

## Legal Definitions of Workplace Bullying from Around the World

Definitions from 30 governments and five other authoritative sources.<sup>1</sup> Organized by regions in alphabetical order: Antipodes; Europe, Western; Europe, Eastern; Latin America and Africa; North America.

### I. Antipodes

#### Australia

##### What is bullying

A worker is bullied at work if:

- a person or group of people repeatedly act unreasonably towards them or a group of workers
- the behaviour creates a risk to health and safety.

Unreasonable behaviour includes victimising, humiliating, intimidating or threatening. Whether a behaviour is unreasonable can depend on whether a reasonable person might see the behaviour as unreasonable in the circumstances.

Examples of bullying include:

- behaving aggressively
- teasing or practical jokes
- pressuring someone to behave inappropriately
- excluding someone from work-related events or
- unreasonable work demands.

##### What isn't bullying

A manager can make decisions about poor performance, take disciplinary action, and direct and control the way work is carried out. Reasonable management action that's carried out in a reasonable way is not bullying.

Management action that isn't carried out in a reasonable way may be considered bullying.

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#### New Zealand

Workplace bullying is repeated and unreasonable behaviour directed towards a worker or a group of workers that can be physical, verbal or relational/social (excluding someone or spreading rumours).

Repeated behaviour is persistent and can involve a range of actions over time.

Unreasonable behaviour are actions that a reasonable person in the same circumstances would see as unreasonable. It includes victimising, humiliating, intimidating or threatening a person. A single incident of unreasonable behaviour isn't considered workplace bullying, but it could escalate and shouldn't be ignored.

Bullying is a psychosocial health risk ...

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<sup>1</sup> Note: in some countries workplace bullying is considered a form of harassment; in others it is known as mobbing.

If there is bullying, or may be bullying in your workplace, the person conducting a business or undertaking (in workplaces, this is usually your employer) has an obligation to manage it.<sup>2</sup>

**Note: Huge banner at top of entry site on bullying and harassment:**

## Bullying, harassment and discrimination

Bullying, harassment and discrimination must be investigated and the person affected must be supported by the employer.

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## II. Europe, Western

### Denmark

[H]arassment arises where one or more individuals grossly (or repeatedly) subject a colleague to conduct which the colleague considers degrading. Harassment is a collective term for bullying, sexual harassment and other kinds of harassment, such as:

- Offensive remarks
- Attack on or criticism of the employee's private [life](#)
- Hostility or silent treatment
- Unpleasant teasing
- Offensive written messages, text messages, photos and videos ([including](#) on social media)

The intention of the individual carrying out an act of harassment is irrelevant i.e. it does not matter whether the individual wanted to cause offence to their colleague. The key issue is the impact of the act of harassment on the particular individual and how they perceive it.<sup>3</sup>

Employees shall avoid such harassment and other inappropriate treatment of other employees at the workplace which causes hazards or risks to their safety or health.<sup>4</sup>

### France

Employees should not be subjected to repeated actions constituting moral harassment, which intentionally or unintentionally deteriorate their working conditions and are likely to violate their rights and dignity, impair their physical or mental health, or jeopardise their professional future.<sup>5</sup>

### Germany

Harassment is a broad term that includes workplace bullying as well as sexual harassment

Harassment is defined as "unwanted behavior ...that intend[s] to or violate[s] the dignity of the person and is creat[es] an intimidating, hostile, degrading, humiliating, or offensive environment. <sup>6</sup>

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<sup>2</sup> <https://www.employment.govt.nz/resolving-problems/types-of-problems/bullying-harassment-and-discrimination/>

<sup>3</sup> Lage, Marianne (2019). Denmark: New Guidelines to Prevent Harassment in the Workplace.

<https://www.taylorvinters.com/article/new-guidelines-to-prevent-harassment-in-the-workplace>

<sup>4</sup> <https://stm.fi/en/workplace-harassment>

<sup>5</sup> <http://www.internationallaborlaw.com/files/2013/01/Bullying-Harassment-and-Stress-in-the-workplace-A-European-Perspective.pdf>

<sup>6</sup> European Commission (2015) op. cit.

## Ireland

Bullying is repeated inappropriate behaviour that undermines your right to dignity at work. It can be done by one or more persons and it is aimed at an individual or a group to make them feel inferior to other people. Bullying can be verbal bullying, physical bullying or cyber bullying which is carried out on the internet or mobile phones, through social networking sites, email and texts. It can take many different forms such as:

- Social exclusion and isolation
- Damaging someone's reputation by gossip or rumours
- Intimidation
- Aggressive or obscene language
- Repeated requests with impossible tasks or targets.<sup>7</sup>

## Italy

Mobbing is considered to be a consistent action and behavior that damages the worker's productivity. The minimum period for the duration of mobbing is six months.<sup>8</sup>

## Netherlands

All forms of intimidating behavior of a structural nature, coming from one or more employees (colleagues, managers) aimed at an employee or group of employees who is/are not able to defend himself/themselves(s) against this behavior. An important aspect regarding bullying is the repetition of that behavior in time (Explanatory Memorandum, Working Conditions Act 2007).<sup>9</sup>

## Norway

Working Environment Act states in Section 4-3: '(3) Employees shall not be subjected to harassment or other improper conduct.' Harassment relates to situations where a person experiences actions or the omission of actions as negative, unreasonable and offending. It is harassment when one or several individuals repeatedly over time are exposed to negative actions. In addition, there has to be an imbalance in the relative strength: the subject being harassed must be in a psychologically weaker position than the person who is harassing.<sup>10</sup>

## Spain

The labour administration has adopted a code of practice on violence and harassment for the labour inspectors in charge of enforcing health and safety regulations which provides for the following general definition of bullying:

*“Where an unwanted conduct occurs with the purpose or the effect of violating the dignity of a person, and of creating an effect of violating the dignity of a person, and of creating an intimidating,*

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<sup>7</sup> [http://www.citizensinformation.ie/en/employment/equality\\_in\\_work/bullying\\_in\\_the\\_workplace.html](http://www.citizensinformation.ie/en/employment/equality_in_work/bullying_in_the_workplace.html)

<sup>8</sup> <http://www.internationallaborlaw.com/files/2013/01/Bullying-Harassment-and-Stress-in-the-workplace-A-European-Perspective.pdf>

<sup>9</sup> Hulbert Consult. Unacceptable Behavior in Dutch Working Conditions Act. <https://hubertconsult.nl/dutch-bullying-law/>. Accessed 2/9/2020.

<sup>10</sup> <https://www.abusergoestowork.com/legislation/international-laws/>

*hostile, degrading, humiliating or offensive environment*” (Code of Practice for the Spanish Labour Inspectors on Bullying and Violence at Work 69/2009).

The Code also establishes three basic elements constitutive of legal bullying:

a) the acts must be carried out with “*the purpose or the effect*” of violating the victim’s rights (demonstrating the bully’s intent is not required). As in France, therefore, under civil law, bullying does not require the bully to have the intent of bullying. Rather, there only needs to be a causal link between the conduct and the resultant harm (Spanish Constitutional Tribunal, 89/2005);

b) the behaviour creates an intimidating, hostile, degrading, humiliating, or offensive environment for the victim; and

(c) the behavior is repetitive and capable of harming the victim’s health (Tribunal Supremo de Justicia Galicia 30 May 2005, AS 1515).<sup>11</sup>

## Sweden

- Victimization: recurrent reprehensible or distinctly negative actions which are directed against individual employees in an offensive manner and can result in those employees being placed outside the workplace community. ... Victimization includes adult bullying, mental violence, social rejection and harassment – including sexual harassment.”<sup>12</sup>

## U.K.

Bullying and harassment is behaviour that makes someone feel intimidated or offended.<sup>13</sup>

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## III. Europe, Eastern

### Czech Republic

Harassment & sexual harassment have been defined as specific forms of discrimination. Anti-Discrimination Act defines harassment as: Any unwanted conduct associated specified in Section 2 (a) taking place with the purpose or effect of diminishing the dignity of a person and creating an intimidating, hostile, degrading, humiliating or offensive environment, or (b) which could legitimately be perceived as a precondition for a decision affecting the exercise of rights and obligations following from legal relationships.”<sup>14</sup>

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<sup>11</sup> Material taken from “Spanish Legislation to Protect Workers against Bullying in the Workplace.” <https://plymcabcampaigns.wordpress.com/2014/04/02/spanish-legislation-to-protect-workers-against-bullying-in-the-workplace/>

<sup>12</sup> Cobb, Ellen Pinkos (2017). *Workplace Bullying and Harassment: New Developments in International Law*. Routledge.

<sup>13</sup> <https://www.gov.uk/workplace-bullying-and-harassment>

<sup>14</sup> European Commission (date). Study on the Implementation of the Autonomous Framework Agreement on Harassment and Violence at Work: Annex. <https://osha.europa.eu/en/publications/workplace-violence-and-harassment-european-picture>.

## Finland

Sexual harassment: Verbal, non-verbal and physical, unwelcome and sexual behaviour that either has a purpose of violating or in fact violates another person's mental or physical integrity, especially by creating a threatening, hostile, intimidating or oppressive environment.<sup>15</sup>

Harassment and inappropriate treatment in the workplace are contrary to the norms of good behavior towards others. They encompass criticizing and complicating others' work performance, social isolation, and sexual harassment and jibes. In everyday language, we call this workplace bullying.<sup>16</sup>

If harassment or other inappropriate treatment of an employee occurs at work and causes hazards or risks to the employee's health, the employer, after becoming aware of the matter, shall by available means take measures for remedying this situation.<sup>17</sup>

## Poland

The Polish Labour Code defines "mobbing" as: 'action or behaviour concerning an employee or directed against an employee which consists in a persistent and long-lasting harassment of or threats to the employee and which results in a reduced self-assessment of his or her professional abilities and which cause, or are aimed at, humiliating or ridiculing the employee, isolating or eliminating him or her from their group of co-workers' (Division IV, Article 94, Section 2).<sup>18</sup>

## Slovenia

- Harassment: any undesired behavior associated with any personal circumstance.
- Bullying: any repetitive or systematic, reprehensible or clearly negative and insulting action or behavior aimed at individual workers in the workplace or in connection with work.<sup>19</sup>

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## IV. Asia

### Japan

The legislation defines power harassment as "verbal or physical behaviour that goes beyond the business necessity and that takes advantage of superior positions in a relationship, harming the workplace environment."<sup>20</sup>

### Singapore

Workplace harassment can occur when one party at the workplace demonstrates behaviour that causes or is likely to cause harassment, alarm or distress to another party. Such behaviour can violate a

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<sup>15</sup> <https://eige.europa.eu/gender-based-violence/regulatory-and-legal-framework/legal-definitions-in-the-eu/finland-sexual-harassment>

<sup>16</sup> <https://stm.fi/en/workplace-harassment>

<sup>17</sup> <https://stm.fi/en/workplace-harassment>

<sup>18</sup> From: European Agency for Safety and Health at Work (2010). *Workplace Violence and Harassment, A European Picture* (p. 34).

<sup>19</sup> <http://www.internationallaborlaw.com/files/2013/01/Bullying-Harassment-and-Stress-in-the-workplace-A-European-Perspective.pdf>

<sup>20</sup> <https://www.lexology.com/library/detail.aspx?g=1e571d68-e54a-4c86-bc46-9343e49f5001>

person's dignity or create an unfavourable work environment for him/her, which poses a risk to the person's safety and health.

Workplace harassment can take different forms. Examples of behaviour that may be considered harassment include but are not limited to:

- Threatening, abusive, or insulting language, comments or other non-verbal gestures
- Cyber bullying
- Sexual harassment
- Stalking<sup>21</sup>

## South Korea

“Workplace Harassment:” “An employer or employee is prohibited from causing physical or mental suffering[,] or worsen[ing] the working environment of another employee (worker) by taking advantage of his/her (superior) status or (power position or) relationship within the workplace beyond the appropriate scope of work.”<sup>22</sup>

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## V. Latin America and Africa

### Colombia

Bullying means any persistent and demonstrable conduct of the employer, or a superior of an employee a coworker, subordinate, etc., addressed to another employee, to cause fear, intimidation, anguish, panic, labor damages, demotivation or the resignation.<sup>23</sup>

### South Africa

Conduct of an employee or an employer or a group of employees and employers, directed at an employee, employer or groups of employees or employers, which a reasonable person would find hostile or offensive and is unrelated to an employer's legitimate business interest. Abusive conduct may include but is not limited to repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, humiliating or creates a risk to health or safety or relates to the gradual sabotage or

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<sup>21</sup> Singapore Ministry of Manpower (2015). Tripartite Advisory on Managing Workplace Harassment. <https://www.mom.gov.sg/-/media/mom/documents/employment-practices/guidelines/tripartite-advisory-on-managing-workplace-harassment.pdf?la=en&hash=C2299E963A2A4947C80114B605F32781>

<sup>22</sup> Seo, Deok-II, and Claudia C. Hong (2018). A Call to Action for Employers: Changes to Korean Legislation Newly Address Workplace Bullying. [https://www.ela.law/Templates/media/files/Newsletter\\_Articles\\_Clients/2019%20Client%20Newsletter/April/AP/Hong%20Kong\\_ELA%20Global%20Newsletter%20on%20Workplace%20Bullying.pdf](https://www.ela.law/Templates/media/files/Newsletter_Articles_Clients/2019%20Client%20Newsletter/April/AP/Hong%20Kong_ELA%20Global%20Newsletter%20on%20Workplace%20Bullying.pdf)

<sup>23</sup> Baker MacKenzie (2019). *Legal Guide to Do Business in Colombia*. [https://investincolombia.com.co/images/capitulo\\_5\\_legal\\_guide\\_compressed.pdf](https://investincolombia.com.co/images/capitulo_5_legal_guide_compressed.pdf)

undermining of a person's work performance. Bullying is not reasonable action taken in a reasonable manner by an employer to transfer, demote, discipline, counsel, retrench or dismiss an employee.<sup>24</sup>

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## VI. North America

### Alberta

Workplace harassment is defined as a single or repeated incident of objectionable or unwelcome conduct, comment, bullying or action intended to intimidate, offend, degrade or humiliate a particular person or group. It's a serious issue and creates an unhealthy work environment resulting in psychological harm to workers.<sup>25</sup>

### British Columbia

#### Worksafe BC. Policies for the Workers Compensation Act. Definitions

Bullying and harassment

- (a) includes any inappropriate conduct or comment by a person towards a worker that the person knew or reasonably ought to have known would cause that worker to be humiliated or intimidated, but
- (b) excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.<sup>26</sup>

Also in that document:

The definition of bullying and harassment includes any inappropriate conduct or comment by a 'person' towards a worker that the 'person' knew or reasonably ought to have known would cause that worker to be humiliated or intimidated.

A 'person' includes any individual, whether or not they are a workplace party. This means that a 'person' could be a workplace party such as an employer, supervisor, or co-worker, or a non workplace party such as a member of the public, a client, or anyone a worker comes into contact with at the workplace.

*Black's Law Dictionary, Ninth Edition*, defines a reasonable person as follows:

"...a person who exercises the degree of attention, knowledge, intelligence, and judgment that society requires of its members for the protection of their own and of others' interests. The reasonable person acts sensibly, does things without serious delay, and takes proper but not excessive precautions..."

### British Columbia Human Rights Clinic

Generally, harassment is conduct or comment that a reasonable person would consider to be objectionable or unwelcome. The conduct or comment typically humiliates, intimidates, excludes or

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<sup>24</sup> South Africa Board for People Practices (2018). *Fact Sheet: Bullying in the Workplace*. [https://sabpp.co.za/wp-content/uploads/2018/03/Fact-Sheet\\_March-2018\\_with-active-links.pdf](https://sabpp.co.za/wp-content/uploads/2018/03/Fact-Sheet_March-2018_with-active-links.pdf)

<sup>25</sup> <https://www.alberta.ca/workplace-harassment-violence.aspx>

<sup>26</sup> <https://www.worksafebc.com/en/health-safety/hazards-exposures/bullying-harassment?origin=s&returnurl=https%3A%2F%2Fwww.worksafebc.com%2Fen%2Fsearch%23q%3Dharassment%26sort%3Drelevancy%26f%3Alanguage-facet%3D%5BEnglish%5D>

isolates individuals and is often accompanied by threats or promises regarding opportunities and conditions.

Harassment can be a single, serious incident or a series of repeated incidents. A series of incidents often leads to negative, hostile or poisoned environments that interfere with someone's ability to do their job or obtain a service. Unhealthy environments show signs of increased absenteeism and turnover and decreased levels of productivity and motivation. Harassment can range from written or spoken comments to physical or sexual assault. Harassment often involves an abuse of power and has detrimental effects for those suffering from it.<sup>27</sup>

## Manitoba

### **What is Harassment? There are two main types of harassment.**

One type includes inappropriate conduct in any form about a person's: age, race, creed, religion, sex, sexual orientation, marital status, family status, economic status, political belief, association or activity, disability, size, weight, physical appearance, nationality, ancestry, or place of origin.

A second main type relates to what is sometimes referred to as "bullying" behaviour that may involve:

- repeated humiliation or intimidation that adversely affects a worker's psychological or physical well-being.
- a single instance so serious that it has a lasting, harmful effect on a worker.<sup>28</sup>

Alternatively,

**"harassment"** means

(a) any vexatious behaviour in the form of hostile, inappropriate and unwanted conduct, verbal comments, actions or gestures that affects a worker's dignity or psychological or physical integrity and that results in a harmful workplace for the worker, or

(b) the improper use of the power or authority inherent in a person's position to endanger a worker's job, undermine the worker's job performance, threaten the economic livelihood of the worker or negatively interfere in any other way with the worker's career; (« harcèlement »)

**"workplace-related harassment"** means harassment of a worker by his or her employer or supervisor or by another worker, whether or not the harassment occurs at the workplace. (« harcèlement lié au lieu de travail »).<sup>29</sup>

## New Brunswick

Personal harassment means any objectionable or offensive behaviour that is known or ought reasonably to be known to be unwelcome. It includes objectionable conduct, comment or display made on either a one-time or continuous basis that demeans, belittles, or causes personal humiliation or embarrassment.

Without limiting the above, personal harassment includes harassment within the meaning of the *New Brunswick Human Rights Act*, i.e., harassment on the basis of the following prohibited grounds of

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<sup>27</sup> <https://www.bchrc.net/harassment>

<sup>28</sup> SafeWork Manitoba (2015). *Preventing Harassment in the Workplace*; p. 5.  
<https://www.safemanitoba.com/Page%20Related%20Documents/resources/harassment2015.pdf>

<sup>29</sup> The Workplace Safety and Health Amendment Act (Harassment in the Workplace).  
<https://web2.gov.mb.ca/bills/38-4/b210e.php>



discrimination: race, colour, religion, national origin, ancestry, place of origin, age, physical disability, mental disability, marital status, sexual orientation or sex.<sup>30</sup>

## Newfoundland

**Harassment** is defined as any objectionable or offensive behaviour that is known or ought reasonably to be known to be unwelcome. Harassment may be intended or unintended.

Harassment will normally involve a series of incidents; however, a single incident may constitute harassment if it would be considered egregious or severe to a reasonable person taking into account the circumstances of the incident.<sup>31</sup>

## Nova Scotia

The Government of Nova Scotia is committed to a healthy, safe and supportive workplace and is committed to providing a work environment that values diversity and where all persons are treated with respect and dignity. It is the right of all employees to work in an environment free from harassment, sexual harassment, and discrimination.

Definition of Harassment: Derogatory (e.g. condescending, insulting, belittling) or vexatious (e.g. aggressive, angry, antagonistic) conduct or comments that are known or ought reasonably to be known to be offensive or unwelcome and includes actions or comments that are directed at no person in particular but that create an intimidating, demeaning or offensive work environment. Bullying is a form of harassment.<sup>32</sup>

## Ontario

“Workplace harassment” means,

- a. engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome, or
- b. workplace sexual harassment;<sup>33</sup>

Workplace harassment can involve unwelcome words or actions that are known or should be known to be offensive, embarrassing, humiliating or demeaning to a worker or group of workers, in a workplace. It can also include behaviour that intimidates, isolates or even discriminates against the targeted individual(s).<sup>34</sup>

## Quebec

### What constitutes psychological harassment work

Psychological harassment at work is vexatious behaviour in the form of repeated conduct, verbal comments, actions or gestures:

- that are hostile or unwanted
- that affect the employee’s dignity or psychological or physical integrity

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<sup>30</sup> [https://www2.gnb.ca/content/gnb/en/departments/treasury\\_board/human\\_resources/content/about\\_us/policies\\_and\\_guidelines/harassment\\_policy.html#definitions](https://www2.gnb.ca/content/gnb/en/departments/treasury_board/human_resources/content/about_us/policies_and_guidelines/harassment_policy.html#definitions)

<sup>31</sup> [https://www.exec.gov.nl.ca/exec/hrs/working\\_with\\_us/harassment\\_free\\_workplace.html#def](https://www.exec.gov.nl.ca/exec/hrs/working_with_us/harassment_free_workplace.html#def)

<sup>32</sup> <https://novascotia.ca/psc/employeeCentre/respectfulWorkplace/rwpolicy.asp>

<sup>33</sup> <https://www.ontario.ca/page/code-practice-address-workplace-harassment#section-1>

<sup>34</sup> <https://www.ontario.ca/page/understand-law-workplace-violence-and-harassment>

- that make the work environment harmful.<sup>35</sup>

## Saskatchewan

### Harassment

This policy utilizes the definition of harassment as set out in The Saskatchewan Employment Act.

3-1 (1) (I) "**harassment**" means any inappropriate conduct, comment, display, action or gesture by a person:

(i) that either

(A) is based on race, creed, religion, colour, sex, sexual orientation, marital status, family status, disability, physical size or weight, age, nationality, ancestry or place of origin; or

(B) subject to subsections (4) and (5), adversely affects the worker's psychological or physical well-being and that the person knows or ought reasonable to know would cause a worker to be humiliated or intimidated; and

(ii) that constitutes a threat to the health or safety of the worker;

3-1 (4) To constitute harassment for the purposes of paragraph (1)(I)(i)(B), either of the following must be established:

(a) repeated conduct, comments, displays, actions or gestures;

(b) a single, serious occurrence of conduct, or a single, serious comment, display, action or gesture, that has a lasting, harmful effect on the worker.

3-1 (5) For the purposes of paragraph (1)(I)(i)(B), harassment does not include any reasonable action that is taken by an employer, or a manager or supervisor employed or engaged by an employer, relating to the management and direction of the employer's workers or the place of employment.<sup>36</sup>

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## Other authoritative sources

### The International Labour Organisation (ILO)

The ILO considers workplace bullying to be a form of violence.

Violence can take place between members of staff, and it may be psychological as well as physical. Violence may also consist of repeated actions which, by themselves may be relatively minor, but which can cumulatively come to constitute serious forms of violence such as sexual harassment, bullying or mobbing.<sup>37</sup>

<sup>35</sup> <https://www.cnt.gouv.qc.ca/en/in-case-of-psychological-harassment-at-work/index.html#c8507>

<sup>36</sup> <https://taskroom.sp.saskatchewan.ca/Pages/Public%20Service%20Commission/Service%20Pages/Section-807-Anti-Harassment-Policy.aspx>

<sup>37</sup> [http://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---safework/documents/genericdocument/wcms\\_108531.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---safework/documents/genericdocument/wcms_108531.pdf)

## EU Charter of Fundamental Human Rights.

### Article 31

#### Fair and just working conditions

1. Every worker has the right to working conditions which respect his or her health, safety and dignity.<sup>38</sup>

## Consensus Among Leading Scholars

Leading scholars in the field have suggested the following definition:

Bullying at work means harassing, offending, socially excluding someone or negatively affecting someone's work tasks. In order for the label bullying (or mobbing) to be applied to a particular activity, interaction or process it has to occur repeatedly and regularly (e.g. weekly) and over a period of time (e.g. about six months). Bullying is an escalating process in the course of which the person confronted ends up in an inferior position and becomes the target of systematic negative social acts.<sup>39</sup>

## European Parliament

Despite some differences in definitions, bullying at work is characterized by four main criteria:

- the target is exposed to direct or indirect, unwanted, negative acts of a non-sexual and mainly non-violent nature
- the negative acts are repeated and regular, bullying is not about isolated episodes or events
- the negative acts take place over a prolonged time period
- a real or perceived imbalance of power between the bully and the target; the target perceives that he or she is incapable of neutralising or stopping the negative behaviours and feels powerless in the situation.<sup>40</sup>

## SHRM: Society for Human Resource Management, US

### Recommended definition

“repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment.”

“Such behavior violates [Company Name] Code of Ethics, which clearly states that all employees will be treated with dignity and respect.”

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<sup>38</sup> [http://www.europarl.europa.eu/charter/pdf/text\\_en.pdf](http://www.europarl.europa.eu/charter/pdf/text_en.pdf), p. 364

<sup>39</sup> Ståle Einarsen et al. (2011). “The Concept of Bullying and Harassment at Work: The European Tradition,” in Ståle Enarsen et al., *Bullying and Harassment in the Workplace: Developments in Theory, Research, and Practice* 3, 39 (2d edition, 2011). Cited in: Lippel, Katherine (2011). “The Law of Workplace Bullying: An International Overview.” *Comparative Labor Law & Policy Journal* 32(1): 1-14.

<sup>40</sup> *Bullying and sexual harassment at the workplace, in public spaces, and in political life in the EU*. Directorate General for Internal Policies. Policy Department for Citizens’ Rights and Constitutional Affairs. Women’s Rights and Gender Equality. PE 604.949 – March 2018.

Goes on to say:

Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant, and will not be given consideration when meting out discipline. As in sexual harassment, it is the effect of the behavior upon the individual that is important.