

LEADERSHIP UPDATE

Volume 11

A publication for Alberta's school administrators

Number 5



March is here!

March is finally here with all the March madness that goes with it: report cards, melting school yards, and uLead! This edition of the Leadership Update contains valuable information to support you in the work that you do and to inform you of some ways you can access very high-quality professional learning activities for school leaders in Alberta throughout the year.

Professional Learning Opportunities and News

This year, it is easier to obtain information about upcoming professional learning events and programs for school leaders than ever before. You need only remember the following web address — www.uLead.ca — in order to access up-to-date news about school leadership in Alberta, provincial and regional professional learning events, and the uLead conference that takes place every year, this year in March. Please visit uLead.ca on a regular basis as the events and news will change frequently.

Love is the
foundation
of a great
classroom.

—Hans Renman

Short-Term Exchanges for School Leaders to Victoria



Job shadow and home billet Alberta school leaders to Victoria

Current exchange dates/duration:
Hosting for approximately two weeks in
the fall of 2015, travel to Australia July/
August 2016

Additional dates/durations may be available

Application deadline: **April 17, 2015**

Contact Carolyn Freed, Teacher
Exchange Program, at 780-392-6901 or
e-mail admin@ieep.ca.

www.ieep.ca



The Alberta Teachers' Association

Alberta
Canada



Council for
School Leadership

Distinguished Leadership Award

The Council for School Leadership (CSL) is pleased to invite nominations from throughout Alberta for the CSL Distinguished Leadership Awards. Recipients will be honoured in May.

The CSL Distinguished Leadership Award creates a learning community of outstanding principals throughout Alberta who can share professionally, interact collegially and act as mentors to new colleagues. It provides avenues for research and sharing of best practices. The cadre of distinguished Alberta school leaders are people who are looking to challenge the status quo, improve learning in their contexts and be equipped for higher levels of leadership. These individuals will become role models in a vibrant network of educational leaders with the confidence and capabilities to lead innovative change for 21st century learning — the Council for School Leadership.

Please consider nominating a deserving school leader for consideration for this honour.

To nominate a school leader click on the following link and complete your nomination online:
<http://tinyurl.com/CSL-Leadership>.

Once you have entered the nomination site, you will be asked to make a short comment related to your nominee's leadership in each of Alberta's Principal Quality Leadership dimensions. The attached CSL Distinguished Leadership Award primer will provide you with additional information about how to complete the nomination form once you click on the link to nominate a colleague.

The deadline for nominations has been extended to midnight, April 10, 2015. All nominees must be active members of the Council for School Leadership to be eligible to receive the award.

What will I need to do?

- Once you have entered the nomination site, you will be asked to make a short comment related to your nominee's leadership in each of Alberta's Principal Quality Practice Leadership dimensions.
- You will be asked to provide an indication that your nominee has consented to being nominated (required) and provide the nominee's school name, school telephone number and e-mail

address. Your nominee must be a member of the Council for School Leadership to be eligible to receive the award. Nominees can join the CSL now at bit.ly/joincsl.

- You will then be asked to enter your supporting evidence (several sentences) for your nominee's leadership for each of Alberta's Principal Quality Practice Competencies including
 - fostering effective leadership,
 - embodying visionary leadership,
 - leading a learning community
 - providing instructional leadership,
 - developing and facilitating leadership,
 - managing school operations and resources, and
 - understanding and responding to the larger societal context.

Detailed information about the Principal Quality Practice Competencies can be found here: bit.ly/AlbertaPQP.

Prior to submitting the survey, you will also have an opportunity to enter additional comments regarding the nominee, should you wish to do so. Please consider nominating a worthy candidate today.

To find archived issues of *Leadership Update*, go to www.teachers.ab.ca and click on Other Publications (under Publications), then go to School Administrators.

Feedback is welcome. Please contact Jeff Johnson, executive staff officer, Professional Development, at jeff.johnson@ata.ab.ca.

COUNCIL FOR SCHOOL LEADERSHIP

~ Distinguished Leadership Award Nominations ~

COUNCIL FOR SCHOOL LEADERSHIP
~ Distinguished Leadership Award Nominations ~

Greetings everyone,

The Council for School Leadership is pleased to invite nominations from throughout Alberta for the CSL Alberta Distinguished Leadership Awards with 20 recipients being honoured in May.

The CSL Distinguished Leadership Awards creates a learning community of outstanding principals throughout Alberta who can share professionally, interact collegially and act as mentors to new colleagues. It provides avenues for research and sharing of best practices. The cadre of Distinguished Alberta School Leaders are people who are looking to challenge the status quo, improve learning in their contexts, and be equipped for higher levels of leadership. These individuals will become role models in a vibrant network of educational leaders with the confidence and capabilities to lead innovative change for 21st century learning - the Council for School Leadership.

Please consider nominating a deserving school leader for consideration for this honour.

The deadline for nominations is midnight, April 10, 2015. All nominees must be active members of the Council for School Leadership to be eligible to receive the award.

Nomination Committee - Distinguished Leadership Awards
Council for School Leadership - Alberta

To nominate a school leader for the Distinguished Leadership Award:

Visit: <http://tinyurl.com/CSL-Leadership>



Save the Date

Legal Issues for School Administrators (LISA) Conference — Workplace Bullying

Presenters include

Valerie Cade

Valerie Cade is an award-winning presenter and one of North America's top experts in the field of coping with and stopping workplace bullying and creating respectful, productive workplaces. She is author of the best-selling book, *Bully Free at Work: What You Can Do to Stop Workplace Bullying Now*. Valerie holds a master's degree in conflict resolution and is a top certified mediator.

Jeremy Taylor

Jeremy Taylor is a partner at Field Law and practices primarily in the areas of civil litigation and labour/employment law. Jeremy has argued cases at all levels of court, including the Supreme Court of Canada. Taylor is a sessional instructor in labour law at the University of Alberta law school. He has written articles on legal topics, been published in an academic journal and has presented on various academic and practical topics. He is presently the co-chair of the Canadian Bar Association — Constitutional Law and Civil Liberties subsection (Alberta Branch North).

International Education Exchange Program

Short-term administrator exchanges are available as two-week job shadow experiences for Alberta school leaders. Participants are billeted by their exchange counterparts and work shadow in their exchange partners' schools for one to two weeks. Counterparts are then hosted for one to two weeks so they can experience the Alberta education system. Administrators arrange cultural visits to correspond with the interests of both parties. Opportunities exist in Australia, Germany, Spain, Denmark and the United Kingdom. Participants exchange

during the summer months and counterparts are typically hosted in September or October. Participants require an Alberta Permanent Professional Teaching Certificate and the approval of their superintendents. For a successful, engaging experience, participants should be flexible, adaptable, positive, open to other cultures and comfortable with ambiguity. They should, of course, have demonstrated leadership qualities. Interested? Find out more at www.icep.ca.



Teacher Growth, Supervision, Evaluation and Practice Review Workshop

You are invited to attend a Teacher Growth, Supervision, Evaluation and Practice Review Workshop

August 17–18, 2015

Barnett House, in Edmonton

The provincial Teacher Growth, Supervision and Evaluation Policy (Policy 2.1.5) deals with accountability and continuous professional growth and ensures that a teacher's professional practice is under ongoing supervision. The Teacher Growth, Supervision, and Evaluation Policy defines the process and the Teaching Quality Standard defines the competencies for professional practice. This workshop focuses on the principal's critical role and the duties he or she must perform as outlined in the *School Act* and Policy 2.1.5.

Register online at www.event-wizard.com/events/TGSE2015. The deadline for registration is June 15, 2015. For information visit www.teachers.ab.ca; go to: [For Members > Events Calendar](#).

uLead 2015 Conference — March 15–18, 2015



This event was completely SOLD OUT with more than 850 people from around the world attending. Watch for exciting news about uLead 2016, which will take place in Calgary from April 22–24 with a world-class set of presentations, workshops and discussions. Registrations will open in just a few weeks with special pricing available until the end of June.

Healthy Interactions: Understanding Conflict Workshop

August 24–25, 2015, 9 AM to 3 PM

Barnett House, Edmonton AB

Understanding Conflict is a communications and conflict-resolution workshop offered by the Alberta Teachers' Association. The program is available to all members and associate members and will take place August 24 and 25. Workshop agenda topics will include

1. understanding and defining conflict,
2. core conflict and complicating factors,
3. positions to interests,
4. clarifying skills, active listening and paraphrasing,
5. reframing and overcoming opposition,
6. dealing with anger,
7. establishing a safe and positive environment for conflict resolution and
8. from solution to action.



Registration is free and includes all resource materials, breakfast and lunch. Participants are responsible for travel and accommodation costs. Registration is online at www.eventwizard.com/events/HI2015, and the registration deadline is August 14, 2015. Space is limited.

For information, please contact Joyce Sherwin in Edmonton at 1-800-232-7208 or Cynthia Malner-Charest in Calgary at 1-800-332-1280.

Alberta Teachers on iTunes U

This month we highlight a course called Visionary Leadership. It is well worth subscribing to and is full of good ideas that principals and assistant principals should consider when leading a learning community. To access the site, please visit tinyurl.com/ATAiTunes or scan the QR code on this page.



Workplace Bullying: When the Bully is Also the Boss

“Rank is quite clearly related to bullying; the stereotype of a bullying boss is not a myth.”

—Namie and Namie, *The Bully-Free Workplace*

When one or more staff members engages in bullying behaviours, it can cause other employees to suffer emotional and sometimes physical distress. When the bully is the boss, it can often be devastating for employees, as they feel helpless to challenge the person because of his or her positional authority. As the person charged with the responsibility of managing the school and ongoing supervision of employees, the principal's conduct may come under close scrutiny if a matter proceeds to legal action. As such, principals are wise to exercise caution and practice high integrity.

When seeking confidential advice from Member Services regarding difficult staffing issues, staff officers encourage principals to be thoughtful rather than to act on impulse. Being reflective regarding potential courses of action helps principals develop action plans that are professionally defensible when dealing with teachers or support staff. It also allows principals to rest comfortably in the knowledge that they are acting in good faith. Principals have an incredibly difficult job and are always entitled to advice. We suggest principals call Member Services when presented with issues as they are unfolding, if for no other reason than

to bend the ear of a knowledgeable person who can help them be reflective and thoughtful regarding the reasonableness of their decisions.

Thankfully, most principals understand the significance of their legal responsibilities. Typically principals are individuals with very high moral integrity, but this is not without exception. Sometimes the “tough boss” explanation is used as justification for questionable conduct towards an employee, but a principal may begin taking liberties that would not be considered reasonable. “Tough boss” principals usually do not seek advice because they do not want to draw attention to their own conduct. If they do seek advice, they may present a narrative with significant omissions. The fact is, some principals engage in conduct that crosses the line. They are no longer just playing the tough boss. Rather, they are bullies.

The research on bullying reveals that bullies often are managers or supervisors, and the majority of their targets, 80 per cent, according to the Alberta Learning Information Service (ALIS), are women. The Workplace Bullying Institute (WBI) conducts regular surveys in the United States, and in 2014 one of its key findings was

that the majority of bullies are male bosses (69 per cent) who seem to prefer targeting women (57 per cent) more than other men (43 per cent). Educational consultant and bullying prevention specialist Lorna Blumen (2011) writes that 72 per cent of bullies are bosses who outrank their targets. Blumen says that bullies are put into leadership positions because they appear “smart, ambitious, results-oriented” and because they can “take-charge.” Blumen also points out that bullies lack empathy and do not seem to notice the “suffering of others” and have “inflated self-esteem and a false sense of entitlement.”

The best way to define what is meant by a bullying boss is to talk about what bullying is not. Bullying behaviour may be similar to and easily confused with the behaviour associated with a tough boss, but the two are not the same because bullying is intended to be malicious and is much more egregious. “Workplace bullying is defined as the repeated mistreatment of one employee who is targeted,” states Margaret R Kohut, in her 2007 book, *The Complete Guide to Understanding, Controlling, and Stopping Bullies & Bullying at Work*. It involves behaviours

meant to intimidate, humiliate and sabotage the target.

The information provided by ALIS reminds us that bullying is not about “enforcing workplace policies and procedures, evaluating or measuring performance, providing constructive feedback, denying training or leave requests with good reason, discussing disciplinary action in private, dismissing, suspending, demoting or reprimanding with just cause.” Those duties are part of the principal’s role and are expected of principals as per section 20 or section 197 of the *School Act* or *Education Act*, respectively.

The legislation does require reasonableness by the principal when engaging in his legislated responsibilities, and that is where the line is drawn. The law imposes a duty of fairness with some basic principles regarding processes and proceedings where the decisions affect a teacher’s rights, privileges and interests. Bullying would obviously depart from the duty of fairness, and if there are substantial departures from the principles or duty of fairness, resulting decisions made by a principal or employer can be set aside and challenged through a judicial process. So the question that will be scrutinized in any process impacting a teacher’s or employee’s rights, privileges or interests is, “In light of the circumstances, are the decisions and actions that impact the employee reasonable?”

How can you distinguish between a principal who is a bully and one who is a tough boss? When the teacher contacts Member Services, we ask them to think about equity. Research shows that bullies do not target everyone for equal treatment but pick on certain individuals. Also, principals may be

harder on staff during stressful times, such as report card time, but will typically let up when the stressful period subsides.

Blumen concurs that a tough boss will treat all employees equitably; in other words, they are hard on everyone, especially during high-stress times. Bullies target a few people and do not let up even when a stressful period subsides. Gary Namie and Ruth Namie (2011) also explain the difference between tough management and bullying. “Bullying at work is easily distinguished from ‘tough management’ by asking ‘What has this got to do with work?’” Bullying will always be used to advance a manager’s personal agenda—rendering the target subservient, humiliating a person in front of his team—rather than about getting work done. Tough managers are consistently harsh during crunch times. Everyone feels the wrath of mistreatment. Toughness, when consistent and fair and when the misery is equally distributed, is something workers will tolerate and even respect. On the contrary, the abusiveness of bullying is disproportionately dumped on the targeted few. “There is no end to crunch time” (p 13).

Namie and Namie define bullying as follows: “Workplace bullying is the repeated, health-harming mistreatment of an employee by one or more employees through acts of commission or omission manifested as verbal abuse; behaviours—physical or nonverbal—that are threatening, intimidating, or humiliating; work sabotage, interference with production; exploitation or a vulnerability—physical, social, or psychological; or some combination of one or more

categories.” In 2014, the WBI defined workplace bullying as the “repeated, health-harming mistreatment of one or more persons (the targets) by one or more perpetrators.”

The ALIS website also adds that, “[w]orkplace bullying is a repeated pattern of negative behaviour aimed at a specific person or group—the bully’s target. Although it can include physical abuse or the threat of abuse, workplace bullying usually causes psychological rather than physical harm.” Bullying involves, “rudeness and hostility that disrespects the target, threats and intimidation, including the abuse of power and deliberate acts that interfere with the target’s work.” Behaviours associated with bullying include spreading rumours and gossip, insults and put-downs, blaming, scolding, excluding, isolating, unreasonable demands, setting impossible deadlines, discounting achievements, stealing credit for work, threatening job loss, blocking requests for leave or promotion, use of offensive language, yelling, spying, stalking and so on.

A teacher who calls Member Services believing her principal is a bully typically describes behaviours that include harshness, yelling, insults and sarcastic comments used to humiliate, particularly in front of students, parents or colleagues. Other behaviours may include temper tantrums, stealing credit for work with district office administration, spreading false rumours and/or withholding crucial information. Principals who engage in bullying may use their access to information to reward or exclude one or more staff members, which is socially isolating for the person excluded. Bullies often glare at, stalk or purposely ignore their targets, and use

body language perceived as invasive, aggressive and even patronizing. A change in the usual pattern of supervision, for example, if a targeted teacher begins to sense unfair scrutiny of her performance in comparison to colleagues, can feel threatening. This often prompts a teacher to make a call to Member Services for advice.

It is not always easy for individuals to know if they are a target of a bullying boss, especially at the onset, as the treatment they are receiving may be varied and inconsistent. Targets often question their own interpretations of what is occurring. In a discussion of the targets of workplace bullies, Kohut (2007) states that targets may not even realize they are being bullied. They understand that something is horribly wrong in their workplace but often “ascribe their own misery to their own incompetence” believing they are the cause of their misery.

Most books on workplace bullying include a checklist of possible behaviours that targets might be subjected to in order to determine if they are being bullied. For example, Susan Fetterman has created a list that includes the imposition of arbitrary verbal and written warnings, discipline that is unjustified or without reason, a lack of acknowledgement of positive contributions, independent thinking vigorously challenged, minor flaws or imperfections magnified out of proportion, instructions purposely withheld, “gotcha tactic” of requiring more paperwork or assigning meaningless tasks resulting in aspects of important work faltering, loss of autonomy, being micromanaged and so on.

In his 2014 book, *Workplace Bullying: How to Survive and Thrive*

with a Bully Boss, David Leads identifies the following signs to determine if bullying is occurring: verbal abuse, isolation of the target, sabotaging work or setting the target up to fail, fabricating to colleagues and upper management about the target, withholding resources and threatening the target. Jonas Warstad, 2014, explains that bullies take advantage of pushing psychological buttons knowing their actions will result in the target feeling, “annoyed, nervous, intimidated, embarrassed, ashamed, humiliated, inferior or worthless.”

The physical effects of bullying, Leads explains, are well documented by the WBI and include stress related ailments such as cardiovascular damage, negative neurological changes, gastrointestinal problems, impaired immune system and auto-immune disorders: “[...] 60 per cent of bullied workers [develop] high blood pressure, 21 per cent [develop] fibromyalgia, 33 per cent [develop] chronic fatigue syndrome, 10 per cent [become] diabetic and 17 per cent [develop] skill disorders.”

The literature on bullying in the workplace makes clear that there are often devastating impacts on individuals as well organizations. Blumen states, “Targets of constant bullying often become physically ill. Especially prevalent are cardiovascular and gastrointestinal diseases, and a common first sign is hypertension. Targets also suffer emotional distress, including self-doubt, plummeting self-esteem, and depression.”

Kohut states that victims who are the target of demeaning and destructive acts can have their career destroyed. The consequences can be devastating, up to and including attempts of

suicide. According to Kohut, workplace bullying leads to deterioration in a person’s “physical and psychological being” and leads to, “depression, gastric problems, headaches, insomnia, substance abuse, and a host of medical ailments.”

Leads explains that often when targets seek help regarding a bullying situation, they are told to toughen up or stop whining. Leads says that this kind of “work is hard” attitude or reaction is problematic because bullying causes “real harm,” including emotional damage that can lead to a person becoming “anxious or depressed” and even suicidal.

When faced with a bully principal in the workplace, many teachers contact Member Services seeking support, advice, mediation or legal remedies, but when the offending bully is the principal of the school, teachers are typically reluctant to take action. They fear potential repercussions, real or imagined, even when legal options have been clearly explained and presented. Most choose to endure a bad situation and hope it will get better. Some seek a transfer or begin a search for employment with a different employer. Some teachers seek medical advice because the stress of dealing with a bully causes illness. Many teachers just resign.

Statistics show that targets of bullying experience high rates of job loss because they resign or because they are terminated. While targets often leave the employment situation, bullies typically do not. The *2014 Workplace Bullying Survey* shows that targets experience job loss at a much higher rate than perpetrators (82 per cent versus 18 per cent); the rate for female targets experiencing job loss is 89 per

cent (p 8). This research, although American, may provide some answers in terms of why targets experience high levels of job loss. Namie and Namie describe three common characteristics of targets based on their 15 years of observation of thousands of bullied individuals. These include (1) a tendency to “abhor confrontation” and “remain cooperative”; (2) a tendency to be too open and guileless with a high degree of self-disclosure; and (3) a tendency to be “defiantly optimistic” and see the world as “just and fair” (p 57–58).

For example, in one Alberta case of alleged workplace bullying by a principal, a teacher abandoned her position midway to get away from the principal she perceived to be a bully. The superintendent was furious that the teacher left without providing proper notice and requested an investigation of the teacher’s conduct. I was the investigator assigned to the file.

At the onset of the investigation the superintendent said he suspected the teacher caved under the pressure of an evaluation and because the students were difficult. The reasons did not seem to line up with the teacher’s background and experience, as she had had a long, successful teaching history in two districts, which included teaching junior high as well as students with behavioural needs. The superintendent went on to describe the principal as a rising star because he was tough enough to stand up to the rigors of administration.

As the investigation unfolded at the school, I met with the principal and found him to be polite, intelligent and self-assured, and it was easy to see why he was favoured by the superintendent. The investigation took a 180 degree

turn, however, when I began to meet with teachers on staff.

Teachers reported witnessing bullying behaviours by the principal targeting their colleague. In fact, one teacher shared that members were feeling demoralized because of witnessing repeated bad behaviour by the principal including verbal shaming of the teacher who abandoned her position and others, in front of students and colleagues. A Grade 2 teacher spent most of her interview in a state of emotional distress and spoke about using all of her mental energy to protect herself from the principal. A male teacher reported that he had a long history with the principal, known him for years and once considered him to be a friend, but that was no longer the case. He described the principal’s management style as dysfunctional and disappointing. He disclosed that the principal undermined him by withholding critical information about meetings, blocking his efforts to contribute his expertise on a district-level committee. Teachers also shared substantial evidence of unreasonable directives issued by the principal. These included threatening e-mails and issuance of impossible timelines.

Teachers told stories about aggressive finger pointing and public admonishment by the principal directed at a few teachers. Many spoke about favoured teachers versus other teachers who were regularly subjected to harsh treatment. Some teachers reported that although the principal was nice to them, they were made uncomfortable by his actions towards others. The teachers with probationary contracts told of threats made about evaluation outcomes. They said he often told them they must “get by” him

in order to gain continuing employment in the district.

“Remember who is doing your evaluation,” he would remind them. Most teachers said had they been the teacher in question, they too would have left.

When I met with the teacher in question, the teacher readily acknowledged that she left without fulfilling her contractual obligations and without providing sufficient notice. She said she knew this decision could have a devastating impact on her future career, but she still chose to leave. She spoke about being an experienced teacher, not new to teaching, but new to the province and school district. She spoke about never having an employment issue prior to this. She said that had she been more familiar with the Alberta scene she would have contacted Member Services, but she was not and therefore did not. The teacher explained that many of the teachers on staff were probationary contract or temporary teachers as well, but that she was the oldest of them. She spoke about unreasonable directives made by the principal and felt the need to stand up for her younger colleagues. Challenging the principal in this way made her a target.

The situation became untenable in her mind and during the short break over Christmas, she decided, for health and family reasons, that she did not want to return. She said the thought of returning made her feel anxious to the point of nausea, hyperventilating and feeling her heart race. Once the teacher had made the decision to leave, she said she intended to provide 30 days’ notice, but near the end of the vacation she entered the school to prepare for

classes and felt so anxious that she could barely breathe. As a result, she cleared her belongings immediately and walked away for good.

Although abandoning a teaching position without providing proper notice to the employer is certainly in violation of the Code of Professional Conduct, it was easy to see that there were mitigating circumstances that reduced the culpability of the teacher, and although it was never determined as such, because the teacher chose not to pursue legal recourse against the board, a strong case of constructive dismissal could perhaps have been made.

In Canada, the first province to pass laws regarding bullying was Quebec in 2004. Quebec amended its *Labour Standards Act* to specifically address psychological harassment at work and defined bullying as “vexatious behaviour that manifests itself in the form of conduct, verbal comments, actions or gestures characterized by the following four criteria: (1) repetitive, (2) hostile or unwanted, (3) affecting the person’s dignity or psychological integrity and (4) resulting in a harmful work environment.” Saskatchewan, Ontario and Manitoba have also enacted health and safety changes that address workplace bullying. In these provinces, employers with bullying employees face possible legal repercussions (Namie and Namie 2011, 161).

To date, Alberta has no specific legislation addressing workplace bullying, however, if the actions of a principal constitute bullying of a person based on discrimination of protected grounds, then recourse could be found under the *Alberta Human Rights Act*. Alternatively, if bullying

rises to the level of physical assault, aggression or harm, it may fall under the provisions of Alberta’s *Occupational Health and Safety Code* regarding violence in the workplace. In addition, as mentioned above, legal liabilities may exist if workplace bullying results in constructive dismissal.

Constructive dismissal claims are premised on the notion that employees will be treated with respect and dignity and that if there is a dramatic departure from a reasonable standard of conduct, it is a demonstration of intention to no longer be bound by the essential terms of employment. As such, liability for constructive dismissal could be argued, which ultimately boils down to whether the employer’s conduct has gone too far. If so, the employment becomes intolerable for the employee.

Section 24 of the *Teaching Profession Act* (the Act) provides provisions for initiating an investigation of a member’s conduct. In short, any person may make a complaint to the executive secretary, and the complaint shall be dealt with in accordance with the Act. If a principal or teacher is a bully, they risk a complaint under the Act, which would result in an investigation of their conduct. A school district may investigate the conduct of an employee, and a superintendent who has reason to believe that a member has engaged in unprofessional conduct may request an investigation by the Alberta Teachers’ Association (ATA). Alternatively, the Act requires members to make a complaint forthwith to the executive secretary relating to the conduct of a member if they believe the member has engaged in unprofessional conduct. The teacher in the above-discussed example did not file for an investigation of the

principal’s conduct and no longer resides in Alberta, but that could have been another avenue of legal recourse to pursue.

An interesting case precedent regarding workplace bullying that will be of interest to principals is an Ontario superior court case which was upheld on appeal and awarded Meredith Boucher, a Walmart employee, over a million dollars in damages. The court found that Boucher had been repeatedly bullied and harassed by her manager, Jason Pinnock, at the Walmart where they worked. The manager engaged in behaviours that belittled, demeaned, berated, criticized, taunted and humiliated Boucher. For example, he told her that she was stupid, that she was blowing her career away and often used profanity and abusive language around her. Witnesses testified that the manager’s actions were humiliating, terrible and horrific. When Boucher voiced her concerns to senior management, she was told that she was trying to undermine Pinnock, and he was not disciplined or cautioned.

As with most cases of workplace bullying, Boucher suffered physically from the stress and lost her appetite, was unable to sleep and lost weight. In fact, she began to look so ill that her colleagues described her appearance as grey and haggard. Pinnock also recognized the impact of his mistreatment and verbalized his intent not to stop until Boucher resigned. The final straw, leading to the termination of Boucher’s employment, came when Pinnock began grabbing her elbow in front of a group of people and challenged her to prove she was capable of counting to ten. Boucher left the store feeling humiliated and distressed

and sent an e-mail to Walmart senior management saying she would not return until her complaints were dealt with. The complaints were not dealt with, so she never returned to work.

What makes this case stand out was the amount awarded in damages. The jury found the manager's behaviour deeply offensive and found that the employer failed to enforce policies. The awards were against both Walmart and Pinnock because the jury found the conduct of both to be reprehensible. On appeal, the Court of Appeal found the damages awarded were too high and unprecedented in Canadian employment law and reduced the award to 90 per cent of the initial award, but, in the end, the amount awarded was still over \$100, 000.

Lessons we can take away from the Ontario case include that a culture of indifference to workplace policies about bullying is problematic. Not only should workplaces have specific and clear policies dealing with bullying, but they should actively enforce such policies. Employers should proceed cautiously and thoroughly to investigate complaints rather than jumping to unfounded assumptions that the target is undermining the boss. Of particular interest to principals will be the fact that this case shows that managers as well as employers may be held accountable by the courts for behaviour towards employees that is considered abusive, unfair or insensitive, so principals may be personally liable.

ALIS offers tips to prevent workplace bullying, including the creation of clear policy on bullying. Namie and Namie would concur with the need for policy and state, "Creating

the line in the sand ... transforms misconduct previously tolerated or rewarded into unacceptable behaviour." They state that this is the "cornerstone" of prevention. "With no standard to which conduct can be compared, the bully can continue with impunity. Without a policy, cronyism and favoritism prevail" (p 134).

Principals can make a big difference in creating safe working environments for all staff. The first step is to engage staff in discussions of how things can be improved in this regard. Implementing a robust program to address bullying and harassment as part of a health and safety management system in the school and including explicit conversation regarding appropriate professional conduct and consequences are helpful. The ATA's Member Services also provides a workshop regarding conduct and the Code of Professional Conduct, which could be a catalyst for further courageous discourse about the topic of workplace bullying. In addition to this, Member Services offers Difficult People, Difficult Issues and Understanding Conflict, two workshops based on the Healthy Interactions program.

Please feel free to contact Member Services if you are interested in a workshop or if you have questions or concerns about an issue of possible workplace bullying at your school.

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Council for School Leadership

As an Alberta school principal or assistant principal, you are encouraged to select the Council for School Leadership as your first specialist council. If you are not already a member of the Council for School Leadership please take a moment today to follow the link you see on this page —bit.ly/joincsl — and follow the steps to join this school leadership specialist council. It is custom-made for school leaders and aspiring school leaders.

