The Resonance of le Harcèlement Moral, Mobbing or Bullying in the Performing Arts Workplace

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Abstract
In the first survey of bullying in performing arts organisations in the UK, two in five employees have reported being the target of a workplace bully — a higher percentage than recorded previously in other employment sectors, including the army, police, prisons and the health service. Bullying behaviour is prevalent and increasing among arts workers and trades unions members have called for more support in dealing with harassment, mobbing and abusive behaviour in theatres and arts centres. Managers appear to be relatively unaware of bullying behaviour and, in justifying longer working hours and lower rates of pay, maintained that working in the arts was 'different' and a source of pride. In certain respects the performing arts do appear to be different, but not always in positive ways. Rather, they are proving to be different in ways that, in human terms, are not fair to those who work in them.

Keywords
Bullying, Performing Arts, Human Resources, Management.

Bullying, Harassment and Mobbing

Whilst working with arts organisations in Ireland, Northern Ireland and England — including funders, dance companies, museums, galleries, theatre in education companies, musical groups, community arts organisations, receiving venues, theatre companies and visual arts organisations — as arts council officer, administrator, director, board member and arts council advisor and consultant, I have experienced, witnessed and heard about bullying behaviour, also known as mobbing, victimisation or le harcèlement moral. The terms employed by researchers are almost interchangeable, referring to destructive, harmful and intimidating behaviour among schoolchildren, in places of work and in militarised organisations.

Bullying

In 1996 Heinz Leymann noted that Australian and English researchers used 'bullying' to refer to intimidating behaviour in schools, workplaces and military establishments, whereas elsewhere in Europe and the USA, 'bullying' referred only to school settings and 'mobbing' denoted workplaces.

In the early 1970s publications about bullying in schools appeared in Norway and, ten years later, those about mobbing in workplaces appeared in Sweden. Mobbing had connotations of mental and emotional harassment, whereas definitions of bullying included a strong element of

physical coercion. In France and Canada, 'le harcèlement moral' or 'le harcèlement psychologique' emphasise attacks on the integrity of the individual and the psyche[1].

Today in the United Kingdom, Australia and New Zealand, workplace bullying is synonymous with covert and subtle intimidation among adults, traditionally associated with mobbing. In the 1997 Dignity at Work Bill[2] bullying is described as

a)   behaviour on more than one occasion which is offensive, abusive, malicious, insulting or intimidating;
b)   unjustified criticism on more than one occasion;
c)   punishment imposed without reasonable justification, or
d)   changes in the duties or responsibilities of the employee to the employee's detriment without reasonable justification.

There is no reference to physical threats. The definition encompasses behaviour between individual adults and between employers and employees, and it provides greater clarity for individuals using employment tribunals to seek redress against bullying.

Harassment

Several factors characterise harassment: frequency (it is not an isolated incident of workplace conflict), period of time involved and severity of the effects on the target(s) of the behaviour.

Moral harassment is a non-status based form of workplace bullying recognised by the laws of several European Union (EU) countries and one of the most rapidly emerging workplace violence complaints. Although there is no internationally accepted definition of moral harassment[3] , it may be understood generally as repeated, non-physical acts of harassment at the workplace, occurring over a significant time period, that have a humiliating effect on the victim. As is the case with many other countries, an independent group in France (Harcèlement Moral Stop) combines the functions of providing support, advice and assistance to victims of bullying and lobbying for changes to legislation.

> Definition of Moral Harassment
>
> Abusive conduct by a superior or colleague, aimed at one or more persons over a period of time and carried out repeatedly and systematically, which is characterised by behaviour, actions, words and/or writing, and constitutes a serious attack on the personality and psychic integrity, deliberately degrading employment conditions, and making it impossible for those persons to continue working. Harcèlement Moral Stop
> Moral harassment at work is… persecution by deliberate disadvantageous changes to workplace terms and conditions. Private Bill, 14 December 1999

Mobbing

Leymann noted that mobbing was used in the USA and in Europe (Sweden, Germany, Italy) for bullying in workplaces, however in England the term is more likely to conjure up images of bullying by a 'mob' or a gang, and indeed his own definition has connotations of bullying by more than one person:

Psychological terror or mobbing in working life involves hostile and unethical communication, which is directed in a systematic manner by one or more individuals, mainly toward one individual, who, due to mobbing, is pushed into a helpless and defenceless position and held there by means of continuing mobbing activities. These actions occur on a very frequent basis (statistical definition: at least once a week) and over a long period of time (statistical definition: at least six months' duration). Because of the high frequency and long duration of hostile behaviour, this maltreatment results in considerable mental, psychosomatic and social misery.

The terminology invokes subtly different meanings depending on cultural background, local connotations, perceived balance of physical and psychological factors, number and status of people involved as perpetrators and where the behaviour happens. Bullying continues to be used in the United Kingdom irrespective of the location of intimidation, often with qualifying prefixes for purposes of clarification, as in 'serial bullying', 'pair bullying' or 'group bullying'(Field). In effect, the various terms used worldwide have more in common than not, and although interpretations may differ slightly, the word bullying has come to serve as a comprehensive and recognisable term which is readily understood[4].

The Nature of Bullying Behaviour

Bullying between individuals in the workplace is often covert and occurs regularly. During my research, the most common type of bullying encountered has been the 'serial bully' who picks on one employee after another and attempts to destroy them (Field). Pair bullying and group or gang bullying (mobbing) involves more than one perpetrator who victimise an individual (Leymann).

Corporate, organisational or institutional bullying often includes unjustified criticism and punishment, or invalid, unfavourable changes to an employee's duties or responsibilities. Unfair working terms and conditions include unreasonably long working hours (or unreasonably short notice to work extra hours), inadequate rates of pay and failure to deal satisfactorily with complaints.

In the performing arts in the UK, there is now evidence of bullying by individuals, in the main by managers, and corporate bullying, where organisational culture, accepted and excused by management on the grounds that the arts are 'different', forces people to comply with unfair or unreasonable working terms and conditions.

The Effects of Bullying On Individuals

Tim Field, whose publications and comprehensive website on bullying behaviour has been the inspiration for many other similar sites worldwide, describes bullying as:

Persistent, offensive, abusive, intimidating or insulting behaviour, abuse of power or unfair penal sanctions which makes the recipient feel upset, threatened, humiliated or vulnerable, which undermines their self-confidence and which may cause them to suffer stress.

Stress and stress-related illnesses affect performance at work, health, emotional and mental wellbeing and home life. Recorded effects of bullying include anxiety, sleep disturbances, panic

attacks, low self-esteem, protracted stress-related illnesses and loss of confidence, resulting in reduced efficiency, absenteeism and unsafe work practices. The high frequency and long duration of hostile behaviour results in considerable mental, psychosomatic and social misery (Leymann). Some people harm themselves and even take their own lives as a result of their bullying experiences (Field).

Victim or Target?

Debate continues about terminology: are people 'victims' of bullying, with all that this implies? At the dawn of research 'self-help' publications were suggesting that it was the individual response to 'working with difficult people' that ultimately determined the nature of the experience.

Figure 1:
Typical 'Self-Help' Explanation of What Defines Those Subjected to Bullying
(UK, Early 90s)
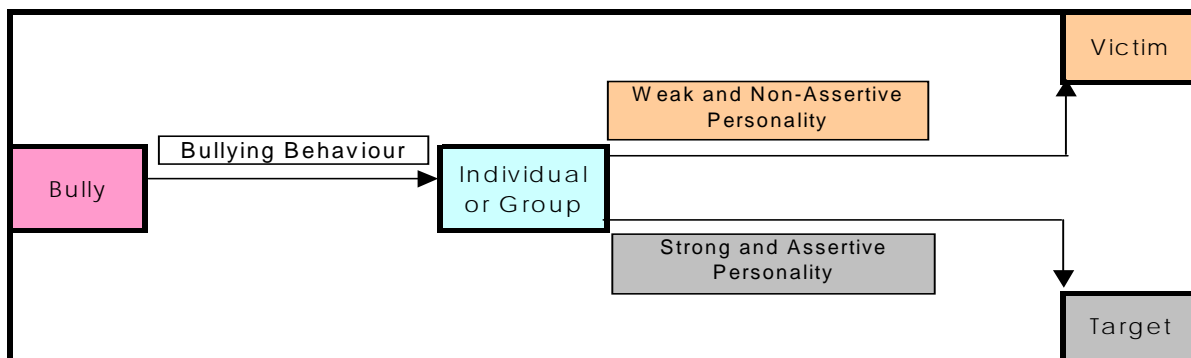
As researchers have learned more about the complexity of bullying behaviour, increasingly a multi-disciplinary approach is being applied, using elements of anthropology, sociology and psychology as well as theories of management and organisational development, promoting a progressively more multifaceted evaluation. I believe that bullies select targets for a variety of reasons, and it is the environment in which bullying happens, as well as the personal response of the target, that determines whether targets become victims or survivors: a case of nurture as well as nature, with nurture very definitely in the lead.

Figure 2:
Exploding the Self-Help Myth (Quigg, 2005)
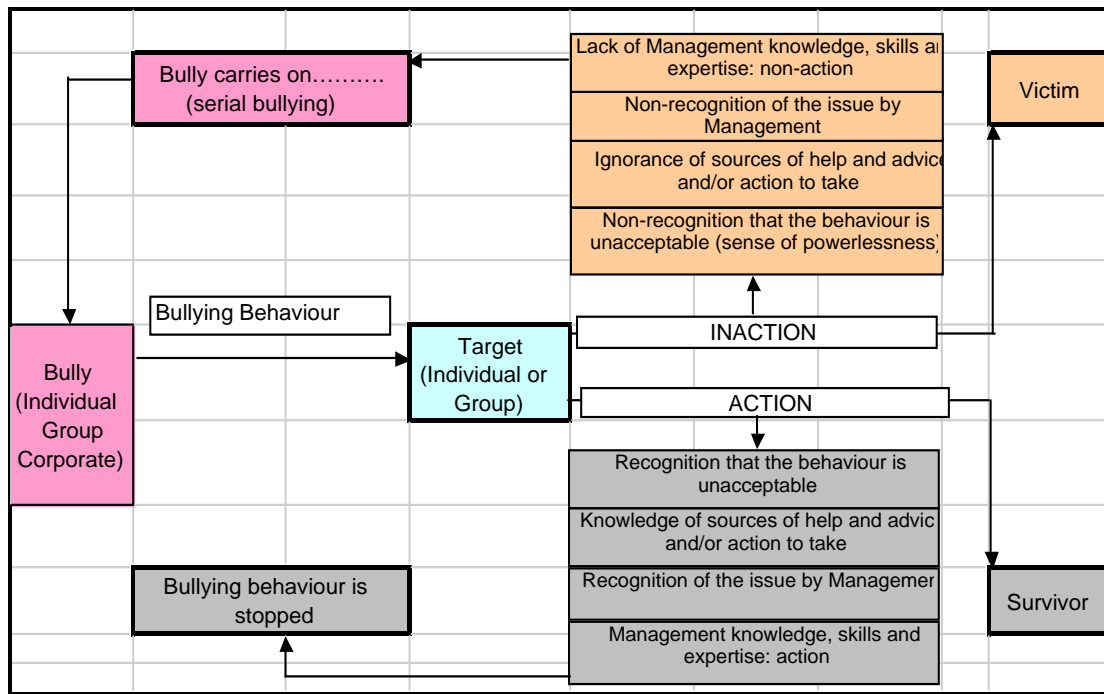
The Effects of Bullying on Organisations

What impacts on organisational health, and on individual employees, is the capacity of organisations to deal successfully with conflict resolution, leadership issues, power struggles and bullying behaviour, rather than the occurrence of these features per se. The ripple effect of a bullying problem in the workplace means it may start with one perpetrator and one target, but it rarely ends there. A bullied employee will usually become ill, with resulting implications for workload management and, possibly, an economic impact on the organisation. Workers who witness bullying behaviour or hear of it (50% of performing arts workers were told of bullying incidents by a colleague) share the effects of the unhappy workplace. If a 'serial bully' is at work, that person may pick on one member of staff after another, compounding the problem.

Stress vies with back pain (another symptom of stress) as the most common work-related illness, resulting in 6.5 million lost working days annually in the UK. The 2004 Confederation of British Industry[5] report put the the average cost of sickness absence at £475 per employee[6] and the annual cost of job stress cited by The Institute of Professional Development is around £7 billion in the UK.

The Australian Council of Trade Unions has calculated that workplace bullying specifically may be costing Australian business up to $3 billion annually.

The Psyche of the Perpetrator

When confronted about their actions, perpetrators of harassment, mobbing or bullying behaviour usually claim to be unaware that they are persecuting others, whilst evidence suggests that many bullies engage in campaigns of deliberate, degrading actions whose effects are calculated

and eagerly anticipated. Case studies indicate that a bully aggressively projects their own social, interpersonal and professional inadequacy onto their target, who is usually competent and popular. The projection seems to enable the bully to avoid facing their own inadequacies, serving to distract and divert attention away from them.

> The Board only ever gets the version of events as presented by the Chief Executive. I am quite sure that the board would not condone bullying if they perceived that it was happening. A feature of many bullies is that they have a very plausible manner, such as their superiors cannot believe them capable of unpleasant behaviour. This leaves the employees in impossible situations; it appears that THEY are the problem." Arts worker, Pilot Study, 2000

Tim Field's catchphrase emphasises the inadequacy and incompetence factors he believes are associated with the personality of the bully: "Those who can, do. Those who can't, bully."

> Bullying is a compulsive need to displace aggression and is achieved by the expression of inadequacy (social, personal, interpersonal, behavioural, professional) by projection of that inadequacy onto others through control and subjugation (criticism, exclusion, isolation etc). Bullying is sustained by abdication of responsibility (denial, counter-accusation, pretence of victimhood) and perpetuated by a climate of fear, ignorance, indifference, silence, denial, disbelief, deception, evasion of accountability, tolerance and reward (eg promotion) for the bully.

Increasingly researchers are making links between adult bullies and other violence and conflict scenarios, including experiences of school bullying (both as perpetrator and as target), domestic violence and personality disorders — the last still being at an early stage. The destructive effects of bullying behaviour are increasingly well documented, however much more research is needed on the motivation for bullying.

A Global Issue

The profile of workplace bullying has continued to grow since the early publications and in the UK it has accelerated rapidly since 1992. Across the world various measures to prevent and to legislate for workplace bullying are being put into place, many of which were begun in the late 1990s.

We must look to Scandinavia for the world's first law on bullying, other than laws related to discrimination. In 1993 Sweden passed the Victimisation at Work Ordinance, which covered both one-on-one bullying by individuals and corporate bullying by employers. This provided legislation to combat actions destined to give offence or which resulted in ostracising people, including supervision 'with harmful intent' and groundless 'administrative penal sanctions'.

Figure 3:
Campaigns to Address Workplace Bullying Worldwide

Sweden	Victimisation at Work Act	Law since 1993
France	Industrial Relations Act (1999) & Law for "Social Modernisation" (2002)	Moral harassment has been recognised by the courts for some time
Canada	Occupational Health and Safety Act, Ontario	Harassment specifically included as workplace hazards
	Protection from Harassment Act, Quebec	Employees at every level have recourse to the legislation
USA	The Workplace Bullying Awareness Bill	Passed in Massachusetts & Washington State, being considered in Oregon & Hawaii. Rejected in Oklahoma.
Australia	Some aspects covered by various acts including Public Sector Ethics, Health & Safety, Industrial Relations	Ongoing campaign to raise awareness by Australian Council of Trade Unions
New Zealand	Accident Compensation Scheme	Workplace bullying listed as a hazard by the ACC, which provides personal injury cover for all New Zealand citizens, residents and temporary visitors.
United Kingdom	Protection from Harassment Act 1997	Introduced to deter stalkers. Bullying cases being brought forward increasingly (March 2005: Majrowski)
	The Dignity At Work Act	Under consideration (proposed House of Lords, 2001). Passage failed in House of Commons, 1997

In Sweden, the onus is on the employer to plan and organise work so as to prevent bullying, to make clear that bullying is not accepted, to provide early detection of signs of victimisation, to rectify unsatisfactory working conditions which are the basis for bullying, to undertake special investigations to ascertain if causes of bullying are related to the way in which work is organised and to have special routines for offering help and support to employees who are subjected to victimisation.

> Employers must be prepared to deal with the psychological, social and organisational aspects of the working environment, to the same extent as questions of a physical or technical nature. Victimisation at Work Ordinance, 1993

Research Traditions

In 2003 the concept of two 'traditions' within academic research into bullying was mooted (Einarsen et al) — a European model (mobbing/bullying and focused on the perpetrator) and an American one (emotional abuse/mistreatment and focused on the victim). However, bullying tends to become an issue because one or more targets gather information and data due to their personal experiences. Then the focus turns to support, redress and prevention. Inevitably, data gathering about perpetrators is difficult and remains relatively rare. The established pattern globally is that support groups (for targets) tend to be set up first, as is currently the case in Japan for instance. As networking expands, many of these groups lobby effectively for the amendment of existing legislation, or the introduction of new laws, usually with the twin aims of protecting the targets or victims of workplace bullying and of making organisations and management more accountable for the behaviour of workplace bullies. Unfair working terms and conditions imposed by corporations are also increasingly being targeted.

Research in Europe began earlier than in America, and as data on the effects of bullying behaviour has accumulated and the literature has grown, so researchers worldwide have become increasingly interested in the organisational causes of bullying behaviour and in the psyche of perpetrators. Today European countries demonstrate that they are just as concerned with targets as with perpetrators (Amicus/MSF 1994; Tim Field 1999; Hubert, A. B. and M. van Veldhoven. 2001).

Bullying in the Arts

In May 2000 I conducted a Pilot Study to test awareness of bullying behaviour in a small group of theatres and arts centres in the Greater North of England: managers completed written questionnaires and employees submitted responses via a confidential website. Topics for managers included hours worked by theatre staff and complaints procedures, as well as workplace bullying. The website focused specifically on bullying and was necessarily short to encourage online completion. All respondents could choose to remain anonymous.

Of the managers taking part in the Pilot Study, 46% were aware of bullying behaviour and half of these said bullying was very rare, with isolated examples only. There had been no change in frequency during the past twelve months or the past five years. One manager had noted bullying behaviour by a Board member in a theatre.

Arts workers responding to the website, on the other hand, consistently reported that bullying behaviour was commonplace, on the increase and causing high levels of distress. Many people fled the situation rather than confront it and sometimes damage was long term[7].

> I have witnessed bullying within a predominantly female arts organisation, senior staff picking on Intermediate Line Managers. I have been subjected to severe levels of stress and had my contract terminated… to preclude any legal recourse. I am now suffering from depression" 2R5
> I was a music teacher with a very good 20 years of success in two schools. I finally had to take early retirement on medical grounds at the age of 43 suffering from depression. I had no previous health difficulties. 2R10

In 2002, in partnership with BECTU (Broadcasting, Entertainment, Cinematographic and Theatre Union), I embarked on a major study to examine the experiences of employees at every

level within both commercial and subsidised theatres and arts centres in England, Scotland, Wales and Northern Ireland. In 2003, for the first time in the United Kingdom, and possibly anywhere, an in-depth survey of bullying in the performing arts was carried out. BECTU was receptive to an approach to investigate this topic in the wake of complaints from its members of bullying. Printed questionnaires were distributed with the in-house magazine, Stage Screen and Radio, and the survey also covered levels of pay and working hours.

In 2003/4 there were 278 Active Members of the Union representing 3,924 workers in the Theatrical Section. The total number of respondents at 249 is equivalent to 89.6% of Active Members. Respondents came from all parts of the UK except Wales, and represented theatres and arts centres employing at least 22,672 people. The sample profile was representative of the union's broad membership: slightly more men than women at 53% to 47%, employees 18 years to 64 years old, with the majority being between 25 and 44 years old. There were three disabled people and 8% were from ethnic minority backgrounds[8].

BECTU Theatrical Section members work in administration, box office, cleaning, front-of-house, management and production. In this sample, technical staff predominated (more than half of the men and one fifth of the women) followed by front-of house and production staff. One tenth of the employees worked in management: twice as many men as women. Excepting technicians, there were more women than men working in every other area, with almost three times as many in administration/clerical fields and in production. Staff also included education workers, bar staff, dressers, maintenance, marketing, press and media and a visual arts director.

More than two-thirds of all jobs were full-time, representing 62% of women and 73% of men and there were twice as many women as men working part-time.[9] Half of those who responded had no supervisory or management responsibilities. More than a quarter worked in the West End of London including the major London houses (Royal Opera House, English National Opera, Royal National Theatre and Royal Shakespeare Company) and almost 40% worked in TMA theatres[10], so the sample offered a representative selection of theatrical venues. Larger theatres predominated with 40% having a workforce of 100 employees or more and 28% having between 50 and 100 employees.

Key Findings

Workplace bullying was defined according to the Dignity at Work Bill, 1997. Across all regions, 65% of respondents described bullying behaviour as common or not uncommon[11]. Less than 6.5% had never encountered bullying. Geographical location within the UK and type of performing arts organisation made no difference to people's experiences. The 249 respondents considered a list of stated behaviours, and cited 473 experiences.

Figure 4:
Personal Involvement in Bullying

personal involvement	N° cit.	Percent
Non-response	10	4.0%
I was involved as a trades union representative (BECTU or otherwise)	23	9.2%
I was asked to intervene and/or assist someone who had a complaint of bullying	29	11.6%
I witnessed one or more bullying incidents	116	46.6%
I was told of a bullying incident by a colleague	125	50.2%
I was asked to deal with a complaint for the management of an organisation	5	2.0%
I was the subject of a complaint about bullying by a colleague	9	3.6%
I was the target of a workplace bully	99	39.8%
I have had no personal involvement in bullying	47	18.9%
other	10	4.0%
TOTAL OBS.	**249**	

The number of responses is greater than the number of observations, due to multiple responses (to maximum of 9).

Half of the respondents had been told of a bullying incident by a colleague. A significant 46.6% stated that they had witnessed one or more bullying incidents and almost 40% said that they had been the target of a workplace bully. The reasons most often quoted for bullying behaviour were status within the organisation and competence, closely followed by physical appearance and gender.

Figure 5:
Reasons for Bullying
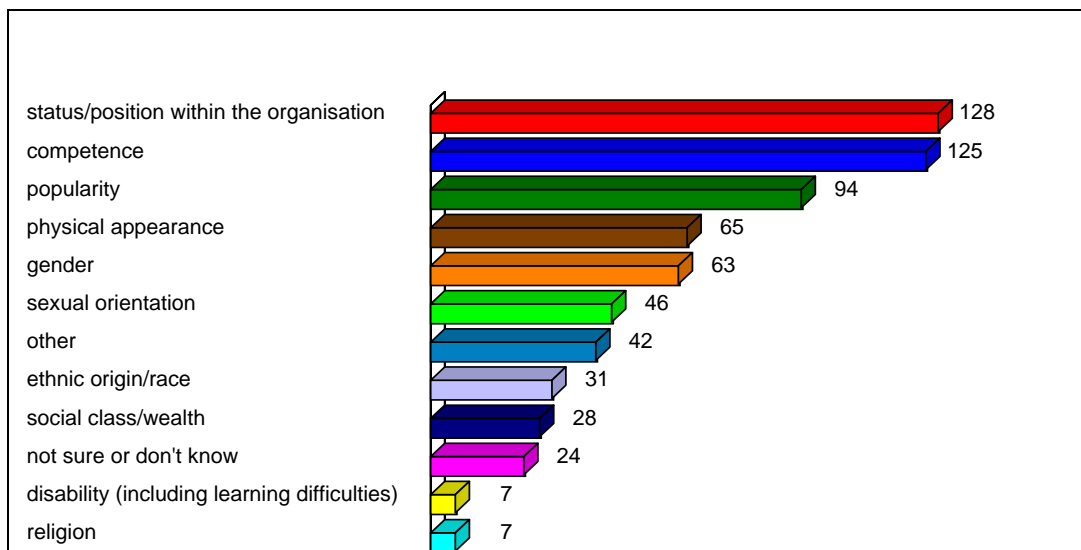
The number of responses is greater than the number of observations, due to multiple responses (maximum of 11)

Gender

Little evidence exists that workplace bullying is gender specific — bullies and targets are both male and female — although increasingly studies are focusing on gender as an issue. In performing arts workplaces the research findings indicate that women are observing and/or experiencing bullying more than men: a higher percentage of women at 72% described bullying behaviour as common or not uncommon, compared to 60% of men. More women than men felt bullying was more frequent.

Figure 6:
Frequency of Bullying by Gender
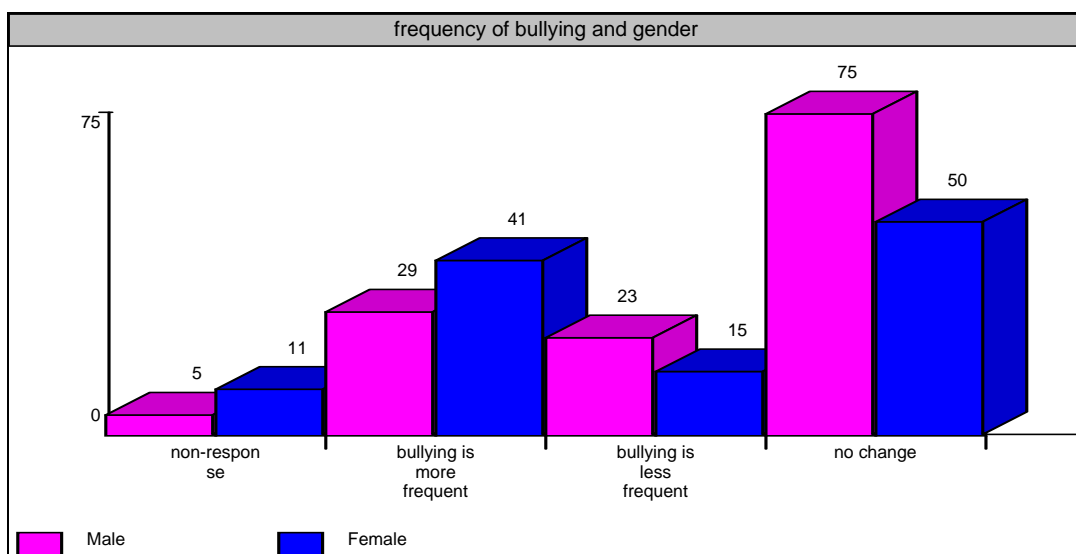
Approximately 48% of men and 53% of women had been told of bullying behaviour by a colleague. Personal experience of being the target of a workplace bully was greater among women (49% of all women) than men (39% of all men).

Ethnic Origin

Respondents of non-white ethnic origin reported bullying behaviour as common, not uncommon, or both. All but one, who had never heard of or witnessed bullying behaviour, had been targets and had been told of bullying incidents by a colleague. None had been asked to deal with a complaint for management or had been the subject of a complaint by a colleague. Further work is needed to determine the role racial abuse might play in the bullying of arts workers from minority ethnic groups.

Roles and Areas of Work

Employees in all fields of work reported that bullying behaviour was common with the highest percentage recorded by administration/clerical workers, and the lowest percentage by management.

Figure 7:
Experience of Bullying by Work Area

experience of bullying job	non-response	never	isolated examples	not uncommonly	commonly	TOTAL
administration/clerical	0.0%	5.3%	21.1%	26.3%	47.4%	**100%**
box office	0.0%	6.3%	31.3%	31.3%	31.3%	**100%**
cleaning	0.0%	0.0%	20.0%	40.0%	40.0%	**100%**
front-of-house	0.0%	5.9%	26.5%	35.3%	32.4%	**100%**
management	0.0%	3.7%	33.3%	37.0%	25.9%	**100%**
production	3.2%	9.7%	25.8%	29.0%	32.3%	**100%**
technical	1.0%	7.3%	30.2%	28.1%	33.3%	**100%**
other	0.0%	4.8%	19.0%	38.1%	38.1%	**100%**
TOTAL	**0.8%**	**6.4%**	**27.7%**	**31.3%**	**33.7%**	**100%**

Table values are the in columns percentages established on 249 observations

Targets of Bullying

Two in every five staff in the performing arts stated that they had been the target of a workplace bully. They were found in every geographical area surveyed and represented 49% of women and 39% of men.

Figure 8:
Targets of Bullying by Work Area
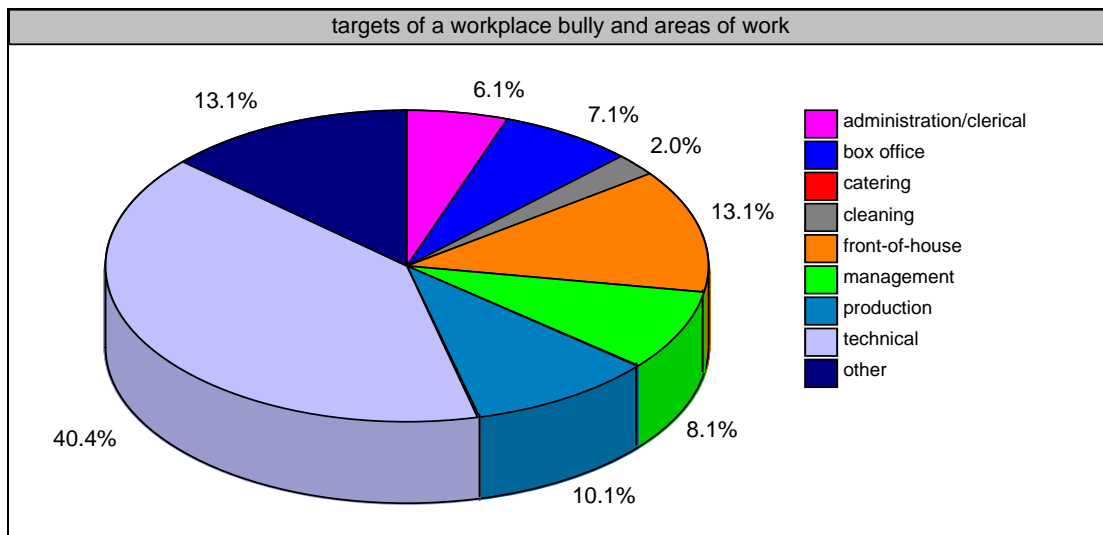
When broken down to reflect the total number of respondents in each work area, these are:

- 20% of technical staff
- 28.6% of cleaning staff
- 24% of box office staff
- 21% of front of house staff

- 19% of administration/clerical staff
- 16% each of production and management staff.

The largest percentage quoted was 38% of 'other' staff — those working in education, fundraising, marketing and the media, facilities and bar management, backstage as crew, dressers or at the stage door.

Complaints of Bullying

According to 40% of respondents, management handled complaints of bullying badly: 28% thought methods were variable and less than 5% believed complaints were handled well. This held true for those working in arts centres, operating on a regional or local basis, and those in larger-scale venues with a national remit.

When asked whether their organisation had a written policy to govern certain types of behaviour almost half of the respondents did not reply, possibly indicating uncertainty about or ignorance of written policies, although some staff from all areas of work stated that there were written policies to deal with bullying behaviour. Physical assault, threatening behaviour and abusive language are covered by written policies in the majority of cases (76%, 68% and 61% of respondents respectively, excluding non-responses).

Figure 9:
Behaviour Covered by Written Policies

written policies	N° cit.	Percent
non-response	121	48.6%
direct insults in front of colleagues	69	27.7%
shouting or abusive behaviour/bad language	78	31.3%
persistent unjustified threats or sanctions	55	22.1%
arbitrary witholding of information, co-operation or arrangements	27	10.8%
unwanted/persistent jokes	34	13.7%
behaviour which is threatening to the person	87	34.9%
physical assault, eg throwing objects	97	39.0%
other (please state)	23	9.2%
TOTAL OBS.	**249**	

The number of responses is greater than the number of observations due to multiple answers, to a maximum of 8.

Policy-making on bullying behaviour in performing arts organisations is inconsistent: 28% of respondents said organisational policies and internal procedures were in place. Half this number believed that the concept of 'corporate bullying', where some terms and conditions were detrimental to employees, had not been recognised by their organisation.

Whilst acknowledging that management would not condone bullying, more than 26% of administration/clerical staff and a third of 'other' staff said their organisation was not convinced there was of a problem with bullying and had not addressed it. A quarter of the box office and front of house staff, and one fifth of the cleaning staff, said their organisation was not aware that

terms and conditions could be detrimental to employees. Over 26% of management staff said their organisation did not condone bullying, but had not given any direct consideration to policy.

Figure 10:
Organisational Attitudes to Bullying

organisational attitudes job	A	B	C	D	E	other	TOTAL
administration/clerical	26.3%	21.1%	10.5%	26.3%	10.5%	5.3%	**100%**
box office	31.3%	12.5%	0.0%	6.3%	25.0%	25.0%	**100%**
cleaning	0.0%	20.0%	40.0%	0.0%	20.0%	20.0%	**100%**
front-of-house	28.1%	18.8%	21.9%	3.1%	25.0%	3.1%	**100%**
management	29.6%	14.8%	25.9%	3.7%	18.5%	7.4%	**100%**
production	39.3%	10.7%	17.9%	7.1%	14.3%	10.7%	**100%**
technical	33.3%	23.3%	18.9%	10.0%	10.0%	4.4%	**100%**
other	9.5%	9.5%	19.0%	33.3%	9.5%	19.0%	**100%**
TOTAL	**29.4%**	**18.1%**	**18.5%**	**10.9%**	**14.7%**	**8.4%**	**100%**

Table adjusted to remove non-respondents : percentages are calculated in relation to each area of work.

A : there is a policy which disapproves of bullying and internal procedures to deal with it
B : there is no policy on bullying, however the organisation would consider a complaint and does not condone this behaviour
C : the organisation does not condone bullying but has not given direct consideration to policy
D : the organisation is not persuaded there is a problem with bullying and has not addressed the issue
E : the organisation does not recognise that some terms and conditions are detrimental to employees and are equivalent to 'corporate bullying'

Respondents overwhelmingly supported the proposal that BECTU should help to stamp out workplace bullying, encouraging employers to introduce written policies, promoting Dignity at Work; representing employees who make complaints about bullying behaviour and providing information, advice and assistance on the subject to all BECTU members (84.3% in favour).
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BECTU Action on Bullying

As a result of the survey, from 2004 BECTU offers all its representatives a three part training programme that involves:

• A one-day induction for new representatives
• An 'Essential Skills for BECTU Reps' programme: this covers BBC branch officers, a three-part Organising For Growth, TUC representatives or equivalent General Federation of Trades Unions (Educational Trust) course
• A professional development programme (promoting diversity, negotiating, communication, stress and bullying).

Are the Arts 'Different'?

Traditionally, working in the arts has been regarded as a vocational occupation, undertaken with passion and superior to prosaic desires to make money or advance a career. Notwithstanding the appendage of 'industry' to every aspect of working life today, as in 'leisure industry' and 'creative industry', a touch of romanticism still lingers about working in the arts and might be held to contribute to the assertion that 'the arts are different'.

Performing Artists

> … creative, expressive individuals who are passionate about their craft. Patience, perseverance, and stamina…are crucial to success …And regardless of how a performer is feeling…the show must go on. Wetfeet: a 'recruitment solutions provider' based in San Francisco.

Of course, many of these qualities can be found in committed individuals in every walk of life.

Collaborative Working

Working in the performing arts is labour intensive: people collaborate in creative partnerships.

> … performing artists… must actively participate in the community and not be isolated from it; … the performing arts fulfil a variety of needs which range from enlightenment to entertainment to economic development; … are inextricably linked to the visual and language arts; … must consistently seek to develop breadth of expression in deference to the diversity of the public they serve…the performing arts are of, by, about and for the people… *Southwest Missouri State University, introduction to performing arts courses*

Of course, positive, effective teamwork, and attentive customer care, have become necessary requisites in many sectors.

Terms and Conditions

Commonly, people working at technical, administrative and executive levels in performing arts organisations deal with pressures which can include strict deadlines, long hours for the level of remuneration, and colleagues, line managers and leaders with variable egos and temperaments. Metier, an arts training and advice service in the UK, publishes the following facts about working in the arts:

- working hours tend to be seasonal, flexible and 'unsociable'
- large numbers of people who work in the industry work in other industries as well (whether by choice or need)
- pay for very few is very high but for the most part pay tends to be below comparable jobs in other industries
- working patterns tend to be freelance, part time or short term

Yet employment in the arts is booming: a study conducted in 2003 by the University of Warwick painted a picture of a vibrant, economically active cultural sector: at the end of 2000, some 760,000 people were employed in cultural occupations in the UK, compared with 610,000 in

1993[12]. In Canada, between 1971 and 2001, the number of artists more than tripled to 131,000, compared with an 81% increase in the overall labour force[13].

Undoubtedly insecure employment, long working hours and relatively low pay are features of many arts jobs, although this is not borne out entirely by the BECTU research[14], however other sectors entail long, unsociable working hours (health) and/or seasonal employment (tourism, catering, hotel industries). Workers in sport and the fire service, for example, also work in other professions. There are many freelance, part time and short term workers in other sectors, including education, retail and manufacturing.

The Arts as Vocation

Among arts managers the notion of the arts as vocation persisted: arts workers were not 'conventional', did not expect a 'normal' nine to five working day or a well-remunerated position. Choosing to work in theatres and arts centres, rather than offices, factories or shops, was 'different'. Managers believed that different employment conditions come with the performing arts territory, and workers believed they were among the hardest-pressed employees in any sector, often deprived of employment rights which apply elsewhere.

This perception, that arts organisations work outside the rules and limitations of the ordinary milieu, appears to be widespread. Soundings from Australia, the USA, New Zealand and Canada confirm as international the notion that the arts are 'different', at least among people who work in the arts. However many sectors consider themselves to be 'different' and this is reflected in current debates within, for example, education, health, organised religion, defence, tourism and the fishing industry.

The arts have many extraordinary qualities, including the capacity to enhance the human experience, and we should be proud of the fact that they are people-centred, as with the health and education sectors, for example. Alongside public accountability, the arts also has a duty of care to arts workers. The percentage of performing arts workers being bullied is higher than that previously reported in any other discipline, so the performing arts are indeed 'different': they are the market leaders in bullying behaviour in the UK.

The Resonance of Bullying in the Arts

In environments governed by 'command and control' management styles — prisons, police, the armed forces — we might expect the emphasis on discipline and obedience to create the climate in which mobbing and bullying flourishes. However this does not explain the adult bullying proven to be taking place in hospitals, schools, universities, churches and performing arts organisations, where a militaristic management style is often considered alien. It may be that bullying in the performing arts is enhanced by ego and pressure.

G. K. Chesterton said artistic temperament is a disease that afflicts amateurs — however it flourishes in professional environments too, often leading to conflict and hostility, such as Founder's Syndrome[15]. High levels of bullying in the performing arts may be explained by our focus on, and appreciation of, the charismatic personality, like the 'hero chief executives' noted by management writer Jeremy Pfeffer[16].

As in every sector, there is also pressure on

• individuals to perform well, sometimes in difficult circumstances

- supervisors to be exemplary role models, extracting maximum results from those they line manage
- departments to pull their weight internally
- organisations to compete with same-sector rivals
- individual sectors to lobby for resources nationally
- nations to compete, for example within Europe
- continents to vie for global positioning

If the performing arts continues to accept the unacceptable, in terms of misplaced ego and intolerable pressure, the bullying phenomenon will continue to grow with attendant effects, not least of which is an increasing tendency towards litigation.

Whose Fault is it Anyway?

The 'self-help' theory of blame attribution, prevalent in the UK in the early 90s, does not satisfactorily address the complex issue of workplace bullying (Figs 1 & 2). Significantly Sweden, in framing its legislation, did not hesitate to identify employers as responsible for eliminating potential contributing factors within the work environment. Other countries have followed:

> The first step in the prevention of workplace bullying is to establish clear anti-bullying policies and procedures. It may be appropriate to include bullying in the workplace violence policy. Appoint a contact person, encourage incident reporting, investigate all complaints, act promptly and provide education and training in the implementation of policies and procedures. (New Zealand)

Policy Development

All sensible employers have a policy on harassment and discrimination…[to]… protect both employees and the employer. The motivation is twofold: to provide an atmosphere in which employees can fulfil the duties and obligations of their contract free from harassment, discrimination, victimisation and scapegoating, and to comply with UK and European law, specifically, the Sex Discrimination Act (1975), the Race Relations Act (1976), and the Disability Discrimination Act (1996). (United Kingdom)

Most performing arts organisations have policies for discipline, grievance, sexual and racial harassment and gross misconduct. In the UK, few have yet devised separate dignity at work policies. Yet including bullying in company policies may be particularly important for small arts organisations. During the research a contributor commented:

> The organisation has no policies that I'm aware of to deal with [bullying behaviour]. Moreover, it does not have a personnel officer, nor a nominated officer to whom a member of staff can turn if they are experiencing ANY sort of difficulty within the workplace. *1R2*

Training

Alongside policy development, the lack of training in human resources management must be addressed. The managers in the Pilot Study worked with up to 800 employees: all were senior line managers and three-quarters were line-managing other line managers. Yet only 8% had received accredited training in human resources management. Nearly 42% had had informal

hands-on workplace training only; another 34% had had some non-accredited professional training and 16% had no training at all. Surely managers in charge of people need and deserve education, training or experience of managing people? A common attitude in this group is best summarised by one manager's response when he recorded his training in people management as

> …forty years as actor/stage manager, director, Artistic Director at three theatres.
> *1R18*

Legislation

Legislation alone will not prevent or remove workplace bullying, however it may act as a catalyst, highlighting human resources issues in the workplace, and mending loopholes in existing laws. In the UK trades unions have played a significant part in raising the bullying issue, in researching strategies to address it[17] and in lobbying to change UK law.[18] In Australia, Canada, France, Sweden and the United States, the profile of workplace bullying continues to rise, although not yet in performing arts organisations. This tends to occur at a socio-political level as well-meaning individuals or groups attempt to confront and deal with the problem. In particular, the approaches adopted in Australia and the UK have been collaborative processes between responsible employers, unions, politicians, University researchers and voluntary and community groups, seeking the introduction of meaningful and effective legislation.

Conclusion

In the performing arts there is a need to acknowledge the existence of workplace bullying and its personal, organisational, legal and economic consequences. Further research is required to better understand the psyche of the bully and those aspects of the performing arts environment which create the climate in which bullying happens. People working in the performing arts need to have an input into the collaborative processes and methods for tackling bullying behaviour, including policy development and appropriate training for managers. In this respect, the performing arts could lead the way in identifying routes to prevent and eradicate workplace bullying, rather than topping the league tables for its high prevalence.

Notes

[1] Other common terms include psychological terrorisation and horizontal violence.
[2] Which then ran out of parliamentary time.
[3] However, see Appendix 1.
[4] For a comprehensive list of bullying behaviours see Appendix 2.
[5] CBI figures from Room for Improvement, CBI Absence and Labour Turnover 2004.
[6] Ranging from £286 in the smallest organisations to £714 in those with over 5000 employees.
[7] The anonymity of respondents is protected so the quotations are identified with numerical references only.
[8] The minority ethnic population was 4.6 million in 2001 or 7.9% of the total population of the UK, Office of National Statistics, Census 2001.
[9] The pool of casual workers was larger among men, however twice as many female as male workers were freelance. The smallest group of female workers was the group on fixed-term contracts and the smallest group of male workers was the freelance group. Permanence and job security were also features of the study: almost 30% of the BECTU members had given more than ten years of service in their current jobs and almost 43% had given between three and ten years.

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[10] Theatrical Management Association is the industry body and main support network for theatre managers in the UK. Members include repertory, producing theatres, arts centres and touring venues.

[11] This comprises 100% of respondents in the North East of England and Northern Ireland; over 75% of those in the North West of England and Scotland; 67% of those in the South East of England; over 60% of those in London (not the West End) and the Midlands; over 58% of those in Yorkshire & the Humber and the West End and 50% of those in Southern England.

[12] See Appendix 8 for a summary of the main findings.

[13] Hill Strategies Research.

[14] Contrary to assertions by Metier and the Arts Council about the nature of performing arts work in the UK, more than two-thirds of all jobs were full-time. Over 62% of women and 73% of men worked full-time and there were twice as many women as men working part-time.

[15] First identified in 1997 by Andrew Gaupp from the USA.

[16] In McKeown M. and Whiteley P. "Unshrink", London 2002 p.50.

[17] MSF 1995, UNISON 1997 & 1999, BECTU 2003.

[18] Dignity at Work Bill, 1996.

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Walmsley, C. 1991 *Assertiveness, the Right to be You* London, BBC Self-Help Series.

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Internet Resources

Definition of Moral Harassment:
http://www.bc.edu/schools/law/lawreviews/meta-elements/journals/bciclr/27_2/10_TXT.htm

Definitions of le harcèlement moral:
http://www.hmstop.com/

International legislation on bullying
http://www.bullyinginstitute.org/home/twd/bb/bbstudies/intlaw.html

Proposed amendments to the Ontario Occupational Health and Safety Act :
http://www.ontla.on.ca/documents/Bills/38_Parliament/Session1/b126_e.htm

Canadian Law (Ontario):
http://bullybusters.org/advocacy/

USA progress on Workplace Bullying Awareness Bill:
http://bullybusters.org/advocacy/

Australia: WorkCover (Queensland) Act 1996:
http://www.legislation.qld.gov.au/LEGISLTN/REPEALED/W/WorkCoverQA96_05E_030509.pdf

Case studies of bullying in Australia:
http://workers.labor.net.au/cgi-bin/search/search.pl?searchstring=bullying

France: Industrial relations Act (1999):
http://www.bc.edu/schools/law/lawreviews/meta-elements/journals/bciclr/27_2/10_TXT.htm

France & Sweden/EU: The Development of Moral Harassment (or Mobbing) Law in Sweden and France as a step towards EU Legislation:
http://www.bc.edu/schools/law/lawreviews/meta-elements/journals/bciclr/27_2/10_TXT.htm

New Zealand's Accident Compensation Scheme**:**
http://www.bulliesincorporated.co.nz/Links.htm#Government%20Taskforces%20and%20Legislation
and
http://acc.co.nz/injury-prevention/safe-at-work/worksafe/action/hazard-management/people/bullying/
and action to take to combat bullying (New Zealand, Health and Safety Directive) http://acc.co.nz/injury-prevention/safe-at-work/worksafe/action/hazard-management/people/bullying/
Japan:
http://www.bullyinginstitute.org/home/twd/bb/bbstudies/japanese.html

Metier Arts Advice (UK) Facts about working in the creative industries sector:
http://www.artsadvice.com/knowledge/default.asp

Arts Council England news release:
http://www.artscouncil.org.uk/pressnews/press_detail.php?rid=10&id=108&page=7

University of Warwick Study *Artists in figures: a statistical portrait of cultural occupations*:
http://www.artscouncil.org.uk/. Marston Book Services tel ++44 (0)1235 465500 or
mailto:direct.orders@marston.co.uk

Office of National Statistics, Census 2001:
http://www.statistics.gov.uk/cci/nugget.asp?id=273

BECTU News items:
http://www.bectu.org.uk/news/ae/na0087.html and http://www.bectu.org.uk/news/ae/na0030.html

Appendix

Appendix 1: Le Harcèlement Moral (definitions)

DEFINITION DU HARCÈLEMENT MORAL RETENUE PAR HMS
<<Toute conduite abusive, de tout supérieur hiérarchique ou collègue, qui pendant une durée certaine se manifeste par des comportements, des actes, des paroles, des écrits, répétés, visant systématiquement la (les) les même(s) personne(s), portant ainsi gravement atteinte à sa personnalité, son intégrité psychique, tendant à rendre impossible le maintien de son emploi en dégradant volontairement ses conditions de travail.>>

<<Toute conduite abusive qui se manifeste notamment par des comportements, des paroles, es actes, des gestes, des écrits, pouvant porter atteinte à la personnalité, à la dignité ou à l'intégrité physique ou psychologique d'une personne, mettant en péril l'emploi de celle-ci ou dégradant le climat social.>>
«Le Harcèlement moral, La violence perverse au quotidien.»
Marie-France Hirigoyen,
Editions Syros

<<Le harcèlement moral au travail est un "harcèlement par la dégradation délibérée des conditions de travail".
Proposition de loi du 14 décembre 1999>>

Appendix 2: Types of Bullying

(Tim Field: available from: http://www.bullyonline.org/workbully/bully.htmTypesofbullying)

Pressure bullying or **unwitting bullying** is where the stress of the moment causes behaviour to deteriorate; the person becomes short-tempered, irritable and may shout or swear at others. Everybody does this from time to time, but when the pressure is removed, behaviour returns to normal, the person recognises the inappropriateness of their behaviour, makes amends, and may apologise, and - crucially - learns from the experience so that next time the situation arises they are better able to deal with it. This is "normal" behaviour and I do not include pressure bullying in my definition of workplace bullying.
Organisational bullying is a combination of pressure bullying and corporate bullying, and occurs when an organisation struggles to adapt to changing markets, reduced income, cuts in budgets, imposed expectations, and other external pressures.

Corporate bullying is where the employer abuses employees with impunity knowing that the law is weak and jobs are scarce, eg:
- coercing employees to work 60/70/80 weeks on a regular basis then making life hell for (or dismissing) anyone who objects
- dismissing anyone who looks like having a stress breakdown as it's cheaper (in the UK) to pay the costs of unfair dismissal at Employment Tribunal (eg £50K maximum, but awards are usually paltry) than risk facing a personal injury claim for stress breakdown (eg £175K as in the John Walker case)
- introduces "absence management" to deny employees annual or sick leave to which they are genuinely entitled
- regularly snoops and spies on employees, eg by listening in to telephone conversations, using the mystery shopper, contacting customers behind employees backs and asking

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leading questions, conducting covert video surveillance (perhaps by fellow employees), sending personnel officers or private investigators to an employee's home to interrogate the employees whilst on sick leave, threatening employees with interrogation the moment they return from sick leave, etc.

- deems any employee suffering from stress as weak and inadequate whilst aggressively ignoring and denying the *cause* of stress (bad management and bullying)
- "encourages" employees (with promises of promotion and/or threats of disciplinary action) to fabricate complaints about their colleagues
- employees are "encouraged" to give up full-time permanent positions in favour of short-term contracts; anyone who resists has their life made hell

Institutional bullying is similar to corporate bullying and arises when bullying becomes entrenched and accepted as part of the culture. People are moved, long-existing contracts are replaced with new short-term contracts on less favourable terms with the accompanying threat of "agree to this or else", workloads are increased, work schedules are changed, roles are changed, career progression paths are blocked or terminated, etc - and all of this is without consultation.

Client bullying is where employees are bullied by those they serve, eg teachers are bullied (and often assaulted) by pupils and their parents, nurses are bullied by patients and their relatives, social workers are bullied by their clients, and shop/bank/building society staff are bullied by customers. Often the client is claiming their perceived right (eg to better service) in an abusive, derogatory and often physically violent manner. Client bullying can also be employees bullying their clients.

Serial bullying is where the source of all dysfunction can be traced to one individual, who picks on one employee after another and destroys them. This is the most common type of bullying I come across; most of this web site is devoted to describing and defining the serial bully, who exhibits the behavioural characteristics of a socialised psychopath. Most people know at least one person in their life with the profile of the serial bully; most people do not recognise this person as a socialised psychopath, or sociopath. I estimate one person in thirty is either a physically-violent psychopath who commits criminal acts, or an antisocial whose behaviour is antisocial, or a sociopath who commits mostly non-arrestable offences. For an in-depth insight into serial bullying, click here.

Secondary bullying is mostly unwitting bullying which people start exhibiting when there's a serial bully in the department. The pressure of trying to deal with a dysfunctional, divisive and aggressive serial bully causes everyone's behaviour to decline.

Pair bullying is a serial bully with a colleague. Often one does the talking whilst the other watches and listens. Usually it's the quiet one you need to watch. Usually they are of opposite gender and frequently there's an affair going on.

Gang bullying is a serial bully with colleagues. Gangs can occur anywhere, but flourish in corporate bullying climates. If the bully is an extrovert, they are likely to be leading from the front; they may also be a shouter and screamer, and thus easily identifiable (and recordable on tape and video-able). If the bully is an introvert, that person will be in the background initiating the mayhem but probably not taking an active part, and may thus be harder to identify. A common tactic of this type of bully is to tell everybody a different story — usually about what others are alleged to have said about that person - and encourage each person to think they are the only one with the correct story. Introvert bullies are the most dangerous bullies.
Half the people in the gang are happy for the opportunity to behave badly, they gain gratification from the feeling of power and control, and enjoy the patronage, protection and reward from the serial bully. The other half of the gang are coerced into joining in, usually through fear of being the next target if they don't. If anything backfires, one of these coercees will be the scapegoat and sacrificial lamb on whom enraged targets will be encouraged to vent their anger. The serial bully watches from a safe distance. Serial bullies gain a great deal of gratification from encouraging and watching others engage in conflict, especially

those who might otherwise pool negative information about them. Gang bullying or group bullying is often called mobbing and usually involves scapegoating and victimisation.

Vicarious bullying is where two parties are encouraged to engage in adversarial interaction or conflict. Similar to gang bullying, although the bully may or may not be directly connected with either of the two parties. One party becomes the bully's instrument of harassment and is deceived and manipulated into bullying the other party. An example of vicarious bullying is where the serial bully creates conflict between employer and employee, participating occasionally to stoke the conflict, but rarely taking an active part in the conflict themselves.

Regulation bullying is where a serial bully forces their target to comply with rules, regulations, procedures or laws regardless of their appropriateness, applicability or necessity. **Legal bullying** — the bringing of a vexatious legal action to control and punish a person — is one of the nastiest forms of bullying.

Residual bullying is the bullying of all kinds that continues after the serial bully has left. Like recruits like and like promotes like, therefore the serial bully bequeaths a dysfunctional environment to those who are left. This can last for years.

Cyber bullying is the misuse of email systems or Internet forums etc for sending aggressive flame mails. Serial bullies have few communication skills (and often none), thus the impersonal nature of email makes it an ideal tool for causing conflict. Sometimes called cyberstalking.

Appendix 3: The Status of International Laws Relating to Bullying Behaviour

France
Industrial relations Act (1999) and Law for "Social Modernisation" (2002)
The 2002 law is derived from the report of the Economic and Social Council, April 2001, which was a consultative public body that conducted public hearings on bullying (mobbing).

> The definitions used were: Mobbing (bullying) is "the perverse implementation of power ...a means of subjugation and persecution of the other, questioning his fundamental rights as the respect which is due him or her"
> "Consequences ... can be detrimental to the good functioning of the company: disorganisation of production, both quantitative and qualitative, and financial effects."

France has a duality of jurisdictions: one for civil servants (1 of 4 working French) with peer civil servant Administrative 'Judges' (not trained as judges) and one system of Judiciary Judges for all others (who are trained by the National School of Magistracy). The new Law treats public sector employees differently and France was found to have breached the European Convention of Human Rights primarily because of the inequities across the systems. In fact, in France, the courts recognized moral harassment, though not by name, long before legislation was implemented. (See The Development of Moral Harassment Law in France, Appendix 4.)

Canada
Occupational Health and Safety Act, Ontario
In October 2004 a Private Members' Bill (126) was introduced in the Legislative Assembly of **Ontario**, as a means to protect workers from harassment in the workplace. The Bill proposes that harassment and sexual harassment be specifically included as workplace hazards in Ontario's *Occupational Health and Safety Act.* The Bill's definition of "harassment" is that it "... includes sexual harassment and harassment because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sexual orientation, age, record of offences, marital status, same-sex partnership status, family status or disability".
According to The Workplace Bullying & Trauma Institute, USA & Canada, the Private Members' Bill requires employers to ensure that every worker is protected from workplace-related harassment, and to

prepare appropriate policy and guidelines. It also requires harassment prevention training for workers including those who exercise managerial functions. The Bill also proposes a definition of the phrase "workplace-related harassment" to mean:

a) harassment by a worker's employer or supervisor or by another worker, whether or not the harassment occurs at the workplace, or

b) harassment that has the effect of interfering with the performance of any worker at the workplace or that creates an intimidating, hostile or offensive work environment for any worker.

Protection from Harassment Act, Quebec

The Act was introduced in 1997 followed by new legislation in 2004 to protect employees from 'le harcèlement psychologique', described according to the Commission des normes du travail:

> Psychological harassment [at work] means any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures. This vexatious behaviour affects an employee's dignity or psychological or physical integrity. It 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.

The Act allows that employees at every level have recourse to the legislation in the event of psychological harassment although how this is taken forward varies according to whether the employee comes from the public or private sector and according to whether or not the employee is a member of a union.

USA
The Workplace Bullying Awareness Bill

The Workplace Bullying & Trauma Institute is working on a Roadmap to a 2005 Law, and regularly reports on the progress being made, with varying degrees of success. Massachusetts passed the Bill on November 2, 2004 and Washington State followed suit:

> The House Committee on Commerce & Labour voted to PASS the bill on March 2 [2005]. An amount of $40,000 would be set aside to conduct the statewide survey through the Employment Security Department with a report due by Dec. 1, 2005. The insertion of the funding does two things. (1) HB 1968 becomes SHB 1968 'S' for Substituted House Bill, and (2) the bill is referred to the House Appropriations Committee where it must pass…The power of the bill is that the State will recognize Workplace Bullying as a destructive phenomenon affecting the workplace. For 2005, SHB 1968 is focused solely on research and education without an employer mandate.

But the Bill did not prevail in **Oklahom**a*, where it was introduced on January 20, 2004, and is reported to have '…died in The Commerce, Industry and Labour Committee.' Other states currently considering the legislation include* **Oregon** *and* **Hawaii.**

Australia
Under Common Law

An employer is under a duty to protect workers from workplace bullying. This duty exists in tort, for example, negligence — failure to provide a safe workplace, and also as an implied term in the employment contract that the employer would not, without reasonable cause, destroy or seriously damage the relationship of trust and confidence between employer and worker.

Industrial Relations Act 1999

Where a worker is dismissed or is forced to resign as a result of workplace bullying ... that person is entitled to an unfair dismissal claim

WorkCover (State of) Queensland Act (1996)

A worker who suffers an injury or disease as a result of workplace bullying may submit a claim for workers' compensation.

Public Sector Ethics Act 1994 States five "ethics obligations," including "respect for persons." These obligations are intended to provide the basis for codes of conduct for public officials, to be developed by government departments and other public sector entities.

Criminal Code

When bullying involves physical assault or threat of assault, Section 346 of the Criminal Code states: "Any person who assaults another with intent to hinder or prevent him from working ... is guilty of an offence and is liable to imprisonment with hard labour for three months."

Campaign by the Australian Council of Trade Unions (applies also to New Zealand)

Being Bossed Around Is Bad For Your Health: The Workplace Is No Place for Bullying This campaign aims to raise awareness amongst the community, workers, unions, employers, health professionals, OHS [Office of Health and Safety] authorities and governments that bullying is a serious health and safety hazard. It is estimated that 350,000 people are subjected to long term bullying in Australia, while 2.5 million experience some aspect of bullying over the course of their working lives. Workplace bullying may be costing Australian business up to $3 billion annually. Over half the respondents (53%) to union surveys report an unhappy and oppressive workplace, and 54% say that that intimidating behaviour — shouting, ordering and belittling people — happens in their workplaces. Almost a third report abusive language.

New Zealand

Accident Compensation Scheme

Workplace bullying refers to the continuous ill treatment of a person by another individual or group at work. It includes behaviour that intimidates, offends, degrades and humiliates the recipient such as verbal abuse, unjust criticism, threats, sarcasm and teasing. Sometimes it involves physical violence. Workplace bullying is listed as a hazard by the Accident Compensation Corporation (ACC), which administers this scheme in New Zealand, providing personal injury cover for all New Zealand citizens, residents and temporary visitors. In return, people do not have the right to sue for personal injury, other than for exemplary damages.

ACC is a Crown entity responsible for:
- preventing injury
- collecting personal injury cover levies
- determining whether claims for injury are covered by the scheme and providing entitlements to those who are eligible
- paying compensation
- buying health and disability support services to treat, care for and rehabilitate injured people
- advising the government.

ACC pledges to prevent injury, to provide the best treatment and care if injury occurs, and to quickly rehabilitate people back to work or independence at a price that offers high value to levy payers and all New Zealanders.

United Kingdom

The Dignity At Work Act

Proposed House of Lords, 2001; Passage failed in House of Commons, 1997

In the UK, following the lack of parliamentary time in 1997, the Dignity at Work Bill was re-introduced and by May 2002 had had its third unopposed reading in the House of Lords, which has encouraged many to expect the Bill to become law during the next Parliament. It allows for the presentation of a bullying case at employment tribunal, if reported within three months of the [first] incident, and offers employers a defence mechanism:

> An employer shall not be liable where the following circumstances apply: (a) at the time of the act complained of, the employer has in force a Dignity at Work Policy [outlined in the document]and has taken all reasonable steps to implement and enforce the Policy, including the appointment of a competent person to assist with compliance, (b) the act

complained of is repudiated within three working days after they are notified, and (c) the employer takes all steps necessary to remedy any loss, damage or other detriment suffered by the complainant.

The Act applies to Wales, Scotland and England, but not to Northern Ireland. (See Bullying Help and Support Groups in the United Kingdom, Canada, the USA and Australia in Appendix 4.)

Appendix 4: The Development of Moral Harassment Law in France

In France, the courts recognized moral harassment, though not by name, long before legislation was implemented. As early as 1960, the French Supreme Court (Cour de Cassation) affirmed a judgment of damages awarded against IBM France, where an employee was terminated after her responsibilities were reduced without cause. In 1973, the French Supreme Court found in favour of a manager whose employer took his secretary and telephone away and demoted him to sweeping a warehouse floor in order to force his resignation. These cases foreshadowed Hirigoyen's definition of moral harassment as occurring when the employee is the target of an intentional harm and Leymann's identification of moral harassment behaviours that affect the victim's professional life.

Following the publication of Hirigoyen's book in 1998, French courts began to mention moral or psychological harassment in their opinions. On February 15, 1999, the Court of Appeals of Pau (Cour d'appel de Pau) reversed the lower court's 1998 decision that "psychological harassment" (harcèlement psychologique) justified a hairdresser's breach of employment contract. In this case, the hairdresser took seven months of sick leave for depression caused by her employer's constant criticisms, including comments in front of clients. The Court of Appeals held that the employer's criticisms, although causing tension in the workplace, did not rise to a level of "psychological harassment" that would have rendered the continuation of contractual relations impossible.

In 2000, the Social Security Court of Vosges (Tribunal des affaires de sécurité sociale des Vosges) broadened the applicability of moral harassment claims when it recognized that an accident caused by moral harassment would qualify as a "work accident" (accident du travail) for the purposes of collecting benefits from the regional health insurance agency (Caisse primaire d'assurance maladie or C.P.A.M.). In this case, a cleaning woman under psychological pressure from her supervisor was rendered paraplegic after jumping from the third story of her employer's building. The court held that the employee's attempted suicide satisfied the Social Security Code's definition of a "work accident" as occurring because of or during work (survenu par le fait ou à l'occasion du travail).

The introduction of moral harassment laws in France was further precipitated by the use of existing provisions in the Penal Code to punish moral harassment behaviour. In 2001, the Regional Court of La Roche sur Yon (Tribunal de grande instance de La Roche sur Yon) applied Article 225–14 of the Penal Code—providing that anyone who abuses a position of dependency to submit another to working conditions that are incompatible with human dignity may be punished by two years imprisonment and a fine of 500,000 French francs—against the owner of a confectionary company. Although not specifically mentioning moral harassment, the court outlined the owner's many actions that humiliated his employees: in his workshop he did not permit employees to raise their heads, talk, or smile; he gave out warnings and even fired employees for talking; and at one point, he took away the employees' chairs and would no longer allow them to sit down while working. Later, in 1999, the Labour Court of Paris (Conseil de Prud'hommes de Paris) awarded 100,000 French francs to a hotel employee whose supervisor constantly criticized and humiliated her in front of clients and colleagues, changed her working hours incessantly, and forced her to work with English and computers despite a lack of training in these skills. Here, the court held that the employee, whose depression forced her to take sick leave for two years, had established a causal link between her illness and the "moral harassment" (harcèlement moral) she endured. This decision is compatible with Hirigoyen's definition of moral harassment as involving humiliation and Leymann's classification of behaviours affecting the victim's reputation and professional life.

Protections for Private workers in France
May request external mediation with one month time limit for both parties to appear.
Retaliation is prohibited against testifying, recording or relating bullying behaviour, direct or indirect, whether it concerns remuneration, training, redeployment, or appointment. [France has no other whistleblower protection laws.]
Evidence of harassment is first provided by victim.
Onus of proof is on the accused harasser to show:
(a) that there was no bullying, or
(b) that the "decision" was objectively justified.
Perpetrator has the opportunity to show her or his good faith because "false accusations of harassment can themselves constitute an effective form of harassment."
Unions may go to court on behalf of employee providing support, financial and other.
Employers are responsible for bullying and they are to "take all necessary steps in view to prevent mobbing behaviour."
Executives ... can possibly be perpetrators, or their accomplices, or be victims themselves. It is thus essential that they should be fully informed (by) training of this staff in the field of harassment and general human resource management.

Civil Servants in France
Financial penalties permitted when annual bonuses (up to 50% of income) can be arbitrarily
reduced when the accuser's superior claims "la maniere de servir" "the way one is" and used by Administrative Judges in cases heard despite not being defined in the law
No mediation option
Unions are prohibited from court involvement on behalf of the worker
No time limit for procedures
No manager or minister is held responsible
Case matters are not to be discussed or risk breach of "devoir de reserve" — thus bullied workers effectively risk termination for participating in the process, if superior chooses to invoke this principle whose interpretation is left up to the Administrative Judges on a case-by-case basis.

Appendix 5: The Development of Moral Harassment (or Mobbing) law in Sweden and France as a step towards EU legislation

The current position of the European Commission is that moral harassment is covered under the Safety and Health Framework Directive; however, this directive is inadequate because it focuses on physical rather than psychological risks. The European Council should thus draft a new directive. In conformity with Leymann's and Hirigoyen's studies and existing legislation in Sweden and France, the new directive should define moral harassment in terms of the pervasiveness rather than the severity of incidents. Furthermore, in using directives already in force—such as the Workplace Directive, the General Equal Treatment Directive, and the Racial and Ethnic Origin Directive—as models, the new moral harassment directive should address the following: (1) guidelines for employers, (2) a similar burden of proof for both the employer and employee, (3) sanctions, (4) provisions for the dissemination of information, and (5) provisions encouraging dialogue with unions and other interested non-governmental organizations. *Maria Isabel S. Guerrero*
Full text:
http://www.bc.edu/schools/law/lawreviews/meta-elements/journals/bciclr/27_2/10_TXT.htm

Appendix 6: Bullying Help and Support Groups in the United Kingdom, Canada, the USA and Australia

Support Groups In the UK
DAWN Dignity At Work Now is a bullying in the workplace support and campaign group in the West Midlands, England. Membership is open to anyone with experience of or interest in bullying including

targets, their families, professionals, etc. Meetings are held on the first Wednesday of each month. For more information and membership details email DAWNINFORM@aol.com

OXBOW (for Oxfordshire employees Bullied Out of Work) is a support group for people who are being or have been bullied. Consisting mostly (but not exclusively) of teachers, ex-teachers and ex-social workers, the group meets in Oxford to pool knowledge and experience to help members gain justice. For details contact Jennie Chesterton, Tel 01367 710308. Like-minded public sector employees actively tackling bullying around the UK are welcome to make contact.

Berkshire and Surrey workplace bullying support group was founded in February 2000 as a self-help and support group for people who have experienced stress through bullying at work. Meetings are currently every other month. The group focus is on individuals moving forward and meetings are in a positive vein. Contact Jo Butcher, tel 01753 861706.

Mid-Wales: We're building up a party of interested people to start a new support group covering Builth Wells, Brecon, Llandrindod Wells - all in Powys, mid-Wales. Contact Vicky via email at bullied_at_work@hotmail.com

West Country Support Group: WCSG has been set up to help victims of workplace bullying from the West Country of England. WCSG aims to provide on-line and face to face mutual support to those who are suffering, or have suffered, from bullying in the past: http://uk.groups.yahoo.com/group/westcountrysupport/

SupportYou.org is a support group for targets of workplace bullying and/or harassment in **East Anglia,** England.

The Independent Police Support Group is a support group for all police staff in relation to bullying and whistleblowing. The group is currently seeking volunteers to form a core group with varying skills and experience. The group is also open to former members of police staff and would be keen to hear from staff who have left the service due to bullying or having been victimised for highlighting malpractice. Please write in confidence to: Independent Police Support Group, 27 Old Gloucester Street, London WC1N 3XX or email ipsg01@aol.com

BALM (Bullied & Abused Lives in Ministry) offers support to church ministers and their close family.
If you're a target of corporate bullying and macho management (sic) anywhere in the UK you might like to contact the support group HSG. They can assist you in identifying the bullying techniques used in public or large private sector corporations and help you put yourself back in control. They have particular experience in dealing with local authority bullying. Contact Heather Hogan BA Hons, M Inst, L Exec, tel 07788 571990.

Bully at Work - Support Group in the north and north east of England. Email bullybully@fsmail.net to talk to others who have experienced what you are going through. Bully at Work is an independent group which aims to heighten the profile of workplace bullying, and to support those who have experienced or are experiencing bullying at work, eg with literature, training, support group meetings, editorials for the media, developing model policies, telephone help, online support, and networking.
Adult Bullying Clampdown - Northern Ireland: The ABC support group for adults who have been bullied at work meets from time to time and the venue and time will be announced in the local press or in Tim Field's newsletter Bullying Times. Many of our members feel it is important to keep in touch as they have found the support invaluable to their situation. More info from abclampdown@btinternet.com

Freedom to Nurse is a group run by and for grassroots nurses with the aim of allowing qualified nurses the freedom to practise our skills at the bedside. We offer support to nurses who are bullied when they try and tackle problems at work such as: lack of staff; poor skill mix; inadequate patient care by support workers in nursing homes. We can be contacted by e-mail on freedomtonurse@yahoo.com or by post at Freedom to Nurse, PO Box 37, Worksop, Notts S80 1ZT. Write for a copy of our Survival Guide!

A support forum for **UK Post Office**, and in particular the Royal Mail, employees and ex-employees. To join see http://www.egroups.com/subscribe/Red_and_blues or subscribe via http://www.workplacebullying.com

Bullying support groups in Canada
Anti Workplace Bullying Support Group in Vancouver, BC, Canada: we're Karen and Stephen and we're two targets of workplace bullies who have set up a support group in the Greater Vancouver area (Canada) which meets monthly. Our aim is to share information pertaining to laws and regulations in British Columbia (which seems to be at least ten years behind much of the "civilized" world) and raise enough awareness within the province to facilitate a change in attitude. We also wish to offer mutual support, advice, help and encouragement for fellow targets of workplace bullying. To join or find out more, please email us at nobullyforme@shaw.ca, letting us know how we may contact you, which city you are from and, if you like, a bit of background with regards to your bullying experience. We have a web site at **http://www.nobullyforme.org/** and a forum/board for people with updated articles and health info at **http://p066.ezboard.com/bnobullyforme**

Bullying support forum for targets of bullying in North America (USA and Canada)
Nineveh Group is a ministry of Crever Memorial United Methodist Church in Petersburg, Pennsylvania helping individuals coping with workplace bullying and/or mobbing. We are located in central Huntingdon County, about 25 miles south of State College and 25 miles northeast of Altoona, Pennsylvania. Contact: G E Croyle, Lay Contactperson, Nineveh Group, Crever Memorial United Methodist Church, Petersburg, PA 16669-0034, USA. Email Nineveh-Owner@YahooGroups.com.
Nineveh has an online forum for support and discussion. To join see http://groups.yahoo.com/group/Nineveh and once you've joined you can see the Nineveh bookmarks page at http://groups.yahoo.com/group/Nineveh/links which contains links to further resources.

Bullying support groups in Australia
There are a number of groups in Australia dealing, in part, with the problem of workplace bullying and some of these are actively lobbying for new legislation. They include unions, the Queensland Working Women's Service and Job Watch Inc., Victoria. The Beyond Bullying Association Inc. is the foremost community action group addressing the problem in Australia.

BULLIED WORKERS RECLAIMING OUR LIVES PROJECT: the Bullied Workers Support Action Network (BWSAN) operates from 78 Hutt St, Adelaide, and offers support to bullied and harassed workers. It provides information, assistance and support for workers with their cases, refers people to other agencies and assists healing and return to work through a fortnightly networking and sharing between bullied and harassed workers. Meetings are held on the first and third Saturday of every month at 3pm at The Colour Building 78 Hutt St, Adelaide, corner of Wakefield St. Call Don on 0422 103 945 or 8178 1067 if you're coming or for more details: Attorney General's Department, New South Wales, Australia, support group web site: http://www.gonowto.us/agdbullying/

Workplace Bullying Support Group: The Workers Health Centre is holding an information session for people who want to be involved in a pilot support group for victims of workplace bullying. The session will be held at the Centre's premises, 12 Railway Street, Lidcombe on Friday July 25 2003 from 4pm to 6pm. Workers interested in attending the information session are asked to ring the Centre on ph: 02 9749 7666 to register beforehand. For further information contact Denise Mowbray on ph: 02 9749 7666. See http://unionsafe.labor.net.au/news/105771311724748.html
All above courtesy of Tim Field's website: http://www.bullyonline.org/

Appendix 7: Anti-bullying Support Groups and Movements elsewhere

Belgium: SASAM is the Belgian movement against bullying. The organization is focused on 4 points : battling bullying, prevention, sensibilizing the media and the public, political lobbying regarding laws to be improved.

Holland: Stop Mobbing stil verdriet op de werkvloer. See also **http://www.pesten.net**. and Psychische terreur op het werk: a Dutch web site on workplace bullying.
Ireland: Attempts to deal with workplace bullying in the Republic of Ireland are in their infancy. While some unions have raised awareness of the problem at conferences, research into the problem is limited. A small unit dealing with workplace bullying is established at Trinity College, Dublin. Known as the Anti-Bullying Centre, it is a research and resource unit dedicated to addressing the problem through counselling and research.

Italy: PRIMA Associazione contro Mobbing e Stress Psico-sociale, founded in 1996, is the first Italian Association against Mobbing and Psychosocial Stress: PRIMA Associazione contro Mobbing e Stress Psico-sociale, via Tolmino 14, 40134 Bologna, Italy, Tel +39-051-6148919, fax +39-051-941926, e-mail **harald.ege@iol.it**: web site **http://aziende.iol.it/prima**.
Dr Harald Ege, the Director, has written the following books (in Italian):
Harald Ege, "Mobbing", Pitagora, Bologna, 1996
Harald Ege, "Mobbing in Italia", Pitagora, Bologna, 1997
Harald Ege and Maurizio Lancioni, "Stress e Mobbing", Pitagora, Bologna,1998
Harald Ege, "I numeri del Mobbing", Pitagora, Bologna, 1998
See also: "Stop mobbing. Resistere alla violenza psicologica sul posto di lavoro" (Stop mobbing. Resisting psychological violence at work), Antonio A. Casilli, Rome, DeriveApprodi, 2000. Foreword by Paul McCarthy from the Australian Beyond Bullying Association.
Antonio A. Casilli, MAP book series Editor, DeriveApprodi Srl, via Visso 12-14, 00157 - Rome, Italy. To order copy of the book: tel +39 06 4121 9614, fax +39 06 4124 9505, email derive.approdi@libero.it, website: http://www.ecn.org/deriveapprodi

Japan: Workplace Bullying in Universities in Japan is the web site of K Ogoshi (who won her case in court) and N Wakayama.
See also: *Bullying at Work in Japan* (in Japanese), Yujiro Tokunaga, Neil Crawford, Rika Sato, NHK Publications, Tokyo, 1997, ISBN 4-14-080349-5

South Africa: Susan Marais' *Foundation for the Study of Work Trauma* is at http://www.worktrauma.org

Spain: AGAVAL is the Asociacion Gaditana de Ayuda a Victimas de Acoso Laboral
Also**:** El síndrome del acoso institucional: Norma sobre Acoso: Mitigación del Acoso Institucional, estrategias para prevención
Also: Maria J. Martinez-Pascua has translated some pages from Bully OnLine at http://www.terra.es/personal4/mmpascua/ and http://pascua.xoasis.com/ under the Ethics heading.
Also: El Acoso Moral en el Trabajo desde la Óptica Social : forum on bullying: MOBBING.NU at http://www.mobbing.nu
Also*: El maltrata psicologico* (book)

Switzerland: Mobbing-Zentrale Schweiz

Appendix 8: Information about BECTU

BECTU is the independent union for those working in broadcasting, film, theatre, entertainment, leisure, interactive media and allied areas who are primarily based in the United Kingdom. The union represents

more than 25,000 members who are permanently employed, contract and freelance workers within these sectors. Membership is voluntary, and anyone working or seeking employment in the sectors covered by BECTU can apply. The union is financed entirely by individual subscriptions from members. BECTU's affiliations include:

- Trades Union Congress: The TUC is the internationally recognised centre for UK unions.
- Union Network International: UNI has more than 900 affiliated unions around the world.
- General Federation of Trade Unions: The GFTU is the UK federation for specialist unions.
- Federation of Entertainment Unions: The FEU grouping consists of six UK unions: BECTU; Equity (representing actors); Musicians Union; NUJ (National Union of Journalists); Professional Footballers Association; Writers Guild of Great Britain;
- Labour Party: The political party which formed the current UK government.

Complaints made to BECTU about Bullying

Action halted in Glasgow theatre: Plans for stoppages at Glasgow's Tramway are on hold during peace talks. BECTU postponed strikes which were intended to run from four days from April 22 after controversial proposals for redundancies and changed working practices were withdrawn. Glasgow Council, which owns the theatre, took its plans off the table after being hit by earlier stoppages in March, and agreed to reopen negotiations with BECTU. Members at the theatre have complained of management tactics, which have ranged from serious breaches of contract to alleged cover-ups of bullying. One manager at the centre of the allegations resigned after the first 24-hour stoppage in March. (April 2003)

West End: theatre members want a return to annual pay negotiations, better job security and action on bullying. (June 2000)

Also, the **TUC** (which has 70 affiliated unions representing nearly seven million working people from all walks of life) had been highlighting the issue since 1999 when it produced a handbook "Beat Bullying at Work: A guide for reps and personnel managers showing how unions and managers have worked together to reduce bullying.."

Issues about BECTU and membership, raised during the research

- 'persuading employers to introduce written policies is fine, but to members only. The BECTU rep should only represent fully paid up members and also encourage [others] to join'
- '[BECTU should be]contributing to a written policy'
- 'one of our reps is the one who is bullying!!! There is a general feeling at this branch that we are not given enough support by head office. It seems we are unable to contact head office. What is the point of that ? [contact details supplied]
- 'providing information leaflets for managers even if not BECTU themselves, they may have to deal with BECTU members issues'
- '[BECTU's role should be to encourage] preventative action: without waiting for a BECTU member to step forward as this action will receive sanctions or increased abuse'
- '[BECTU should] support workers not management'
- '[there are] very few BECTU members - we members get fed up of fellow employees asking BECTU for advice when they are not members. Personally I no longer "help" non-BECTU members. Sad but true!'

Issues about training

- *'[BECTU should provide] training for stewards leading to them setting an example in the workplace – which some at present do not'*
- *'arguing with the organisation to invest in training its managers NOT to be bullies themselves and HOW to deal with bullying in their departments'*

- *'giving direction to management on how to talk to staff. I don't think that a lot of them are aware of what is right and wrong. Surveys of management by staff once a year may help.'*
- *'educating the management about the fact that if we are patted on the back, our tails wag!'*
- *'management need to have far better training in dealing with staff and show respect to all staff, no matter what their grade is'*

Issues about awareness and understanding
- *'raising awareness of the subtle and degrading nature of bullying as this scheme seems to be doing'*
- *'encouraging employees to approach management [about bullying problems] in confidence'*
- *'usually it's the front of house managers who bully because they are "stressed" and we just cope'*
- *'independent investigation into the cosy management'*
- *'presentations, talks, discussions… so people have more information and can recognise when they are being bullied and what is and isn't acceptable behaviour from co-workers and management.'*

Appendix 9: Summary of "Artists in figures", a study conducted in 2003 by the University of Warwick's Institute for Employment Research for Arts Council England

Since 1993, unemployment within the pool of cultural labour had declined from 9.5 per cent to just 2.5 per cent. The survey also stated that individuals in cultural employment often sacrificed potential earnings and job security to follow their chosen career.
Peter Hewitt, Secretary General commented:

> The arts are a growing source of employment and an increasingly important part of our economy. Just in terms of hard economics, people working in the arts and culture contribute more to society than they take out – and that's before taking into account their positive and transforming impact on the quality of life in this country. The growth in employment opportunities has not seen any reduction in the personal commitment or the powerful sense of vocation of individuals working in the arts. Alongside this massive growth in employment we know there is a huge public demand for the arts and culture – an appreciation of the unique qualities of an original work of art, the power of live performance and a recognition of the value of the arts in our communities.

It seems that people in cultural occupations are three times more likely to be self-employed than those in non-cultural occupations – 39 per cent compared with 12 per cent. Among the self-employed, people in cultural occupations are twice as likely to have a second job than people in non-cultural occupations – 10 per cent compared with 5 per cent. While those in cultural employment receive above overall average earnings, their earnings are generally substantially less than similarly qualified professionals working in other fields. The study shows the earnings of those working in arts and culture have declined relative to overall average earnings. In 1991 average earnings in cultural occupations were 22 per cent higher that the national average. This declined to 14 per cent by 2000. The decline is most marked in London. For example, in Inner London in 1991 earnings in cultural occupations were 21 per cent higher than the average, falling to just 6 per cent in 2000. People directly employed in cultural occupations are half as likely to claim state benefits than those in other areas of employment – 4 per cent against 8 per cent. The proportion of people working beyond statutory retirement age in cultural occupations is twice that of those in non-cultural occupations.

The findings in the report are based on a statistical analysis of two major government surveys: the Labour Force Survey and the New Earnings Survey. Information on the career development of people working in cultural occupations was drawn from two longitudinal studies: the National Child Development Study and the British Cohort Study. The definition of a cultural occupation is based on the Office for National

Statistics' Standard Occupational Classification (SOC). The SOC encompasses a range of occupations, for example, from visual artists, actors, authors, musicians and goldsmiths to entertainment managers, architects and information officers. A full definition can be found on page 4 of the report.

Appendix 10: Are the Arts Different?

> The arts are indeed different, a special kind of business. I am quite prepared to use the language of business if, in exchange, the language of the arts is understood as a different language with its own grammar and intonation….The arts are but one part of culture…. The arts are not the same as entertainment, though they can be entertaining…The arts are different. When we buy a product in a shop, we know what to expect. With an artistic event, a work of art, an artistic performance, we are paying for an experience, the effect of which is not quantifiable and may vary from person to person. The arts, thus, produce a special kind of product, an experience. *Extract from "The Arts! Who Gives a Rats?", an address to the Canberra Business Council Dinner, Thursday 8 November 2001 by Dr Brian Kennedy, Director, National Gallery of Australia.*

So, then, in Australia the arts are special and different and we could intimate that so, too, are the people who manage and deliver them. However, New Zealand filmmaker David Mullen thinks that the arts are different too, but not in a good way.

> Yes, the arts are different than other professions; anyone with an artistic thought, armed with a paintbrush or a pen or a camera, can rightly call themselves a painter, a writer, a photographer — not everyone can call themselves a surgeon, an airline pilot, a plumber...Filmmaking does not have to be a profession; certainly there are days when my bank account is so low that I wonder if this is more of a hobby than a job! *Message posted on Pechorin's audio and film equipment discussion forum by David Mullen 24th Dec 2002 0:19:* *http://www.pechorin.com/m/2002/12/24/What_is_a_Film_Maker-87460.html*

In July 2002 the editor and publisher of Carolina Arts (USA), Tom Starland, wrote candidly about what he had learned in 15 years.

> The arts are a business, an industry — full of politics. Some people act like the arts are different than the rest of the world. As long as money is involved — it's all the same. You produce a product or service. You hope people will feel what you offer is worth the price you want. And, you're in competition with a lot of other producers, so you need to promote, market, and profit. A lot of artists and art groups never understand this concept and they suffer for it. *Extract from : "Shoestring Publishing Company Marks 15 Years of Producing an Arts Newspaper", by Tom Starland, editor/publisher Carolina Arts July 2002. Available from: http://www.carolinaarts.com/702shoestring15.html*

So, then, in Carolina the arts are not different, they are "full of politics" like everything else and the people involved in the arts must be no different to the people involved in other sectors or professions. Except that later in the same article, Tom Starland changes his mind:

> We who are in the arts should pinch ourselves every morning we wake. We're living a charmed life. Think about it — you or I could be working in a major corporate conglomerate. We could be ditch diggers or working for the IRS. Working in the arts isn't easy, but it sure beats a lot of other things we could be doing to make a living. I hope everybody knows how lucky we are.

Now the arts are special and different again, because they are better than "a lot of other things". Perhaps working in the arts is regarded as 'different' from an individual perspective, even if the 'arts industry' behaves like any other. Or does it?

At Lancaster University in the UK, the Higher Education Academy Subject Centre for Dance, Drama and Music (PALATINE), celebrated the success of a funding bid to create the project CAREER

> A major concern … was to focus on the distinctive features of the labour market in the performing arts and creative industries. In the world of the arts, the labour market is very competitive and employment prospects for all graduates are relatively uncertain. The creative industries as a whole are also increasingly dominated by part-time, self-employed, and 'freelance' working. In the music industry, approximately ninety percent of people work part-time, or on a self-employed basis. Performers in dance can face the greatest difficulties. A dancer's working life often begins at an early age and performing careers are short (about ten years on average). Employment is sporadic and often short-term, with many dancers also working in non-dance areas to support themselves, especially in the period immediately after graduation. They then face the prospect of embarking on a second career, which is often not dance-related. In spite of the fragmented nature of the performing arts sector, people still think in terms of having a career, although career paths in this field are very different from traditional career models in other industries.
> *Ralph Brown, Lancaster University, UK. PALATINE, the Higher Education Academy Subject Centre for Dance, Drama and Music, CAREER Project*
> *http://www.lancs.ac.uk/palatine/career/career.htm*

Managers responding to the Pilot Study believed that conditions of employment in the performing arts, including hours worked and rates of pay, are also, necessarily, different to other sectors.

> "We do not produce rivets — sometimes the nature of our work necessitates working in 'unsocial hours' slots. The hours vary but so does the work and that's the compensation"
> *UK Theatre Manager, Pilot Study, 2000*

> In 1997 the 20 most stressful jobs in the UK were: Prison service, Police, Social Worker, Teaching, Ambulance, Nursing, Doctors, Fire brigade, Dentistry, Mining, Armed Forces, Construction, Management, Acting, Journalism, Linguist, Film producer, Professional sport, Catering and hotel, Public transport. *(Field)*

Performing arts score: 3 out of 20, if arts managers are included in management.

> Between 1985-1997 the jobs which showed major increases in stress were: Armed forces, Social work, Linguist, Teaching, Ambulance, Local government, Nursing, Occupational therapy, Biochemist, Farming, Youth and community worker, Water work, Radiographer, Brewing. *(Field)*

Performing arts score: 0 out of 14. So working in the UK performing arts is acknowledged as a stressful job in 1997 although the level of stress has not demonstrably increased during 1985-1997.

> All these job areas have produced calls to the UK National Workplace Bullying Advice Line; the top four groups of Advice Line enquirers are: Teaching, Nursing and healthcare, Social work, Voluntary / charity / not-for-profit sector. After that comes Local government, Management, and Finance sector *(Field)*

Performing arts score: a putative 1 out of 4 for voluntary sector performing arts organisations, and possibly 2 out of 7 to include arts managers.