

Guidelines Undesirable Behaviour – for managers

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Guidelines for line managers for dealing with bullying

Definition

Bullying is where somebody **repeatedly** has the feeling that he is excluded and/or belittled; annoying comments or unpleasant jokes are made; he is gossiped about or receives unnecessary criticism and/or somebody is or becomes isolated.

Task line manager

The Working Conditions Act contains provisions to ensure safety, protect health and facilitate the well-being of employees. In summary, the line manager should ensure a safe and pleasant working climate.

Since in the Act, bullying is defined as a risk for the working conditions related to human behaviour, this means that it is the line manager's task to do more than just protect an individual employee in cases where bullying occurs. The line manager should take active and preventive measures to protect employees from bullying or to tackle bullying.

If you as a line manager observe bullying:

- speak to the bully (bullies) about his (their) behaviour;
- make concrete agreements about improving the behaviour and record these in writing;
- agree a timescale and evaluate the agreements;
- inform the bully about the consequences of his behaviour and record that in writing;
- also use the performance and appraisal interview to bring up the subject of bullying;
- involve the confidential counsellor for advice about the approach;
- contact, if necessary, the company doctor, the welfare department or personnel care;
- record matters in the personnel file;
- take measures in consultation with P&O and/or the legal department.

Somebody reports bullying about or by a colleague:

- do not choose sides;
- concentrate on the behaviour;
- quickly collect information;
- discover differences in the accounts and/or the experience of parties;
- act on the facts and not the emotions;
- listen to both sides of the argument;
- reject the bullying behaviour without judging it and state how you want people to behave towards each other on the work floor and subsequently act in the same manner as under "If you as a line manager observe bullying".

What can you do to prevent bullying?

- make the policy about undesired behaviour known in the work unit;
- realise that you have an exemplary role and act accordingly;
- pose questions about the way in which the work atmosphere is experienced as a fixed element in the performance and appraisal interview;
- monitor the work atmosphere and regularly check how employees experience this;
- keep track of (prolonged) absence due to illness;
- ask about the prevention of bullying in the performance and appraisal interview.

Guidelines for line managers for dealing with sexual intimidation

Definition

Sexual intimidation is where a person exhibits unwanted sexually tinted behaviour towards another. This behaviour can be verbal (comments, insinuations) and/or non-verbal (looking, certain gestures) and/or physical (touching).

Task line manager

The Working Conditions Act contains provisions to ensure safety, protect health and facilitate the well-being of employees. In summary, the line manager should ensure a safe and pleasant working climate.

Since sexual intimidation is defined as a risk for the working conditions related to human behaviour, this means that the task of the line manager is to do more than just protect an individual employee in cases where it occurs. The line manager should take active and preventive measures to protect employees from sexually transgressive behaviour.

If as a line manager you observe sexual intimidation:

- speak to the perpetrator about his behaviour;
- make concrete agreements about improving the behaviour and record these in writing;
- agree a timescale and evaluate the agreements;
- inform the perpetrator about the consequences of his behaviour and record that in writing;
- use the performance and appraisal interview to evaluate again;
- involve the confidential counsellor for advice about the approach;
- contact, if necessary, the company doctor, the welfare department or personnel care;
- record matters in the personnel file;
- take, if necessary, disciplinary measures in consultation with P&O and/or the legal department.

If an employee comes to you with a complaint:

- realise that the complainant has taken a huge step and take him seriously;
- ask what he wants to achieve with the complaint;
- ask about the facts and do not be guided by emotions;
- ask the person reporting to provide a (written) report of the situations that occur, including the words used, time, location and concrete descriptions and subsequently act as stated under "if somebody reports sexual intimidation to you".

If somebody reports sexual intimidation by or from a colleague to you:

- remain impartial;
- concentrate on the behaviour;
- collect information quickly;
- discover differences in the accounts and/or the experience of parties;
- act on the facts and not the emotions;
- listen to both sides of the argument;
- reject the behaviour without judging it and state how you want people to behave towards each other on the work floor, and subsequently act as under "If as a line manager you observe sexual intimidation

What can you do prevent sexual intimidation?

- realise that you have an exemplary role and act accordingly;
- make the policy about undesired behaviour known in the work unit;

- pose questions about the way in which the work atmosphere is experienced as a fixed part of the performance and appraisal interview;
- monitor the work atmosphere and regularly check how employees experience this;
- keep track of (prolonged) absence due to illness;
- ask about the prevention of sexual intimidation in the performance and appraisal interview.

Guidelines for line managers for dealing with aggression

Definition

Aggression is where a person is psychologically or physically harassed, threatened or attacked by colleagues or clients.

Aggression can be expressed in various forms:

- verbal (swearing, insulting, transmitting hostile messages, threats);
- psychological (harassment, pressurising, intimidating, threatening and irritating);
- physical (adopting a threatening posture, kicking, hitting, biting, grabbing).

We distinguish two types of aggression: aggression as an expression of anger or rage, and instrumental aggression. In the case of aggression due to anger or rage there is verbally or physically explosive behaviour. In the case of instrumental aggression there is strategic behaviour to manipulate others, to exert power to gain control over situations and to create an atmosphere of uncertainty as a result of which the normal course of events is influenced. Aggression is then instrument for getting things done.

Task line manager

The Working Conditions Act contains provisions to ensure safety, protect health and facilitate the well-being of employees. In summary, the line manager should ensure a safe and pleasant working climate.

Since aggression is defined as a risk for the working conditions related to human behaviour, this means that the task of the line manager is to do more than just protect an individual employee in cases where it occurs. The line manager should take active and preventive measures to protect employees from aggression.

If as a line manager you observe aggression:

- speak to the perpetrator about his behaviour;
- make concrete agreements about improving the behaviour and record these in writing;
- agree a timescale and evaluate the agreements;
- inform the perpetrator about the consequences of his behaviour and record that in writing;
- use the performance and appraisal interview to evaluate again;
- involve the confidential counsellor for advice about the approach;
- contact, if necessary, the company doctor, the welfare department or personnel care;
- record matters in the personnel file;
- take, if necessary, disciplinary measures in consultation with P&O and/or the legal department.

If an employee comes to you with a complaint:

- realise that the complainant has taken a huge step and take him seriously;
- ask what he wants to happen with the complaint;
- investigate the facts and subsequently set to work as described below under "Somebody reports aggression to you where it concerns colleagues".

Somebody reports aggression to you where it concerns colleagues:

- remain impartial;
- concentrate on the behaviour;
- quickly collect information;
- discover differences in the accounts and/or the experience of parties;
- act on the facts and not the emotions;
- listen to both sides of the argument;

- reject the behaviour without judging it and state how you want people to behave towards each other on the work floor.
- Subsequently act in the same manner as under "If as a line manager you observe aggression".

What can you do to prevent aggression?

- realise that you have an exemplary role and act accordingly;
- make the policy about undesired behaviour known in the work unit;
- pose questions about the way in which the work atmosphere is experienced as a fixed part of the performance and appraisal interview;
- monitor the work atmosphere and regularly check how employees experience this;
- keep track of (prolonged) absence due to illness;
- ask about the prevention of aggression in the performance and appraisal interview.

Guidelines for line managers for dealing with (workplace) disputes

Definition

There is a workplace dispute when within the boundaries of an employing organisation an individual or group feels frustrated or thwarted by another individual or group. This can concern the content of the work, work relationships and working conditions or employment conditions.

Task line manager

The line manager should ensure a safe and pleasant working climate. In this case, the line manager has a double responsibility: to address disputes between employees and to encourage parties to reach a solution, but also not to ignore disputes that are related to the (style of) management. The latter requires the courage to recognise that there is a dispute and that one plays a role in it. For example, it might be necessary to ask for advice or support from a higher line manager or from the personnel consultant.

The following points of attention are important for preventing disputes:

The management style exerts considerable influence on whether or not disputes arise. Employees who feel the support and confidence of their line manager are better able to deal with conflicts of interest and different points of view. Recognition and rewarding facilitate self-confidence and motivation. Conversely, the lack of confidence can be a source of workplace disputes. In this regard, it is important to take troubling results from personnel surveys, well-being surveys and employee satisfaction surveys very seriously and to take measures in good time.

What preventive measures can you take?

- communicate in a clear and open manner;
- state both positive and negative aspects of a person's performance and record these;
- be clear about the material aspects and employment conditions, and clearly state expectations and do not generate false expectations;
- be clear about responsibilities and record these in writing;
- devote attention to the future perspectives of the employee by means of work plans, training and supervision plans;
- inform employees in good time about developments within the organisation.

Intervention possibilities in the case of workplace disputes.

If there is a risk of (mutual) dispute among your employees, then enter into a dialogue with them immediately, expect that they solve the problem and make clear agreements about the progress. Record the various matters and, if necessary, ask the personnel department for support.

If you have a dispute with one of your employees: state this as a (potential) dispute and agree with them about which route you will pursue to resolve the dispute. Realise that you are in a more powerful position and that the employee can experience this as threatening. Who can you (together) ask for support? The personnel consultant or the welfare department can advise about the approach to be followed.

In the case of acute, vehement disputes: if necessary, arrange a time-out in consultation with the personnel consultant or your own line manager to prevent serious escalations and to include a cooling down period. When doing this, you should ensure there are clear agreements about how the dispute will be dealt with further (when a next meeting will take place, with who, et cetera).

If both parties want to involve a mediator, then that is an option. An internal or external mediator is available at various work locations.

Dispute in combination with reporting ill

If possible, the line manager points out that in the case of a workplace dispute those concerned should not report ill and should instead propose a timeout.

If an employee nevertheless reports ill as a result of a workplace dispute, then the company doctor should be involved for an assessment, preferably within 48 hours.

Sometimes a situation has got considerably out of hand and reporting ill is accompanied by many emotions and physical complaints such as tiredness, headache and sleeping badly. In effect, these are logical responses to the dispute situation and this does not have to mean that the person involved is "sick" or incapacitated for work.

Therefore, the company doctor mainly assesses whether or not there are medical limitations that prevent the employee from carrying out his own work and this assessment will be recorded in writing.

Dispute during reintegration

If a dispute arises during the reintegration process, then it is important to signal and tackle this in good time. The Social Medical Consultation is then the appropriate consultative body to reach solutions. In this case, it is also important to distinguish between illness and dispute and to enlist somebody else to supervise the dispute.

In pursuance of the Eligibility for Permanent Invalidity Benefit (Restrictions) Act [*Wet Verbetering Poortwachter*] various things need to be properly documented.

If a dispute threatens to arise about the question as to whether enough reintegration efforts have been made or about the interpretation of the term appropriate work, then the employer or employee can ask for an expert assessment from the Employee Insurance Agency (UWV).

The role of the company doctor

If an employee nevertheless reports ill as a result of a workplace dispute, then it is desirable that the company doctor is actively involved.

The company doctor will place the responsibility for solving the dispute with the employer and employee but can play an advisory role in this regard.

He assesses whether or not there are medical limitations that prevent the employee from carrying out his own work tasks and records this assessment in writing.

Finally

When assessing the dispute, base your assessment on the facts and do not be guided by emotions. If necessary, involve the help of a mediator at an early stage; this can restore the balance of power between parties.

Please note that both parties must agree with the choice of mediator.