INQUIRY INTO ALLEGATIONS OF BULLYING IN WORKCOVER NSW

Name: Ms Heather Jackson

Date received: 4/09/2013

Introduction

I am writing this submission about bullying within WorkCover based on almost ten years employment. I came to WorkCover with a professional training and work experience. I left my WorkCover a couple of years ago due to the detrimental effects on my psychological health as a result of the management style .

Setting the scene

Structural disempowerment

WorkCover has undergone several restructures and it is my view that each successive change removed autonomy and technical expertise out of the local offices into head office. Local teams lost the authority to develop and implement local initiatives such as targeted compliance projects. Procedures for accessing technical advice and approval to conduct project work, were in practice difficult to use and requiring layers of approval. In my opinion this, together with the loss of trust outlined below, contributed to low morale, inaction and a largely reactive approach to regulation within the inspectorate.

I believe I was recruited to be a change agent and I understood that the organisation was trying to deal with some performance issues within the inspectorate. I believe that there were valid performance issues and the inspectors as a group were quite powerful. Having acknowledged this, as time progressed, I believed the approach to managing the performance issues was coercive rather than collaborative. A prevailing management style developed which favoured the command and control approach, where supervisors were expected to take almost unilateral action against identified 'poor performers' regardless of the person's skills and the relative complexity of the issues being addressed by them. I believe that this reflected a lack of leadership skills amongst the management team.

The predominant style

During my employment with WorkCover I observed several cases of bullying, most of which were systematic actions taken by management under the guise of performance management. Consistent supervision or coaching would have been more appropriate management tools. Peer bullying however, was also a feature. The predominant operating style favoured traits that could easily translate to bullying and intimidation. To some degree the bullies and were rewarded and the inspectors who adopted a more collaborative approach to their work were viewed to be inefficient or poor performers.

Some of the inspectors I observed being 'performance managed' were often allocated complaints and incidents involving multi-factorial hazards such as bullying, client violence, fatigue and manual handling and workers compensation and return to work,. Some of these inspectors, in my opinion were highly skilled in particular areas of practice but didn't fit the predominant style. These issues were often not recognised as valid health and safety issues and managers and colleagues alike believed that all that was required was to check if a policy was I place and if not issues a notice to develop one and close the matter. I understood the complex nature of these issues and the inadequacy of the advocated approach.

Organisational culture features

From my experiences inside WorkCover and subsequent research in the area of organisational culture and safety culture I would like to highlight several features which I believe cultivates an environment in which bullying can thrive.

Loss of trust

Following successive restructures and the change in focus from prescription to risk management many inspectors lost trust in the ability of management to regulate health and safety effectively. Managers likewise seemed to lose respect for the inspectors. I witnessed senior management meetings where inspectors were regularly spoken about in derogatory terms and ridiculed by managers.

Shutting down diversity

I observed a pattern of intolerance to any point of view which diverged from the prevailing management view and an unwillingness to listen to different perspectives. This appeared to emanate from the very top of the organisation.

Internal recruitment practices for acting in higher duties positions often favoured those who were prepared to adopt the prevailing management view without question. I began to form an opinion that the merit selection process was used merely to maintain a perception of transparency and a fair go. Rather than embracing diversity as an opportunity to ensure that different perspectives were considered and as a protection against group think and decision bias, diversity was viewed as a threat. People promoted into management positions often had limited people management skills and in order to advance themselves and please management they adopted the preferred command and control management style.

A culture of blame and fear

Rather than managing people through supportive supervision performance management became a regular management feature. In some cases performance management may have been justified but issues were often escalated unnecessarily to disciplinary action. A lack of good leadership together with the heavy handed investigative approach applied in an inconsistent manner created a culture of intimidation and fear.

In this environment there was an assumption of misconduct before establishing the facts. This pre-occupation with misconduct became a focus for HR. There was an expectation on supervisors to investigate matters with the purpose of allocating blame. There were many other examples of performance management issues relating to inspection and investigation as well as administrative issues such as time sheets. This was made a major focus for Team Co-ordinators and at a meeting sometime around 2006 or 2007 we were introduced to a new member of the HR staff,   .
He was introduced to us as having worked for both unions and employers in industrial relations roles. He was employed to help us deal with performance management issues. This all fed into developing a culture of blame and fear.

Performance indicators and micro-management

Performance criteria which focussed on completion times and numbers of matters investigated and numbers of notices issued was established to measure performance. The completion time for safety complaints was set at 20 days and investigations may have been 3 or 6 months and I can't recall the exact time frame for minor incident investigations. Emphasis was placed on time based performance at the expense of quality. Inspectors who cared about achieving lasting change in a workplace were disadvantaged as pressure was applied to close work off before follow up visits to check compliance were conducted. Several formal performance management actions were initiated based on failure to meet these criteria. Whilst I established a system to review time frames for completion of allocated work I was prepared to argue the case for some more complex matters to remain open. To achieve the time based performance indicators the TM placed pressure on the team co-ordinators, who placed pressure on the local supervisors, who in turn placed pressure on individual inspectors. This created an unhealthy culture of excessive performance pressure where psychological intimidation was used to try to achieve compliance with prevailing view of how work should be done.

Recommendations

1. Identify a mix of quality and quantity performance indicators on which to judge performance.
2. Recruit supervisors and managers with high level leadership skills including the ability to motivate and influence and resolve issues through two-way communication.
3. Promote diversity as an opportunity to ensure that different perspectives are considered and as a protection against group think and decision bias.