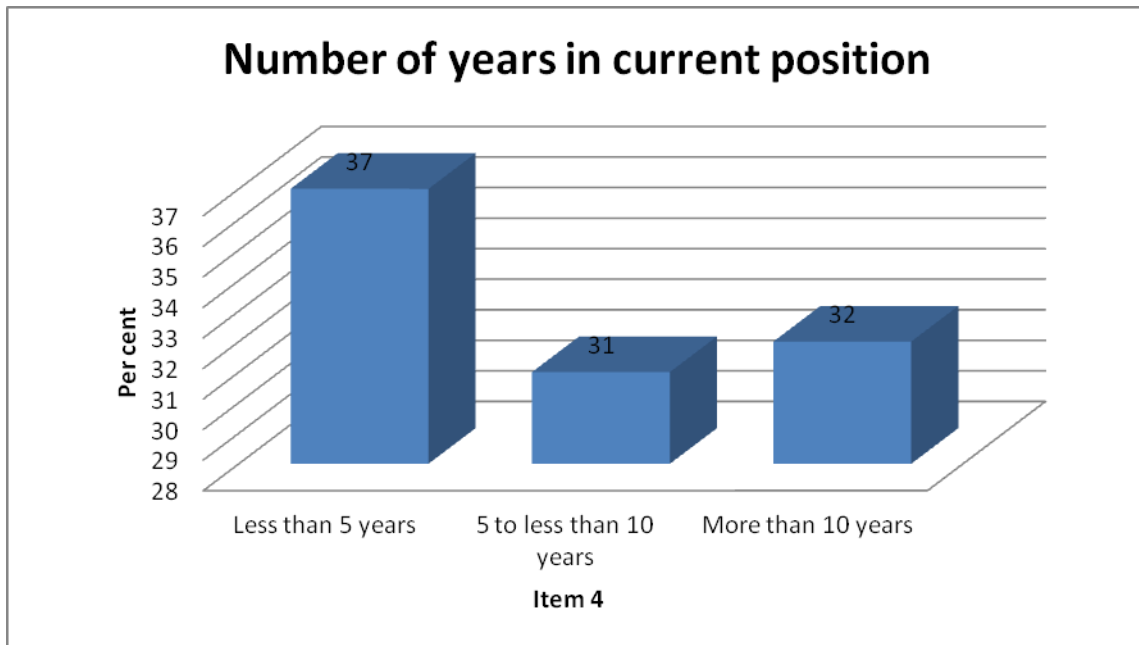


Figure 4-5: Number of years in current position

Item 4 in the graph indicates that 37% of the respondents had been in the position they occupied for between 1 and 5 years. Thirty one per cent of the respondents had been in the same position for between 5 and 10 years, and 32% had been in the same position for over 10 years. The majority of Heads of Academic Departments indicated that they had occupy the position for less than 5 years.

The reason for the largest number of respondents having been in their current position for less than five years could be that the academic heads of departments in the selected HEI are chosen on a rotational basis. The heads of departments (HODs) occupy their positions for three years (one term) which is renewable once (maximum is six years).

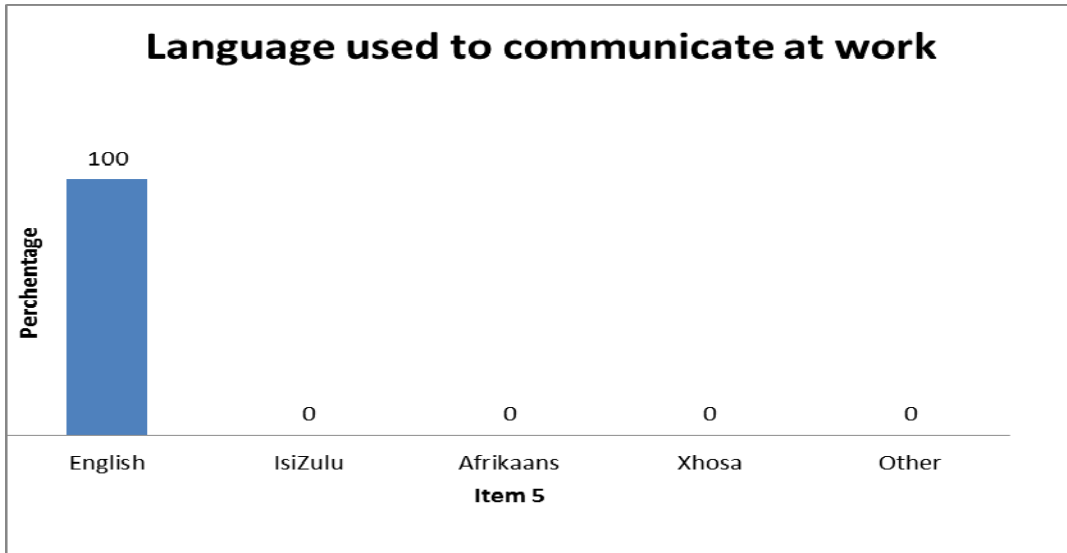


Figure 4-6: Language/s used to communicate at work

As item 5 indicates, all the respondents (100%) use English to communicate at work. This is because the selected HEI is a multi-racial institution and English is used as the medium of instruction although staff are at liberty to communicate in their own mother tongue (for example Zulu) when communicating with Zulu-speaking colleagues or in Afrikaans when communicating with Afrikaans-speaking colleagues.

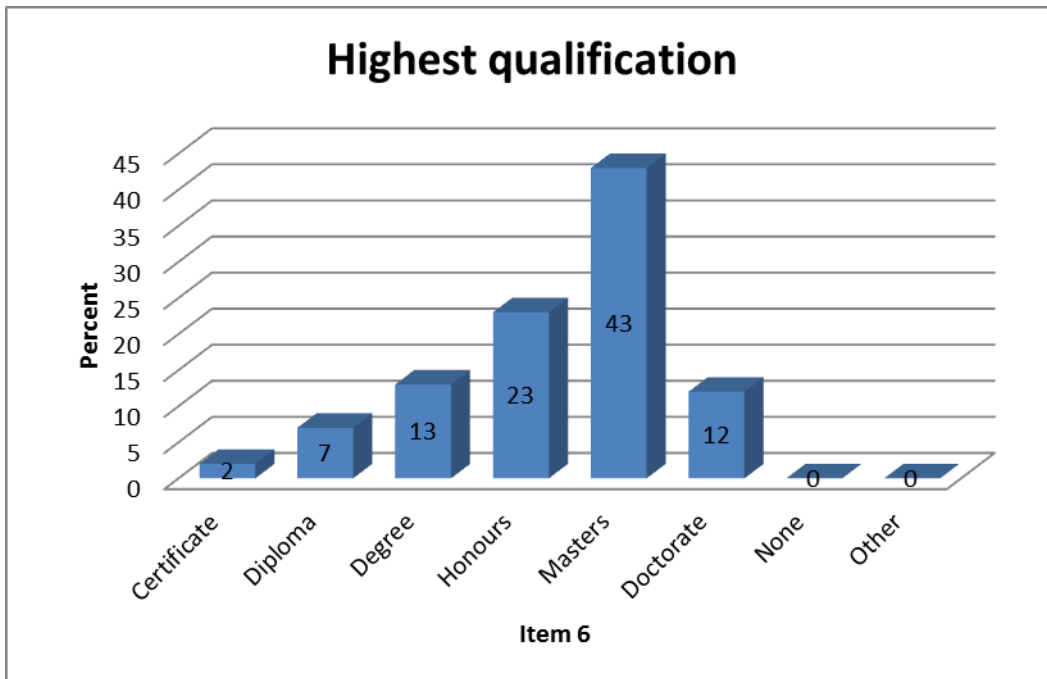


Figure 4-7: Highest qualification obtained



Item 6 in Figure 4.7 indicates the qualification level of the respondents in the survey. Forty-three per cent of the respondents revealed that they had master's degree. For other respondents, 2% had matric certificates, 7% diplomas, 13% junior degrees, 23% honours and 12% doctoral degrees. This is significant because it represents all levels from teaching to non-teaching staff members.

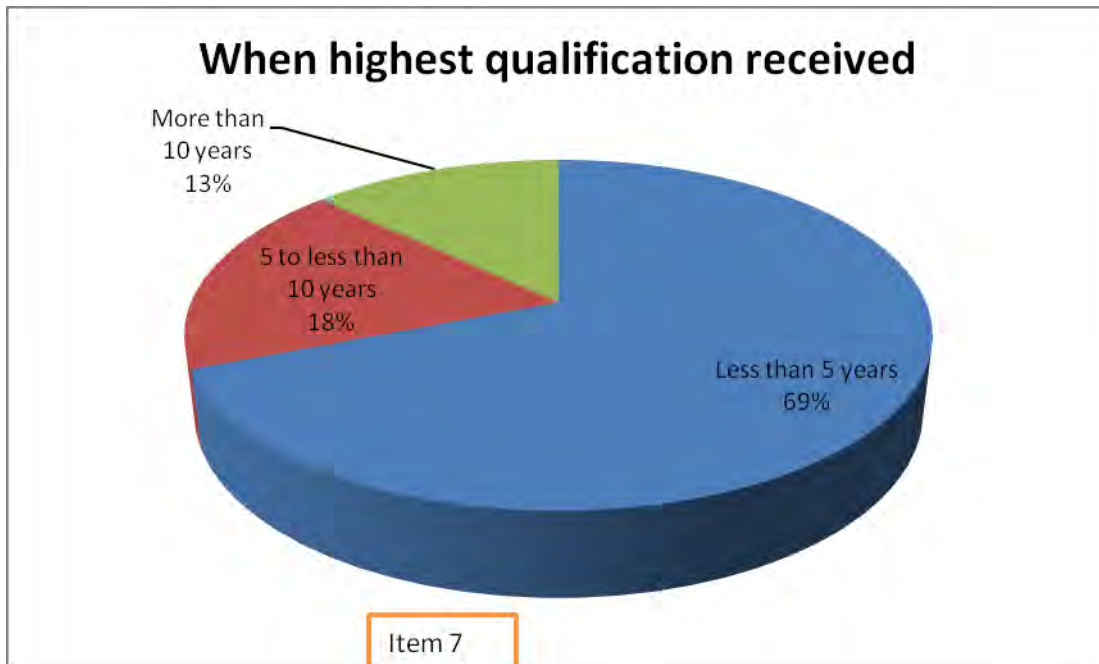


Figure 4-8: When highest qualification received

Item 7 indicates that a majority of the respondents (69%) had received their highest qualification between 1 to 5 years, 18% between 5 to 10 years, 13% had had it for more than 10 years.

A majority of the respondents (69%) seemed to have improved their qualifications in the last five years after a vigorous drive and intervention by the HEI for all its staff members to pursue higher qualifications and attempts to make it compulsory for all academic staff to have a master's degree by 2016.



Figure 4-9: Whether permanently employed

Item 8 was intended to establish whether the respondents were permanently employed. In line with the sampling objectives, all the respondents (100%) were permanent employees of the selected HEI. Contract and part-time staff employees were not included in the sample for this study for the purpose of consistency and for informed conclusions to be made about the prevalence of workplace harassment.

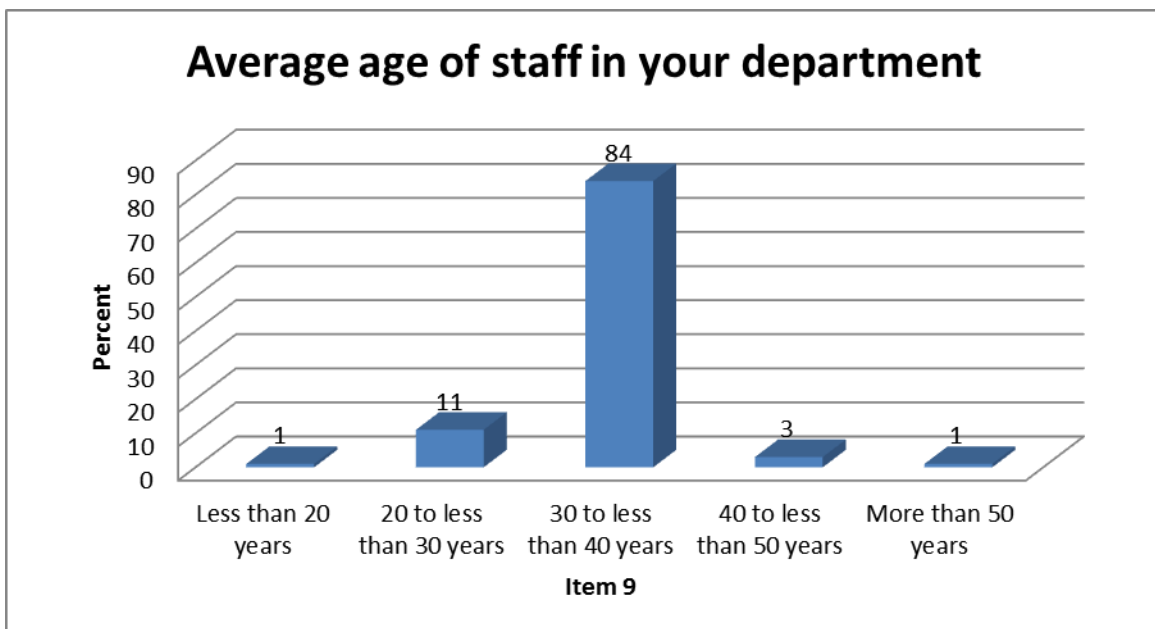


Figure 4-10: Average age of staff in respondent's department

Figure 4-10 shows the distribution of staff according to age groups. Respondents were asked to comment on the average age of staff members in their departments or units. Out of 160 respondents, 84% of the participants revealed that the average age of staff in their departments was between 30 and 40 years.

The average age of employees at the HEI looks good for the future of the institution. This means that the institution has blended both younger and older staff members. Most of the older employees had already retired or taken a voluntary exit package (VEP) when two institutions merged in April 2002 to form the selected HEI.

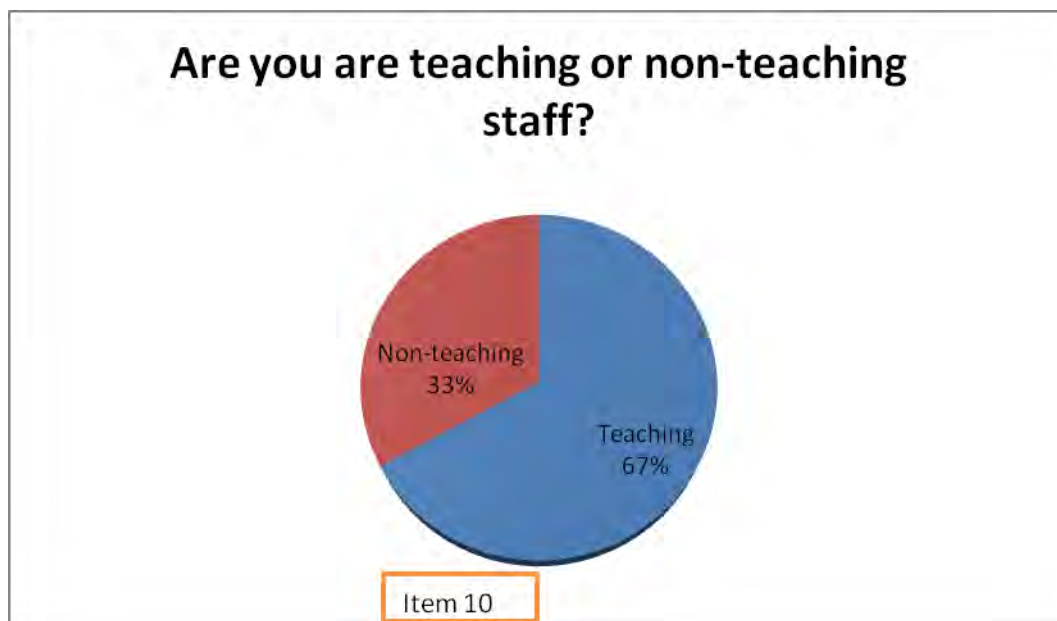


Figure 4-11: Teaching or non-teaching staff

A majority of respondents (67%) were teaching (academic) staff, whereas 33% were non-teaching/administrative staff (non-academic). This was in line with the study objectives as the study was about the HEI hence the majority of respondents were academics. This is illustrated in Figure 7.11.

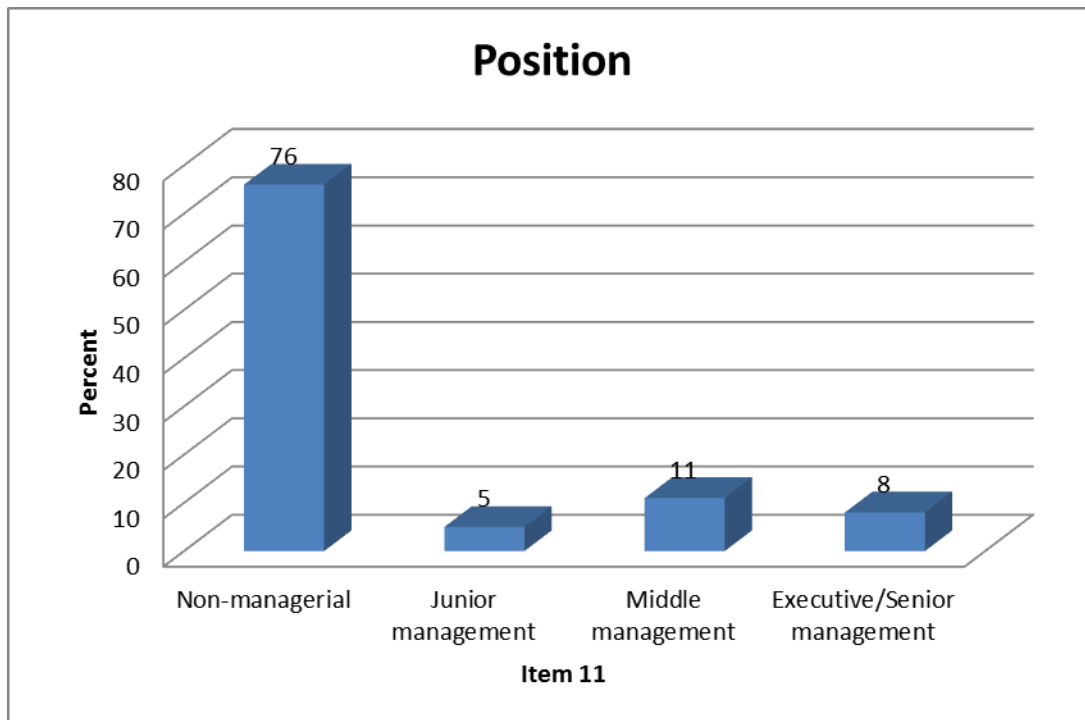


Figure 4-12: Level of respondent's current job

Figure 4.12 shows that 76% of the respondents classified their current jobs as non-managerial, while 5% were classified as junior management, 11% as middle management and 8% as executive/senior management. It is important to note that more than 50% of the executive management participated in the study as their response rate was 8% of the total sample, although some of the executive management said they would not participate in the study because of the sensitivity of the issue. In their responses, some of the executive management, admitted that workplace harassment was not only affecting lower-level staff, but was also prevalent among the executive management.

It was encouraging to find out the views of middle and executive management on workplace harassment and its impact on performance as they are entrusted with the responsibility for the overall functioning of the institution. Views of employees at lower levels on workplace harassment were also significant for this research.

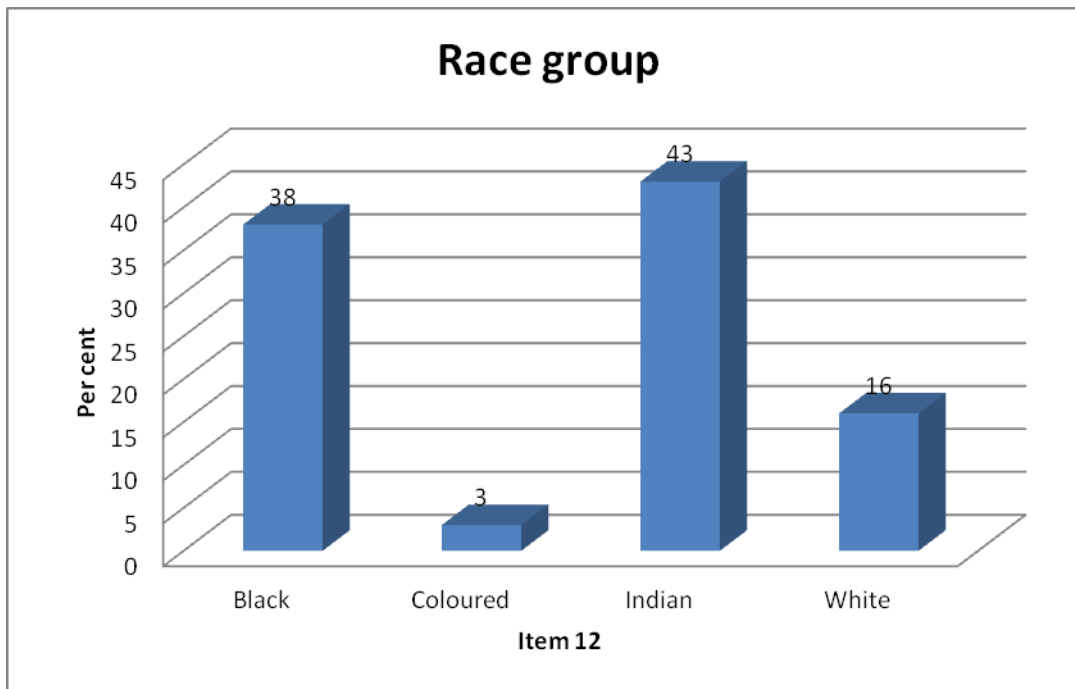


Figure 4-13: Respondent's race group

Item 12 (Figure 4.13) collected data on the race group of each respondent. According to the returns, 43% were Indian, 38% Africans, 16% Whites and 3% Coloured. This reflects the HEI's demographic representation, which makes the sample representative of all races in the institution according to their representation at the selected HEI. Workplace harassment affects all races and it was of interest for this research to ascertain the view of these respective groups at the HEI.

#### 4.2.2 Form/forms of workplace harassment (Section B)

Table 4.2 and Figure 4.13 indicate the form or forms of workplace harassment that took place at the HEI.

Table 4-2: Form/forms of workplace harassment

1. What form/forms of harassment do you think take(s) place in this institution?	% of respondent
a. Bullying	72%
b. Psychological harassment	8%
c. Racial harassment	2%
d. Religious harassment	1%
e. Sexual harassment	1%
f. Stalking	2%
g. Mobbing	0%
h. Hazing	0%
i. Cyberstalking	3%
j. Electronic harassment	3%
l. Sociological harassment	2%
k. Colloquial speech	6%

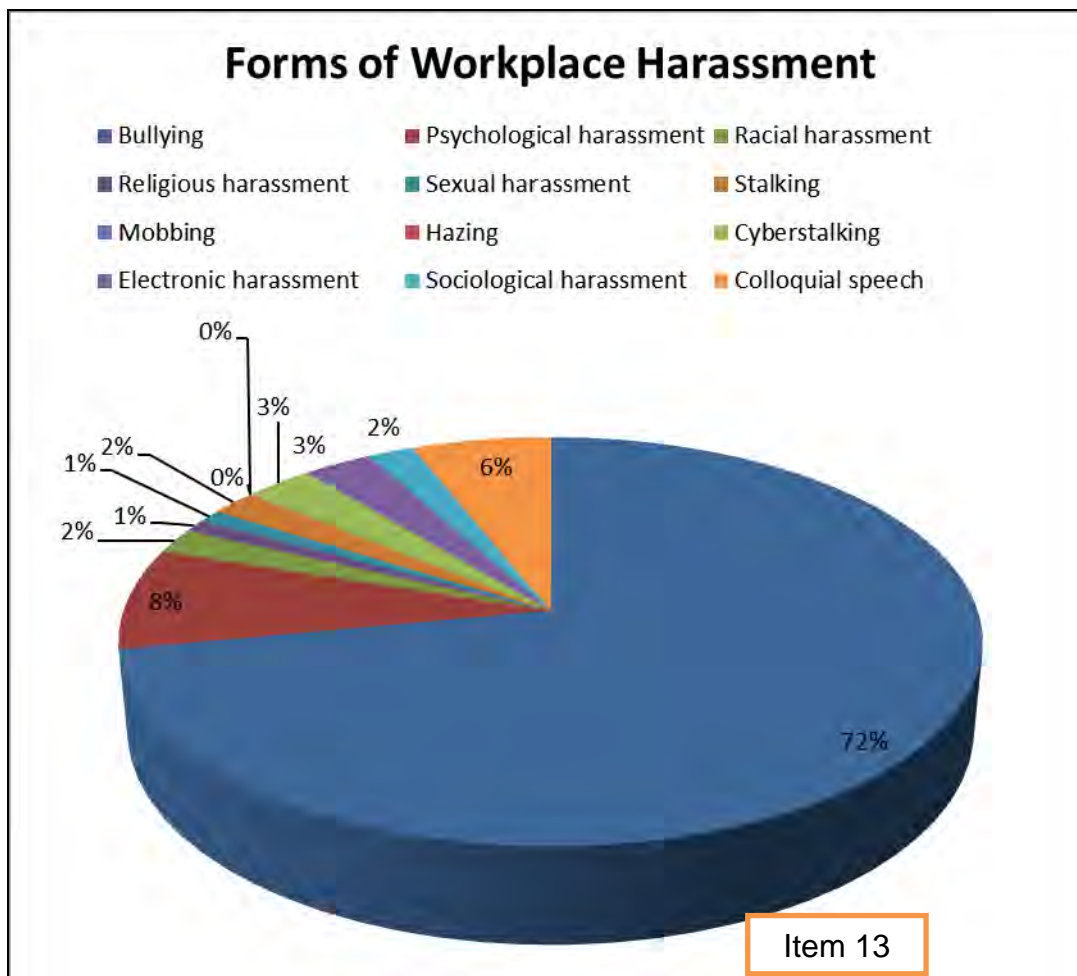


Figure 4-14: Form/forms of workplace harassment

Figure 4-14 shows the respondents' perceptions of the form or forms of harassment that they thought took place at the selected HEI.

A total of 72% of the respondents indicated that bullying was prevalent and the most common form of workplace harassment, followed by psychological harassment at 8%; colloquial speech at 6%; cyberstalking and electronic harassment at 3%; racial harassment and stalking at 2% and religious and sexual harassment at 1%. None of the respondents mentioned mobbing and hazing as forms of harassment taking place at the selected HEI.

Bullying being the most common and prevalent form of workplace harassment at the selected HEI, the HEI should take necessary steps to address workplace bullying as well as other types of harassment indicated in **Figure 4-** before they create serious problems for both individuals and the institution.

The Canadian Centre for Occupational Health and Safety considered bullying under new workplace guidelines as follows:

- physically abusing, or threatening abuse
- yelling or using profanity
- making obviously offensive jokes, spoken or by e-mail
- intruding on another's privacy by pestering, spying or stalking
- spreading malicious gossip
- undermining or deliberately impeding another's work
- removing areas of responsibility without cause
- constantly changing work guidelines
- criticising a person consistently
- belittling another's opinions
- setting impossible deadlines
- assigning unreasonable duties
- withholding necessary information or purposely giving wrong information
- blocking applications for training, leave or promotion

#### **4.2.3 Extent of workplace harassment (Section C)**

Figure 7.14 indicates the extent of workplace harassment at the HEI. There were 16 items in this section of the questionnaire based on likert scale, where the respondents were asked to indicate their level of agreement with each statement ranging from strongly agree to strongly disagree.



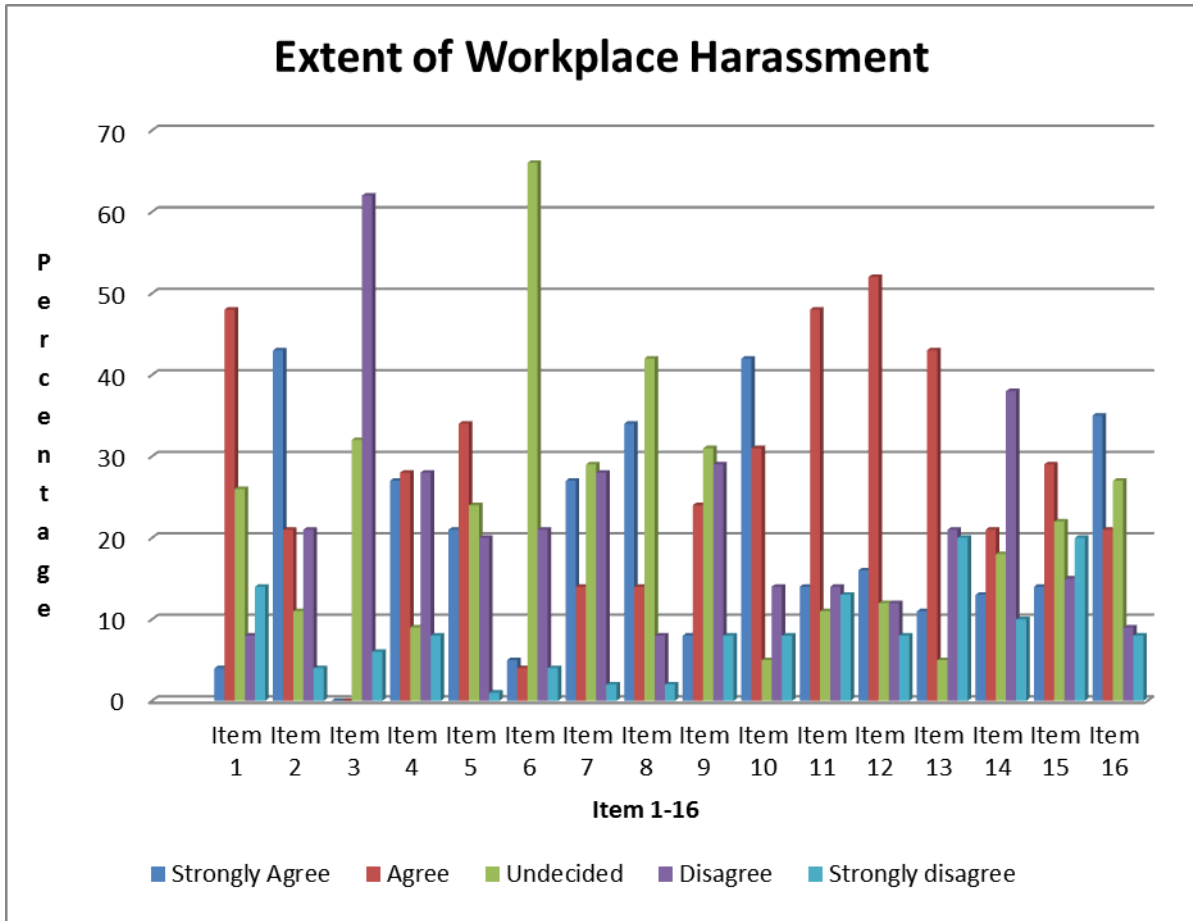


Figure 4-15: Extent of workplace harassment

Item 1: I am a victim of workplace harassment in this institution.

A total of 52% respondents agreed that they were victims of workplace harassment, while 22% disagreed and 26% was undecided.

Based on the responses it can be concluded that workplace harassment was taking place at the HEI.

Item 2: I know a victim(s) of workplace harassment in the institution.

About 64% of the respondents revealed that they knew the victims of workplace harassment in the HEI, but 25% of them disagreed and 11% were undecided.

Item 3: I am a perpetrator of workplace harassment.

In response to this item, not a single respondent agreed with the statement, whereas 68% disagreed and 32% were undecided.

The responses may be biased because it is inconceivable that none of the respondents had been a perpetrator of workplace harassment.

Item 4: I know perpetrator(s) of workplace harassment in the institution.

Responding to this item, 55% agreed that they knew perpetrators of workplace harassment in the institution, whereas 36% disagreed and 9% were undecided.

It will be interesting to know what the respondents did with their knowledge of perpetrators of harassment because by law if someone has knowledge of another person doing something illegal and fails to report such misconduct, that person becomes an accomplice of the illegal activity.

Item 5: Most common harassment is done by superiors to staff.

Item 5 asked the respondents if harassment is commonly done by superiors to subordinates. Fifty-five (55%) agreed, while 21% disagreed, and 24% were undecided.

The results show that superiors are likely to be perpetrators of harassment by virtue of their position and power.

Item 6: Most common harassment is done by staff to superiors.

Responding to item 6, only 9% of the respondents in the survey agreed, whereas the majority (66%) disagreed and 25% were undecided.

The results show that there are slim chances of superiors being victims of harassment by their subordinates. Superiors, by virtue of the power and position, have an advantage of preventing themselves from being harassed by their subordinates because they have the authority to enforce disciplinary measures against their employees.

Item 7: Most common harassment is done by staff to another staff member.

In the responses to item 7, 41% agreed with the statement, whereas 30% disagreed and 29% were not certain.

There seems to be a high incidence of workplace harassment among staff members and necessary measures should be put in place to stop it before it escalates.

Item 8: Most common perpetrators of harassment are male staff.

Out of 160 respondents in the survey, the largest number (48%) agreed with item 8, while 10% disagreed and 42% were not sure.

Given the history of South Africa, one should not be surprised by the above results. Despite legislation that protects equality in Bill of Rights in the Constitution, some male employees still consider themselves superior to female colleagues by virtue of their gender.

Item 9: Common perpetrators of harassment are female staff.

Item 9 asked if common perpetrators of harassment are female staff; 32% agreed, while a larger number (37%) did not agree and 31% were undecided.

With the number of women occupying top positions, one should not be surprised that females are perpetrators of harassment.

Item 10: I think harassment is not gender based.

The overwhelming majority (73%) agreed that workplace harassment was not gender-based, while only 21% disagreed and 6% were not sure.

With the change in employment relations and policies (Affirmative Action, Employment Equity Act, Labour Relations Act) one should not be surprised by the results in item 10.

Item 11: Most harassment occurs within the department.

In response to item 11, 62% of the respondents agreed that while 27% disagreed and 11% were undecided.

It seems there is a lot of harassment taking place at departmental level and the institution has to investigate and take the necessary corrective measures.

Item 12: Most harassment occurs across the institution.

Item 12 sought respondents' view on whether most harassment occurs across the institution: 54% agreed, while 36% disagreed and 10% were undecided.

The results showed that harassment is occurring at the institutional level.

Item 13: The level of harassment is high in the institution.

Most respondents agreed that the level of harassment was high in the institution, as 68% agreed, while 20% disagreed and 12% remained undecided. From this response it is clear the workplace harassment exists in the institution and that the institution needs to do something about it before it is too late.

Item 14: The level of harassment is low in the institution.

Looking at the response to item 14, only 34% agreed with the statement, whereas a larger number (48%) disagreed and 18% were not certain. From the responses to item 14 it also clear that workplace harassment exists at the HEI.

Item 15: There are a number of bullies in the department.

Responding to this statement, 43% agreed and 34% disagreed while 22% were uncertain.

It seems there is a lot of bullying taking place at departmental level and management of the institution should take the necessary steps to address this.

Item 16: Favouritism is practised.

Most respondents (56%) agreed that favouritism was practised, 17% disagreed and 27% remained undecided. Favouritism is one of the many signs of the prevalence of harassment.

#### **4.2.4 Impact of workplace harassment (Section D)**

**Figure 4-** indicates the impact of workplace harassment at the institution. There were 22 items in this section of questionnaire based on Likert scale, where the respondents were asked, using the Likert scale, to indicate their level of agreement with each statement ranging from strongly agree, agree, undecided, disagree to strongly disagree.

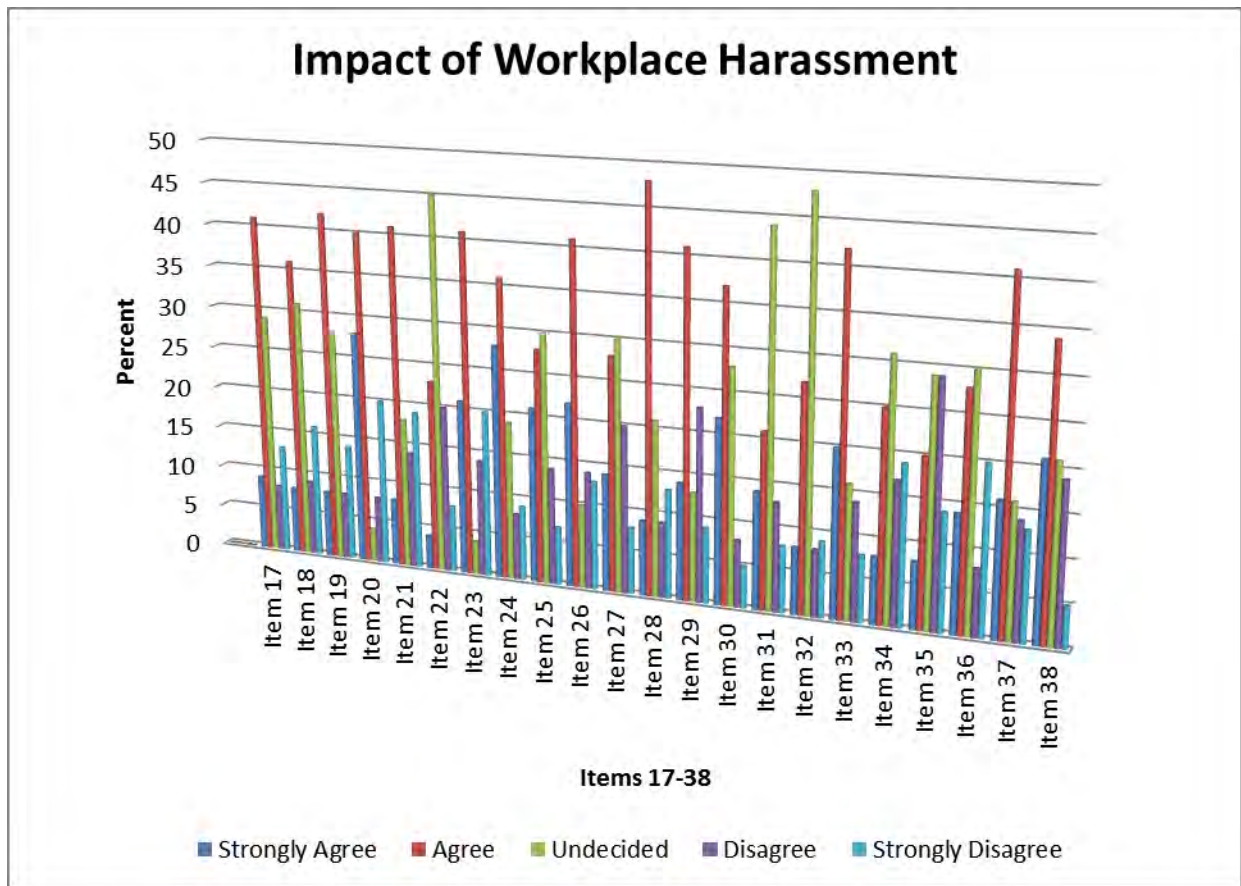


Figure 4-16: Impact of workplace harassment

Item 17: Secret meetings occur.

A total of 50% of the respondents agreed that secret meetings occur, but 21% disagreed and 29% were undecided. This is viewed as a sign indicating that there might be a level of bullying taking place as a result of secret meetings among certain staff, excluding others.

Item 18: There is a lack of transparency.

Forty-four per cent agreed with the statement, 25% disagreed and 31% were undecided. Lack of transparency is viewed as withholding information, especially when it is done by the supervisor, may hinder staff to a certain extent in performing their duties.

Item 19: People who speak their minds are suppressed.

Responding to this statement, 50% agreed, whereas 25% disagreed and another 25% were undecided. It is important to note that when staff who speak their minds are suppressed, it might have a negative effect on staff performance and morale.

Item 20: There are informants.

The majority (60%) agreed that there are informants, but 28% disagreed and 4% were undecided. It will be interesting to know who these informants are, why they inform and what benefit they derive from informing.

Item 21: Direct communication is difficult.

Almost half the respondents (49%) agreed that direct communication is difficult, but 33% disagreed and 18% remained undecided. This might lead to misunderstanding and staff feeling that their views are not taken into consideration within the institution.

Item 22: Management is authoritarian.

Only 27% agreed with this statement, 28% disagreed and 45% were undecided. It will be interesting to know why some of the staff member felt management is authoritarian.

Item 23: There is emotional violence against workers.

A majority of the respondents (62%) agreed that there is emotional violence against workers, but 34% disagreed and 4% were undecided. This also is a sign that workplace harassment exists in the institution and that the institution has to address it before things go out of hand.

Item 24: Some colleagues get away with murder.

Responding to item 24, 64% of the respondents agreed, whereas 16% disagreed and 20% were undecided. It will be interesting to find out why certain staff members get away with murder, while other staff members are constantly reprimanded.

Item 25: Some colleagues are constantly reprimanded.

In responses to item 25, 49% of the respondents agreed, while 21% disagreed and 30% were undecided. It will be interesting to know why some staff members are constantly reprimanded and whether there is an element of workplace harassment.

Item 26: There are many crises in the department.

A total of 63% of the respondents agreed that there were many crises in their departments or units, but 27% disagreed and 10% were undecided. The many crises

and constant chaos may be a sign of the impact of workplace harassment within the department.

Item 27: There seems to be constant chaos.

A total of 42% of the respondents agreed with this item, while 28% disagreed and 30% were undecided.

Item 28: Staff do not speak well of other staff.

About 57% of the respondents felt that staff do not speak well of other staff, but 22% of them disagreed and 21% were undecided.

Item 29: Staff do not speak well of the boss.

The results for this Item, show that 55% agreed, 32% disagreed and 13% were undecided. There might be underlying reasons why staff members do not speak well of their bosses and colleagues. This may lead to poor performance and low staff morale.

Item 30: Staff have to watch their steps with certain members.

A total of 59% agreed, while 13% disagreed and 28% were undecided. The results showed that there might be fear of the majority of staff members being subjected to harassment, hence they have to watch their steps with certain staff members.

Item 31: There is a lot of confidential talk.

Responding to item 31, 35% of the respondents agreed, whereas 21% disagreed and 44% were undecided.

Item 32: Staff are constantly criticised.

Out of 160 respondents, 35% agreed with this statement, while 17% disagreed and 48% were undecided. The results revealed that some staff are constantly criticised, which might be a sign that workplace bullying is taking place.

Item 33: Staff are asked for explanations and then ridiculed.

A majority of the respondents (62%) were of the view that staff are asked for explanations and then ridiculed, whereas 22% disagreed and 16% were undecided.

Item 34: Employees are undermined, especially in front of others.

A third of respondents (33%) agreed with this statement, but a larger number (36%) disagreed and 31% were undecided. When employees are undermined, especially in front of others, this may be a sign of the prevalence of harassment within the institution.

Item 35: Staff are denied information or resources necessary for undertaking work and achieving objectives.

The results revealed that 62% of the respondents agreed with the statement, but 22% disagreed and 16% were undecided. When staff are denied information or resources necessary for undertaking work and achieving objectives, this may have negative effects on staff performance.

Item 36: Staff are given the silent treatment; refusal to communicate and avoidance of eye contact.

The results showed that 42% of respondents agreed with the statement, but 28% disagreed and 30% were undecided. The results revealed that many staff members are given silent treatment, refusal to communicate and avoidance of eye contact, which are clear signs of harassment being prevalent in the institution.

Item 37: Staff are blamed unfairly.

A significant number of respondents (56%) agreed with this statement, while 27% disagreed and 17% were undecided. The results clearly show that there might be some form of harassment taking place in the institution.

Item 38: Staff are subjected to excessive monitoring and micromanagement.

A significant number of respondents (55%) agreed with the statement, while 24% disagreed and 21% were undecided. If the majority of staff are subjected to excessive monitoring and micro-management, this constitutes workplace harassment; bullying and psychological harassment or even stalking.

#### **4.2.5 Workplace harassment, performance and staff morale (Section E)**

Figure 7.5 indicates the relationship between workplace harassment, performance and staff morale at the institution. There were 27 items in this section of the questionnaire, where the respondents were asked to use the Likert scale to indicate



their level of agreement with each statement ranging from strongly agree, agree, undecided, disagree to strongly disagree.

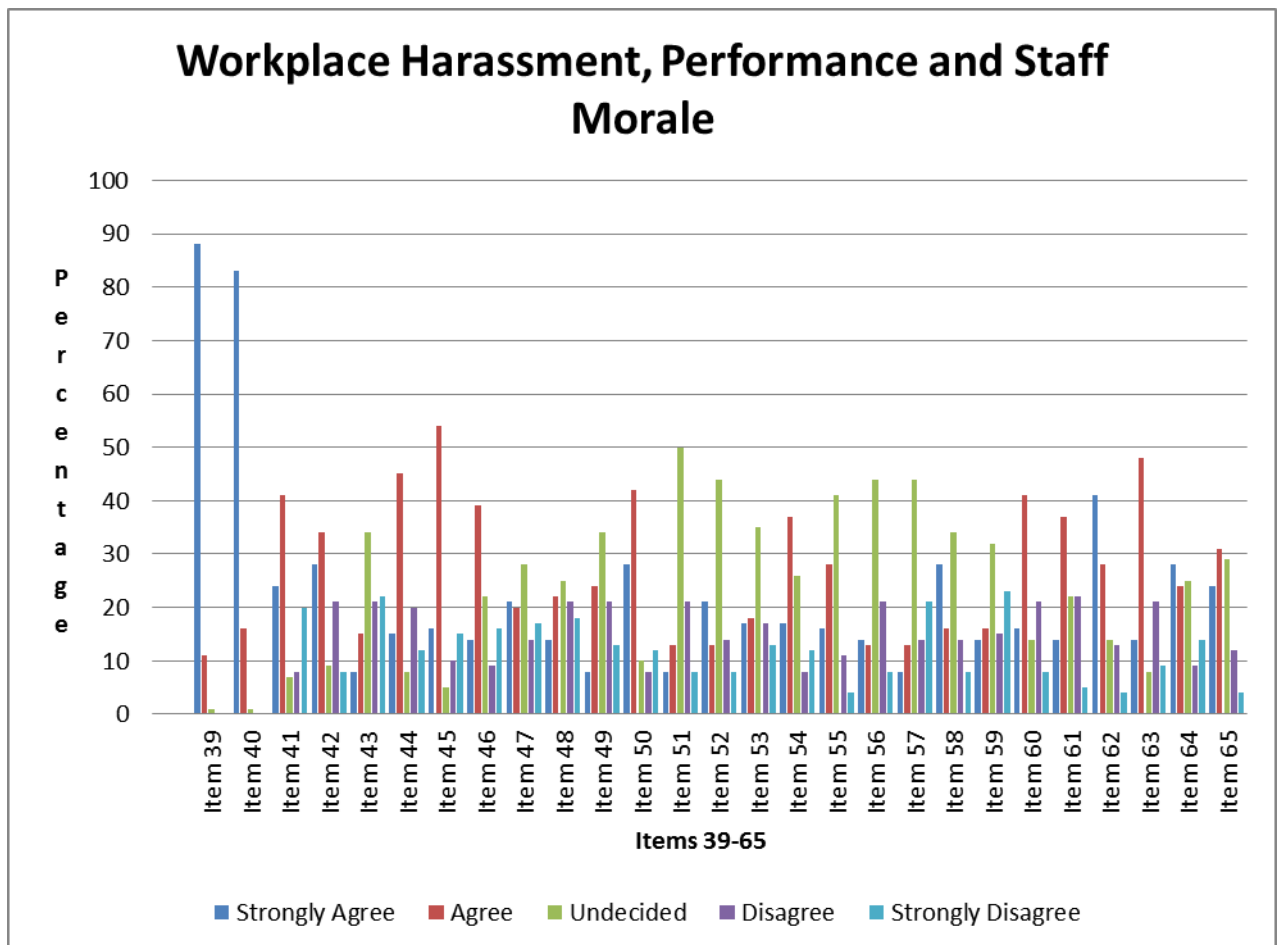


Figure 4-17: Workplace harassment, performance and staff morale

Item 39: Workplace harassment can affect the morale of staff.

The overwhelming majority of the respondents (99%) agreed that workplace harassment can affect the morale of staff. Not a single respondent disagreed with this statement. Only 1% of the respondents were undecided. The responses suggest that there is a positive link between workplace harassment and morale of staff.

Item 40: Workplace harassment can affect the performance of individuals.

Out of 160 respondents in the survey, 99% agreed that workplace harassment can affect the performance of individuals, while two respondents were undecided. The responses suggest showed that there is a positive link between workplace harassment and performance of individuals.

Item 41: Job descriptions are vague.

Looking at this item, the majority (65%) agreed with the statement, while 28% disagreed and 17% were undecided. When job descriptions are vague, it can have an impact on staff performance and morale.

Item 42: Job descriptions are open-ended.

The majority (62%) agreed with the statement, while 29% disagreed and 9% were undecided. When job descriptions are open-ended, it can have an impact on staff performance and morale.

Item 43: Job functions overlap with colleagues.

A minority (23%) agreed with this statement, 43% disagreed and 34% were undecided.

When staff members' job functions overlap with other staff member, this can lead to ambiguity and it can affect staff performance and morale.

Item 44: There is lack of career development opportunities.

Sixty percent of the respondents agreed, but 32% disagreed and 8% were undecided. The majority of staff indicated that there was a lack of career development opportunities in the institution and this led to low motivation among the affected staff, which can subsequently affect performance.

Item 45: There is high absenteeism.

Responding to this statement, 70% agreed, while 25% disagreed and 5% were undecided. While there may be many factors that can lead to high absenteeism, there is also evidence that victims of workplace harassment tend to have high levels of absenteeism due to fear of victimisation, work stress, poor performance and low morale.

Item 46: There is high staff turnover.

The results revealed that 53% of the respondents agreed with the statement, but 25% disagreed and 22% were undecided. Most victims of workplace harassment will eventually leave their jobs as result of being victims who can no longer cope with facing their harasser or because of work-related stress.

Item 47: Undignified behaviour persists.

The largest number (41%) of participants agreed whereas 31% disagreed and 28% were undecided. This showed possible signs of workplace harassment within the institution.

Item 48: Human dignity is not valued.

The results showed that 39% agreed with the statement, while 36% disagreed and 25% were unsure, indicating that workplace harassment such as bullying and psychological harassment might be taking place within the institution.

Item 49: Staff seldom speak well of the institution.

A minority (32%) agreed with the statement, 34% disagreed and another 34% were undecided. When staff seldom speak well of the institution, this might indicate that they are unhappy and this can lead to demotivation and low staff morale.

Item 50: Staff are not happy with their equipment.

An overwhelming majority (70%) agreed that staff were not happy with their equipment, whereas 20% disagreed and 10% were unsure. Such a situation can lead to poor performance and low morale.

Item 51: Staff are not loyal to the institution.

Only 21% agreed with this statement, whereas 29% disagreed and a significant number of respondents (50%) were undecided. Lack of loyalty can also lead to high employee turnover and poor productivity.

Item 52: Staff are unhappy.

Item 17 asked if staff were unhappy; 34% agreed, while 22% disagreed and 44% were undecided. Unhappiness could result in poor performance and low morale.

Item 53: Staff are insecure.

In response to item 53, 35% of respondents agreed, while 30% disagreed. The other 35% were undecided. Staff who feel insecure will be prone to making high level of mistakes, poor productivity, high employee turnover and low morale.

Item 54: Cliques are common in the department.

A total of 55% of the respondents agreed that cliques are common in their departments, but 16% disagreed and 29% were undecided. This can be a breeding ground for workplace harassment.

Item 55: Cliques have protection.

Forty-four per cent of the respondents agreed with item 55, while 15% disagreed and 41% were undecided. When cliques have protection, it is a sign of the existence of bullying.

Item 56: Staff have false concerns raised over their performance.

Twenty-seven per cent agreed with this statement, 29% disagreed and 44% were undecided. This practice may affect the performance and morale of staff members.

Item 57: Staff are isolated and excluded from what is happening.

A minority (21%) agreed with the statement, 35% disagreed and 44% were undecided. When certain staff members are isolated and excluded from what is happening, this may be a form of harassment which might also affect their performance and morale.

Item 58: Staff are treated differently from the rest of their colleagues.

The results revealed that 44% of the respondents agreed with the statement, while 22% disagreed and 34% were undecided. This clearly shows a form of harassment towards those staff who are treated differently.

Item 59: Staff are subjected to disparaging remarks about their work and personal life.

Only 30% of the respondents agreed with this statement but the majority (38%) disagreed and 32% were unsure, which can lead to staff being demotivated, affect their performance. Such a practice shows the existence of harassment within the institution.

Item 60: Staff are humiliated especially in front of others.

The overwhelming majority (57%) of the respondents agreed that staff were humiliated, especially in front of others, but 29% disagreed and only 14% were

undecided. Humiliation constitutes a form of bullying as it unacceptable to humiliate a staff member in front of other staff.

Item 61: Staff are criticised where the intention is to embarrass and humiliate.

Looking at the responses of respondents to item 61, 51% agreed with the statement, whereas 27% disagreed and 22% were uncertain. This practice is viewed as unprofessional and forms part of a harassing situation.

Item 62: Staff are set unrealistic goals which are unachievable and are changed without notice.

A majority (69%) of the respondents agreed that staff are set unrealistic goals, which are unachievable and are changed without notice, while 17% disagreed and 14% were undecided. The setting of unrealistic goals might be evidence of harassment taking place in the institution.

Item 63: Staff are denied support and find themselves working in a management vacuum.

Most respondents (62%) agreed with this statement; but 30% disagreed and 8% were undecided. Lack of support a negative impact on staff productivity and contribute to low staff morale.

Item 64: Staff are overloaded with work making it harder to achieve targets

The results show that 62% of the respondents agreed, whereas 23% disagreed and 25% were undecided. Being overlooked can lead to low staff morale and demotivation as staff find it harder to achieve their targets because of unreasonable work overload.

Item 65: Staff are finding their responsibility increased but authority removed.

Fifty-five per cent (55%) agreed, while 16% disagreed and 29% were undecided. Responsibility without authority can lead to low productivity, because in increasing someone's responsibility, authority is also expected to be increased.

#### **4.2.6 Prevention of workplace harassment (Section F)**

Figure 7.6 indicates how the institution was preventing or addressing workplace harassment. There were 11 items in this section of the questionnaire, where the

respondents were asked to use the Likert scale to indicate their level of agreement with each statement ranging from strongly agree, agree, undecided, disagree to strongly disagree.

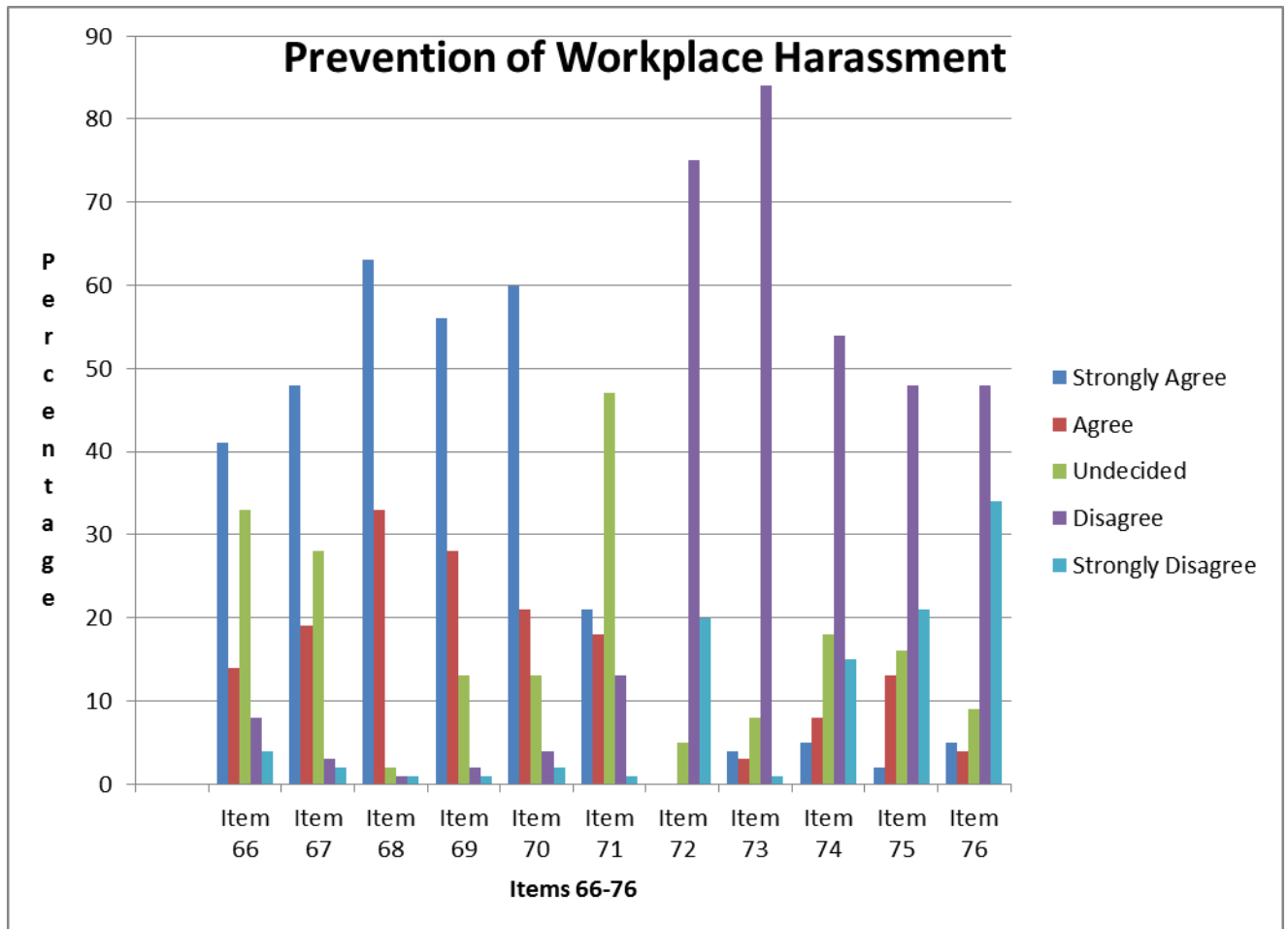


Figure 4-18: Prevention of workplace harassment

Item 66: There is no policy on workplace harassment.

The results revealed that 55% of the respondents agreed that there was no policy on workplace harassment at the HEI, whereas 12% disagreed and 33% were undecided. The institution, like many in South Africa, does not have a policy on workplace harassment covering all forms of workplace harassment. The only policy that has been approved (since 2007) is a sexual harassment policy, which is brief and unclear and does not mention any other forms of workplace harassment.

Item 67: Necessary measures should be taken to prevent workplace harassment.

A majority of respondents (67%) agreed, while 5% disagreed and 28% were unsure. Most of the respondents agreed that the institution must take the necessary steps to address workplace harassment.

Item 68: Harassment topics should be part of the induction programme.

An overwhelming majority of the respondents (96%) agreed that harassment topics should be part of the induction programme, while 2% disagreed and another 2% remained undecided. To address workplace harassment, most of the respondents were in favour of harassment topics being part of the induction programme.

Item 69: There are no clear guidelines to report harassment.

A large majority of the respondents (89%) agreed with the statement, while 3% disagreed and 13% were undecided. From the responses, it is clear that either there were no clear guidelines to report harassment or the institution was not making any attempt to make its staff aware of the reporting procedures for various forms of harassment.

Item 70: Harassment practices are not reported.

In response to item 70, a majority (81%) were of the view that harassment practices were not reported; 6% disagreed with this statement and 13% were undecided. The results showed that harassment practices were either not reported or the institution was not communicating with staff on any harassment practices reported and investigated.

Item 71: Harassment practices are not properly investigated.

In response to this statement, 39% of respondents agreed, whereas 14% disagreed and 47% were unsure. The results showed that harassment practices are either not properly investigated or the institution was not communicating with staff on any harassment practices that had been successfully investigated or are being investigated.

Item 72: Workplace harassment policy is included in the employment contract.

Of the respondents in the survey, 95% disagreed with the statement while 5% were undecided. Currently, the institution does not have any harassment policy which

includes all forms of harassment. The only policy that has been approved (since 2007) is the sexual harassment policy, which is on the institution's staff portal. It is also clear that most of the staff had not read the sexual harassment policy that under human resource policies. The institution should communicate these policies to staff so that staff familiarise themselves with the human resource policies.

Item 73: There is someone or an office assigned to handle harassment cases.

An overwhelming majority (85%) of the respondents disagreed that there is someone or an office assigned to handle harassment cases, whereas 7% agreed and 8% did not know. This is problematic as staff do not know who to report to should they be victims of workplace harassment, includes bullying, sexual harassment, religious harassment, racial harassment, stalking, cyberstalking, electronic harassment, sociological harassment or colloquial speech.

Item 74: There are clear guidelines on how to handle harassment cases in the institution.

Thirteen per cent (13%) of the respondents agreed but an overwhelming majority (69%) disagreed and 18% were undecided. The institution should educate and train its staff members on how to handle harassment cases.

Item 75: There are clear guidelines on the sanctions to be imposed on perpetrators of harassment.

Responding to this item 15% of the respondents agreed, whereas 69% disagreed and 16% did not know. The results revealed that the majority of staff were unaware of any clear guidelines on sanctions that may be imposed on someone found guilty of harassment. Workplace harassment is viewed as a serious offence and a person found guilty of such harassment may be dismissed, as happened in 2013 at Wits University, which dismissed two senior academic who were found guilty of sexual harassment charges. The institution, especially the human resources department, must communicate this to all staff in various forums. The staff unions can play a major role in advising members of the sanctions and consequences for anyone found guilty of any form of harassment.



Item 76: There are clear guidelines on how to assist the victim(s) of harassment and how to prevent victimisation.

The results revealed that 9% of the responded agreed with the statement, but 82% totally disagreed and the other 9% were undecided. Most of the staff are not aware of any clear guidelines on how to assist the victims of workplace harassment or how to prevent victimisation. The institution must do something about this.

Item 77: Additional comments about workplace harassment and its impact on staff performance at this HEI

In responding to the open-ended question that followed Item 76 in the questionnaire participants expressed various views, but most left the question blank, citing the sensitivity of the issue, even though their anonymity was guaranteed in the letter of acceptance to participate in this study.

The following are the responses directly from the questionnaire completed by the respondents in a quoted format.

Respondents perceived workplace harassment as a hindrance to staff performance and morale. Both academics and non-academics identified similar challenges that would affect staff performance and morale. There was confirmation that workplace harassment would impact on staff performance and morale (see comments below). Respondents also pointed out that monitoring and evaluation systems would assist in monitoring how the HEI is addressing workplace harassment and would serve as an early warning system so that proactive steps can be taken to address irregularities.

#### **4.2.7 Comments**

*Staff should be informed and trained on harassment issues.*

*Employees should be made to understand the types of behaviour that would not be tolerated. This is a critical part in managing a workplace.*

*Manager and employees must be familiar with formal policies and should be informed on a regular basis or posted on intranet (policies).*

*Training on conflict-resolution tactics.*

*In my experience, mainly as an Executive Dean, a lot of damage is done when staff are absent (suspended or sick) as a result not just of harassment per se, but also the procedures involved.*

*In some cases, even when you report various cases of favouritism, management just brush the issue under the carpet. I am of the opinion that a particular race group within our faculty is favoured.*

*If a staff member is experiencing any type of harassment, his/her performance will be affected negatively, as well as the achievements, towards his/her job.*

*Wherever there is harassment, one would not perform according to his/her abilities and that would affect the level of performance and the goals that should be achieved.*

*These are based on my personal and some of my colleagues' experiences and they really have a very negative impact on our performance as the staff.*

*I am undecided of my comments and answers to the question of harassment because the issues not highlighted at the institution.*

*Workplace harassment will occur at any organisation. It is important to have clear guidelines with regard to resolving in.*

*At the end of 2009 I reported the Head of Department's (HOD) non-negotiation with staff to retain a tea room to the Vice Dean. The tea room was taken away to change it to a Work Integrated Learning (WIL) simulation room in the middle of staff offices. The Vice Dean was brought by the HOD to silence staff especially me. He used aggressive vulgar language and conducted a vote unprofessionally to ensure that HOD's decision to change to the WIL room remain unchanged. The Vice Dean told staff "If you are not happy to work among your staff members, you must ship out". The Vice Dean also said that he has no time for staff reporting issues like this and so we must choose to "ship out", thereafter, the doors to the Vice Dean were psychologically made closed to staff. This has led to the HOD to become more emotionally and psychologically violent on staff. Most staff in the department are extremely unhappy with lower management attitude or behaviour.*

*There is workplace harassment between the Durban and Pietermaritzburg Campuses where Pietermaritzburg staff are made to feel inferior by Durban staff. There is bullying taking place in various subject committees. It is really bad. Sometimes only one person takes the decisions regarding a particular subject and other academics are just told what to do. Bullying is more prevalent in academia.*

*This is a very sensitive issue, will be very difficult to report especially when the harassment is verbally. Some of the things we can't be open about to protect our jobs. So sometimes you just have to accept your work environment as is*

*and do your “job’ and collect your salary. Team building for departments will a have a positive impact to this issue.*

## **7.8 Summary**

This chapter has presented the findings of the study. In this chapter questionnaire items were summarised to enable the reader to see to what extent the aims and objectives of the study may have been tackled by the data analysis method used.

The data produced were largely categorical or ordinal in nature. However, they facilitated the meaningful application of non-parametric tests together with the use of descriptive statistics. The analyses of the data under the relevant themes provided an integrated and holistic overviews of the study as a whole, whilst fleshing out the research objectives. The final presentation and analyses of empirical data point to the emergence of some significant trends and findings. An integrated discussion of the results is presented on Chapter five, which links the relevant findings with the literature review and the systematic model proposed.

Chapter five also links the literature review and the data collected and attempts to compare and contrast the findings of this study with the existing literature. Conclusions and recommendations are also provided. Lastly, suggestions for future research are outlined.

# **CHAPTER 5**

## **FINDINGS, CONCLUSIONS AND RECOMMENDATIONS**

### **5.1 Introduction**

This chapter provides the findings to the key research questions, draws conclusions, and makes recommendations. It also outlines the contribution of the research to knowledge. Practical examples are provided to address the nature and extent of workplace harassment and its impact on staff performance at the selected HEI. In addition, the chapter offers directions for future research.

#### **5.1.1 Objectives**

The central objective of this research was to explore the nature and extent of harassment and its impact on performance of staff at the selected higher education institution.

#### **5.1.2 Sub-objectives**

In order to achieve the central objective, the following sub-objectives were identified:

- to determine the form(s) workplace harassment take(s) at the selected HEI;
- to establish the extent of workplace harassment of staff at the selected HEI;
- to explore the impact of workplace harassment at the selected HEI;
- to establish how workplace harassment affects performance of individuals at the selected HEI; and
- to develop a model on workplace harassment at the selected HEI.

It is hoped that findings of this research will assist in:

- Establishing procedures to be used to deal with workplace harassment.
- Organising a range of professional assistance which will help other organisations.
- Developing a workplace harassment policy for the selected HEI.

In order to achieve these objectives, the following research questions have been addressed:

- What form/forms does workplace harassment of staff take at the selected HEI?

- What is the extent of workplace harassment at the selected HEI?
- How does workplace harassment affect the morale of staff at the selected HEI?
- How does workplace harassment affect the performance of individuals at the selected HEI?
- What can be done to address workplace harassment at the selected HEI?

## **5.2 Summary of the major findings pertaining to the key research questions**

The data examined in this chapter suggests an underlying pattern that is similar to some findings reported in the literature reviewed. Preventing workplace harassment and improving staff performance are pivotal for the survival of the institution. The key conclusions are summarised in the form of generalisations under headings related to the research questions.

The summary that follows reflects main findings from analysis of the questionnaire. A number of findings emerged from analysing the questionnaire. Information sought under items 1-12 was solely for the purpose of facilitating data collection. All 160 respondents provided these essential details. The background information (Section A) gave information about respondents' gender, age, race, highest qualification, teaching or non-teaching staff (see **Table 4-1**, page 224).

### **5.2.1 Forms of workplace harassment taking place at the selected HEI**

A total of 72% of the respondents revealed that bullying was prevalent and the most common form of workplace harassment at the selected HEI, followed by psychological harassment (8%), colloquial speech (6%), cyberstalking and electronic harassment (3%), racial harassment and stalking (2%), and religious and sexual harassment (1%). None of the respondents mentioned mobbing or hazing as other forms of harassment taking place at the selected HEI.

The results showed that bullying is the most common and prevalent form of workplace harassment taking place at the selected HEI. The HEI management and HR department should take necessary steps to address workplace bullying, as well as other types of harassment revealed, before they create serious problems for both individuals and the institution.

### **5.2.2 The extent of workplace harassment at the selected HEI**

The results revealed that workplace harassment exists at the selected HEI. The results further suggested that:

1. Many respondents (55%) have been victims of workplace harassment.
2. Majority of respondents (64%) knew victims of workplace harassment.
3. None of the 160 respondents was a perpetrator of workplace harassment, surprisingly.
4. A majority of the staff (55%) knew the perpetrators of workplace harassment.
5. The most common harassment is done by superiors to subordinates (55% agreed).
6. Harassment of superiors by subordinates was uncommon.
7. Harassment is done by staff to other staff members is common (41%).
8. Most common perpetrators of harassment are male staff (48%).
9. Most common perpetrators of harassment are female staff (32%).
10. Harassment is not gender-based (73%).
11. Most harassment occurs within departments (62%).
12. Most harassment occurs across the institution (54%).
13. The level of harassment was high in the institution (68%).
14. The level of harassment is low in the institution (34%).
15. Bullying occurs at department level (43%).
16. Favouritism was practised (56%).

### **5.2.3 The impact of workplace harassment at the selected HEI**

The empirical data from the respondents revealed that the impact of workplace harassment at the selected HEI was huge and affects employee-supervisor (line manager) relationship and/or employee-employee relations. Most of the respondents revealed that:

17. Secret meetings occurred (50%).
18. There was a lack of transparency (49%).
19. People who speak their minds were suppressed (50%).
20. There were informants (60%).
21. Direct communication was difficult (49%).
22. Management is authoritarian – minority of 27% agreed.

23. There was emotional violence against workers (62%).
24. Some colleagues get away with murder (64%).
25. To certain extent, some colleagues were frequently reprimanded (49%).
26. Crisis existed in departments (63%).
27. There seems to be constant chaos (42%).
28. Staff did not speak well of other staff (57%).
29. Staff did not speak well of the boss (55%).
30. Staff have to watch their steps with certain members (59%).
31. There is a lot of confidential talk (only 35%).
32. Staff are frequently criticized (only 35% agreed).
33. Staff were asked for explanations and then ridiculed (62%).
34. Employees are undermined, especially in front of others (33%).
35. Staff are denied information or resources essential for work (62%).
36. Staff are given the silent treatment, refusal to communicate and avoidance of eye contact (42%).
37. Staff were blamed unfairly (58%).
38. Staff were subjected to excessive monitoring and micromanagement (55%).

#### **5.2.4 Workplace harassment, performance and morale of individuals at the selected HEI**

The empirical data confirmed what was discussed in the literature review that there is a relationship between workplace harassment, performance and staff morale. The majority of the respondents indicated that:

39. Workplace harassment can affect the morale of staff (99%).
40. Workplace harassment can affect the performance of individuals (99%).
41. Job descriptions are vague (65%).
42. Job descriptions are open-ended (62%).
43. Job functions overlap with colleagues (only 23% agreed).
44. There is lack of career development opportunities (60%).
45. There was high absenteeism (70%).
46. There was high staff turnover (53%).
47. Undignified behaviour persists (41%).
48. Human dignity is not valued (39%).

- 49. Staff seldom speak well of the institution (32%).
- 50. Staff were not happy with their equipment (50%).
- 51. Staff are not loyal to the institution (only 21% agreed).
- 52. Staff are unhappy (34%).
- 53. Staff are insecure (35%).
- 54. Cliques are common in the department (55%).
- 55. Cliques have protection (44%).
- 56. Staff have false concerns raised over their performance (only 27% agreed).
- 57. Staff are isolated and excluded from what is happening (minority of 21% agreed).
- 58. Staff are treated differently from the rest of their colleagues (44%).
- 59. Staff are subjected to disparaging remarks about their work and personal life (30%).
- 60. Staff were humiliated especially in front of others (57%).
- 61. Staff were criticised where the intention was to embarrass and humiliate (51%).
- 62. Staff were set unrealistic goals which were unachievable and which are changed without notice (69%).
- 63. Staff were denied support and found themselves working in a management vacuum (62%).
- 64. Staff were overloaded with work, making it harder to achieve targets (62%).
- 65. Staff were finding their responsibilities increased, but authority removed (55%).

### **5.2.5 Prevention of workplace harassment**

Based on the responses of the respondents and the empirical data, the researcher can conclude that:

- 66. There is no policy on workplace harassment at the selected HEI (55%).
- 67. Necessary measures should be taken to prevent workplace harassment (67%).
- 68. Harassment topics should be part of the induction programme (96%).
- 69. There are no clear guidelines to report harassment (89%).



70. Harassment practices are not reported (81%).
71. Harassment practices are not properly investigated (39%).
72. Workplace harassment policy is included in the employment contract (95% disagreed).
73. There is someone or an office assigned to handle harassment cases (on 7% agreed).
74. There are clear guidelines on how to handle harassment cases in the institution (only 13% agreed).
75. There are clear guidelines on the sanctions to be imposed to perpetrators of harassment (only 15% agreed).
76. There are clear guidelines on how to assist(s) the victims(s) of harassment and to prevent victimisation (only 9% agreed).

### **5.3 Linking the current study with the previous research**

The following section links the findings of the current study with previous research. Some of the similarities found in previous studies are unpacked and compared to the findings of the current study. Also, the data examined in the literature review are linked to the findings of the study.

#### **5.3.1 The effect of the organisation on workplace harassment**

Studies show that organisational climate and workplace environment are essential for understanding the conditions in which harassment is likely to occur and the way its victims will be affected. However, research on specific policy, procedure, awareness and prevention strategies is lacking. Another element which increases the risk for harassment is the job's gender context. For example, having few women in the close working environment or practising in a field which is atypical for women might increase chances of harassment.

Lester (2009:451) states that the most effective way to avoid harassment in the workplace, and also influence the public's state of mind is for the employer to adopt a clear policy prohibiting workplace harassment and to make it clear to employees. Many women prefer to make a complaint and to have the matter resolved within the workplace, rather than to air out the dirty laundry with a public complaint and be seen as a traitor by colleagues, superiors and employers (Lester, 2009:451).

Rayner and Cooper (2006:123) affirm that most victims prefer a pragmatic solution that would stop the harassment and prevent future contact with the harasser, rather than turning to the police. The study by Felstiner and Sarat (1981:76) highlights the difficulty in turning an offence into a legal act. The authors describe three steps a victim (of any dispute) must go through before turning to the justice system: naming – giving the assault a definition; blaming – understanding who is responsible for the violation of rights and facing them; and finally, claiming – turning to the authorities. In sexual offences, there is great difficulty for the victims to go through these steps, and the closer the relationship between victim and assailant, the harder it is to take each step.

### **5.3.2 Policy**

A general non-discrimination policy is not enough. The courts generally have required a policy specific to harassment. The following are eight recommendations to maximise the clarity and value of the policy:

#### **1) Broad coverage**

The harassment policy should cover not only sexual but also other forms of unlawful harassment, for example, bullying, racial, religious, ethnic, colloquial speech and electronic harassment. The Employment Equity Opportunities Court (EEOC) in the United States, with the approval of many district and appellate courts, has taken the position that the Supreme Court's pronouncements relative to sexual harassment apply equally to other forms of unlawful harassment. In particular, with the increase in the number of colour discrimination claims, it is important to keep in mind that race and colour are not legally the same and each should be referenced separately.

#### **2) Encompass state and local law**

In drafting the list of factors to be protected, the employer should consider not only federal but also state and local law (United State of America). Although not covered by federal law, some state or local jurisdictions cover sexual orientation and marital status, to name just two.

#### **3) Address both kinds of sexual harassment**

With regard to sexual harassment, the policy should address both quid pro quo and hostile work environment harassment. With regard to both types of harassment, it is

important that the policy be clear that women and men alike are both restricted and protected by the policy and that same -sex and opposite sex harassment are equally prohibited.

4) Bring it to life

The policy should include real-life examples as opposed to technical legal definitions. If employees do not know what the policy covers, its deterrent value is minimal.

5) Focus on propriety, not legality

The policy's prohibition should speak in terms of inappropriateness, rather than illegality. That way, the employer can take corrective action without admitting that there has been a legal violation. "Having a copy of *Playboy* on one's desk may not be severe or pervasive enough to be unlawful, but it most certainly is inappropriate and unacceptable" (Armstrong, 2006:123).

6) Explain application to non-employees

The policy should be clear that it covers how employees interact not only with each other, but also with non-employees with whom they come into contact in the course of their employment. This includes vendors, suppliers, customers, and clients.

7) Explain application to all communications

The policy should be clear that it applies not only to oral and written, but also to electronic and Internet communications. For many plaintiffs' lawyers, the electronic trail is the road to early retirement.

8) Explain scope

The policy also should be clear that is not limited to the physical workplace, but also includes anywhere where employees do business on behalf of the employer. That would include, for example, business trips and conferences".

### **5.3.3 Complaint procedure**

The companion to the policy is the complaint procedure. The researcher recommends eight aspects to make the complaint procedure user-friendly and to increase the likelihood that an employee's failure to use it will be deemed unreasonable with respect to the affirmative defence.

1) Application to all harassment

The complaint procedure should be explicit in that it applies not only to sexual, but also all other forms of unlawful harassment. If the language states or suggests that it applies only to sexual harassment, the policy will be defective.

2) Application to non-employees

The policy should be clear that it applies to conduct engaged in not only by employees, but also by non-employees. This is the legal corollary of the requirement that the policy be clear that it covers behaviours engaged in by employees relative to these same third parties.

3) Bypass supervisors

The complaint procedure should include a bypass provision stating that the employee can contact someone other than his or her supervisor. The Supreme Court of United State of America has made clear that a complaint procedure is defective if it does not include such a bypass provision.

4) Employment equity opportunities diversity

The complaint procedure should go beyond merely having a bypass provision and include multiple points of access with Employment Equity Opportunities (EEO) diversity among them. EEO diversity in the points of contacts makes it more difficult for someone to argue credibly that they did not feel comfortable with any of the points of contact.

5) Clarify contacts

There are a few recent cases in which employees have claimed successfully that they did not know the identity of the person referenced in the complaint procedure. So the HR manager must use specific and accurate titles as opposed to general references to departments. Better yet, supplement the institution's policy periodically by providing employees with the phone numbers and e-mail addresses of the current points of contact.

6) Assurances

It is important that the complaint procedure include adequate assurances about what will happen if the employee uses it; namely:

- The employer will conduct a full and fair investigation
- The allegations will be kept as confidential, disclosed only to those who have a need to know for the employer to investigate or take corrective action. The manager must be careful not to promise absolute confidentiality since that is a promise which the organisation cannot honour
- The employer will not tolerate unlawful retaliation. This provision should cover not only complainants, but also witnesses and others who participate in the investigatory process
- The employer will take disciplinary and other corrective action if there has been unlawful or inappropriate conduct. It is critical that the policy not be restricted to unlawful behaviour, but also address inappropriate behaviour so that the employer does not have to wait until there has been illegal conduct or concede illegal conduct to take corrective action.

#### 7) Oral complaints

The complaint procedure should not require that complaints be in writing. As a legal matter, an employer cannot ignore an oral complaint. As a practical matter, requiring that complaints be in writing surrenders to the employee (or his or her lawyer) the power of the pen.

#### 8) Appeals procedure

It is recommended that there must be an appeals procedure which employees can use if they are not entirely satisfied with how their complaints have been handled. It is recommended that the employer request that appeals be in writing so that there is a clear record of what was said as well as what was not said. The organisation cannot ignore a legitimate appeal simply because it was delivered orally.

The policy and complaint procedure have value only if they are disseminated. It is recommended that they be re-published each year to all employees. Records of receipt should be retained. The policy and complaint procedure should also be included in a new employee's orientation with appropriate documentation reflecting this. While policy and complaint procedures are necessary elements of a comprehensive prevention programme, they are not sufficient. Other necessary elements include supervisory training and employee education.

## **5.4 Conclusions of previous research linked to the current study**

### **5.4.1 The impact of workplace harassment**

General and occupational health professionals (GPs) are often the first professionals to become aware of workplace harassment. The role of the GP must be to identify where a patient's symptoms are caused by interpersonal conflict and describe how the GP can support the patient in dealing with the medical and psychological outcomes of harassment. While it is well recognised that victims of harassment frequently suffer mental and psychosomatic health consequences, there is a growing body of evidence to show that the symptoms experienced by some victims are consistent with a diagnosis of post-traumatic stress disorder (Leymann & Gustafsson, 1996:251). Victims of harassment have difficulty in understanding their experiences and frequently experience symptoms of re-experience, hyper-arousal and avoidance. While attention has been drawn to the causes and impact of harassment, much less has been done to develop effective interventions to help both the perpetrator and the target (Leymann & Gustafsson, 1996:251).

### **5.4.2 Harassment as a cause of ill health**

All forms of harassment, whether personal or corporate, can cause stress. Stress, in the short term, raises the levels of hormones of the adrenal medulla, adrenaline and nor adrenaline (epinephrine and nor epinephrine) with consequent rises in levels of pulse rate, blood pressure and alertness (Arroba & James, 1987:131). Traditionally, adrenaline and nor adrenaline have been regarded as the fight or flight hormones (Cannon, 1927). The description should have also included freeze, another acute stress-coping mechanism which has been observed in many people faced with a seemingly insurmountable problem (Raphael, 1986:37). In the longer term, stress produces an increase in secretion of the adrenal cortical hormone cortisol. This, in turn, is linked to an increased incidence of coronary and peripheral arterial disease (heart attack and strokes), impaired immunity, anxiety-depression and osteoporosis (Dinan, 1999:715).

### **5.4.3 Harassment and its relationship to anxiety and depression**

An Institute of Personnel and Development (IPD) survey conducted in 1996 found that one person in eight had been harassed at work within the last five years. Such

harassment extracts a high price from both employees and employers alike. If harassment at work is associated with job dissatisfaction, absence, poor performance and turnover, the distressed employee will attend the GP's surgery with symptoms of stress, depression and anxiety, together with their related physical and occupational manifestations (See Table 5-1).

**Table 5-1: The impact of workplace harassment on staff**

<b>Symptoms and signs of depression and anxiety</b>	
Low mood	Tiredness and fatigue
Loss of pleasure in life	Tearfulness
Nightmares	Irritability
Suicidal thoughts	Anxiety and agitation
Poor concentration and memory	Panic attacks
Sleeplessness	
<b>Physical symptoms</b>	
Frequent illness	Loss or gain in weight
Colds	Bowel upsets
Cystitis	Palpitations
Thrush	Skin problems
Cold sores	Eczema
Appetite change	Psoriasis
Decreased libido	Aches and pains
Ejaculatory problems	Ulcers
<b>Behavioural consequences at work</b>	
Absenteeism	Resignation
Shattered self-confidence	Poor performance
Low commitment	Lack of imagination
Accidents	Increase in errors and mistakes

Source: Adapted from Institute of Personnel and Development, (1996:33)

Quine (1999:229) provides the following explanations for the association of workplace harassment with anxiety and depression:



- (a) Being harassed leads to psychological ill health and decreased job satisfaction
- (b) Some people may be more likely to report being harassed than others; these may be people with a pessimistic outlook.
- (c) Being depressed, stressed or anxious may cause a person to be harassed by people who choose weaker people as their victims.
- (d) Anxiety and depression weaken a person's ability to cope with stressors such as workplace harassment or make them more likely to perceive other people's behaviour as over-hostile or critical to them.

Some professions appear to be particularly vulnerable to harassment (Cooper & Hoel, 2000:136). Over the past few years, there has been a large increase in the numbers of teachers seeking medical advice for stress and many of them request support for applications for early retirement on medical grounds, reporting that their stress was being caused by workplace harassment. Organisations have their history and style of operation and these organisational cultures can determine the nature of the harassment that takes place. In a study of organisational cultures, Wright and Smye (1998) describe three types of corporate culture and the style of abuse which were adopted:

- The *win/lose culture*, which forces people to strive against their colleagues rather than with them.
- The *blaming culture*, which makes people afraid to step out of line.
- The *sacrifice culture*, which involves people putting work above their social and personal lives.

A health practitioner caring for a patient working in a destructive culture is faced with the dilemma of merely dealing with the symptoms of the problem or, with the agreement of the patient, tackling the underlying problem with the organisation. Sometimes the real problem is not easy to identify, particularly when the patient has a reason to hide their true fears.

#### **5.4.4 Harassment is a health and safety issue**

The effect of being harassed is frequently stress and ill health. Health and Safety Executive (HSE) guidelines (1998) adopted by Institute of Personnel and Development identify harassment as a cause of stress and indicate that harassment must be taken into account when organisations undertake risk assessments.

These Health and Safety Executive (HSE) guidelines state that:

- (a) employees cannot easily cope with inconsistency, indifference or harassment
- (b) employers must ensure that people are treated fairly and that harassment of those who seem not to fit in is not allowed
- (c) employers should have effective systems for dealing with interpersonal conflict, bullying and racial or sexual harassment, including an agreed grievance procedure and a proper investigation of complaints.

Workplace harassment must be dealt with as a health-and-safety-at-work issue. It cannot be regarded as an industrial relations issue, nor should it be left to the individuals concerned to settle. Employers have a clear duty under the Health and Safety Act of 1974 to ensure the health, safety and welfare of their employees. This duty of care is part of the contract of employment. Employers will be regarded as failing in their duty of care if they do not anticipate the possibility of harassment or have procedures to deal with and resolve harassment once it has occurred. Employers must take steps to ensure that it is not their culture, management style or employment practices that enables individual harassment or corporate harassment practices to exist. Harassment is clearly a major stressor in the workplace and again the Health and Safety Executive has made it clear that stress should be dealt with under the Health and Safety at Work Act. Employers should carry out risk assessments to identify stressors within the workplace and trade union safety representatives have a right to be part of that assessment process. Attempting to carry out a risk assessment on harassment without a clear approach to a workplace stress policy would be impossible.

An effective stress policy should:

- recognise that stress (and therefore harassment) is a health and safety issue
- recognise that stress is about the organisation of work
- be jointly developed and agreed with unions
- have commitment from the top
- guarantee a blame-free approach
- apply to everyone
- have arrangements for joint monitoring and the reviewing of effectiveness

The three prime objectives of a stress policy are to: prevent stress by identifying the causes of workplace stress and elimination them, recognise and deal with stress-related problems as they arise by educating employees about stress and encouraging participation and co-operative working, and rehabilitate employee suffering from stress through the provision of independent confidential counselling and support (Noe et al., 2007:322).

#### **5.4.5 Cost of harassment to organisation**

Some common factors that need to be considered when estimating the cost to the organisation are sickness absence, replacement costs incurred by employee turnover, reduced productivity/performance, knock on effects on witnesses or observers of harassment, premature retirement, grievance and complaints (significant under-estimation of reporting and investigation down-time), litigation and compensation, and organisational intervention.

Other factors that need to be considered include are presenteeism; brand image and public goodwill; corruption, fraud, sabotage and theft; impact on quality of products and services; and employers of choice.

##### **5.4.5.1 Inductive method for calculating the financial cost of harassment**

Brun and Lamarche (2006) argue in favour of the inductive approach, which they applied in a Canadian study of occupational stress. As far as possible, they attempted to identify the various categories of costs and their indicators. With reference to this study and supplied with data from Hoel et al. (2001) and other recent studies on harassment, Brun and Lamarche (2006) attempted to build a picture of cost of harassment to the organisation, with specific emphasis placed on costs associated with absenteeism, turnover and productivity.

##### **5.4.5.2 Absenteeism**

With respect to harassment, the figures most frequently quoted are those emerging from a nationwide study of harassment in the United Kingdom by Hoel and Cooper (2000a:103). By comparing figures from those who reported harassment with those who had no experience of harassment, they calculated that targets of harassment on average reported absenteeism of seven days more per year than those who had not experienced harassment. Brun and Lamarche (2006) also claim that, as far as they

know, no other studies have provided alternative figures. They further suggest that there are several ways of assessing absenteeism costs using this figure. One approach would be to use the so-called human capital method, which suggests the number of lost days multiplied by the average salary within the organisation or sector. It must be noted, however, that using this approach suggests that harassment is normally distributed among income groups and that the cost of absenteeism is restricted to an individual's salary.

#### **5.4.5.3 Turnover costs**

Unison (1997) suggests that 25% of employees who are harassed are likely to leave as a result of their experiences. However, since not all these employees are likely to leave the organisation immediately, Brun and Lamarche (2006) make an estimate that this figure will be reduced by a further quarter (6.25%).

CIPD (2007) figures suggest that the main costs incurred as a result of turnover relate to administration, recruitment and selection, temporary cover and induction training. They highlight that the cost of turnover per employee averages thousands of pounds.

#### **5.4.5.4 Productivity**

Exact measures of organisational productivity and performance levels are difficult to determine. However, it is possible to make estimates based on the human capital method assuming that lost productivity is equivalent to, at least, wage/salary costs. The percentage loss figure is based on Hoel and Cooper's (2000a) evidence highlighting a self-reported reduction in performance for both targets and perpetrators of harassment, and suggesting that a drop in productivity of between 1½-2% may be attributable as a result.

### **5.5 Recommendations**

The central objective of this research was to explore the nature and extent of harassment and its impact on performance of staff at a South African higher education institution. The empirical investigation revealed significant findings on workplace harassment and its impact on staff performance. The proposed systemic model on workplace harassment was subjected to scrutiny based on the empirical

findings. Arising from the analyses and discussion of the results, the following recommendations are made.

### **5.5.1 Develop workplace harassment policy**

Analysis and assessment of the nature of definitions in the field of Public Administration reveal that no universally accepted definition, theory or model exists for the term policy. However, an adequate framework of definitions enable one to explore the multidimensional nature of policy, to establish the key elements of definitions in the field and to develop a working definition.

Policies should include:

- (a) a statement that workplace harassment will not be tolerated and will be treated as a disciplinary offence
- (b) a commitment that complaints of workplace harassment will be taken seriously and dealt with quickly and in confidence
- (c) a complaints procedure with a timetable for all stages of the procedure
- (d) a training for management and trade union representatives
- (e) a provision of confidential counselling for both the harasser and the victim
- (f) regular monitoring.

A safety representative must:

- (a) encourage victim to record episodes of harassment in writing
- (b) establish whether other employees have had similar experiences
- (c) discuss with the victim the various options and always be clear on the steps both agree to take next
- (d) report the incident to management, with the agreement of the victim
- (e) represent the victim at all stages of the enquiry and to ensure that the case is dealt with quickly and in accordance with the agreed procedures
- (f) contact the union, if additional help or support is needed".

Campaigning could include:

- (a) a survey of the workplace or union branch on the extent of workplace harassment
- (b) organising meetings on the issue

- (c) raising awareness through posters, e-mails and leaflets
- (d) ensuring that dealing with workplace harassment is incorporated into union and employer's training programmes".

The HEI must develop an anti-harassment policy, which should be communicated to all staff members and monitored on a regular basis. This should include providing relevant definitions and examples of harassment behaviour and highlighting individual responsibilities. To assist HEIs and managers in their effort against workplace harassment, an evidence-based toolkit of interventions, applicable to different situations and contexts, needs to be developed. However, to be effective such interventions need to be applied specifically to the local context and based on broad involvement across the organisation.

Much of the evidence presented in terms of harassment has been collected by means of questionnaires. Other methods, such as in-depth interviews and personal diaries should be utilised in the future in order to develop a deeper understanding of the issues involved. As self-report measures used in questionnaires are open to bias, they should be combined with more objective data such as organisational data on performance, productivity, absenteeism and turnover to get a more accurate picture of the impact of workplace harassment.

### **5.5.2 Workplace harassment policy**

If the policy is to meet the needs of all employees it should include:

- a timetabled complaints procedure
- training for management and trade unions representatives
- provision of confidential counselling and support for the victim and the perpetrator
- taking care of the supporters
- monitoring and evaluation.

#### **5.5.2.1 A timetabled complaints procedure**

It is important that all those concerned know the nature of the procedure and at what stage the various elements of the procedure will come into play. For example, when

the informal process has failed or ceased to be acceptable, at what stage will the disciplinary element of the hearing be invoked? The timescale must be as short as possible to ensure that the issue is quickly resolved. However the timetable must also ensure that all concerned are able to present their case fully. If there is to be a change to the timetable everyone concerned must agree to it.

#### **5.5.2.2     *Training for management and trade union representatives***

The main reason harassers survive is that colleagues do not know how to confront the perpetrators or to assist the victims. Many people do not realise that harassment is occurring. A lot of harassment happens behind closed doors, without witnesses. Therefore, the perpetrator thrives where harassment is not talked about or where there is ignorance about the nature of harassment and how to deal with it. Harassment sometimes depends on the connivance of others not directly engaged in the harassment. Training programmes should not only deal with the implementation of the harassment procedure, but also enable employees to understand the nature of harassment, the forms it can take and how they can recognise and assist colleagues with the harassment problem. To be successful, training courses should be developed with the support of union or staff representatives. It is vital that staff are fully involved in the training programme and are not just seen as receivers of wisdom.

#### **5.5.2.3     *Recognition of the problems faced by the victim***

Employees experiencing harassment may not come forward as readily as employees concerned about other health and safety issues in the workplace. These employees may feel isolated and, if the harasser is particularly manipulative, they may not even be certain that they are actually being harassed. Any policy on harassment needs to cater for those who do not feel confident about coming forward. It is important to offer informal procedures to help victims of harassment. The primary concern for anyone being harassed is for the harassment to stop as quickly as possible. Trade union representatives should be careful to check with the victim what they want to happen and only take a case further if the victim supports this action. Sometimes a quiet word with the perpetrator indicating that there has been a complaint about their behaviour is enough to stop the harassment occurring.

#### **5.5.2.4 Provision of confidential counselling and support for the victim and the perpetrator**

Like all good health and safety procedures, the workplace harassment policy must prevent a reoccurrence of the event. Once the employer, in discussions with the safety representative and the workforce, has removed the organisational problems that led to the harassment, there may be a need for counselling. The harassed employees should receive counselling to help them cope with the aftermath of the experience of being harassed and also with having to go through the complaints procedure. Counselling can be used to rebuild their self-esteem. For the perpetrator, counselling can be helpful in enabling a recognition of the nature of their attitude or behavioural problem which led to the unacceptable behaviour towards others. The families of the victim and the perpetrator may also need counselling to help them come to terms with their experience.

Employee Assistance Programmes (EAPs), welfare services and other employee support programmes are often funded by employers to provide free and confidential personal counselling for employees and, sometimes, for their families. These services may be run in-house or externally. It should be remembered, however, that these programmes do not remove the problem and should never be regarded as a substitute for a preventative policy. Counselling is designed to help the employee deal with the aftermath of harassment.

Where counselling is requested or offered, it must be made available quickly. No one involved in the harassment should have to wait more than a few days, regardless of whether he or she is the harassed or the harasser. Internal and external organisational counselling and support programmes may offer a wide range of services. These may often include:

- a free telephone service
- assessments
- face-to-face counselling
- referral to expert advisers.



The decision to introduce a counselling programme and who is to provide that service are important questions and should only be made following discussion with the employees and their representatives.

#### **5.5.2.5 *Taking care of the supporters***

It should be remembered that taking someone through a harassment complaints procedure can be a traumatic experience not only for the perpetrator and the victim, but also for those providing the counselling, information and support. It is important to recognise that those who are personally concerned in the process, such as the trade union representative, personnel managers and counsellors, may become affected by dealing with particularly harrowing cases.

#### **5.5.2.6 *Monitoring and evaluation***

Any policy and counselling referral must be subject to regular monitoring – is it achieving its intended aims and objectives? Just because there have not been any complaints since the policy or procedures were introduced does not mean that it is working well. It is important that the standards of performance and success criteria are agreed before the service is introduced so that everyone is clear about what is required and the standards that can be expected.

### **5.5.3 Education and training on workplace harassment**

Education and training is important in developing the confidence and skills of safety representatives in dealing with workplace harassment effectively. The HEI must organise two-three-day courses that look at workplace harassment from a trade union perspective so that union representatives must:

- (a) define and recognise harassment, identify potential work organisation and staffing issues that may encourage harassment
- (b) work with personnel officers to ensure that harassment is addressed and managed
- (c) provide members with support where harassment and bullying occurs
- (d) understand how employment law principles and health safety legislation apply to workplace harassment
- (e) develop a workplace strategy to tackle harassment.

Many unions also provide their own training for representatives and look at innovative ways of providing training and can arrange for training of their representatives in dealing with workplace harassment. The approach may involve commissioning Equity (a phrase referring to the actors' union in the United States) to run a role-play workshop on harassment. The Equity members may play a bullying line manager and a new employee. In a series of scenes the actors may show the steadily deteriorating relationship between the line manager and the new employee. Between each scene the characters may be able to talk to the whole group, answer questions and explain their actions and feelings. The group will in turn suggest possible solutions – and then role-play these solutions.

## **5.6 Recommendations of past studies related to the study**

According to Fox, Schwella and Wissink (1991:296), research ensures that decisions are taken based on objective, reliable and valid knowledge. Therefore, a typology of recommendations arising from the empirical research of this study includes the following:

### **5.6.1 Dealing with workplace harassment and discrimination**

The evidence for workplace harassment having a detrimental impact at individual, organisational and societal levels was established and explored in the research.

From a national economic and organisational development perspective, it makes sense that the skills set of the whole workforce is utilised fully, rather than creating barriers for individuals because of differences in gender, ethnicity, age, sexual orientation, religion, and so on. As a result, there is much discussion on the business case for diversity with arguments that a diverse workforce brings with it the development of a wider range of skills and experiences, improvement in understanding the needs of diverse populations, and a general improvement in the image of organisations through their association with diverse groups (Noon, 2007:773). Similarly, it may also be argued that harassment is likely to become more intense with the increasing globalising trend for work and workers (Hoel & Cooper, 2001:5). This evolution of economic activity has seen greater movements in skilled workers geographically or through embedding overseas employees into organisations that operate globally (Lin, 1999:467).

Operations that encourage multiple variations of culture and subculture, particularly within a short time span, must be aware that such variation can have an unsettling impact on the cultural norms of groups and affect intergroup relations (Baron & Neuman, 1998:446; Harvey, Treadway, Heames & Duke, 2009:27). Of particular concern here are the power relationships between, and sometimes even within, minority groups, with the conflicts that often arise between ethnicity or religion and sexual orientation serving as a case in point. Thus, as Yamada (2003:402) comments, this situation has created complex legal and moral issues associated with tackling harassment. If national and global spheres of operation are likely to create tensions around cultural norms, the likelihood makes a compelling case for tackling harassment and discrimination together.

Whilst the cost argument is compelling, Einarsen et al. (2010:275) caution against an overemphasis on an economically rational argument for tackling harassment and discrimination. If diversity and equality of opportunity are human rights based on moral legitimacy (Noon, 2007:776), then there appears to be a strong case for placing harassment within the same category. If managers and organisations simply adopt an economic rationality for tackling harassment, the moral imperative could be lost behind a business veneer. Furthermore, if managers alone own the problem, then tackling harassment becomes a managerial agenda rather than a moral one. Under such circumstances, the long-term benefits of tackling harassment might be seen by managers as not offering quick win, specifically where managers are often driven by short-term targets. It, therefore, seems to be more sensible to argue that linking harassment to discrimination on moral grounds is likely to have stronger foundations for dealing with both.

## **5.6.2 Interventions**

### **5.6.2.1 *Utilising existing legislation and developing new legal framework***

Even though through organisational policies most organisations could demonstrate a fairly developed aptitude on the issue of harassment, one of the main challenges of addressing harassment in workplaces in many countries is the absence of custom-made legislative frameworks. Recognising the weaknesses and shortcomings of existing legislation (Guerrero, 2004; Hoel & Einarsen, 2009), this absence may mean that individuals who wish to pursue a case of harassment may develop a false sense

of security if they consider themselves to be protected by internal organisational policies or by the law. Moreover, in terms of a legal perspective, individuals who want to take a harassment case forward may be forced to seek legal redress through other avenues such as anti-discrimination, health and safety or whistleblowing legislation, or even constructive dismissal routes. This absence of specific anti-harassment legislation also suggests that workers from protected or minority groups may have more scope to pursue their harassment claims through anti-discrimination legislation, whereas employees who are not from a minority group may have limited options to take such a course of action (Porteous, 2002:77). In this scenario, employers may also be aware that what may initially be seen as a case of harassment may quickly turn into one of discrimination if the parties involved have characteristics that may warrant such an approach, hence creating a situation where the employer is faced with an altogether more serious accusation. The potential for such an outcome could also result in organisations trying to conceal cases of harassment much earlier in case there is a risk of linking them to discriminatory practice.

A clear challenge is, therefore, to find more effective ways of grappling with complex constructs. Many managers should be well-versed in harassment policies and anti-discrimination principles. However, an absence of specific anti-harassment legislation in many countries could have negative consequences for tackling harassment simply because that absence suggests that harassment is not seen as important. In the case of the United Kingdom, non-government agencies such as Advisory, Conciliation and Arbitration Service (ACAS) and the Equalities and Human Rights Commission (EHRC) are pivotal in promoting awareness of rights and responsibilities to both employers and employees. ACAS and EHRC offer documentation and training to managers and organisations when any new legislation means that tackling harassment at an organisational level consequently becomes difficult, since there is no external agency to drive training and raise awareness. Thus, Einarsen et al. (2010) argue that bridging awareness of the link between harassment and discrimination, particularly through a wider agenda for dignity and respect at work, could become a critical focus for helping to address workplace harassment.

### **5.6.2.2 Development of organisational policies**

Alongside legislative practices, organisations have constructed policies and processes to attempt to deal with harassment and other forms of unfairness at work. However, these policies and processes have not always been implemented as intended. Salin (2008) demonstrated that success with anti-harassment policies is often attributable to young and enthusiastic human resources managers keen to drive new initiatives.

Making explicit interconnections between harassment and discrimination policies provides mutual synergies. The evidence is reasonably incontrovertible in demonstrating how ethnic minorities (Fox & Stallworth, 2005:438; Lewis & Gunn, 2007:641) are more likely to report high levels of exposure to harassment behaviours. Similar evidence exists for disabled employees and those with long-term health conditions (Fevre, Robinson, Jones and Lewis, 2008; Grainger & Fitzner, 2007). In the United Kingdom, for example, gay and lesbian employees are more likely to label their negative workplace experiences as harassment rather than discrimination (Di Martino et al., 2003). With this clear body of evidence linking minorities to harassment behaviours, it seems prudent to link them at the policy level if we are to minimise the at-risk groups and negative impact to all.

The challenge still exists, however, to broaden the involvement of organisational constituents in the policy arena. Such broadening is possibly best achieved by utilising the aforementioned enthusiasm of human resources professionals as evidenced by Salin (2008) and drawing in wider participation from general employees, not simply those with an equalities agenda. Such an approach could benefit efforts to fight discrimination and harassment, since the latter group tends to be populated by individuals and subgroups with personalised agendas. Although harassment and discrimination should be identified as two separate issues within policies, their interconnectivity should be addressed. Organisational understanding of the groups at risk of harassment and discrimination and the interconnectivity between the phenomena should also be reflected in regular monitoring and evaluation of their effectiveness. Such monitoring may be achieved, for example, by assessing the number and types of complaints received and by incorporating

relevant questions in quantitative (for example, staff surveys) or qualitative (for example, focus groups) assessments.

Harvey et al. (2009) stress that any demonstration of tolerance of harassment would send a counter-productive message to the establishment of other good practices. At the very least, it would result in an erosion of trust and confidence in the organisation (Fox & Stallworth, 2005:441). Whilst the selected HEI endorses the principle of zero tolerance of harassment, consideration should be given to the potential detrimental impact on the complainant if sanctions are draconian. If bringing forward a milder, albeit genuine grievance leaves a complainant fearful of the punitive impact on the perpetrator – for example, being dismissed – then the complainant may be reluctant to take matters further, thus nullifying the zero tolerance policy. This result would be of particular worry for members of vulnerable groups whose position may already be precarious.

### **5.6.3 Development of management practice**

The HEI's management should be well versed in anti-discrimination practices because although there has been legislation for decades, harassment is relatively new as a subject for legislation, having surfaced in discussion only in the last 10 to 15 years. Is the management treatment of harassment happening only at a superficial level currently, whereas anti-discrimination practices are more embedded? Given this question, it is critical to re-educate employees, and specifically managers, on the obvious links between harassment and discrimination; neither practice is a fringe issue that affects only minorities.

It is critically important to better educate and understand what harassment is or is not. Acas (2007) demonstrates that prior to seeking advice, managers are often blinded by their own perceptions and biases on such issues as religion and sexual orientation. This finding suggests that some fundamental reappraisal is necessary to educate managers to think and act in non-prejudicial and non-judgemental ways not only in personal actions, but also in seeking solutions. This change might be best achieved by training managers and supervisors in skills associated with social psychology such as stereotyping and conflict awareness and resolution. If managers are sightless to certain types of negative behaviours simply because they perceive such behaviours as within normal boundaries, solutions to harassment and

discrimination will not be sought. It is critical that those individuals with responsibility for management, regardless of level, are reconnected with the subtle and sometimes not-so-subtle behaviours being enacted.

The issues of workplace harassment and discrimination are not only complex but also, unavoidably collocated, especially given that the workplace is likely to be one of the main environments for social interaction (Estlund, 2003:57). As organisations increasingly function in diverse societies and in globalised workplaces, interactions between workers of different backgrounds become inevitable. Consequently, the need to have appropriate skills to manage intergroup relations becomes more essential. Whilst it cannot fall to organisations alone to address discrimination and harassment, the workplace is likely to see clear demonstrations of discriminatory behaviour in ways that are both obvious and subtle. Although some forms of discrimination, in particular, harassment as defined within the United Kingdom legislative framework, are extremely personal and damaging to the individual and organisation, the former is easier to deal with, while the latter is more difficult to uncover and tackle.

The researcher advocates a return to basic principles of not only understanding diversity but also collocating it within a policy domain. Between-group differences (Modood, Berthoud, Lakey, Nazroo, Smith, Virdee & Beishon, 1997) and within-group differences (Dale, Fieldhouse, Shaheen & Kalra, 2002:5) show that diversity requires us to recognise difference and that seeing employees as a homogeneous whole is not what diversity or good human resources management is about. Difference must be celebrated, not treated in a uniform way. For this approach to become a reality, however, organisations need to openly address the problems of communication, training and policy frameworks as well as the way the workforce is managed on a day-to-day basis.

Similarly, fairness and ensuring equality of opportunity are regarded as universal rights, but as Noon (2007) notes, this precept is followed only so long as it meets the needs of the organisation and its business first. If our rationality to tackle harassment is first and foremost economic, we should expect nothing less than a managerially economic response. Moral rationality must also be a key element in approaching discrimination and harassment.

As highlighted earlier, the process of change is a slow one, but ultimately one to which we should all yield; harassment and discrimination can be clearly collocated.

#### **5.6.4 Improve the statutory response**

To improve the statutory response the following measures must be considered:

- Both victims and alleged perpetrators should be entitled to natural justice. Complainants should also be protected from risks of defamation through procedural arrangements.
- In adjudicating complaints about workplace harassment the focus should be on the perpetrator's behaviour. The physical or psychological inadequacies of the recipient should not excuse perpetrator behaviours or work practices that are unlawful or unreasonable. Furthermore, unreasonable work practices that contribute to conflicts need consideration in adjudication of responsibility.

#### **5.6.5 Fair hearing**

Allegations of workplace harassment should be responded to promptly and thoroughly. When there are allegations of actions that would violate the employer's rules, an investigation is necessary. This means carefully interviewing the accused, the accuser and witnesses and then coming to a reasoned conclusion. By doing so, the employer is complying with the law and, in many instances, this type of investigation will shield the employer from liability for discriminatory harassment, wrongful termination and defamation.

#### **5.6.6 Investigating a harassment complaint**

Workplace harassment is a major issue for today's HEIs. Given the rulings at all court levels, HEIs can and should limit their liability. HEI should issue of workplace harassment policy describing what constitutes harassment and what inappropriate behaviour is. Just stating that harassment is unacceptable at your organisation is not enough. The policy must identify specific unacceptable behaviours. The more explicit these identifications, the less chance of misinterpretation later on. The HEI must inform all staff of the harassment policy and educate employees about the policy and how it will be enforced.



The HEI should train management staff in how to deal with workplace harassment charges and in what responsibility they have to the individual and the HEI. Lack of leadership skills can expose the HEI to huge liability. The HEI management must be trained in how to recognise signs of harassment and where to go to help the victim. Because of the impact of workplace harassment to employee performance, a manager's performance evaluation should reinforce this competency. All harassment charges should be investigated immediately. Management at the selected HEI should give each charge of harassment their attention and investigate it by searching for clues and witnesses. The HEI should also appoint an independent chairperson or an objective party to review information and evidence before implementing the decision.

The HEI should take corrective action as soon as possible. If the charge can be substantiated, the institution must take corrective action, up to dismissal of the harasser(s) and the punishment must fit the crime to ensure that the institution has zero tolerance to workplace harassment. The harassed individual should also be given whatever was taken away, for example, if the behaviour led to the victim's resignation, the victim should be re-instated, with full back pay benefits.

The HEI should continue to follow up on the matter to ensure that no further harassment occurs or that retaliation does not occur. The institution should periodically review turnover records to determine if a potential workplace harassment case may be arising. These may be done through HR audits, exit interviews and staff surveys. For example, if there is trend of only minorities that are resigning in a particular department, it may indicate that a serious problem exists.

Lastly, the HEI should recognise or reward staff members who bring these matter forward. Without their courageous effort, the HEI might have been faced with huge legal costs. the HR Director or HR manager should show his or her appreciation for that risk. If victims know that reporting workplace harassment is properly investigated by the institution, they may feel more comfortable in coming to the HR director/manager when harassment took place (DeCenzo and Robbins, 2010:82).

### **5.6.7 Counselling employees**

DeCenzo and Robbins (2010:108) state that disciplinary meetings often involve counselling employees to achieve better performance. No one set procedure addresses counselling employees, but the following are guidelines that should be considered when faced with the need to counsel an employee.

The HEI should document all problem performance behaviours such as harassment, absenteeism, tardiness and poor performance in terms of dates, time and what happen and this will provide the institution with objective data. The institution should deal with staff objectively, fairly and equitably. Staff should be treated equally. The HR director or supervisor should confront the issue at hand only, for example, harassment or performance and even though it may be a personal problem, one should not try to psychoanalyze the individual. Leave personal problem to the counsellor who is the trained specialists. The supervisor can, however, address how these behaviours are affecting the employees job performance.

The HEI should offer assistance to help the employee, just pointing the finger at an employee serves little useful purpose. If the employee could fix the problem alone, he or she probably would have, that why help might be need from the supervisor or HR manager and the institution. Assistance should be offered to the employee where possible. The supervisor should expect the employee to resist the feedback and become defensive and it is human nature to dislike constructive or negative feedback. The supervisor should make every attempt to keep the meeting calm so that the message can be communicated to the employee. Also, written documentation, fairness, focusing on the issue at hand, not belittle the employee and offering help minimise the defensiveness of the employee. The HR manager or supervisor should make sure that the employee owns up to the problem and the employee needs to take responsibility for his or her behaviour and start to look for ways to correct it.

The HR manager or supervisor should develop an action plan to correct behaviour for example, what is expected and when it is expected, and what resources the supervisor is willing to commit to assist. The supervisor should identify outcomes for failing to correct behaviour as the supervisor is there to help, not to carry bad behaviour forever. The supervisor should inform the employee what are the

consequences if the employee does not follow the action plan. Also the HR manager or supervisor should monitor and control progress. The supervisor should evaluate the employee's progress and provide frequent feedback of his or her observation and reinforce good efforts.

## **5.7 Contribution to knowledge**

The research makes a contribution to the body of knowledge in three ways. First, it builds on existing knowledge on workplace harassment and its impact on staff performance, presents a sound basis on how to implement harassment policy and provides a list of available help which for employees who are victims of workplace harassment. Secondly, the study recommends that the HEI adopt a comprehensive workplace harassment policy which encompasses bullying, psychological harassment, religious harassment and stalking, rather than sexual harassment only. Thirdly, the findings of the study are relevant to various fields, including Law, Management, Governance and Organisational Behaviour, an indication that workplace harassment goes beyond the field of Public Administration.

## **5.8 Directions for future research**

There are several dimensions in need of further research, arising from this study, including:

- Development and enactment of a single legislation that governs workplace harassment.
- Development of workplace harassment policy relevant to South African industries.
- The effects of workplace harassment on absenteeism.
- The costs of workplace harassment in the South African context.
- Development of a systems model on workplace harassment.
- Workplace harassment and its impact in South African private sector.
- The prevalence of workplace harassment in state-owned enterprises and government departments.
- Investigation into the common forms of harassment in South African higher education institutions and how to address them.
- The relationship between workplace harassment and workplace violence.

- The role of counsellors on victims and perpetrators of workplace harassment.

## **5.9 Summary**

The final chapter has presented the findings the conclusion that workplace harassment has impacts on staff performance in the South African higher education institution. A workplace harassment systemic approach was outlined to prevent workplace harassment. The study also highlighted several factors as important determinants of workplace harassment and its impact on staff performance at the selected HEI.

The chapter has outlined the objectives of the study, provided a summary of the major findings pertaining to the key research questions, general conclusions of the study, recommendations and directions for future research.

All in all, by paying attention to the stated recommendations and implementing them, all stakeholders at the selected HEI can ensure that workplace harassment and its impact on staff performance is handled accordingly.

This study has given an insight into the perceptions of employees at the selected HEI regarding workplace harassment and its impact on staff performance. These perceptions ranged from fear and concern to anxiety and demotivation. Thus, the study has come up with a diagnosis of the situation and it is envisaged that these recommendations will be implemented in an attempt to improve staff performance.

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ANNEXURE A: CONSENT FORM FOR PARTICIPANT

CONSENT FORM

This page is to be retained by participant

University of KwaZulu-Natal

Doctor of Public Administration Degree Research Project

**Researcher:** Knowledge Siyabonga Ngwane (031 373 5652)

Supervisor: Dr M O Dassah (031 260 7673)

CONSENT

I .....(full names of participant) hereby confirm that I understand the contents of this document and the nature of the research project, and I consent to participating in the research project.

I understand that I am at liberty to withdraw from the project at any time, should I so desire.

SIGNATURE OF PARTICIPANT DATE

.....



## ANNEXURE B: LETTER TO RESPONDENT

- UNIVERSITY OF KWAZULU-NATAL
- SCHOOL OF MANAGEMENT, IT AND GOVERNANCE
- PUBLIC GOVERNANCE PROGRAMME
- Dear Respondent
- Doctor of Administration Research Project

**Researcher:** Knowledge Siyabonga Ngwane (031 373 5652)

**Supervisor:** Dr M O Dassah (031 2607673)

**Research Office:** Ms P Ximba 031-2607645

I am Knowledge Siyabonga Ngwane a Doctoral student, at the School of Management, IT and Governance, at the University of KwaZulu-Natal. You are invited to participate in a research project entitled *Workplace harassment and its impact on staff performance: case study of a selected institution of higher education*. *The study seeks to ascertain the forms and impact of workplace harassment on staff performance.*

The results of the survey are intended to contribute to establish what procedures are available to be used to deal with workplace harassment; the range of professional help available and to develop model for a workplace harassment policy.

Your participation in this project is voluntary. You may refuse to participate or withdraw from the project at any time with no negative consequence. There will be no monetary gain from participating in this survey. Confidentiality and anonymity of records identifying you as a participant will be maintained by the School of Management, IT and Governance, at the University of KwaZulu-Natal.

If you have any questions or concerns about completing the questionnaire or about participating in this study, you may contact me or my supervisor at the numbers listed above.

The survey should take you about 15-20 minutes to complete. I hope you will take the time to complete this survey.

Sincerely

Investigator's signature \_\_\_\_\_ Date : 2012-06-29

## ANNEXURE C: QUESTIONNAIRE

UNIVERSITY OF KWAZULU-NATAL

SCHOOL OF MANAGEMENT, IT AND GOVERNANCE

DOCTOR OF ADMINISTRATION DEGREE

Dear respondent

Your invaluable input is needed for a research study on workplace harassment being undertaken for academic purposes, entitled Workplace harassment and its impact on staff performance: case study of a selected institution of higher education. The study seeks to ascertain the forms and impact of workplace harassment on staff performance. The questionnaire will take 15-20 minutes to complete. The questionnaire requires you to indicate what is true for you, so there are no "right" or "wrong" answers to any item. Please ensure you do not skip any item. If you wish to make a comment, please write it directly in the questionnaire.

Thank you for participating!

Knowledge Siyabonga Ngwane

Department of Information and Corporate Management

2<sup>nd</sup> Floor, Accounting Block

Ritson Campus

# THE QUESTIONNAIRE

## SECTION A: BACKGROUND INFORMATION

Please put a cross (X) in the appropriate box or boxes, where applicable

1. Gender	
a. Female	
b. Male	
2. Age	
20-25	
25-30	
31-35	
36-40	
41-45	
46-50	
More than 50	

3. Number of years you have been working at DUT	
a. 1-5	
b. 5-10	
c. More than 10	

4. Number of years you have been in your current position	
a. 1-5	
b. 5-10	
c. More than 10	

5. Language/s you use to communicate at work	
a. English	
b. IsiZulu	
c. Afrikaans	
d. Xhosa	
e. Other (Please indicate)	

6. Highest qualification you have obtained	
a. Certificate	
b. Diploma	
c. Degree	
d. Honours	
e. Masters	
f. Doctorate	
g. None	
h. Other (Please Specify)	

7. When you received your highest qualification	
a. 1-5 years ago	
b. 5-10 years ago	
c. More than 10 years ago	

8. Are you permanently employed?	
a. Yes	
b. No	

9. Average age of staff in your department	
a. Under 20	
b. 20-30	
c. 30-40	
d. 40-50	
e. More than 50	

10. Are you are a teaching or non-teaching staff?	
a. Teaching	
b. Non-teaching	

11. At what level would you classify your current job?	
a. Non- managerial	
b. Junior management	
c. Middle management	
d. Executive/Senior management	

12. Into what race group are you classified?	
a. Black	
b. Coloured	
c. Indian	
d. White	

**SECTION B: FORM/FORMS OF WORKPLACE HARASSMENT**

1. What form/forms of harassment do you think take(s) in this institution?	
a. Bullying	

b. Psychological harassment	
c. Racial harassment	
d. Religious harassment	
e. Sexual harassment	
f. Stalking	
g. Mobbing	
h. Hazing	
i. Cyberstalking	
j. Electronic harassment	
l. Sociological harassment	
k. Colloquial speech	

**SECTION C: EXTENT OF WORKPLACE HARASSMENT**

No	Statements	Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
1.	I am a victim of workplace harassment in this institution					
2.	I know a victim(s) of workplace harassment in the institution.					
3.	I am a perpetrator of workplace harassment					
4.	I know perpetrator(s) of workplace harassment in the institution					
5.	Most common harassment is done by the superior to staff					
No	Statements	Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
6.	Most common harassment is done by staff to superiors					

No	Statements	Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
7.	Most common harassment is done by staff to another staff member					
8.	Common perpetrators of harassment are male staff					
9.	Common perpetrators of harassment are female staff					
10	I think harassment is not gender based.					
11.	Most harassment occurs within the department					
12.	Most harassment occurs across the institution					
13	The level of harassment is high in the institution.					
14.	The level of harassment is low in the institution					
15.	There are a number of bullies in the department					
16.	Favouritism is practised					

#### SECTION D: IMPACT OF WORKPLACE HARASSMENT

No	Statements	Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
17.	Secret meetings occur					
18.	There is a lack of transparency					
19.	People who speak of their mind are suppressed					
20.	There are informants					

No	Statements	Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
21.	Direct communication is difficult					
22.	Management is authoritarian					
23.	There is emotional violence against workers					
24.	Some colleagues get away with murder					
25.	Some colleagues are constantly reprimanded					
26.	There are many crises in the department					
27.	There seems to be constant chaos					
28.	Staff don't speak well of other staff					
29.	Staff don't speak well of the boss					
30.	Staff have to watch their steps with certain members					
31.	There is a lot of confidential talk					
32.	Staff are constantly criticised					
33.	Staff are asked for explanations and then ridiculed					
34.	Employee are undermined, especially in front of others					
35.	Staff are denied information or resources necessary for undertaking work and achieving objectives					



No	Statements	Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
36.	Staff are given the silent treatment; refusal to communicate and avoidance of eye contact					
37.	Staff are blamed unfairly					
38.	Staff are subjected to excessive monitoring and micromanagement					

**SECTION E: WORKPLACE HARASSMENT, PERFORMANCE AND STAFF MORALE**

No	Statements	Strongly agree	Agree	Undecided	Disagree	Strongly disagree
39.	Workplace harassment can affect the morale of staff					
40.	Workplace harassment can affect the performance of individuals					
41.	Job descriptions are vague					
42.	Job descriptions are open-ended					
43.	Job functions overlap with colleagues					
44.	There is lack of career development opportunities					
45.	There is high absenteeism					
46.	There is high staff turnover					
47.	Undignified behaviour persist					
48.	Human dignity is not valued					
49.	Staff seldom speak well of the institution					

50.	Staff are not happy with their equipment					
51.	Staff are not loyal to the institution					
52.	Staff are unhappy					
53.	Staff are insecure					
54.	Cliques are common in the department					
55.	Cliques have protection					
56.	Staff have false concerns raised over their performance					
57.	Staff are isolated and excluded from what is happening					
58.	Staff are treated differently from the rest of their colleagues					
59.	Staff are subjected to disparaging remarks about their work and personal life					
60.	Staff are humiliated especially in front of others					
61.	Staff are criticised where the intention is to embarrass and humiliate					
62.	Staff are set unrealistic goals which are unachievable and which are changed without notice					
63.	Staff are denied support and find themselves working in a management vacuum					
64.	Staff are overloaded with work making it harder to achieve targets					

65.	Staff are finding their responsibility increased but authority removed					
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**SECTION F: PREVENTION OF WORKPLACE HARASSMENT**

No	Statements	Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
66.	There is no policy on workplace harassment					
67.	Necessary measures should be taken to prevent workplace harassment					
68.	Harassment topics should be part of the induction programme					
69.	There are no clear guidelines to report harassment					
70.	Harassment practices are not reported					
71.	Harassment practices are not properly investigated					
72.	Workplace harassment policy is included in the employment contract					
73.	There is someone or an office assigned to handle harassment cases					
74.	There are clear guidelines on how to handle harassment cases in the institution					
75.	There are clear guidelines of the sanctions to be imposed to perpetrators of harassment					
76.	There are clear guidelines of how to assist(s) the victim(s) of harassment and to prevent victimisation					

Any additional comments about workplace harassment and its impact on staff performance at this higher education institution: (please add your comments in the text box below)

## ANNEXURE D: PERMISSION TO CONDUCT RESEARCH



*Research Management and Development  
Durban University of Technology  
Tromso Annex, Steve Biko Campus  
P.O. Box 1334, Durban 4000  
Tel.: 031-3732676/7  
Fax: 031-3732946  
E-mail: [moyos@dut.ac.za](mailto:moyos@dut.ac.za)*

4<sup>th</sup> June 2012

Mr. K. S. Ngwane  
c/o Department of Information & Corporate Management  
Durban University of Technology

Dear Mr Ngwane

### **PERMISSION TO CONDUCT RESEARCH AT THE DUT**

Your email correspondence dated 1<sup>st</sup> June 2012 in respect of the above refers. I am pleased to inform you that the Institutional Research Committee (IRC) will grant permission to you to conduct your research at the Durban University of Technology. However, kindly note that the committee requires you to provide proof of ethical clearance prior to you commencing with your research at the DUT.

We would be grateful if a summary of your key research findings can be submitted to the IRC on completion of your studies.

Kindest regards.  
Yours sincerely



**PROF. S. MOYO**  
**DIRECTOR: RESEARCH MANAGEMENT AND DEVELOPMENT (ACTING)**



## Annexure E: Ethical clearance certificate



27 July 2012

Mr Knowledge Siyabonga Ngwane 207520734  
School of Management, IT and Governance

Dear Mr Ngwane

Protocol reference number: HSS/0540/012D

Project title: Workplace harassment and its impact on staff performance: a case study of a South African higher education institution

### EXPEDITED APPROVAL

I wish to inform you that your application has been granted Full Approval through an expedited review process.

Any alteration/s to the approved research protocol i.e. Questionnaire/Interview Schedule, Informed Consent Form, Title of the Project, Location of the Study, Research Approach and Methods must be reviewed and approved through the amendment/modification prior to its implementation. In case you have further queries, please quote the above reference number. PLEASE NOTE: Research data should be securely stored in the school/department for a period of 5 years.

I take this opportunity of wishing you everything of the best with your study.

Yours faithfully

  
.....  
Professor Steven Collings (Chair)

/px

cc Supervisor Dr M O Dassah  
cc Academic leader Professor KK Pillay  
cc School Admin. Ms Angela Pearce

Professor S Collings (Chair)  
Humanities & Social Sc Research Ethics Committee  
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