



SAY NO TO BULLYING, SAY NO TO HARASSMENT!

(EDITION 2)

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SAY NO TO BULLYING, SAY NO TO HARASSMENT!

(Edition 2)

A VIDEOTEL PRODUCTION

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INTRODUCTION

Bullying and harassment are continuing problems in the maritime workplace. Research indicates that many who experience bullying or harassment do not report it either because they think no one will believe them and so they will not receive any support, or because they think they will be subject to reprisals.

It is important that seafarers know that there is support available from their trade union or professional association or their shipping company. They all have a clear position against these types of behaviour and zero tolerance towards them. There are procedures in place to help victims while respecting confidentiality.

Except for cruise ships and ferries, female seafarers are still relatively rare in the maritime world, despite the efforts of some shipping companies to recruit them. Discrimination, sexual harassment and deep scepticism over their strengths and capabilities often remain.

Bullying or harassment, or any form of discrimination, are destructive behaviours which can affect the efficiency of a crew.

There are nine characteristics which are protected by the laws of the European Union and many countries. Discrimination on the grounds of these characteristics is unlawful and they are referred to as 'protected characteristics'. They are:

- Age
- Disability
- Race
- Sex
- Sexual orientation
- Marriage and civil partnership
- Pregnancy and maternity
- Religion and belief
- Gender reassignment

PURPOSE AND CONTENTS OF THIS GUIDE

Purpose

This guide is to be used in conjunction with the video *Say No to Bullying, Say No to Harassment! (Edition 2)*. Both are designed to highlight bullying and harassment as unacceptable and counter-productive behaviours. The guide also provides practical advice on how to reduce the incidence of harassment and bullying in the work place and deal with it should it occur. It should be read by everyone working in the shipping industry at all levels.

Contents

Notes for those conducting the training session

The video *Say No to Bullying, Say No to Harassment! (Edition 2)* is designed to be used in short training sessions with all crew members (officers, staff and crew) to raise awareness of what these behaviours are, what those being bullied or harassed can do about it, and how the company will deal with complaints.

In this guide there are instructions to help you prepare and lead training sessions. These describe:

- **Objectives.** What those attending the training will get out of it
- **Programme.** An outline structure of a 50 minute session
- **Sensitivity.** Suggestions for the person running the session on how to deal with sensitive issues which may arise
- **Preparation.** How to prepare the sessions
- **Session notes.** Detailed instructions on what to cover and how. These include references to particular sequences from the video which illustrate key points

Guidance Notes

Everyone must be trained to recognise harassment and bullying so that they know what to do if they find they are victims and to avoid using these behaviours themselves.

Some people at the training session, who have been bullied or harassed, will need more guidance on what to do. Others will need further help because they have realised during the session that their own behaviour may be classified as harassment or bullying.

1: For those who feel they are being bullied or harassed

Are you being harassed or bullied?

What harassment and bullying are and how they make those on the receiving end feel. A comprehensive list of harassment and bullying behaviours.

Consequences

The negative effects of harassment and bullying on the individual, the ship and the company.

There's no excuse

Some typical excuses for using these unacceptable behaviours and how to counteract them.

If you are harassed or bullied

Suggestions about how to respond, how to get help and how to report it (the particular procedure will be different for each company).

What does not represent bullying or harassment

There is a difference between being disciplined and being bullied or harassed.

2: For those who might be bullying or harassing others

Are you harassing or bullying others?

Although some who behave in this way are all too aware of what they are doing, and even take pleasure in it, there are others who do not realise that what they are doing is unacceptable.

Breaking the habit

Advice for those who know that they harass and bully other people and would like to stop but do not know how.

Bullies beware!

A warning to those who may be tempted to harass or bully others of the potential damage to their careers.

3: For senior officers

Possible consequences

If harassment and bullying are not stopped there are potentially serious consequences. Apart from the severe distress caused to individual crew members, there is the certainty of deteriorating performance in some aspects of the crew's

work, the possibility of expensive legal proceedings and the resulting bad publicity for the ship, crew and company. There are also the costs of losing personnel to other companies or industries and the need to recruit and train their replacements.

Getting the climate right

Advice for Masters and senior officers who want to minimise the potential for harassment and bullying on their ship.

Handling a complaint

What to do when someone reports an incident of harassment or bullying to you.

4: A change in culture

A few notes about change: how attitudes to a whole variety of issues inevitably change with time; that traditional, rigid management styles are giving way to new ways of working with an emphasis on respect and harmony, and that the workplace is becoming increasingly international.

Further Resources

A list of useful websites and publications can be found on page 37 of this workbook.

NOTES FOR THOSE CONDUCTING THE TRAINING SESSION

Outline of a 50 minute training session with a group of crew members.

Objectives

As a result of this session those taking part will:

1. Understand what harassment and bullying are and some of the common forms that these behaviours take, including cyber bullying
2. Be clear that harassment and bullying are absolutely unacceptable – they do not have to put up with being treated this way and they must not do it to others
3. Know that they can and should report incidents of harassment and bullying and that the company will vigorously investigate what has happened and take action

Programme

Plan the training session along these lines:

Introduction	<ul style="list-style-type: none"> • what the session is about 	5 minutes
Video	<ul style="list-style-type: none"> • watch the video <i>Say No to Bullying, Say No to Harassment! (Edition 2)</i>. It is in five short sections which can be viewed individually. 	20 minutes
Discussion	<p>Refer to the five sections of the video to discuss:</p> <ul style="list-style-type: none"> • what is the problem? • what is bullying? • what is harassment? • what is cyber bullying? • what do we do about it? 	20 minutes
Summary	<ul style="list-style-type: none"> • harassment and bullying are unacceptable • these behaviours should be reported • the company will take action • urge attendees to read these guidance notes 	5 minutes
Total		50 minutes

A few words on sensitivity

Harassment and bullying can be very sensitive topics. It is quite likely that you will have people in the group who have been harassed or bullied or both. It is also quite possible that the group contains individuals who harass or bully others (maybe without recognising it as such) or who think that raising the topic is making a lot of fuss about nothing, or who believe that the problem has always existed and therefore nothing can be done about it.

You have to be prepared to encounter an emotional reaction or resistance to the message you are putting across. When you do, it is important to remind yourself that the session is not about therapy; it's about imparting information. Consider asking a colleague to help run the session, so that you have some support if something really tricky comes up.

Do not attempt to solve individual problems or change behaviour during the session, rather, focus on the overall principles and guidelines.

You should stress these simple messages:

- harassment and bullying are unacceptable
- anyone who is harassed or bullied can and should report it
- the company will investigate and take action
- there are procedures in place to deal with those who harass or bully others
- similarly, there are procedures in place for those who bring false accusations – there have been cases reported where an employee has seen such a claim as bargaining power against a possible future redundancy

Be aware of strong reactions from individuals during the session and, if you think it is appropriate, talk to them one-to-one after it is over.

Preparation for the training session

Watch the video Say No to Bullying, Say No to Harassment! (Edition 2)

- It contains some short dramatised scenes in which crew members are bullied or harassed because of their race, nationality, religion, gender, sexual orientation or age
- Read what the session notes below have to say about the examples of harassment and bullying which it contains
- Decide what you particularly want to highlight from the video in the discussion which will follow it

Think about your own experience of harassment and bullying

- Have you ever witnessed examples of these behaviours?
- Have you ever experienced them?

Of course, you do not have to share your experience with the group - whether you do or not is up to you.

Read all of these guidance notes

- What do they contain which is relevant to your ship?
- Do you want to add to them by, for example, giving the group copies of the company’s anti-harassment and bullying policy along with its discipline and grievance procedures?
- Decide whether you want to print off all or some of these notes and distribute them to attendees, or urge them to read them online along with the ETF - ECSA Guidelines on Eliminating Workplace Harassment & Bullying

Think about the potential for harassment and bullying on board your ship

- Are there particular individuals who, because of some particular factor, such as gender or race, might be targets for harassment?
- Are there opportunities for individuals to misuse their power, for example, in the allocation of work?
- Are there opportunities for groups to gang up on individuals?
- Is there widespread use of social networking sites?

Be clear about procedures

- Familiarise yourself with your company’s disciplinary and grievance procedures
- In particular, make sure that you know precisely how an individual should report bullying and to whom
- Familiarise yourself with the ETF - ECSA Guidelines on Eliminating Workplace Harassment & Bullying
- Familiarise yourself with the nine protected characteristics

Your notes for the Training Session

<p>Introduction 5 minutes</p>	<p>Explain to the group that this 50 minute session is about a subject which the company takes very seriously – bullying and harassment. Tell them you will:</p> <ul style="list-style-type: none">• show them a video• use the examples in the video to trigger discussion about what harassment and bullying are• use the same examples to suggest how harassment or bullying could have been avoided• reinforce the point that there is less opportunity for someone who has been bullied or harassed on board a ship to get away from it than in other working environments – a ship is a home as well as a workplace• reinforce the point that harassment and bullying are not necessarily from senior to junior personnel – the opposite also occurs• urge them to read some or all of these guidance notes• end by stressing company policies and procedures on this issue <p>Remind the group that different companies have different systems, rules and responsibilities. Suggest that while watching the video they should focus on the behaviour of those shown and ignore aspects of shipboard organisation which might differ from those on your particular ship.</p>
<p>Video 20 minutes</p>	<p>Play the video Say No to Bullying, Say No to Harassment! (Edition 2)</p>

<p>Discussion</p> <p>20 minutes</p>	<p>Ask for reactions to the video. Lead a discussion on the three key scenarios:</p> <ol style="list-style-type: none"> <p>1. The cadet and the second engineer</p> <p>The second engineer has evidently developed a habit of picking on this particular cadet. Although the spilling of the ball bearings might be considered clumsy, it hardly warrants the aggressive reprimand, and when the cadet dares to stand up for himself he is smacked down again. The cadet plucks up enough courage to see the Master, but one glare from his tormentor is enough to dissuade him. He is ready to quit the ship.</p> <p>2. The laundry woman and the house manager</p> <p>The house manager refers to the laundry woman's nationality in a negative way during her reprimand. Whether or not there is anything to justify her criticisms, it is unacceptable and can be deeply offensive and traumatising.</p> <p>3. The chief mate and the third mate</p> <p>We can see that Dixon is attracted to Sally, but has failed to recognise that she has no interest in him. In the confines of her cabin he commits a sexual assault which is a criminal offence in most countries. The eventual outcome for him is the loss of his job.</p> <p>Given these three situations, how could the aggressor have behaved better?</p> <ol style="list-style-type: none"> <p>1. The second engineer should have realised that it was his overbearing presence which caused the cadet to fumble and spill the ball bearings and that there was no need to make such a big issue of it. He could have spent a minute demonstrating how the assembly of the gearbox should proceed. He could have delayed his criticism until a time when the cadet was not in front of his colleague.</p> <p>2. The house manager criticised the folding of the towels. Why not take a few seconds to show what she was expecting? She ordered that the towels be changed more frequently. Was that in accordance with a written schedule, or merely vindictive?</p> <p>3. Dixon should not have visited Sally in her cabin at night. He should have attempted to get to know her better in a more social situation, such as in the crew bar or mess, and should have had the good sense to accept her rejection.</p>
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<p>Discussion cont'd</p>	<p>Your discussion should help the group agree the answers to these three questions:</p> <ol style="list-style-type: none"> 1. What are harassment and bullying? <ul style="list-style-type: none"> • Harassment is unwelcome or inappropriate conduct which, intentionally or otherwise, creates feelings of unease, humiliation, embarrassment, intimidation or discomfort to the person on the receiving end • Bullying is a form of harassment in which people are made to feel frightened or intimidated because of the negative or hostile behaviour of individuals or groups. Cyber bullying is the use of electronic media to threaten, humiliate or embarrass another person • Harassment often includes picking on people because of what they are – their gender or race, and so on. The nine protected characteristics as listed in the Introduction • Bullying is often a misuse of power. The second engineer criticising the cadet cleaning the toilet has clearly overstepped the mark • Both behaviours usually involve persistently picking on individuals, often by making trivial complaints about their performance. Persistence is an important characteristic of harassment and bullying. Occasionally, someone might lose their temper and though unpleasant, this can be tolerated, particularly if the individual apologises when they have calmed down, but repeated sarcasm, belittling and abuse are not acceptable • Harassment and bullying can involve public humiliation. The aggressive comments and tone of voice used by the second engineer against the cadet are made worse by the presence of one of the cadet’s colleagues. Being criticised publicly adds to the sense of humiliation, and is one of the reasons the cadet wants to quit • Those who harass and bully others often make insulting and hostile remarks about their personalities or race or gender • Complaints about performance are often the basis of bullying behaviour. The person being bullied can end up thinking that he or she can do nothing right • Behaviour which might seem acceptable to some – like touching the female officer’s breast for instance – can in fact be a criminal offence, in this case an assault
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<p>Discussion cont`d</p>	<ul style="list-style-type: none"> • It does not have to be a senior person bullying a junior, or one nationality bullying another, or a man bullying a woman. There have been many instances where a manager has been bullied by his or her staff, or where people of similar rank have ganged up on an individual. Cyber bullying, in particular, is often within one peer group • Any form of abuse whether verbal or physical <p>2. Who decides whether a particular behaviour is bullying or not?</p> <ul style="list-style-type: none"> • The person on the receiving end does. This is an important principle, because it denies the perpetrator’s justification that ‘it was just a joke’. A joke is not a joke if the listener finds it offensive. Remember the engineer in the video whose daughter had a job ashore. She was suffering from the very behaviour he had exhibited on board: what he thought of as ‘just a bit of fun’ <p>3. What can a person being bullied or harassed do about it?</p> <ul style="list-style-type: none"> • Resign, like the cadet in the video is tempted to do. Stress that, on this ship and in your company, this is neither necessary nor desirable. In fact it is the absolute opposite of how the company wants these situations to be resolved • Confront the bully directly. Remind the group how the two ABs in the video resolved their differences with a short discussion and a handshake • Report the matter. Stress that should anyone on the ship have to do this, the matter will be dealt with thoroughly, professionally and in confidence. Refer back to how the Master in the video dealt with the female officer’s complaint
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<p>Summary 5 minutes</p>	<p>4. Stress that:</p> <ul style="list-style-type: none">• harassment and bullying are unacceptable and will not be tolerated• these behaviours can and should be reported and the company has a procedure for doing so which has been discussed and agreed with employee representatives and seafaring trade unions. This procedure will closely follow the principles laid down in the ETF - ECSA Guidelines on Eliminating Workplace Harassment & Bullying• the company will take action: the issue will be thoroughly investigated; there are procedures in place to deal with those who bully or harass others; the person being bullied will be supported• female seafarers, still being small in number, face particular challenges, but their rights are fully protected <p>Give out guidance notes or urge attendees to read them on a computer.</p>
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GUIDANCE NOTES 1: FOR THOSE WHO FEEL THEY ARE BEING BULLIED OR HARASSED

Are you being bullied or harassed? Is there a difference?

Their effects are very similar but there are slight differences in their definitions.

- **Harassment** includes any unwelcome and inappropriate conduct which, intentionally or otherwise, creates feelings of unease, humiliation, embarrassment, intimidation or discomfort to the person on the receiving end. Harassment is based on who or what you are, as defined by the nine protected characteristics
- **Bullying** is a form of harassment in which a group of people or an individual may become frightened or intimidated because of the negative or hostile behaviour of another group of people or an individual. Bullying often involves a misuse of power or position. Bullies pick on people – whether junior, senior or of the same rank - that they see as being weaker than themselves. It is frequently persistent and unpredictable. It may be vindictive, cruel or malicious

Who decides whether harassment or bullying is taking place?

It is important to stress that it is the person on the receiving end. If you find another person's behaviour insulting or offensive or threatening then, whatever they may think, you are being harassed or bullied. It should be emphasised that a bully does not have to be someone of large physical build who shouts or taunts. They can be of smaller or weaker stature but nonetheless make other people's lives miserable through their unpleasant words or actions. Bullying can be a subtle and insidious process leading to the victim doubting their own judgement, and thinking that they are the one at fault.

What do those who harass others do?

- Use innuendo, mockery, lewd, sexist or homophobic jokes or remarks
- Use racist or ageist jokes or remarks
- Combine criticism with any mention of a person's ethnic or religious background
- Use offensive language against, or make fun of someone with a disability
- Comment on a person's physical appearance or character in a way which causes embarrassment or distress
- Make or send unwanted, sexually suggestive, hostile or personally intrusive telephone calls, emails, faxes or letters
- Use social networks to threaten, smear or negatively describe an individual

- Ask intrusive or persistent questions about a person's marital status, personal life, sexual interests or orientation
- Ask intrusive or persistent questions about a person's racial or ethnic origin, including their culture or religion
- Make unwelcome or threatening sexual advances or repeated requests for dates
- Suggest that sexual favours may further a person's career or that not offering them may adversely affect their career

What do bullies do?

- Make verbal or physical threats or abuse
- Shout or swear at staff or colleagues, either in public or in private
- Use personal insults
- Belittle or ridicule people or their abilities, either in private or in front of others
- Spread malicious rumours
- Fly into sudden rages against an individual or group, often for trivial reasons
- Subject someone to unnecessarily excessive or oppressive supervision, monitoring everything they do or being over-critical of minor things
- Make unreasonable demands of staff or colleagues
- Set menial or demeaning tasks that are inappropriate to the job
- Take away areas of responsibility from an individual for no justifiable reason
- Ignore or exclude an individual from social events, team meetings, discussions and collective decisions and planning
- Make threats or inappropriate comments about career prospects, job security or performance appraisal reports
- Persist. Bullying is a pattern of repeated unpleasant behaviour
- Pick on individuals in private, when there are not any witnesses
- Use sarcasm and 'jokes' that are not funny
- Tell you, when you complain, that what they are doing is normal and it is your fault. They might use phrases such as 'Can't you take a joke?' or 'If you can't stand the heat, stay out of the kitchen!'
- Play 'practical jokes' that are not funny
- Use physical intimidation – standing very close to you, standing over you, pointing in an aggressive manner
- Use minor physical violence such as pushing people or snatching tools out of their hands

Does anyone do any of these things to you?

How does bullying make people feel?

They might feel:

- trapped
- full of rage
- isolated
- let down
- worthless
- that it is their own fault
- de-motivated
- depressed
- powerless
- like quitting their job

Are you ever treated in a way that makes you feel like this?

Remember!

- It is not your fault. It is the bully who is to blame
- You do not have to put up with it. The section of this guide called "If you are harassed or bullied" contains suggestions about what to do
- If bullying is affecting your health, be sure to get medical advice

Problems involving the Master

If the Master refuses to take your complaint seriously or, worse, if the Master is the person bullying you, then the above advice about seeking help and reporting bullying becomes very difficult or even impossible to apply.

What should you do?

The starting point, once again, is to read your company's harassment and bullying procedure or, if there is not one, the general grievance procedure, to find out who you should contact.

In many companies there are particular individuals in the shore office who have been designated and trained to handle complaints of harassment and bullying. If this is not the case in your company and there is no specific guidance in the procedure, you should address your complaint, either verbally or in writing, to the most senior person you are able to get in touch with in your company's personnel department as soon as possible.

It is even more important in these very difficult circumstances to keep a record of what has happened, so that you have the facts as straight as you can get them.

Reporting the behaviour of the Master of your ship does take courage. However you can be sure that managers ashore will take your complaint very seriously. As well as the moral issues, there are compelling business and legal reasons why. A bullying culture on the bridge jeopardises safety and affects teamwork. Companies are very well aware of the possible financial implications, and the negative publicity, that can result from being found guilty of harassment and bullying.

The consequences of harassment and bullying

For the individual

People go to sea to earn a living, support themselves and their families and build a career which is interesting, useful and enjoyable. Harassment and bullying quickly spoil an individual's working life and make it intolerable. They cause stress, loss of self-esteem and confidence, and can lead to depression and mental breakdown. A bullied person tends to withdraw. It reduces their sense of commitment to their ship.

For the ship

The safe and efficient operation of a ship depends on the ability of professional seafarers to co-operate and work together harmoniously. Good teamwork depends on mutual respect, on trust, and on the willingness of everyone on board to give their best. Bullying and harassment poison relationships between individuals, damage teamwork, and discourage those who are bullied or harassed from putting any effort into their work.

For the company

Apart from the ethical considerations, the bottom line is that harassment and bullying are bad for business. Reduced work performance, absenteeism and resignations, the possibility of legal proceedings and negative publicity: all have a significant bearing on costs. In many cases a bullied person identifies the bully as the company's representative, further worsening relations and leading to greater conflict.

There's no excuse

When they are challenged, many of those who bully others produce all kinds of excuses for their behaviour. None of them are valid. Here are some of the more common ones, along with some suggested replies:

“Seafaring is a tough job, so you have to expect some tough treatment.”

“Yes, it can be a tough job. But choosing to make life unpleasant for others merely adds to the demands, challenges and occasional dangers of the seafarer's life.”

“Everybody goes through this kind of thing at first. It's a sort of initiation.”

“Oh really? Seafaring is a professional job of work. I didn't think I was joining a secret society.”

“That’s how I was treated when I went to sea.”

“And did you enjoy being bullied? Why pass on your unpleasant experiences to others? Besides, things change and improve, even at sea. Nobody walks the plank any more. Now bullying is on its way out too.”

“I haven’t got time to be nice.”

“I’m not asking you to be nice. I’m asking you to be professional. That includes treating people with respect.”

“Where I come from, that’s how we all behave. It doesn’t bother us.”

“How you see your behaviour is not the point. What matters is the effect on other people. And different people have different sensitivities.”

“Can’t they take a joke?”

“A joke is only a joke if the person listening to it does not find it offensive.”

“Nobody else complains.”

“The fact that people choose to put up with offensive behaviour doesn’t make it right.”

“You’re just too sensitive.”

“Really? What you are ignoring is that in different cultures different aspects of behaviour can cause extreme offence.”

“Women don’t belong at sea.”

“Then you’d better tell the company that you don’t agree with their recruitment policy. Women belong anywhere they can do good work.”

If you are harassed or bullied

When faced with any sort of unacceptable behaviour, including harassment and bullying, there are only three things you can do:

1. **Do nothing.** This is a bad idea. You will not get used to being treated this way (and why should you?) and it will probably get worse
2. **Persuade yourself that this is all part of the job.** It is not. Have a look at the There’s no excuse section of this guide
3. **Change your situation.** Do you feel like quitting your job? Why should you? You are not to blame for this situation. So what can you do to make the bullying or harassment stop?
 - Confront the bully directly. If the situation can be resolved informally with a few words, so much the better. Try to keep presenting yourself in a confident manner. If a bully senses your strength, he is likely to decrease the intensity of his actions
 - Seek help and support from a friend or friends
 - But if these actions do not work, report the bully’s behaviour

You do not have to do all of these. You can start by talking to friends or go straight to formally reporting what is happening.

There is one general piece of advice which applies to all of these actions:

Keep a record! Harassment and bullying are persistent patterns of behaviour. When you first realise you are being systematically picked on, start keeping a note of where and when it occurs, what happens, what was said by both parties, and how you felt. Note the names of any witnesses. Also make sure you keep a record of any offensive emails, texts or social networking messages. If you decide to make a formal report of someone's behaviour these records will make what you have to say much easier to prove.

Confronting the bully directly

This is not easy, particularly if the bully is senior to you. You have to avoid reacting either passively (by giving in) or aggressively (by starting a shouting match). Here is some general guidance about how to react assertively, which means being very direct and keeping control of yourself.

- **Positive thinking.** The right mental posture is very important. Curiosity helps. Think to yourself *'What is this behaviour all about?'* It helps to distance yourself from what is happening
- **Body language.** Take a deep breath and let it out. This relaxes the muscles we tense when we are becoming confrontational. Keep an open, unthreatening posture
- **Adult responses.** Say that you find their behaviour unacceptable. Bullies often back down from people who stand up to them. Show that you are listening and responding like an adult by saying things like *'I can see that you are angry'* or *'I understand that you don't like what I have done, but please don't swear at me.'*
- **Tone of voice.** Use a serious, even tone of voice. Keep calm, do not shout
- **Use the term 'bully'.** Giving the correct name to this behaviour will bring the matter sharply into focus, and will require the offender to justify their actions or examine their behaviour
- **Repeat what you say.** Bullies do not listen. So repeat what you have said, clearly and firmly, until it registers
- **'Jokes'.** Do not laugh or smile. Respond to *'Can't you take a joke?'* with *'It's only a joke if I think it's funny. I don't. It's offensive.'*
- **Explain how you feel.** Say something like *'When you shout at me I start to get angry and that doesn't help either of us.'*
- **A word of warning.** Sometimes you may realise that verbal abuse is about to turn into physical violence. That is the point to abandon attempts at assertive behaviour. If you have to, shout for help and, if violence is likely, run.

Seeking help and support

One of the many unpleasant effects of bullying is a feeling of isolation. Share the problem with someone on board who you trust. In many cases you will discover that you are not the only one being subjected to the bully's behaviour and that can be an enormous relief.

In addition, if you are nervous or reluctant to report the matter formally, you may be able to ask a friend to help you do so.

Reporting bullying

It is very likely that there will be one senior person, either on board or ashore, who has been given the specific responsibility of hearing complaints about harassment and bullying.

When you are making a formal complaint:

1. **Prepare.** Read your company's harassment and bullying procedure if there is one, or general grievance procedure if there is not. Make sure you have identified the correct person to approach. Get your facts straight, and have them written down. Remind yourself that you are not to blame. Decide whether you want someone to accompany you.
2. **Alert the responsible person.** If it is the Master, for example, remember that he or she is a busy person and has no idea why you want to talk. So start by saying something like, 'I've got something serious that I'd like to talk to you about, Captain. I'd prefer to do it in private. Is this a good time?'
3. **Stick to the facts.** Tell the person what has happened in as much detail as you can. Try to avoid making general remarks about the bully's personality ('He's an evil bastard!'). Report what he or she has done ('When I was cleaning the toilets yesterday he kicked over the bucket I was using and swore at me').
4. **Expect to be questioned.** This does not mean that your story will not be believed. The person who gets a report like this has a duty to investigate it fairly and thoroughly. He or she will question you. He or she will question the person who has been bullying you. And he or she may talk to other people as well.
5. **Ask what happens next.** In particular, it is essential for you to know how you are expected to work with the bully both while the situation is being investigated and afterwards, especially if the ship is at sea.

What does not represent bullying or harassment

The safe running of a ship relies entirely on people with different skills working together within a defined command structure. Being ordered to perform a task is not being harassed or bullied, and the ship and the company has every right to expect all crew

members to perform to their best ability. Even orders delivered sharply or loudly are not bullying so long as they are not accompanied by any personal malice or insult.

If any of these occur you are not being bullied or harassed:

- you are told how to perform a certain task
- you are reminded that how to perform a task has been explained to you already
- you are warned that you have continued to perform a task badly
- short, sharp commands are used at particularly busy times or in emergencies
- you are criticised for poor appearance, a careless attitude or a too casual approach to your work
- you are reminded to pull your weight and that you are a part of a team

Questions for those who might be being bullied

1. Have you been allocated certain tasks repeatedly and more often than your colleagues?
2. Have you kept a log of such work allocations?
3. Have you been addressed in a demeaning or insulting fashion, or consistently undermined, even by those junior to you?
4. Have you received upsetting emails or social networking messages?
5. Have you been criticised repeatedly in front of your colleagues?
6. Do you feel excluded or ignored?
7. Have you lost your self-esteem, or your energy or enthusiasm?
8. Do you know who to take your concerns to?
9. Do you have a friend or colleague who is prepared to accompany you when you make your complaint?
10. Have you read your company's harassment and bullying policy?
11. Have you witnessed other people being bullied?

Questions for those who might be being harassed

1. Has anyone caused you unease, humiliation or embarrassment, even without their realising it?
2. Have you been made to feel frightened or intimidated?
3. Has anyone made remarks about your race, nationality, age or religion which you found offensive?
4. Has anyone made remarks about your gender or sexual orientation which you found offensive?

5. Has anyone made remarks about your physical appearance which you found offensive?
6. Has anyone persistently asked you questions of a personal nature, or persistently asked you for a date or made over-familiar remarks?
7. Has anyone persistently stood too close to you, or touched you inappropriately?
8. Have you received emails, social networking messages, telephone calls, faxes or letters which were offensive or personally intrusive?
9. Do you know who to take your concerns to?
10. Do you have a friend or colleague who is prepared to accompany you when you make your complaint?
11. Have you read your company's harassment and bullying policy?

GUIDANCE NOTES 2: FOR THOSE WHO MIGHT BE BULLYING OR HARASSING OTHERS

Are you bullying or harassing others?

You are **not** bullying or harassing others if you issue orders in a clear, direct fashion and make plain to them what is expected. You are not a bully if you stick to operational routines and disciplinary procedures. You are not a bully if what you say or do is for the good of the ship and the crew as a whole. You are not a bully if you expect high professional standards and allocate work fairly.

However, some people do not realise the effect that their behaviour has on others. They think their management style is simply robust and people should learn to put up with it. They 'don't suffer fools gladly'. They think that those who go to sea should expect a bit of rough treatment. There is an important difference between being a bully and being 'firm but fair'.

It must be remembered that not all bullying or harassment is from a senior level downwards. It is quite possible for any crew member to make the life of a colleague unbearable.

Read the following list of behaviours which describe what those who harass and bully others do. Do you do any of these things? If the answer is 'yes' then it is quite likely that you are guilty of harassment or bullying or both. In particular, think about whether your behaviour is persistent. The occasional explosion is just about permissible, but consistent use of any of the behaviours listed is a strong signal that you need to change the way you relate to other people.

What do those who harass others do?

- Cause other people to feel unease, embarrassment or humiliation
- Cause other people to feel frightened or intimidated
- Display or circulate offensive or suggestive material
- Use innuendo, mockery, lewd, sexist or homophobic jokes or remarks
- Combine criticism with remarks about a person's race, religion or nationality
- Use offensive language against or make fun of someone with a disability
- Comment on a person's physical appearance in a way which causes embarrassment or distress
- Make or send unwanted, sexually suggestive, hostile or personally intrusive telephone calls, emails, faxes or letters
- Send hurtful messages, or post hurtful remarks, or comment unfavourably about an individual on social networking sites

- Ask unwarranted, intrusive or persistent questions about a person's marital status, personal life, sexual interests or orientation
- Ask unwarranted, intrusive or persistent questions about a person's racial or ethnic origin, including their culture or religion
- Make unwelcome or threatening sexual advances or repeated requests for dates
- Suggest that sexual favours may further a person's career or that not offering them may adversely affect their career

What do bullies do?

- Make verbal or physical threats or abuse
- Shout or swear at staff or colleagues, either in public or in private
- Make derogatory or stereotyped statements or remarks
- Use personal insults
- Belittle or ridicule a person, including people of the same or higher rank, either in private or in front of others
- Spread malicious rumours about someone
- Lose their temper, often for trivial reasons
- Excessively supervise someone, monitoring too closely or being over-critical of minor things
- Make persistent or unjustified criticisms
- Make unreasonable demands
- Set menial or demeaning tasks that are inappropriate to the job
- Take away areas of responsibility from an individual for no justifiable reason
- Ignore or exclude an individual from, for example, social events, team meetings, discussions and collective decisions or planning
- Make threats or inappropriate comments about career prospects, job security or performance appraisal reports
- Persist. Bullying is a pattern of unpleasant behaviour
- Humiliate people in public; sometimes in front of those junior to them
- Pick on individuals in private, when there are not any witnesses around
- Use sarcasm and 'jokes' that are not funny
- Say that their behaviour is normal and it's the other person's fault for not realising it
- Play 'practical jokes' that are not funny
- Use physical intimidation – standing very close to a person, or right over a person, or pointing aggressively
- Use minor physical violence – pushing people, snatching tools out of their hands – and pretend this is normal behaviour

Do you do any of these things to other people?

Remember!

It is not your decision whether a particular way of behaving constitutes harassment or bullying. It is the perception of the person on the receiving end that counts.

Breaking the habit

A minority of those who bully have a serious personality defect and only extensive professional help will change their behaviour. It might even have played a part in their career progression. But for the majority, bullying is a bad habit which they can learn to break. It is a bit like smoking: they know they should give up, but they do not know how.

If you are in that category, here are some suggestions:

Systems and procedures

Unfair allocation of work is a common symptom of bullying. Individuals are given too much work or lots of trivial tasks beneath their professional competence or more than their fair share of unpopular, dirty jobs. They may even be set up to fail by being given tasks which are beyond them.

This may simply be bad management rather than deliberate bullying. So the first step is to make sure there is an effective, transparent system for allocating work so that everyone can see that there is no favouritism and no one is being picked on.

Behaviour

There can be a lot of pressure at work and this can cause us to bully our colleagues. The solution is to become much more conscious of why we behave the way we do. In particular we should be aware of:

- **Triggers.** All emotions are triggered by something and how you feel when you start to bully someone is no exception. Do you get like this at particular times? Do you pick on particular individuals or types of people? Do particular situations get you going? Be aware that the trigger might not be immediate. If, for example, you have a difficult meeting with the Master, be conscious of how this makes you feel so that you do not pick on someone later in the watch to make yourself feel better.

If you are lucky, you can avoid some of the triggers of bullying behaviour. Even if you cannot, you can recognise them in advance and decide to react differently to them.

- **Positive thinking.** Once you know what triggers your behaviour you can start to think consciously about it, and change a negative reaction to a positive one. So, for example, if you see a piece of work that is not up to standard, avoid thinking *'Just let me get my hands on this idiot!'* Instead, try saying to yourself *'How can I help this guy learn to do this properly?'*

- **Arousal signals.** Bullying is aggressive behaviour. Evolution has programmed our bodies to prepare for aggression so that we can react effectively to being attacked. Our heart rate increases. Our blood pressure goes up. Adrenalin begins to flow. It is easy to recognise that this is happening to you. When you do, take a deep breath, tell yourself to calm down and all these automatic preparations will go into reverse.
- **Empathy.** Think about the effect you might have on others. Put yourself in their shoes. Do not stand too close to people, it makes them feel threatened. Do not stare them down. Do not use your finger like a pointer in their face. If they are kneeling or sitting do not loom over them, get down to their level. No matter how irritated or frustrated you may feel, try very hard not to let it show on your face.

Bullies beware!

Bullying and harassing others is serious misconduct. Those who are bullied are encouraged to report what is happening to them. All such reports will be vigorously and thoroughly investigated. Provided the complaint is not malicious, the company will take action and, if appropriate, invoke its disciplinary procedure. These follow the principles laid down in the ETF - ECSA Guidelines on Eliminating Workplace Harassment & Bullying. In some cases dismissal from the ship can be expected; in others, legal action.

Questions for those who might be a bully

1. Do you think that your way of doing a job is always right?
2. Have you allocated work to a particular individual as a form of discipline?
3. If so, have you done so repeatedly or out of proportion?
4. Have you tried to offer constructive criticism or offered to help them understand their duties better?
5. Would you describe your management style as 'robust'?
6. If so, are you certain you are 'firm but fair'?
7. Could you be described as a 'control freak'?
8. Do you regularly raise your voice at other workers?
9. Do you justify your actions against subordinates by remembering that you received such treatment early in your career?
10. Have you, with others, ganged up on someone?
11. Have you sent any email or social networking message which might be deemed offensive or upsetting?
12. Have you read your company's harassment and bullying policy?

Questions for those who might be harassing others

1. Have you combined your criticism of an individual with any mention of their gender, race, age, sexual orientation, religion or nationality?
2. Do you have any problem with women being on board your ship?
3. Have you persistently asked someone for a date or touched someone inappropriately?
4. Do you know that grabbing someone is considered an assault, and therefore is a criminal offence?
5. Have you sent emails or used social networking sites to cause someone embarrassment or humiliation?
6. Have you justified to yourself that your actions were 'just a joke' or that 'they were what everyone does'?
7. Have you displayed or circulated any material which a person could find offensive, suggestive, homophobic or racist?
8. Have you made any comment on someone's physical appearance, age or their having a disability?
9. Have you read your company's harassment and bullying policy?

GUIDANCE NOTES 3: FOR SENIOR OFFICERS

The possible consequences of harassment and bullying

In some circumstances formal reports of harassment and bullying can seem like an irritation or even disrespect. What, for example, is a Master to make of a complaint from a sixteen year old cadet that he is being bullied by the second engineer?

The question that senior officers should ask themselves in such situations is whether they would prefer to investigate the complaint properly and resolve the issue, or whether they would like the situation resolved by legal proceedings – a process which will almost certainly involve their being interrogated by the complainant’s lawyer, and which could expose their failure as managers to their colleagues, their company and, on occasions, the general public.

Shipping companies have to survive and prosper in a market which is always highly competitive, with great pressure on costs. To do so they need ships which operate efficiently. Having bullies on board makes that more difficult to achieve. What is more, good seafarers are hard to find and expensive to train. Running the risk of losing them to competitors, or even having them leave the industry altogether because of how they are treated, makes no sense, morally or economically.

In a minority of cases those who harass or bully do so intentionally, and take pleasure in it. Some research shows there is considerable cross-over between bullying behaviour and psychopathic behaviour. However, in most cases such acts are carried out unwittingly and result from outdated management styles. Therefore, the adoption of management styles that do not involve aggressive or intimidating behaviours would make an important contribution to eliminating the problem.

Getting the climate right

Prevention is always better than cure. Harassment and bullying are unpleasant, disruptive types of behaviour. Aside from the moral issues and the effect they have on individuals, they damage the efficient and safe operation of the ship. What can senior officers do to prevent this type of behaviour? Here are some suggestions:

1. **Be aware of potential problems.** Modern management recognises that people from different cultures have different sensitivities, and those in senior positions should be aware of employees who are less able to speak up for themselves. People often find themselves being picked on because they stand out from the crowd. Do any crew members fit that profile – a lone woman, someone from a different racial group, an Orthodox Jew for example? Are there any particularly inexperienced individuals on board? Are there officers who have not worked with the particular racial groups on your ship before? Is there anything in the news which could cause people to be picked on?

2. **Policy and procedures.** Is the company's policy on harassment and bullying clear? Has it been communicated to everyone on board? Does everyone on board understand that they can report harassment and bullying, in confidence, and that their complaints will be investigated and action taken? Do they know who they should report incidents of bullying to?
3. **Systems.** Unfair allocation of work is a very common symptom of harassment and bullying. People are given more than their fair share of unpleasant jobs, or trivial work beneath their professional competence, or are denied access to interesting work which will help them develop and advance their careers, or are simply given more work than they can cope with.
Are there clear definitions of roles and responsibilities on your ship? Do you have clear work procedures and are they followed? Are there fair and transparent systems for allocating work?
4. **Early warning.** Are those responsible for handling these situations clear about:
 - **What to look for?** Partly this is a case of being conscious of the informal signs of a poisoned atmosphere, such as people appearing depressed or being reluctant to communicate.
In addition, what often happens when people are being bullied is that their work performance deteriorates. There is an obvious danger that this can be interpreted as a disciplinary problem, particularly if the bully is in a position to support that interpretation. It is very important for any investigation of poor performance to hear both sides of the story and identify the root causes.
 - **What to do?** Those who are being bullied or harassed often feel isolated, powerless and reluctant to believe that reporting what is happening will do any good. They tend to identify the bully with the company, and think that making a complaint will make a bad situation worse. It is therefore very important that when senior staff members encounter evidence that harassment or bullying is taking place they are able to demonstrate that they know precisely what to do and are committed to taking action.

Handling a complaint

Here is some general guidance for handling complaints about harassment and bullying. Your company's procedure or any national legislation naturally takes precedence over this guidance in cases where there are significant differences between them.

In general

1. **Your procedure.** You must be absolutely clear about what your company's procedure for handling reports of harassment and bullying is and how this

procedure fits into the more general disciplinary procedure. In particular, you must understand:

- the limits of your authority
 - whether the person making the complaint and the person against whom the complaint is made are allowed to be accompanied by someone else to any investigation and, if so, what the role of that individual is
 - that shore management are made aware of all incidents. Where a ship has a smaller crew complement, it is advisable for a point of contact ashore to be available to crew members for the reporting of all incidents
2. **The ETF - ECSA Guidelines on Eliminating Workplace Harassment & Bullying.** Your company's procedure will closely follow the principles outlined in these guidelines, and you will find it useful to familiarise yourself with them.
 3. **Sensitivity.** In most cases you must be prepared for strong emotions. The person making the complaint will almost certainly be upset or angry. When confronted with the complaint, the alleged bully is very likely to be angry and defensive. Remember that, when people are in an emotional state, they do not listen and they have difficulty presenting their case rationally. You need a lot of patience to get to the bottom of situations like this.

The person making the complaint

1. **Setting.** It is important to ensure privacy and, as far as possible, put the individual at ease.
2. **Explain the process.** Before you get into the detail of the complaint, explain to the person making it that:
 - you have to ask questions and take notes. This does not mean that you do not believe their story. Your purpose is to get at the facts in as much detail as possible
 - when you have heard the allegation and asked questions to make sure you have fully understood it, you will speak to the alleged bully and, if appropriate, other people as well
 - whatever conclusion you reach, even if you decide that there is not enough evidence to take further action, it will not count against the complainant
3. **Get at the facts.** To do this:
 - ask open questions to encourage the person to talk. For example, 'What happened then?', 'How did you react?', 'Where did this take place?', 'Who else witnessed this?' Ask closed questions to nail down important pieces of information. For example, 'Did he touch you?'
 - ask questions to test your understanding. For example 'Are you saying that this has been getting worse?'
 - summarise to make sure that you have really heard what has been said

4. **Outline the next steps.** Once you are clear that you understand the complaint, explain to the individual what will happen next and also roughly how long the rest of your investigation will take. While it is going on ask the person to try to maintain as normal a working relationship as possible with the alleged bully. You must also make it clear that any further bullying and attempts at coercion should be reported to you immediately.

The alleged bully

Once again, you must follow your company's procedure. All such procedures are based on certain principles of natural justice and in particular:

- individuals must be told of the nature of the case against them
- there must be a thorough, impartial investigation
- individuals must be given time and opportunity to answer the case against them
- they must be allowed the opportunity to apologise

Begin by giving alleged bullies adequate warning of what is going on. This means explaining, without discussing any details, that a complaint has been made and that you intend to discuss this with them at a meeting to be held, say, at the end of their watch. Explain that this will be a formal disciplinary interview and, if the procedure allows this, they may be accompanied by a friend. It is also important to warn alleged bullies not to discuss this matter with anyone before the meeting except the person who will accompany them.

There are four stages to the disciplinary process:

1. **Investigate.** At the interview:
 - Explain the ground rules. Briefly go over the purpose of the interview, how it will be conducted and the role which you expect those present to play
 - Summarise the facts as you see them
 - Ask for a response. Use questions. Probe for detail. Listen. Test your understanding and summarise what has been said
2. **Check the facts.** You may have to adjourn the meeting at this point so that you can take evidence from other people.
3. **Take action.** Once you are sure that you have a clear, accurate picture of what has happened, check the limits of your authority, decide what to do and explain this to the alleged bully.

If you have decided that the complaint is justified then, if at all possible, agree the facts with the individual. But remember that this is not a negotiation. The decision is yours. It is essential that the person understands:

- the action you propose to take
- your reasons for doing this

- any right of appeal and how to go about this
- how their behaviour will be monitored from now on
- in a case of cyber bullying, stress that the use of the company's communication equipment for such purposes is a serious breach of the company's code of conduct

Try to ensure that the continuing working relationship between the individual and the person who brought the complaint is as smooth as possible given the circumstances.

4. Follow up.

- make a written record of what you have done
- communicate this to the person who made the complaint and any other appropriate individuals, such as your shore office
- monitor the actions you have taken

Questions to assist senior officers

1. Are the work allocations that you are responsible for clearly displayed?
2. Are you able to recognise the signs of an individual feeling depressed, isolated or vulnerable?
3. Have you noticed any individual's work performance deteriorate?
4. Would you describe your management style as 'robust'?
5. If so, does it include belittling an individual's efforts or denigrating their character?
6. Do you consider some in the crew to have an 'attitude problem'?
7. If so, are you sure that this has materially affected their ability to perform their duties?
8. Are you familiar with the nine protected characteristics?
9. Are you fully familiar with your company's harassment and bullying policy and the ETF - ECSA Guidelines on Eliminating Workplace Harassment & Bullying?
10. Is this policy known about and accessible to everyone on board?
11. Are you prepared to set aside a time and place in order to investigate and resolve complaints?

GUIDANCE NOTES 4: A CHANGE IN CULTURE

Not so long ago, to drive a car after having a few drinks was considered unwise, even foolish, but was not socially unacceptable. Drink-driving was something people hoped to 'get away with' and their friends and colleagues were often supportive in that view. Not any more. Nowadays, it is not just the penalties of the law which persuade drivers to remain sober, but the disapproval of those who know them. Similar changes have come about with regard to smoking, the treatment of disabled people, and the attitude to gay relationships. So it will be with bullying and harassment. Although people are often resistant to change, change is inevitable. The elimination of bullying and harassment will be a change for the good, for more productive and harmonious working environments.

Bullying and harassment are a legacy of an out-dated culture and are counter-productive. In a highly competitive market, anything which endangers the smooth and efficient running of a ship must be resisted. And anything which causes well-trained staff to leave is a drain on resources.

Businesses operate in an increasingly international fashion. Shore-based industries such as the financial sector, the oil industry, and large law, accountancy and management consultancy firms, frequently have people of different nationalities working side by side. Treating all employees, from whatever background, with dignity and respect makes good sense both morally and economically.

FURTHER RESOURCES

The ETF - ECSA Guidelines on Eliminating Workplace Harassment & Bullying www.etf-europe.org

Useful websites:

Bully OnLine – www.bullyonline.org

ECSA – www.ecsa.eu/

The European Transport Workers' Federation - www.etf-europe.org

Nautilus - www.nautilusint.org

NHS - www.nhs.uk/Livewell/workplacehealth

Useful publications:

ACAS Guide for Employees – Bullying and Harassment at Work
Available from www.acas.org.uk

Fighting Back: Overcoming Bullying in the Workplace, David Graves

Nasty People, Jay Carter

Sexual Harassment in the Workplace (eBook), Mary L Boland

