

NEW CODE OF PRACTICE TACKLES WORKPLACE BULLYING

The Health and Safety Authority (HSA) and the Workplace Relations Commission (WRC) have prepared a joint Code of Practice on the Prevention and Resolution of Bullying at Work, which came into operation on 23 December 2020, following a consultative process with the main stakeholders.

The Minister of State for Business, Employment and Retail Damien English TD recently made an Order under the Industrial Relations Act 1990 and also approved the publication of the new WRC/HSA Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work under the Safety, Health and Welfare at Work Act 2005.

This Code of Practice, which came into effect on 23 December 2020, replaces the previous Code of the same name issued by the HSA in March 2007 and the Code of Practice Detailing Procedures for Addressing Bullying in the Workplace issued by the Labour Relations Commission in 2002, effectively combining them into a single operational Code.

This revised dual Code, which applies to all employments in Ireland irrespective of whether employees work at a fixed location, at home or are mobile, provides practical guidance on the management of workplace bullying complaints and on the prevention of workplace bullying. These are in line with the requirements of the Safety, Health and Welfare at Work Act 2005.

In addition, the Code reflects the WRC's objective to achieve harmonious working relations between employers and employees through promoting compliance with relevant employment, equality and equal status legislation and codes of practice, early dispute resolution, mediation, conciliation, facilitation and advisory services, and adjudication on complaints and disputes.

PRACTICAL ADVICE PROVIDED

In welcoming the Code Minister English said "The Code provides practical guidance for organisations regarding the importance of having in place the right measures of anti-bullying policies and procedures, the existence of which will have clear benefits for both employees and the employing organisations."

With the two separate Codes in existence for almost two decades, the WRC's Director General Liam Kelly said that "this development, where the WRC worked with the HSA



The Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work is available at www.workplacelrelations.ie and www.hsa.ie

and employer and employee representatives to consolidate them into a single publication, will bring further clarity to all workplaces. And I hope it will assist in reducing workplace bullying incidences, and help employers and employees to resolve and address them when they do occur."

Dr Sharon McGuinness, HSA's Chief Executive Officer, added: "Employers have a duty to manage and conduct work activities to prevent any improper conduct or behaviour likely to put an employee's safety, health or welfare at risk.

"This joint Code contains practical guidance on how to prevent and address workplace bullying which will be of significant benefit to employers, employees and their representatives. Workplace bullying is a serious health and safety issue and both employers and employees have a role in promoting a positive workplace free from such behaviours."