# Research on solutions to reject cyberbullying in work

## Haiying Zhang[*]

*Guangshun Sub District Office, Rongchang District, Chongqing, 402465, China*
*Corresponding author*

*Abstract: Due to the continuous progress of internet technology, it has become an indispensable way for workers to use the internet to complete their work. Although the work environment has shifted from face-to-face communication to online interaction, the same problem inevitably arises, which is workplace violence. "Cyberbullying" is a very appropriate term to describe violent behavior in online work. To reduce the emergence of cyberbullying in the workplace, relevant staff need to take a series of precautions or solutions to address the consequences of cyberbullying.*

*Keywords: Cyberbullying; Workplace bullying; Health and safety; Victim; Law; Measures*

## 1. Introduction

Workplace bullying behavior is always an issue worth discussing. Both from the employer and the employee, the focus should be on creating a harmonious work environment. Workplace bullying is understood to be repeated, unreasonable behavior towards employees or groups of employees that pose a risk to health and safety. However, this definition of Workplace bullying is not included in the legislation. Besides, as is often the case, such bullying is repeated and occurs through unreasonable behavior towards staff. At the same time, such behavior can lead to several health and safety concerns. During the COVID-19 period, there has been less bullying due to traditional face-to-face work as many employees work from home. In this situation does not mean that working from home will reduce cyberbullying. Cyberbullying in the workplace has received little attention before, but in today's increasingly advanced online technology, cyberbullying is bound to cause a series of ripple effects. Workplace cyberbullying is on the rise. For example, in an online survey using digital diaries of 4,000 employees from 10 counties (e.g., Australia, Canada, France, Germany, Italy, New Zealand, Spain, Czech Republic, United States, United Kingdom).[1] AVG Technologies (2014) found that 90 per cent of participants considered offensive online digital comments to be cyber-bullying. Overall, 53 % of respondents said social media had eroded their privacy in the workplace, 11 % had posted embarrassing work-related photos or videos online. And 9% had experienced threatening online behaviour from colleagues, nearly 10% of participants had experienced a supervisor using social media messages to harm a colleague.[2] With more and more employees being harmed by bullying in the workplace, employers need to pay attention. Cyberbullying not only has the characteristics of traditional Workplace bullying, but it also conceptually differs from cyberattack and cyber rudeness because it refers to frequent behavior over a long period, rather than one-time events that are recurring in nature. In addition, Workplace bullying differs from cyberattacks. After all, it typically does not consider the involvement of people outside the organization and from cyber rudeness because it focuses on more intense behavior.[3] Cyberbullying is defined in full on the Australian government's Health Direct website. Cyberbullying means that cyberbullies are using technology to bully someone. This happens when they deliberately and repeatedly hurt or embarrass someone through electronic means, such as the Internet or cell phones. It is common, especially among children and teens. Cyberbullying can include teasing, name-dropping, threats, nasty comments, put-downs, and rumors. It can involve anything designed to embarrass, upset, scare, or exclude the person being bullied. Cyberbullies often use photos and videos and text, and often these people will hide their identity by targeting the victim through a number of electronic means, such as email, text messaging, Facebook, *etc.*, for the purpose of bullying.[4] When these problems occur in the workplace, managers or employees need to detect cyberbullying in the workplace and take timely action to reduce the severe consequences of cyberbullying in the workplace.

In this research paper, first,I will explain the severe effects of bullying. Then, I will focus on the fact that cyberbullying has become a problem that cannot be ignored in the workplace today. Managers or employers can seek ways to address the problems associated with workplace bullying from the perspective of themselves, the perpetrators, and the victims. This is followed by a further discussion of

the limitations that employers may have in addressing cyberbullying. Finally, it is concluded that the problems associated with cyberbullying in the workplace should not be ignored and should be taken seriously. Timely measures should be taken to solve the problems[1-3].

## 2. Impacts of the workplace bullying

The effects of workplace bullying can be serious. In the Brodie Panlock case, the employee committed suicide as a result of bullying behavior. There is much evidence about cyberbullying that bullying has harmful effects on the physical and mental health of the target. Specifically, stress, anxiety, insomnia, low self-esteem, and depression have been identified as health consequences of persistent bullying.[5] In some of these situations, employees lose self-esteem and morale and cause high employee turnover in the workplace, resulting in certain losses. Therefore, workplace bullying, and cyberbullying must be taken seriously and managed reasonably to prevent the occurrence of cyberbullying situations.

In order to control the burden of cyberbullying on the workplace, employers or managers should take action to prevent cyberbullying from occurring. If bullying is already occurring, employers should take steps to reduce the risk of cyberbullying.

## 3. Actions taken by the employer

### 3.1. Measures adopted by the employers themselves

Under the *Occupational Health and Safety Act 2004*, employers are responsible for not exposing employees to risks to their health or safety as a result of the employer's assumption. First, precautions should be taken before bullying time occurs. In *Occupational Health and Safety（OHS） Act 2004* (Vic),S21 (1) states: an employer must, so far as is reasonably practicable, provide and maintain for employees of the employer working an environment that is safe without risks to health.[6] To enable employees to work in a good working environment, employers need to undertake the obligation of protection. The network environment also needs the employer's maintenance and cannot just take protective measures for the actual workplace. Taking preventive measures in advance can reduce the probability of cyberbullying and show that employers or managers are responsible for their work.

Second, when cyberbullying occurs, do a good job of intervening early and conducting a timely investigation. Employers listen carefully to the victim's claims and hold a meeting to understand the situation as soon as possible and clearly understand a personal conflict and a difference of opinion. Employers should be careful to determine whether conflicts between employees do fall within the scope of workplace cyberbullying. This is because not every unpleasant or uncomfortable experience is a case of bullying. The requirements for bullying can only be met if it meets the conditions of being repetitive, unreasonable, and posing a safety hazard. It is an attack through repeated unreasonable behavior that creates a safety threat to the employee. It is a critical point to understand the relevant circumstances and make a judgment fully. In turn, the employer can accumulate sufficient information for managing workplace cyberbullying.

Thirdly, informing employees of non-compliance with policies or directives allows employees who implement bullying to recognize their mistakes and reflect on their actions cause to other employees. At the same time, the employer or manager can monitor the excellent and natural interaction between the practitioner of cyberbullying and his or her peers. Therefore, it is essential to manage cyberbullying in the workplace for managers or employers to take management actions reasonably and give truthful and reasonable instructions. On the other hand, researchers should consider investigating more deeply how victims of cyberbullying express themselves online. In addition, practitioners might consider providing training to their staff to help them cope more effectively with stressful work environments and to regulate their emotions.[7] The *OHS Act* 2004, S35 says,duty of employers to consult with employees (find resolutions, consulting, monitoring, and training employees on OH&S online).[8] Only by achieving consistency in handling conflicts can we better balance the interests between employees and treat each other fairly so that both sides can be treated fairly[4-6].

Finally, companies must formulate policies, standards and procedures on cyberbullying in the workplace to ensure fair, straightforward, confidential and transparent handling of "target" complaints.[9] Organizational restructuring or workplace change is also a good management measure. When the work environment is affected by bullying, it will undoubtedly bring certain losses. When the workplace is affected by bullying, it is necessary to face these losses, reconstruct the new work environment, build

workplace policies, punish the perpetrators, and give care to the victimized employees. Changes should be made to the workplace after cyberbullying has occurred, such as reassigning employees, reducing workplace contact between victims and perpetrators, *etc.* Also, strictly control the cyber situation in the workplace and implement risk control measures (eliminate or, if not possible, minimize/reduce). Adopt some review policies, provide job counselling, control the occurrence of workplace cyberbullying, and reduce cyberbullying behavior between employees.

### 3.2. Measures to manage bullies

After the employer or manager has thoroughly investigated the cyberbullying practitioner and confirmed that he did have bullying behavior, he should instruct the employee to stop the behavior and invite an apology. Furthermore, to safeguard the dignity of bullying implementers, employers inform employees of misconduct in an objective and confidential manner, thus reducing the blow to the dignity of bullying implementers. Protecting the dignity of employees also helps them to realize their mistakes deeply. If the implementer refuses to admit the mistake and continues bullying under the condition of conclusive evidence, then according to Fair Work Act 2009, Section 789FD (2), the manager or employee has the right to take disciplinary action against the employee who violates the regulations according to the management regulations of the company.[10] Employment may also be reasonably terminated if the employee's actions have caused severe financial loss to the workplace. In addition, in some cases, the employee may consider the employer's actions to be bullying, such as considerations in relation to a request for interim orders. In *Nicholas Richardson v Optus Retailco Pty Limited,* where an interim injunction was granted, doing so would be inconsistent with the legislative purpose of preventing bullying of applicants at work.Although, the ban was not supported. However, employees can apply for temporary injunctions against the perpetrators of violence in order to maintain their safety.

### 3.3. Measures for injured employees (victims)

Employers are proactive in helping employees who have been subjected to workplace bullying and have filed a complaint with their employer or workplace. First, give constructive feedback to the victim as soon as possible. In general, during the investigation process, correctly identify dangerous/bullying risks and assess the likelihood that these risks will lead to injury or illness. Conduct a detailed investigation and understanding of any possible harm to the employee. Secondly, the contact officer or supervisor or a human resources officer should actively talk to the victim after receiving his help or complaint. The relevant safety departments in the work unit also use this to deal with the received reports on time. Criminal prosecution of companies and/or officials and "the bully" individuals is possible under the *Occupational Health and Safety Act*, so the relevant management of the employer or establishment can assist the bullied employee in the proceedings. When the injured employee does not dare to bring a lawsuit, the employer can act as the victim's strong backing and help the employee defend his rights. Finally, employers or managers can improve the self-protection awareness of each employee by providing loyal service and training to their employees. The problem encountered later is that it can encourage employees to protect their rights actively.

As employers and managers, when workplace cyberbullying happens, they should try to eliminate the contradiction brought by bullying. Provide consulting, communication, and training services for employees, urge employees to assume their responsibilities, fully demonstrate leadership, and try their best to protect their employees and safeguard the company's interests. At the same time, as an employer or manager, it is necessary to take all matters seriously and take prompt action not to harm the person who reports bullying and the complainant. Employers should also support both parties, maintain neutrality in communication, keep unidentified events confidential, record all critical stages of the process (interviews, final reports, etc.), and treat each employee with a natural and fair attitude. In this way, the workplace can reduce the risk of our employees facing workplace bullying.

Employers manage the workplace according to the above three angles, which significantly reduces the risk of employees facing cyberbullying[7-9].

## 4. Limitation of employer's ability

Employers actively take measures to reduce employees' workplace cyberbullying, which is not always smooth sailing, but also has to face some challenges.

### 4.1. Lack of special legislation

With no consensus or even terminology on cyberbullying, employers seek a response from lawmakers to help address the problem. Given the rapid changes in technological capabilities, the different social norms governing the use of technology and the uncertainty about the roles and responsibilities of employers in minimizing cyber bullying and promoting the workplace environment for citizens, lawmakers are reluctant to enact legislation prematurely. Although other laws, such as the *Sex Discrimination Act 1984 (Cth), Racial and Religious Tolerance Act 2001 (VIC), etc.*, give some generalizations on the implementation of cyberbullying, there is no clear stipulation on what punishment measures should be taken for violating this provision. To a great extent, it depends on the discretion of judges and the sanction of criminal law. Even though it will be compared with *OHS Act* and *Equal Opportunity Act* according to different bullying crimes, too scattered regulations will increase the burden of dealing with cyberbullying problems. In the workplace, employers need to ensure that employees are aware of the company's policy on the consequences of workplace aggression. So far, legal action on workplace violations has lagged, possibly because of misconceptions about bullying. As more research investigates the prevalence and consequences of various types of workplace attacks and the similarities and differences between these types, it is hoped that legislation will follow. Therefore, if there is special legislative protection, it will be more convincing for employers to deal with the difficulties brought by workplace cyberbullying and take specific measures.

### 4.2. Cyberbullying is fast spreading, secret and difficult to prove

Unlike traditional bullying, cyberbullying uses the Internet to spread extremely quickly, making the impact invisible. The scope of the harmed area will also be expanded. If Cyberbullying spreads throughout the entire workplace, the people affected are no longer limited to the victimized employees. To a large extent, people working in the company or other workplaces may wonder about their work environment and neglect their jobs to avoid the same situation. On the other hand, if other employees are bystanders, they may also join in the cyberbullying without knowing whether the information about cyberbullying is accurate or not, creating more harm to the bullying employee. Where other employees point the finger at the victim, this situation can lead to a 'sea of cyberbullying' in the workplace. Moreover, if bullying is committed through Facebook, SMS, *etc.*, it has strong concealment, which invariably increases investigation difficulty. It is complicated for employers to monitor the content of bullying in private communication. A new view on the value of the evidence was presented in *Wendy Bann v Sunshine Coast Newspaper Company Pty Ltd.* At, the Commission also held that not all personal misconduct necessary to cause difficulty, tension and stress in workplace relationships constitutes bullying or harassment. However, those providing evidence in contemporary settings may be inclined to seek such characteristics in an attempt to validate the underlying grievance.[14] The problem of the probative force of these pieces of evidence often depends on private information. The prover will subconsciously draw the evidence closer to the bullying direction so that in the later proof process, it lacks objectivity and is more subjective. It also makes it more difficult for employers to supervise.

### 4.3. Boundary problem of workplace and working time

The scope of the workplace is also worth discussing. It is also worth considering whether the employer's legal liability can be extended. Harassment outside the workplace becomes the legal responsibility of the employer. When the physical wall of the workplace disappears and is replaced by the fuzzy digital boundary, the moral responsibility of the employer goes beyond the working hours and the workplace. Employers' responsibility for online harassment on digital platforms has become a continuous responsibility, covering every hour and every place. Under this definition, the scope of the employer's responsibility is undoubtedly increased. For example, say the bullying behaviour consisted of a series of Facebook posts. There is no requirement for the person who made the posts (the alleged bully) to be 'at work' at the time the posts were made, but what about the worker to whom they are directed? Then,' at work' is defined as including work performance (at any time or place) and when workers are engaged in other activities authorized or allowed by the employer, or in the case of contractors … the definition of the workplace and working hours is flexible. Therefore, it is necessary to define the ' working' of bullying implementers and whether the victims belong to working hours. The definition of these time ranges undoubtedly increases the difficulty of managing workplace bullying. The employer's responsibility of supervising and managing' at work' will also increase.

### 4.4. The injured employees (victims) themselves

Different from face-to-face violence, many victims cannot give feedback on their difficulties in time. Because there are no physical scars, mental stress will show up in a long time. If the employee conceals the employer, it will take a long time for the employer to discover that they are under certain mental or psychological pressure. On the other hand, the victim can only be protected if he proves that his unreasonable behavior has caused his safety or health hazards. In the case of *Ms Anne Pilbrow*, the applied must show that there has been repeated unreasonable conduct by the person named towards her, where that behavior creates a risk to health and safety. At this time, it undoubtedly aggravates the burden of victims. Under the influence of bullying, it has already produced mental illness and mental distress. At this time, it is still necessary to provide more evidence for safeguarding one's rights. These burdens will make employees continue to hide their pain, so that the problems related to workplace cyberbullying cannot be solved. It is not conducive to employers' work.

## 5. Conclusion

In conclusion, bullying is no longer limited to face-to-face. Compared with traditional workplace bullying, the influence of cyberbullying on employees is also worth noting. A series of problems brought by cyberbullying will cause mental stress, psychological stress, and other problems. However, employers will encounter difficulties in dealing with cyberbullying. These difficulties may come from the unclear definition of cyberbullying, the fuzziness of the boundary when identifying cyberbullying, and even the difficulty of proving to cyberbully. The most crucial point is that although the relevant laws stipulate some situations about bullying, there are no detailed regulations in the face of various situations of cyberbullying in the workplace. To a great extent, it still depends on the subjective judgment of the managers themselves. Although there are some differences between workplace bullying and cyberbullying, the traditional way for managers to solve bullying is still applicable to workplace cyberbullying.

In addition, to reduce the emergence of cyberbullying in the workplace or bring about serious consequences, legislators should improve the laws and regulations. At the same time, as a work unit and managers and employers, it is necessary to establish relevant regulations and guidelines on cyberbullying. On the other hand, from the manager's point of view, we should pay attention to the situation of cyberbullying, take relevant measures according to the law and the regulations of the work unit, and punish the practitioners of cyberbullying accordingly. As an employee, they should also actively protect themselves from mental and physical torture in the case of cyberbullying. Employees should actively cooperate with the employer or relevant organizations to maintain a healthy network environment and a good working environment. After the attention to cyberbullying in legislation and employees, employers can overcome the existing limitations and better manage the bullying situation in the workplace. At present, although workplace cyberbullying is not fixed by special law, with the development of technology and the progress of the times and workplace change, it may lead to more bullying behavior. With the joint efforts of employers and employees, a good working environment can be created by complying with existing regulations and taking preventive measures in advance. In the future, with the improvement of law and the increase of punishment, the professional quality and consciousness of employees or employers will change, which will make workplace cyberbullying less and less.

## References

[1] Loh, Jennifer and Robyn, Snyman, 'The Tangled Web: Consequences of Workplace Cyberbullying in Adult Male and Female Employees' (2020) 35(6) Gender in Management 567, 568

[2] AVG Technologies, AVG digital diaries (Web Page, 23 April 2018) <www.avg. com/ digitaldiaries/ 2010>

[3] Coyne, Iain, Samuel Farley, Carolyn Axtell, Christine Sprigg, Luke Best and Odilia Kwok, 'Understanding the Relationship between Experiencing Workplace Cyberbullying, Employee Mental Strain and Job Satisfaction: a Dysempowerment Approach' (2017) 28(7) The International Journal of Human Resource Management 945, 947.

[4] Health Direct, Cyberbullying (Web Page, March 2020) <https://www. healthdirect. gov.au/ cyberbullying>

[5] West, Bettina, Mary Foster, Avner Levin, Jocelyn Edmison, and Daniela Robibero, 'Cyberbullying at Work: In Search of Effective Guidance' (2014) 3(3) Laws 598, 600

*[6] Vranjes, Ivana, Elfi Baillien, Heidi Vandebosch, Sara Erreygers, and Hans De Witte, 'Kicking Someone in Cyberspace When They Are Down: Testing the Role of Stressor Evoked Emotions on Exposure to Workplace Cyberbullying' (2018) 32(4) An International Journal of Work, Health and Organisations 379, 395.*

*[7] Loh, Jennifer and Robyn Snyman, 'The Tangled Web: Consequences of Workplace Cyberbullying in Adult Male and Female Employees' (2020) 35(6) Gender in Management 567, 578*

*[8] West, Bettina, Mary Foster, Avner Levin, Jocelyn Edmison and Daniela Robibero, 'Cyberbullying at Work: In Search of Effective Guidance' (2014) 3(3) Laws 598, 598.*

*[9] Kowalski, Robin M, Allison Toth, and Megan Morgan, 'Bullying and Cyberbullying in Adulthood and the Workplace' (2018) 158(1) The Journal of Social Psychology 64, 76*