

Submission
No 5

**INQUIRY INTO ALLEGATIONS OF BULLYING IN
WORKCOVER NSW**

Name: Name suppressed

Date received: 17/07/2013

Partially Confidential

Submission for Parliamentary Enquiry into Bullying Allegations at WorkCover

16th July 2013

To whom it may concern

I am an employee at the _____ and have been employed there for the last 8 years as _____. In that time I have witnessed many instances of work place bullying perpetrated by employees in senior positions including managers _____ and _____ through WorkCover who are charged with managing several of our shared corporate services, including human resource management (People and Culture) and Payroll services.

The most recent incident I experienced was related to my application _____ and _____ associated sick leave.

I contemplated and planned my leave early on in my pregnancy, however aimed to wait until as close to the date of my intended leave as I could before submitting it. I was approached via email by my direct supervisor who requested that I submit my leave in as early as possible so that the organisation could recruit my position as soon as possible. This never happened as other staffing arrangements were made, however upon my manager's request, which was also supported by the General Manager, I submitted my leave the very next day.

I had been speaking to my doctor who gave me a certificate in order to access some of my accumulated sick leave, prior to my maternity leave beginning. She had some concerns about my health as my pregnancy progressed, especially related to travelling into work – I _____ and am required to travel for an hour and a half each way into the CBD by bus. I was also experiencing pain and discomfort related to tendinitis in my wrists brought on by my pregnancy and would later learn that my blood pressure was an issue also. My doctor and I agreed it would be beneficial to take a pro active approach and minimise risk as my pregnancy progressed, by taking some rec and sick leave before my maternity leave. I aimed to finish work at approximately 32 weeks of pregnancy.

I submitted my leave which consisted of two weeks recreation leave to begin with, then around 7 weeks of sick leave as recommended by my doctor, which took me up to my estimated due date and then maternity leave which would be for 12 months – 14 weeks paid maternity leave and the rest as unpaid maternity leave. Rec and sick leave were submitted through our online system, the maternity leave had to be submitted separately on a manual form.

The rec and sick leave were approved by my direct supervisor and the General Manager of _____ on our online system immediately after I submitted it.

Soon after I was contacted by a staff member from People and Culture (P&C) at WorkCover who told me that my form for my maternity leave, which could not be submitted through our online system like rec and sick leave, had been filled out incorrectly. I rectified this and re submitted the form. The P&C staff member mentioned that there could be a problem with my sick leave. I immediately informed her that this leave had already been approved on the online system.

Over the course of the next few days I received another two phone calls from the P&C staff member who told me that my application for sick leave in advance was unacceptable and I was required to withdraw this leave and submit it closer to the date of when I was actually taking the leave, which would be while I was on two weeks rec leave. I refused to withdraw this leave and explained to her that it was unnecessary to withdraw it and then resubmit it closer to the date. The leave had been approved and was submitted early upon the request of my manager in order to recruit my position. The P&C staff member and her colleague continued to pressure me and my direct supervisor, trying to urge me to withdraw my sick leave. This put undue stress on me during a sensitive time of my pregnancy and during the final couple of weeks at work, when I was already emotional about embarking on such a change as the departure from my work place after years of service.

I contacted my representative at the PSA to get some advice and was informed that I was absolutely under no obligation to withdraw my leave as it was approved and was submitted early upon my manager's request. My manager and the General Manager at too were extremely supportive of me. They understood the issues surrounding my pro active approach to the health of my body and my baby through my pregnancy, my birth preferences and birth philosophy and the risks I could encounter as my pregnancy progressed. I was uncomfortable about discussing these issues directly with the staff at P&C and felt that my doctor, my PSA representative, my manager and my General Manager's approval and support was more than enough to justify my sick leave application and approval.

In the end, I did not withdraw my leave and never heard another thing about it once my leave began. I was paid accordingly and the issue went away. I was extremely angry that it was made an issue at all and that it tarnished my final weeks of employment at a time when I was supposed to be enjoying the second trimester of my pregnancy and cherishing the transition from employee to motherhood and farewelling my relationships with my colleagues and clients.

It was a clear example of workplace bullying at its ugliest. The staff at P&C showed absolutely no sensitivity or regard for my condition, but more importantly seemed to know very little or didn't care about my rights as an employee and my rights to access my entitlements. They also showed no respect at all towards the most senior staff members of including the General Manager and the Director of Client Services who is my supervisor and their decisions to request the early submission of my leave and to approve my sick leave. They also didn't think my doctor's advice was worth any value either.

There was no way I was going to allow them to bully me into withdrawing my leave, especially knowing that I was within my rights to access my entitlements and having the support that I did, however I wonder if another staff member, perhaps who was uncertain about their rights or was not someone willing to stand up to such incompetence, would have given in and withdrawn their leave.

My pregnancy resulted in an emergency caesarean due to issues related to my blood pressure. I wonder how much of the stress brought on by this behaviour contributed to my symptoms towards the end of my pregnancy. Even once I was on leave, I was still anxious to see what would happen with my sick leave and anticipated that I would have to have a confrontation with P&C whilst on leave to make sure they paid me correctly. This did not eventuate, but the pressure and stress they imposed on me had already affected me, the damage was done.

I have witnessed other instances of similar bullying scenarios where senior or influential staff have shown no regard towards other people, usually less powerful than them and where this incompetence and abuse has been ignored and there have been no consequences. These are too numerous to describe case by case.

It seems that the culture of bullying at WorkCover and its agencies like _____ continues so that the most senior and powerful staff members will always get away with bad behaviour with no consequences and are often incompetent and uncaring to effectively carry out their duties sufficiently. Staff are often dismissed when making complaints or the system in place is of such a tokenistic nature that staff are just guided through the steps of making a complaint and then the matter just goes away, leaving the complainant to feel further victimised and violated. Action is rarely taken against the perpetrator of bullying behaviour. Policies are worded beautifully, but their interpretation and implementation almost always favours the needs of the business and the organisation and as a consequence, it neglects the health and safety of the staff member being victimised. Given that WorkCover is charged with the responsibility of ensuring workplace safety across NSW, it is ironic that its own workplace is completely dysfunctional and abusive towards its own workers.

Should you require further information about these issues, I would be happy to provide further information or details.

Kind Regards