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# HARASSMENT IN THE WORKPLACE

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Dr Bill Rogers

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## Harassment in the workplace

A provocative newspaper headline reads “Workplace is a war zone ...” (Perore 2000). A closer reading of that research (from the Australian Institute of Criminology), conducted among police, doctors, nurses, taxi-drivers and teachers, indicates that these professions face the greatest risk of verbal attacks and even assaults; at least teachers are last on the list! The article used a broad term, “workplace violence”, to include: “injury through employer negligence, physical and verbal abuse, racial abuse, bullying, sexual harassment and even malicious gossip” (Perore 2000: 8). The article goes on to say that “we should not countenance such behaviours as a ‘permissible, systematic work-related risk’” (Perore 2000: 8). Harassment of any kind is a workplace health and safety issue. It should never be trivialised or minimised – or given the gutless “wink-wink/nudge-nudge” that it is somehow “the victim’s fault”! In such a climate teachers often feel scared to speak up (scared of even losing their job because they “can’t manage these kids”). Harassment, and lack of acknowledgment and support, can (and does) affect health, wellbeing and confidence. Teachers will even say they feel somehow unworthy, even “blamed”(!). (See also House of Representatives Standing Committee, *Workplace Bullying : We Just Want It To Stop* 2013).

When the harassment of teachers is raised as an issue, particularly in more “challenging” schools, there is sometimes a tacit acceptance of some expressions of hostile or verbally challenging behaviour as *only* “boys being boys”, or “this is the way kids are around here”, or “some classes here are just difficult”. Such statements may minimise or even tacitly accept what is – in effect – psychological harassment by a small group of students. Worse, if we categorise harassing behaviour as merely “disruptive behaviour” that the teacher *cannot control*, we may then – too easily – blame the teacher for the harassing behaviour of the students.

Harassment is more than merely unacceptable – it is wrong. It is an abuse of fundamental rights: the right to feel safe and the right to be treated with basic respect. Such harassing behaviours also significantly affect the right to teach and the right to learn.

Blaming the victim is not an uncommon feature of bullying/harassing students: “yeah, well, he [the teacher] deserves it. He’s a useless teacher”. This global, quick labelling then ratifies and even excuses the students’ behaviour when they call out such things as, “don’t listen to him”, “he’s rubbish”, and “this is boring – booring!!” Harassing behaviour can include the non-verbal suggestions that students use to refer to a teacher’s sexual preference, or body shape, or clothing or “anything” they can pick on that will ratify and – gutlessly gratify – their exercise of social power. There has – recently – been a spate of Facebook incidents of students vilifying, harassing, teachers in “web-space”, as reported on Australian television and in the press.

I’m not talking here about “reactive student behaviour” and the occasional silly, stupid, unthinking behaviour of some students, or even the outbursts of challenging students (Chapter 6). That kind of behaviour needs to be addressed for what it is – it is not bullying. There are occasions when a teacher’s behaviour sees understandable reactions from students. A teacher walks past a student’s open bag on the floor, by the chair, and spies a packet of cigarettes in the bag. The

teacher takes them stating, “You’re *not* supposed to smoke here – I’ll take *them*!!” The student’s reaction is immediate, “Hey!! They’re mine ... don’t you f—ing touch them!” The *student’s* behaviour here is not harassment; it is an understandable reaction to a piece of unthinking, unnecessary, behaviour by a teacher. What did the teacher think? Did she really think the student would just acquiesce? Did she care?

## Harassment – addressing the issue

This is not an easy issue to write about. I have done so because I have observed it in some schools and have been involved in supporting colleagues to address it wherever it occurs.

- Harassment is not occasional bad-day syndrome behaviour. Some students will sometimes take the risk of “having a bit of fun” with a teacher (particularly a new teacher or a supply teacher). Most teachers recognise such behaviour for what it is; point out quickly that the students has gone too far and the teacher will reign it in. Such behaviour will also necessitate the teacher conducting some follow-up (p 122f) to make the point clearly about the limits of “fun” (as the student perceives it). Harassment involves those *intentional, selective* and *repeated* behaviours of an individual, or a group, designed to hurt or abuse their victim. Bullies ‘select’ people they perceive as weaker than they are (psychologically and physically weaker) and use bullying behaviour to confirm (and continue to ratify) their social power (Rogers 2012).
- Bullies rely on collusive acceptance of, or acquiescence by, other students in their bullying/harassing behaviour. *Collusive bullies* may not directly harass a teacher but they do silently approve of, or give a non-verbal chorus to, the bullies’ behaviour (the ‘clapping’, the whistling, the muted cheer ...). Unintended collusion can also occur when students who are afraid of the bully go silent and will not speak out in (or out of) class. Bullies accept such collusion as confirmation of their social power.
- As noted earlier, one of the problems inherent in any workplace harassment is that some teachers feel insecure about admitting that they are “having problems in a given class”; they believe that an admission that some students are “making their life hell” is a sign of their own weakness; that they can’t cope; that they *should* be able to cope.

“I didn’t want people to think I couldn’t cope ...”; I’ve heard this many times – sometimes too late in the day. The point is that sometimes a teacher cannot cope with such harassing behaviour on their own; *nor should they have to*.

A more disturbing issue arises when teachers feel that if they do “speak out” about harassment then nothing (effectively) will be done; that such student behaviour will not actually be seen as harassment.

It is important to address any harassment as early as possible in its cycle – to crack the “secrecy code”, confront the main perpetrators and the active collusive perpetrators

(where necessary) and support the victim (the teacher) and perhaps other students who are witness to bullying behaviour.

If you are ever in this situation or circumstance of knowing that the behaviour you are experiencing is more than merely a disruptive class on a bad day; that you are going home significantly disturbed, anxious or even angry about repeated disruptive or personally abusive behaviour; or you virtually hate coming to school when you have to teach a particular class, then you need to speak to a senior colleague *as early as possible* to address and confront the issue (see later).

If you are a senior colleague who senses that something is clearly wrong with a teacher's class, and suspect that harassment is a factor, it will be important to speak supportively with your colleague about your concerns and offer immediate support.

At such a meeting with a colleague it will be crucial to allay any anxiety about perceived judgement, or that in coming forward with their concerns they are a weak and ineffective teacher. A sharing of what you suspect about the class concerned (and the behaviour of some of its members) and an invitation to talk it through should lead to an early reassurance of support and the development of a plan to confront the perpetrators.

Ideally, the first incidence or suggestions of harassment by any students should have been nipped in the bud with an assertive comment by the teacher and immediate follow-up beyond the classroom (p. 122f). However, some teachers who lack assertive skills let such early behaviour go in the belief that it will go away in time. It rarely does – it needs to be confronted decisively.

## **Accountability conferencing**

The concept of “accountability conferencing” can be utilised for any significant issue of concern that a teacher has about the way a student has behaved towards an adult (in or out of a classroom setting) – particularly here, though, it is discussed relative to harassment/bullying.

Early intervention should include the teacher directly confronting the student with their harassing behaviours. Such an intervention needs the support of a senior colleague and thoughtful prior planning. By “confronting” I mean setting aside “one-to-one” meeting time with the student (the perpetrator of the harassment), where the senior teacher (and the teacher who is the victim of such harassment) makes *clear* to the student what it is they have *specifically* been doing, saying or suggesting (or writing/texting) that constitutes the harassing/bullying behaviour. Such confrontation needs to be respectful, truthful and non-laboured. An opportunity is then given to the student to reply and account for their behaviour. The student is then expected to give a clear assurance and commitment that such behaviour will cease.

It is crucial that the facilitator (a senior teacher) plans this meeting with the teacher concerned beforehand. It is essential to get the facts clear (and written down). The *specific* nature, frequency, occasions and context(s) of the bullying behaviour will be noted; the specific language used; the non-verbal posturing and also the behaviour of the collusive bullies. The senior

colleague will also enable their colleague to think through the order of the meeting and how the different stages of the meeting might develop towards the desired outcome.

Any student who bullies others needs some collusive support of other students to applaud, to “confirm” and “consolidate” their behaviour within their peer-audience. It will also be crucial to conduct a meeting between each collusive bully and the teacher concerned (separately not together). We will need to discuss with each suspected collusive perpetrator (one at a time) – what they know about *what has been going on* with regard to the bully’s behaviour with regard to the teacher who is the victim of the bullying. While collusive bullies do not regard themselves as *bullies* they need it to be made clear that “laughing along with ...”; “goaded” and “cheering” and “desk-banging” ... are all forms of harassment for which they are responsible and accountable. They also need to give a clear *assurance* of what they will do to make these behaviours stop.

### **Conducting an accountability conference with a bullying student**

Such a meeting can reawaken quite emotional issues and concerns for the teacher, so it will be important to discuss what they will say and how they might respond to “discounting” and “avoidance” behaviours by the student at such a meeting. If the perpetrator is a female student and the “victim” a male teacher it will be wise to have a female senior colleague facilitate the process (for perceived ethical probity).

- The facilitator (a senior teacher) calls a meeting between the teacher and the student (the perpetrator of the harassment). The meeting is obligatory for the perpetrator.
- At the outset of the meeting the facilitator (senior teacher) explains why this meeting has been called. The tone of the meeting is serious; formal but respectful. If the tenor of the meeting is vindictive and merely an opportunity to attack the student, it will not work for the desired outcome. Nor should the meeting suggest that “this is *just* a little chat about a few problems in class”.

“I’ve called this meeting between you, Troy [the student], and Mr Smith because we are really concerned about ...”. Here the facilitator (the senior teacher) briefly outlines the facts that relate to the student’s *behaviours*. It is not an attack on the student as a person (tempting as that might be). The facilitator makes the rules of the meeting clear. We each listen to the other without interruption; giving assurance that there will be a right of reply for the student. The aim of the meeting is to determine what has been happening (in the classroom or wherever) and to make sure that the upholding of the rights and *responsibilities* of the individual – and of a safe, respectful classroom – are the outcome.

- The teacher who has been the recipient of this harassing behaviour is now given the opportunity to address their issues of concern about the student’s behaviour, *directly* to the student. The teacher outlines the behaviours that the student has been engaged in, *briefly* and *specifically*. It will help to have the typical incidents recorded (with a copy for the student/s) to refer to during this meeting. It can sometimes help if the facilitator “models” some of the non-verbal harassing behaviour to increase clarity and

understanding. This possibility needs to be discussed beforehand with the teacher concerned. The student(s) needs to understand that *repeated* gestures and postural cues are also forms of harassment.

- The teacher *briefly* explains how such behaviour affects the teaching and learning in “our class ...” and how it affects “the teacher’s right to respect and fair treatment ...”. Avoid talking *too much* about personal feelings. Such admissions may be unhelpful “grist to the bully’s power-seeking mill.”
- The teacher (who has been the victim of harassment) points out that the behaviours detailed are *harassing/bullying behaviours* and must stop: “This behaviour (beckon to the list) has to stop so that I can get on with the job of teaching and the students in *our* class can get on with their learning ... and so that I can feel safe here and have that basic respect I seek to give to you ...”.
- The facilitator then invites the student to respond and explain what they will do to “Make these behaviours stop ...”. Many students (in response to the invited right of reply) will disclaim, discount or minimise their harassing behaviour: “I was only mucking about ...!”; “I was just joking ...”; “Just having a bit of fun ...!”; “Other kids said stuff too!”; “I wasn’t the only one ...!”; “C’mon, it’s no big deal is it?!”

The facilitator or teacher will reframe these discounting and avoidance behaviours: “Maybe you thought it was a joke, Troy, but it clearly *wasn’t* for Mr Smith *because* ...”; “*That* kind of joke or mucking-around is *never* acceptable in our school – even if half the class laughed with you ...” (and they didn’t!); “Maybe you were not the only one who said and did these things ... *I’ll be speaking to other students in our class too* ... At the moment I’m talking about *what you did ... and about your responsibility ...*”. This lets the student know that the “secrecy code” will be cracked across the classroom group; one by one, as necessary. Sometimes students claim a kind of “right to silence” – refusing to speak. If they refuse to respond verbally, the facilitator can suggest to the student what they might be saying: “Perhaps you’re saying in your head, Troy (because you’re not speaking to us) ... perhaps you’re saying that it is no big deal because you were just mucking around. It is a big deal *because* ... – it is extremely serious *because* ...”. Here the facilitator reframes why such behaviour cannot be minimised, “laughed off” or excused. The tone and manner (as stated earlier) is very important; firm but respectful.

“Troy, what do you need to do *now*, and in the future to change this behaviour?” Here the teacher invites an apology and an assurance of behaviour change from the student. A brief reminder about the fundamental rights and responsibilities expected in the student’s behaviour is outlined.

Some students will benefit from having a provisional plan about *the specific behaviours they need to stop* (and the obvious *why*) *and the behaviours they need to start* (and the obvious, supportive, *why* ... so that all of us can learn without distraction/disruption, feel safe here ... enjoy respect/fairness here ...). This provisional plan can form the basis for a discussion about behaviour change.

The key messages emphasised by the facilitator (the senior teacher) are:

- “You own your own behaviour; nobody makes you do X, Y and Z.”

- “It’s your choice – every time you go into our classroom – to decide whether you’ll support fair rights and responsibilities or not.”
- “It’s all about what *you choose to do ...*”. The facilitator will emphasise that the class/grade teacher is wanting to work these issues through with the student in a way that does not need to involve the student’s parent(s) *at this stage* but does need the understanding, the accountability and cooperation of the student.

If, however, the meeting sees no appropriate response at all from the student, or sees a defiant unwillingness to acknowledge any responsibility, or accountability, the issue will need to be referred to a more formal harassment due process – within the school’s harassment policy. The student will need to understand what the more formal due process will involve – including parent contact. Point out, if necessary, the consequences of a refusal to acknowledge, and change, their current pattern of behaviour.

- If the student has grudgingly (or even cooperatively) acknowledged their harassing behaviour, apologised and agreed to change, assure them there will be a review meeting (in a week’s time) “to see how things are going back in your classroom [or wherever the harassing behaviour has been occurring]”. This puts the student “on notice”, but does so with the belief communicated that, “You can make things change ... You can support the rights and responsibilities here.” Students need to know the difference between ‘sorry words’ and ‘sorry behaviour’: *what behaviours* will show that you are sorry? It is crucial to keep accurate records of the student’s behaviour during that week.
- Separate amicably at the close of the meeting. Avoid any telegraphing of animosity, “pay-back” or threat. The relative success of this accountability–mediatory approach relies on early intervention; senior colleague support, thoughtful planning and teacher goodwill to work with the perpetrators to expose and confront the behaviour while inviting understanding and cooperation and necessary change in behaviour.

At the review meeting, if there is no change in the behaviour (during that week), formal due process will need to be entered into quickly. We should give no indication that we will continue to tolerate such behaviour. If necessary, due process may necessitate suspension and even (on some occasions) expulsion.

Dr Bill Rogers is a teacher, education consultant and author. He conducts in-services and seminar programmes across Australia, New Zealand, Europe and the U.K. in the areas of behaviour management, effective teaching, stress management, colleague support and teacher welfare. He has also worked extensively as a mentor-coach in classrooms; team-teaching in challenging classes in Australia and the U.K. {He is a Fellow of the Australian College of Educators and Honorary Life Fellow of Leeds Trinity University and Honorary Fellow at the Graduate School of Education, Melbourne University}.