



PSYCHOLOGICAL HARASSMENT

AMONG
UNIVERSITY PROFESSORS
AND ACADEMIC STAFF

An Awareness and Action Guide

FQPPU

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INTRODUCTION

A recent survey of 640 employees, commissioned by the Chair in Occupational Health and Safety Management at Université Laval, indicates that between 7 and 9 percent of Québec workers experience psychological harassment.

This phenomenon also exists in universities.

Alerted by signs of unease associated with this phenomenon, such as high rates of absenteeism in departmental meetings, complaints received by the unions, persistent tensions between colleagues, prolonged sick leaves and teaching careers cut short, the FQPPU's ad hoc committee on psychological harassment conducted a qualitative study of union representatives and faculty members.¹ This study reveals that the university culture and context sometimes give rise to vexatious behaviours with devastating effects on the individuals who are harassed: disillusion, damaged reputation, illness and careers cut short.

It is possible to prevent this phenomenon, which only five years ago was hardly known in Québec and elsewhere. This guide explains how this can be done. It should help university professors and other academic staff, administrations and unions to answer the following questions: What forms does psychological harassment take in universities? What causes it? When is this type of violence most likely to occur? What concrete measures should be taken by faculty members, administrators and unions to end psychological violence in universities?

It must be stated unequivocally that psychological harassment in universities is not an inescapable scourge. On the contrary, this phenomenon can be controlled by reviewing the factors that contribute to it such as the methods of work organization, management practices and declining standards of

conduct in the university. Giving those who are affected by psychological harassment the support to which they are entitled is also the responsibility of all university actors, beginning with the immediate witnesses to this insidious form of violence.

I hope that the information contained in this short document will help universities to take appropriate action in cases of harassment, to put a stop to it, and to adopt the means to prevent the occurrence of this phenomenon, thereby making the university both a stimulating and pleasant place for those who have decided to pursue their career within its walls.

Cécile Sabourin
President, FQPPU

¹ The accounts cited below were gathered by the *ad hoc* committee on psychological harassment. The references contained in the complete study are not reproduced here.

WHAT IS HARASSMENT?

Harassment is shown through gestures and comments, often insidious, which are intended to destabilize people and break down their psychological resistance in order to subjugate or get rid of them. It may be expressed as hurtful comments, unwarranted criticisms or open insults, but also through seemingly harmless insinuations and different forms of abuse. A simple attack becomes harassment and produces particularly devastating effects when it continues over a relatively long period and when the individuals or group targeted are, or perceive themselves to be, in a situation where they find it hard to defend themselves. Taken alone, the actions that make up harassment may seem harmless, but when they are constantly repeated, they can have harmful effects.

work overload, an incessant increase in demands and the introduction of competitive standards do not constitute harassment. However, it is important to understand how the combination of these factors can make an ideal breeding ground for harassment.

According to section 81.18 of the *Act respecting labour standards*, psychological harassment means “any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects an employee’s dignity or psychological or physical integrity and that results in a harmful work environment for the employee. A single serious incidence of such behaviour that has a lasting harmful effect on an employee may also constitute psychological harassment.”

Heinz Leymann refers to mobbing, describing the phenomenon as a form of psychological terrorism. The acts that are recognized as constituting harassment include, among other things, those which prevent people from expressing themselves, isolate them, destabilize them, discredit them personally and professionally, limit their access to the resources to which they are normally entitled in order to carry out their work, jeopardize their health or make them insecure. The abuse of power, sexual harassment, discriminatory harassment, criminal harassment and certain attacks on property may also be recognized as forms of psychological harassment.

Nevertheless, the problem could easily be trivialized if every painful situation in the workplace was equated with harassment. Thus, if they are isolated or justified, incidents such as not getting a promotion, being refused a grant, being subjected to a management blunder, not being included in every circle, or receiving lukewarm appreciation of a scientific contribution should not be interpreted as harassment. Similarly, unresolved conflicts, continual

THE WAYS IN WHICH HARASSMENT IS EXPRESSED

In universities, harassment usually occurs at a key point of one's academic career, that is, during hiring, performance evaluation, and granting of permanent status or tenure. It can also come into play in important decisions that govern university activities and life (allocation of teaching duties or budgets, establishment of development priorities, and so on).

"For at least two years now, I've stopped going to department meetings because when I tried to make a suggestion or propose a plan, I noticed that certain people would talk among themselves and systematically oppose it."

"It doesn't make any sense to arbitrarily take away our courses. They play on this to harass us. We develop our expertise through our courses. We don't like giving 'courses', we like giving 'our courses'."

"Struck to the heart," the colleagues interviewed talked about the following attacks on their integrity:

Attacks on speech

The communication of ideas is the very heart of professors' work. In this context, constantly interrupting individuals, preventing them from expressing themselves, dismissing their point of view or acting impatient with them for no reason can jeopardize their position in a department and stifle all their initiatives. Other strategies consist of blaming individuals while refusing to hear what they have to say or excluding them from spheres of discussion and influence, for example, by no longer inviting them to meetings, by holding these meetings when it is known that the latter will be absent and then accusing them of not participating enough in collective life.

Attacks on reputation

Unfairly discrediting and undermining colleagues' work, criticizing the strength of their scientific output for no reason or raising doubts about their integrity without any serious justification can have disastrous effects on their career: denial of tenure and denial of promotion among other things. *"They refused to give me tenure because my harasser made sure he was appointed to the committee and [...] systematically discredited my best work."* The accounts commonly expose the way in which students are used to harm colleagues. Thus, comments are intended not only to sow seeds of doubt among

students as regards the competence of the individuals being targeted, but also to get the students to criticize their teaching. Complaints are sought out in a very organized way.

Attacks on working conditions

Victims of harassment are often subjected to intolerable stress by colleagues in formal or informal authority who create the conditions for their professional failure. Thus, they are assigned thankless or demanding responsibilities without the means to carry them out, they are continually assigned new teaching tasks and deprived of the opportunity to work with graduate students who are the preferred workforce in universities. Another widespread harassment tactic is to refuse to give individuals responsibility for courses in their area of expertise.

Attacks on privacy and integrity

Making individuals fearful, spreading rumours about their private life, ridiculing them, humiliating them in public or insulting them are other harassment tactics. Sometimes attacks even take the form of letters, threats or anonymous calls.

REASONS FOR HARASSMENT

There are six main reasons to explain the appearance of harassment in universities:

Abandonment of democratic principles

Harassment sometimes stems from intolerance to the questions or dissent of individuals who wish to exercise their rights as participants in collective decision-making or advisory bodies. It is not only people who have an aggressive or provocative nature who become the targets of harassment. Individuals are harassed merely for expressing their point of view, asking for greater transparency, or defending a minority position.

"In department meetings... When there was a flagrant lack of logic, or something was clearly unfair, I simply used to say: Can we not examine this problem and make some suggestions? As time went on, I realized that this was one of the reasons why, in the eyes of my colleagues, I should be excluded."

The desire to obtain professional advantages

The competition among professors for increasingly scarce resources — e.g., budgets, space, support — or responsibilities for teaching and student supervision explains why certain individuals are systematically penalized. Indeed, some harassers attack their colleagues so as to deprive them of the advantages that they hoped to obtain for themselves or grant to others. Knowingly or otherwise, the majority often apply the tactic of using their weight to seize resources, thus indirectly undermining the activities of their colleagues and draining them of vitality.

Professional competition

The importance attached to success as well as jealousies caused by popularity sometimes lead to "wars" among faculty members. People who, according to rumour, are receiving too much attention become targets. *"Since I was successful, people said that I was a bad influence and that I was indoctrinating the students and sessional lecturers. [My detractors] said that they were going to break me."* It was also observed that professors who receive large grants for their research may try to impose their model by denigrating others or, conversely, may provoke resistance or even hostility among

their colleagues who are more involved in teaching or have small research budgets.

Different approaches

Ideological disagreements or different professional paths sometimes cause people to systematically denigrate their colleagues. This sometimes culminates in a sort of "clan warfare." *"[My harassers] mocked what I was doing, said that it was ridiculous and laughed at me among themselves. They were always accusing me of all kinds of shortcomings and trying to create problems for me."*

Marginalization

Sometimes it is simply an individual's personality or manner that becomes a motive for harassment. Professors may be stigmatized because of their style, age, gender, ethnic origin or sexual orientation.

Situations of vulnerability

Temporary or more long-term vulnerability is sometimes enough to result in an individual being ostracized. Professors who find themselves in life situations such as a separation, illness or simply a passing fragility are targeted. *"All that I learned from my experience was that you have to be ready to fight like a lion in the university structure. And if you aren't healthy enough to do that, you had better keep a low profile. I would have never talked like this three or four years ago."*

THE EFFECTS OF HARASSMENT

Harassment in universities has many effects, all of which can be devastating.

Confused feelings and loss of motivation

Victims of harassment often doubt their perception of events or trivialize the situation in which they find themselves. Many of them start to have doubts about themselves or lose the will or capacity to work once they realize that the problem is not going away. *“Some days, I just no longer did anything, I had no more motivation, I felt like I was losing it.”*

Loss of trust and isolation

When constantly being scrutinized or attacked, many people become overly mistrustful. Some are terrorized by the idea of making a mistake, saying the wrong thing at the wrong time. Others are consumed by shame. They are embarrassed by feeling unwanted, and humiliated by not knowing how to defend themselves, having to justify themselves, and living in fear of low blows. Some victims of harassment eventually distance themselves, withdraw and isolate themselves. Sometimes they do this to protect themselves or to avoid feeling the scepticism or hostility of their colleagues. They also do it because they have finally become surrounded by a wall of rumours and malicious comments.

“The effects of harassment? On health: ulcers, insomnia, anxiety, and confusion. I have also been depressed, all of this led to a separation and divorce. And burnout. Loss of motivation, loss of friendships at work, discouragement, abandonment of my area of research, retraining for another field. Throughout all of this, I often felt misunderstood, powerless, disillusioned and, many times, like I was in mourning.”

Health problems

Harassment forces the affected individuals to be constantly on their guard and creates a physiological vulnerability which can result in various ailments and functional disorders: insomnia, fatigue, loss of appetite, digestive problems, migraines and back pain. If the situation persists, little by little, people will become sick. The accounts of harassment mention distress and burnout, suicidal thoughts, post-traumatic stress syndrome and depression. It sometimes takes time for individuals who are harassed to admit how serious their condition is:

“My doctor said to me, ‘I’ve told you three times that you should go on sick leave.’ I said, ‘OK, I’ll take a week.’ I was gone for two years.”

Disillusion

Professors are hired to fill a regular position when they are relatively old, after years of sometimes highly specialized studies. When they realize what is happening to them, for many it is as if a lifelong dream is turning into a nightmare. They no longer know what they are doing in the university, they stop thinking that they have a future there, have doubts about their choice and mourn again and again. The escape routes almost always have both professional and financial disadvantages.

Personal problems

Harassment is distressing both for individuals and their families. Victims of harassment sometimes become less open to their loved ones, more withdrawn, and less talkative. It is as if they are in a whirlpool: *“A person can easily pull another to the bottom. Sometimes, that person just needs a bit of air, to breathe, otherwise, the whirlpool will drag both of them down. Everyone drowns.”* Often individuals who are harassed eventually find themselves in a vacuum: *“At one point, the people who would have wanted to support me became discouraged. It was demoralizing for them to stick with me and all my problems.”*

Financial losses

The financial consequences of harassment should not be overlooked. Some individuals incur considerable costs, for legal services or therapy. Others are penalized because the attacks on them prevent them from progressing along the salary scale, or cause them to take unpaid leaves, early retirement or quit their job.

THE LAW AND PSYCHOLOGICAL HARASSMENT

Preventing psychological harassment...

According to the *Commission des normes du travail* (labour standards board), it is certainly important to talk about psychological harassment in order to prevent it, but it is especially crucial to detect the risk factors for harassment and act upon them. Thus, the university's action should not be limited to adopting and disseminating a policy on harassment and processing complaints, case by case, behind closed doors.

Section 81.19 of the *Act respecting labour standards* clearly and forcefully sets out the responsibilities of Québec employers as regards psychological harassment. "Every employee has a right to a work environment free from psychological harassment. Employers must take reasonable action to prevent psychological harassment and, whenever they become aware of such behaviour, to put a stop to it."

The university must get to the root of the problem by acting on organizational values, on aspects of work organization and management practices which foster and sustain psychological violence. To this end, it must make its administrators aware of the seriousness of the phenomenon and ensure that they are able and willing to apply the principles of prevention and intervention set out in its policy.

Preventing harassment also means using the means needed to be informed of each situation. This presumes that universities will establish a credible procedure for receiving and handling complaints, publicize this procedure and give an individual or unit the responsibility for receiving from staff, in complete confidentiality, requests for information and action. No employer can plead ignorance in this matter.

... and putting a stop to it

When an employer witnesses harassment or is informed of it — whether formally or informally —, it must analyze the situation to determine which short-term or medium-term measures should be taken to put a stop to it.

Action to defuse a harassment situation or to put a stop to it can be taken in the normal context of work using the usual modes of communication specific

to each environment. It can be carried out by administrators, union representatives or colleagues who are recognized for their ability to intervene effectively, respectfully and fairly in conflicts. When these courses of action are considered to be inadequate or insufficient, it may be necessary to undertake mediation, conduct an inquiry or proceed to grievance arbitration.

Mediation

Led by an independent, impartial and skilled third party, mediation is a confidential process that brings together the alleged victim of harassment, the alleged harasser and others involved in the problem. The aim is to help them to identify their respective interests and needs, to understand each other and to agree on mutually acceptable solutions. Mediation can only be undertaken with the informed consent and voluntary participation of the parties involved in the dispute.

The inquiry

The purpose of an inquiry is to gather the version of the facts from the complainant, the party against whom the complaint is made and the witnesses, and to analyze the evidence. In a case of harassment, the aim of the inquiry is to determine if the allegations made by the person who claims to be harassed are well-founded and to formulate recommendations as to the measures that should be implemented to address the problem. These measures can be preventive, corrective, remedial or disciplinary.

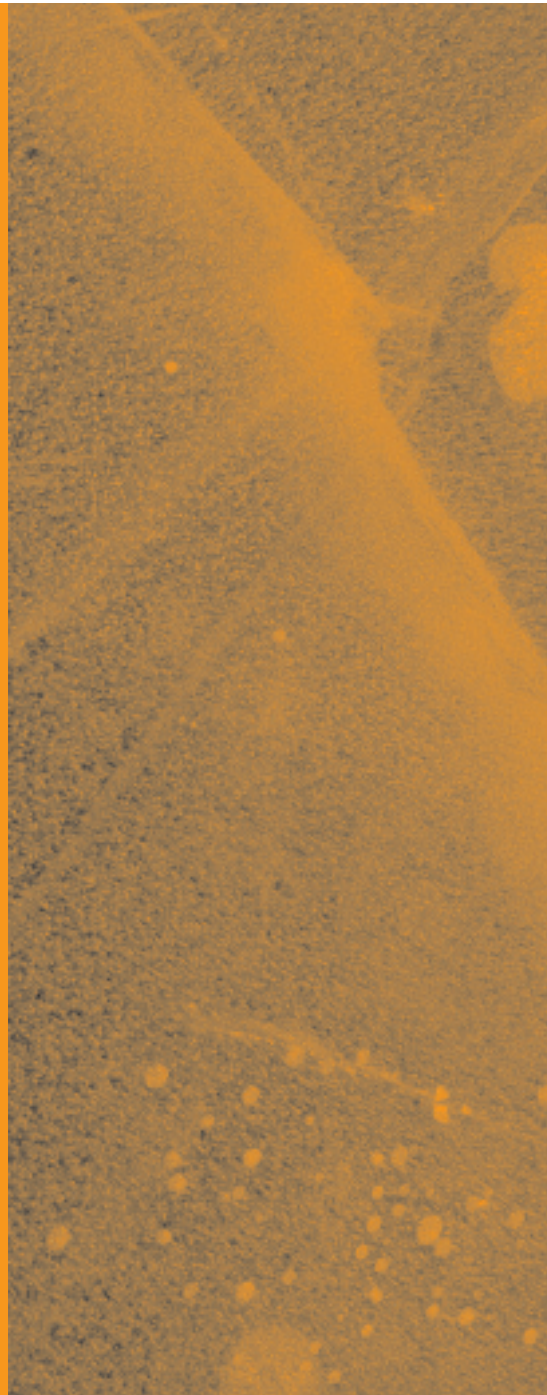
Grievance

In cases where individuals choose to file a grievance, arbitration may be used. Section 123.7 of the *Act respecting labour standards* stipulates that a complaint concerning psychological harassment must be filed within 90 days of the last incidence.² The grievance is always filed against the employer for not having adequately protected the harassed individual. If the arbitrator considers that the individual has indeed been harassed and that the university has failed to fulfil its obligations, the latter may be ordered to take reasonable action to put a stop to the harassment, to pay the employee an indemnity and interest, to pay for the psychological and medical support needed by the employee, and, if applicable, to modify the disciplinary record of the employee.

Ruling on the presence of harassment

In order for a board of inquiry or an arbitrator to declare that there is psychological harassment, the main elements of the definition contained in the Act must be present. A few questions must be considered. Are the actions being reproached hostile or unwanted? Do these actions belittle, discredit or humiliate the person? Do they result in a harmful work environment? If this is a single serious incidence of such behaviour, does it have a lasting harmful effect? These actions must also be considered to be vexatious by a “reasonable” person who is aware of the circumstances involved in the case. In this regard, standards of behaviour that are accepted or tolerated by society, and not the intention of the alleged harasser, serve as a reference.

² A collective agreement can stipulate a longer period, but not a shorter one.



VICTIMS OF HARASSMENT

1. STRATEGIES USED

Numerous strategies are used to *overcome* the ordeal of harassment. While some are ineffective, even harmful to the victim of harassment, others are more useful.

"I just try to save my skin and survive."

"I decided to withdraw. That's why I work much more at home. I have more freedom to think and it is easier for me to produce."

To obtain the recognition that they are denied, to demonstrate their competency and to put a stop to the criticisms that they are subject to, many victims of harassment immerse themselves in their work, sometimes in a relentless manner. *"The tricks used to deny me recognition did not affect my productivity. On the contrary, I was really mad and I wanted to show them."* Some victims of harassment also agree to carry out particularly demanding and thankless tasks in order to demonstrate their goodwill, to buy peace or to make themselves indispensable. Unfortunately, these tactics usually only lead to burnout.

Some victims of harassment tend to keep silent or to withdraw into themselves when they feel that they are poorly treated. A professor even revealed that she had never mentioned to family and friends that she was harassed at work. However, this situation is not common.

Most victims of harassment turn to their family and friends for support and advice. *"My partner gave me a lot of protection against this. She was able to get me to step away from it: when you are in the thick of it, it is difficult to create this distance. That was very important to me. Without her, I would have been even more impulsive than I was."* This kind of support is invaluable.

However, the accounts reveal that the support of family and friends is not always adequate and, especially, that is not enough. *"Even though our parents and friends are there for us, it is not so much their support that we need but the support of*

the people in our work environment. What I needed was the reactions from colleagues who knew the situation well and could intervene or support me."

Unfortunately, expectations regarding colleagues often lead to disappointment. Left to themselves, many victims of harassment try to distance themselves from their work environment, physically or psychologically, for example, by teleworking or not participating in a number of important activities. This strategy has its limits. *"I don't think that we must run away [from harassment] because if we do, it will spread even more. We are ostracized and really isolated. But I would never be able to live like a hermit in my office."*

Lastly, some victims of harassment resign or take early retirement, sometimes in spite of substantial financial penalties. If this is not an option for them, then they try to preserve their health by taking leaves or putting a lot of effort into something else than their department. It is a hymn to absence.

2. ALTERNATIVE STRATEGIES

Regardless of the situation, individuals who believe that they are the victims of harassment must be able to be heard by their union, to obtain reliable information and informed advice from the union, to be informed about their rights and recourse, and to be treated with respect and fairness. At their request, a union counsellor who is sensitive to the issues involved should assist them in initiating procedures with various university people or authorities. Should the situation require, the union can also provide assistance in drafting a complaint, submitting a grievance or filing a claim to the CSST. This union support can prove to be crucial for helping them to examine their situation and grasp what is at stake so as to counteract the employer's questionable position or to contribute to the development and adjustment of solutions.

It is useful to recall some other attitudes and general precautions to deal with harassment.

Stay focused on your rights

It is normal for you as a victim of harassment to wonder what you might have done or said to deserve this treatment and seek to enter into a dialogue with the harasser in order to defuse the situation. Unfortunately, harassment rarely relates to a simple communication problem. The desire for reconciliation must not make you forget that you are entitled to dignity and respect at all times.

Recognize harassment

A clear analysis of your situation and knowledge of the acts that constitute harassment will help you to understand what is happening to you and to prevent your position from being invalidated.

"It has always seemed to me that the best strategy is retaliation, that is, counter-attack. Since harassment is made possible mainly because it is hidden, to me the best strategy is to show what is hidden. Harassment very much aims at isolating us, making us keep silent. For example, somebody will try to attack another person's personality, reputation and other aspects, hoping to make the other person feel ashamed. And if the harasser manages to make the person feel ashamed, the latter will do everything possible to hide."

React politely and calmly

Victims of harassment must let their harassers know as soon as possible that their conduct is inappropriate and hurtful. You should also ask your harasser to stop acting this way. Whatever your feelings as a victim of harassment, you must avoid using threats, insults and causing a fuss, which could be interpreted after the fact as a lack of self-control and could hurt you.

Inform the employer

Given that the employer's obligations are reinforced by knowing about the harassment, it would be in your interest to inform the employer as soon as possible of this situation and keep evidence of this procedure. This could become important if the situation was not settled rapidly to your satisfaction.

Seek other people's support

Isolation and withdrawal into oneself are the worst enemies of victims of harassment. Thus, as a victim of harassment, you should turn to the people around you to get the support you need. Using professional counselling and psychological services will also help you to view your situation more clearly, protect yourself, recover and regain control over your life. Apart from these external forms of relief and assistance, the support of colleagues is highly crucial. By confiding in your colleagues, you will receive sensible advice and, sometimes, realize that others are also experiencing problems. Colleagues are also in the best position to understand the situation, intervene directly, denounce and put a stop to certain conducts.

Do not let harassment control you

A typical way to harass individuals is to spy on them, criticize their every move and try to trip them up. Thus, you must be vigilant in order to avoid providing ammunition for your detractors. However, it is useless to take this to an extreme or to try to obtain the harassers' approval at all costs. Very often, it is better to limit your contact with the latter to polite professional relations and, as much as possible, to discussions that take place in official meetings, in usual and public places, or in the presence of a witness. Faced with direct or indirect attacks, it is useless to try to justify yourself. It is more useful to ask for clarifications from the harasser and get him to commit himself publicly.

Gather and keep evidence

Since harassers break their targeted victims slowly through remarks and gestures which may seem harmless when taken alone, it is important for the latter to document what they are experiencing. Among other things, victims of harassment are generally advised to keep a diary in which they record every incident, including time, place and circumstances under which the harassment took place as well as their feelings about it. In addition to helping the victims view the situation clearly, this exercise will be of great use should they later decide to file a complaint.

Take leave from the university

Before resigning or taking early retirement, as a victim of harassment, you should think of taking a leave. Giving yourself a period of rest will allow you to take stock of the situation, which is essential for making well-thought-out decisions. This will allow you to come back in better shape so as to negotiate acceptable leaving conditions. It is risky to wait until you are exhausted before taking a rest period because persistent exhaustion paves the way for more serious problems. In this situation, it is also important to choose your physician carefully. The individual chosen should be knowledgeable about the issue of psychological harassment and the procedures to be undertaken with insurers and the *Commission de la santé et de la sécurité du travail* (CSST) or, at the very least, should be open-minded about the issue.

Use available recourses

If the harassment persists, you should not hesitate to use the recourses provided for in your workplace. To make an informed decision, it is important to find out your rights, responsibilities and the resources or recourses available. However, be careful not to blindly follow all the advice given! You should seek the right information from the competent authorities and individuals.

Harassment and the CSST

Under the Act respecting industrial accidents and occupational diseases, victims can submit a claim to the *Commission de la santé et de la sécurité du travail* and receive compensation if their physician acknowledges that their health problems are linked with their work situation. In practice, the situation is often less clear. Indeed, the employer may try to insist that victims of harassment use the group health insurance plan rather than make a claim to the CSST, while the insurance company requests that the claim be made to the CSST. Moreover, it is often difficult to make the CSST recognize that the deterioration of the victims' health is due to their working conditions. Therefore, in this respect, it is generally better for the victims of harassment to consult their union and a lawyer specialized in labour law and occupational health and safety.

THE UNIVERSITY ADMINISTRATION AND HARASSMENT

The responsibility for preventing and combating harassment falls on the Employer which has an “obligation of means” in this matter. In other words, every university administration is expected to implement concrete, credible, effective and known measures to fulfil this responsibility.

Action taken by most universities has mainly involved adopting institutional policies on harassment.

“I felt... misunderstood. I was listened to but not heard by those people. But what hurt me most was that my dignity was violated. I was broken.”

“The administrators could not care less. It is the power of inertia. Strictly zero support. I could be crucified in public... and it wouldn't matter to them because, as far as they are concerned, it has nothing to do with them, it's just a faculty issue.”

Although policies are essential, they are insufficient if:

- they are adopted unilaterally, without consulting the unions and professional associations and not from a perspective of education and collective awareness;
- they do not challenge certain cultural standards and organizational practices which foster psychological violence or tolerate it as a normal way to communicate and operate;
- they do not change anything in the way some people in a position of authority knowingly or unknowingly refuse to assume their responsibilities.

Those who are heads of department or assume the powers inherent to other positions (dean, vice-rector, rector) are frequently called upon to intervene in cases of harassment. In many cases, the requests for support made to them lead to specific interventions, partial and temporary solutions. They act on the symptoms, but very rarely get to the root of the problems.

Moreover, the tendency of university administrations to deny, minimize, trivialize or suppress problems is too often deplored. These tendencies can be explained in several ways. Individuals in a position of authority may be involved in the harassment or

act in collusion with the harassers. Some believe or want to believe that victims of harassment must be responsible for their own problem while others may view harassment as a personality conflict. Lastly, some administrators may prevaricate because they do not know how to deal with the situation.

When the expected institutional support is refused, the victims of harassment are likely to feel hurt, isolated and betrayed three times over. First, by the harassers; second, by the colleagues who are reluctant to support them; and, third, by the administration which refuses to act when it is, after all, their role to arbitrate such conflicts and render justice.

In addition to adopting an exemplary attitude and collaborating actively in the implementation of the institution's policies on harassment, individuals in a position of authority must intervene promptly once potential or evident cases of harassment are brought to their attention.

They have a crucial role to play so as to prevent these situations from worsening and to deal with the root causes of the problems. It is their responsibility to use the available means and resources to implement standards and practices that:

- ensure everybody the right to a harassment-free environment;
- restore the rules of equity, collaboration and collegiality;
- put a stop to the ways in which professors' formal and informal recommendation, evaluation and decision-making powers are abused.

UNIONS AND HARASSMENT

Unions also have a decisive role to play as regards harassment. While some requests for support are received and dealt with effectively, others result in a hesitant, indecisive and vague process. The complexity of the cases is not a reason for the prevarication, the fallback positions or the extreme precautions that are sometimes taken by union representatives before intervening. One female professor was told that *"It's a departmental matter, it's department politics, we can't do anything about it."* Such reactions make the victims of harassment feel truly abandoned. Thus, they lose courage and are irreparably hurt. This is obviously unacceptable.

"In the University, it is the union that is supposed to defend our rights. The union is supposed to give us support and its people are supposed to be there for us."

As an exclusive spokesperson for employees, unions have the legal obligation to fairly represent their members who believe that they are the victims of harassment or that they are unfairly implicated. In order to send a clear signal and gain trust, the unions must publicize their commitment to combat harassment and adopt a fair and effective procedure to handle complaints. This is particularly important in complex cases where two or more of their members clash with each other or blame each other.

Union officials must be trained and skilled in order to provide their members with the support to which they are entitled. They must:

- listen to them in an open- and fair-minded way, (more particularly if this involves troubled individuals who have as much right as others to be listened to carefully);
- inform them of their rights and ensure that these rights are respected;
- help them understand their situation and interpret the information which may have been given to them;
- help them identify the options given to them to solve the problem and specify the ins and outs of each course of action or recourse envisaged;

- refer them, as needed, to professionals who are sensitive to the issue of harassment and can provide them with psychological, medical, legal or other services.

When a request related to this issue is made to them, the unions must also:

- inform the employer of the existence of a problem, require that the employer take action to protect the targeted individual and find a solution to this problem;
- participate actively in developing and implementing solutions in the short, medium and long terms;
- appoint councillors to assist their members in taking action with the employer or in undertaking mediation, inquiry or grievance arbitration processes (the same individual cannot support a person who claims to be harassed as well as a person who is implicated in the harassment);

Nevertheless, the unions have considerable latitude in performing their duty of representation. A union can choose not to support the grievance arbitration of one of its members whose conduct was deemed to be harassing, even though the latter stands a good chance of succeeding.³ However, this decision must be based on the analysis and results of a serious, independent inquiry conducted in compliance with the rules of natural justice and by impartial, competent individuals trained in the inquiry process. This is all the more true when a union uses the results of an inquiry conducted by the employer.

In addition to their legal obligation, the unions are asked to broaden the simplistic definitions of prevention used by some university administrations.

Thus, to prevent does not mean:

- to be satisfied with posting a policy on the university's Web site or distributing pamphlets;
- to believe that solutions which are not controversial or are decided behind the closed doors of arbitrators or mediators' offices are always preferable to those which leave more long-lasting marks in the

public sphere or to those which challenge certain organizational standards;

- to ignore the context of all cases of harassment, considering them instead to be interpersonal conflicts.

Combined with the under-funding of universities, the trends towards marketization and accounting-oriented management of university activities jeopardize the values of collegiality. Professors are increasingly put in a context of continuous work overload, competition and hyper-performance. In this context, critical situations which mark academic life are recognized as circumstances conducive to harassment. As these cases are astonishingly similar not only from department to department, but also from university to university, there is an urgent need for organizational and collective solutions.

While not denying the interference of personality factors in the dynamics of harassment, the unions are asked to make the essential links between the particular dynamics of harassment and the cultural and organizational dynamics which cause unacceptable violent conduct to appear, increase and persist. Beyond the case-by-case basis, the data exchanged in the confidential context of complaints must be denormalized and depersonalized so that cases of recurrent harassment can be highlighted. Based on these analyses, it will be possible to review work organization or decision-making rules which leave too much room for arbitrary behaviour. Thus, collective agreements can also include provisions which reduce the opportunities to abuse power.

3 Collective agreements can specify the unions' obligations on this matter.

COLLEAGUES AND HARASSMENT

It is primarily from their colleagues that victims of harassment want to find understanding and support since they can, better than anyone else, understand the latter's situation and intervene directly. When victims of harassment receive this support, their situation improves greatly. However, there is a disconcerting reluctance from colleagues to get involved.

"Everybody thinks of their own career. It really hurts to think that nobody would want to come to testify on my behalf. That's what's killing me."

"For a year, colleagues told me to just ignore the threats because they were unfounded. It was only when some colleagues clearly showed that they disapproved of my harassers' conduct that the situation changed, especially when a tenured and respected professor decided to intervene on my behalf. I wish that he had spoken up earlier."

Colleagues sometimes refuse to intervene because they want to protect themselves *"I wasn't the only one being harassed, but I was their main target. I felt that my colleagues who were not directly involved or implicated were fearful. This fear was certainly caused by the fact that, if they were linked with me, they would also be at risk of being harassed."* In other cases, they display a lack of concern by believing the rumour. They also refuse to believe the intensity and violence of the remarks or gestures reported. *"If the harassment is bad enough, many will doubt that it is true."*

Some colleagues may also take advantage of an unfair situation or may slowly end up believing that certain vexatious behaviours and violations of other people's integrity are normal and natural in universities. They may even go as far as finding fault with the victims of harassment, suspecting them of "taking it the wrong way," not grasping "the rules of the game" or causing their own misfortune.

The problems worsen when the harassers abuse the powers entrusted to them, in particular when they are members of bodies whose decisions have far-reaching consequences. *"Harassment between individuals who do not have access to authority is a nuisance. But once these individuals have access to power, they can go very far. Therefore, the stronger the power, the greater the harassment can be. Especially when democratic institutions which are*

supposed to counterbalance or temper this power don't work." Faced with situations where injustice, manipulation in meetings, neglect and arbitrary behaviour stem from a corruption of collegiality, nothing can justify the silence of colleagues and their abdication of responsibilities.

As a professor, you have to do something if you witness harassment, whether directly or indirectly. Thus, you must:

- speak out against all harassing conduct (in this respect, silence constitutes tacit consent);
- offer open support to the victims of harassment;
- help to promote awareness among your colleagues by starting a discussion with them, privately and publicly;
- avoid siding systematically with the stronger party or the majority, so as to break the isolation and marginalization of victims of harassment;
- use your formal or informal authority to stop all conduct deemed unacceptable;
- identify the methods of work organization which create an ideal breeding ground for harassment and help to implement standards and rules that promote respect and cooperation.

"Harassment will stop when the University understands that it cannot isolate or stigmatize professors."

COMBATING HARASSMENT WITH PUBLIC DISCOURSE AND DEBATE

The FQPPU defends the University as a public service and recognizes that the university's missions of construction and transmission of knowledge should be accomplished in an appropriate context. To effectively and efficiently contribute to these missions, professors and other academic staff – the main people responsible for these missions – must be able to rely on a healthy climate that fosters creativity, rigour and autonomy of thought and action. They must participate in a collegial way in decisions that have a direct impact on academic life, whether they are related to resources or programs.

Unfortunately, in recent years, the environment in which academic work is performed has changed significantly. The under-funding of universities and the methods of funding academic research have resulted in a competitive context and organizational changes that give rise to vexatious behaviours. Psychological harassment is hitting the universities as well as the other sectors of Quebec society.

The *Act respecting labour standards* gives employers and unions important and unavoidable responsibilities for combating psychological harassment. Apart from these legal responsibilities, which must translate into credible and known procedures for handling complaints, the FQPPU considers that prevention is a priority and a concern that must be shared. For this form of insidious violence to no longer be tolerated, university administrations, unions and professors must learn to recognize its manifestations and, especially, strive to restore the University as a place where discourse, collegiality and collaboration among colleagues reign supreme.

The unions are directly challenged to break down the wall of silence. In order to avoid the very real traps of psychologization and judicialization of intervention related to harassment, it is important to create spaces where specific cases of workplace violence can be revealed. Public discourse and debate are the only ways to produce analyses and views that can change the practices which erode solidarity and destabilize individuals. This will provide the basis for the development of resistance to violence and demands for a safe work environment.

"The basic problem we are confronted with is the code of silence. The code of silence works both ways: universities will do everything to keep problems quiet, but the victims of harassment are the first to keep silent. They keep silent because they are ashamed of what they experienced, but mainly because they are afraid of being ostracized. It's the code of silence that should be broken. How to break it? The first thing to do is to talk about it, talk about it and talk about it."

"Institutionally, this does not make any sense. If nothing is done, it will get worse and worse, and our universities will be unbearable."

Although the FQPPU research results do not provide a precise estimate of the extent and nature of the problem, they clearly show that professors are first and foremost concerned about the behaviour of colleagues and the deterioration of the work climate within collective decision-making or advisory bodies. Rules specific to university traditions which, at first glance, might suggest a protective effect are too often corrupted. Thus, committee proceedings and rules of deliberation and consensus have been manipulated, as well as the criteria for allocating tasks and resources; the exercise of legitimate formal and informal powers is degenerating into relations of domination, which pave the way for harassment.

GENERALLY RECOGNIZED RIGHTS IN INSTITUTIONAL POLICIES UNDER THE LEGISLATION

- Right to a work environment free from harassment and working conditions which respect the health, safety and dignity of employees.
- Right to be heard, advised and informed by a person appointed by the employer, recognized for his or her impartiality and skills, and in accordance with confidentiality rules.
- Right to a prompt intervention by the employer to ensure the employee's physical safety and psychological security. In certain cases, provisional intervention to shield the complainant from the implicated party may prove to be necessary.
- Right to use internal mediation and inquiry recourses which are generally available in universities, without losing the right to grievance.
- Right to be protected from reprisals when reporting harassment to the employer, when requesting support or participating in the settlement of a harassment case.
- Right to refuse mediation that is free and voluntary.
- Right to keep control over one's complaint and, if the need arises, to withdraw at any time.
- Right to be treated impartially by competent persons and in accordance with the recognized rules of equity and confidentiality which apply to mediation and inquiry procedures.
- Right of the implicated party to know the charges against him or her and to make his or her version of the facts known.
- Right to be assisted or advised by a person of one's choice during the procedure, since this person is not part of the process and cannot be questioned as a witness at an inquiry or grievance arbitration.
- Right to be protected from frivolous complaints and false allegations.
- Right to be heard and supported by one's union in order to obtain fair treatment.
- Right to be compensated by the CSST for an occupational injury which results from workplace harassment and, if a grievance arbitrator recognized that harassment had occurred and that the employer failed to fulfil its obligations, right to be compensated by the employer for wages lost, punitive and moral damages and interests, etc.

SUMMARY TABLE

Are you the target of harassment?

- Consult your union.
- Remember that everyone has the right to respect.
- Let harassers know that you think their conduct is inappropriate and vexatious.
- React explicitly and calmly to attacks.
- Seek support from the people around you.
- Inform the Employer or its representative.
- Make sure to gather and keep evidence.
- Protect your health and do not hesitate to take leave if necessary.
- Use the recourses provided for in your work environment.

Are you a member of the academic staff?

- Do not keep silent if you witness harassment.
- Offer your open support to the victims of harassment.
- Use your moral or formal authority to protest against all forms of abuse and violence.
- Help to implement labour standards that ensure respect for individual integrity by starting a discussion on the issue privately and publicly.

Do you work for a union?

- Ensure that the union publicizes its commitment to combat all forms of harassment and its policy for receiving and handling complaints.
- Give your opinion on the Employer's policy.
- Make sure that union officials are sensitive to this issue and are trained and skilled in providing members with the attention and support to which they are entitled.

- Act promptly when a request is submitted to you.

- Participate in the development of local solutions which ensure the protection of individuals, the elimination of the causes of harassment, and the introduction of standards and rules conducive to effective teaching.

- Suggest organizational solutions and the inclusion in the collective agreement of provisions that reduce the opportunities to harass and abuse power.

Are you in a position of authority or management?

- Grant everyone the right to a safe and harassment-free environment.

- Manage with transparency, fairness and respect for people.

- Ensure that rules, collaboration and collegiality are maintained or restored in your environment.

- Act promptly when a potential or evident case of harassment is brought to your attention.

- Ensure that the University publicizes its position on harassment issues.

- Use, if necessary, the consultation services and the procedures for handling complaints made available to you by the Employer.

PSYCHOLOGICAL HARASSMENT AMONG UNIVERSITY PROFESSORS AND ACADEMIC STAFF – An Awareness and Action Guide

Harassment observed in universities is, more often than not, symptomatic of organizational rules and practices which break up groups, surreptitiously corrupt work ethics, corrupt power relations and exacerbate modes of control by subjecting professors and academic staff to competition and accounting-oriented management principles that are irrelevant, even contrary, to the quality of research or teaching.

Since they are part of the university culture, some of these rules and practices give rise to and sustain psychological harassment. How should those in the academic community react to these forms of conduct? How can this phenomenon be prevented? The purpose of this guide, produced by the FQPPU and based on a scientific survey, is to help university professors, academic staff, administrations and unions to identify cases of psychological harassment, to solve them effectively and, better still, to get to the root of the problems.

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