



NAUTILUS
INTERNATIONAL

PROTECT AND RESPECT

Guidance for Nautilus International members
on recognising and tackling bullying and
harassment in the maritime workplace

Contents

1. **Aim of this resource pack**
2. **Bullying and harassment in the maritime workplace**
3. **What are bullying and harassment?**
4. **Am I being bullied?**
5. **Am I a bully?**
6. **I believe I'm being bullied or harassed.
What action should I take?**
7. **How can Nautilus help me?**

Introduction



Welcome to the Nautilus International Protect and Respect pack. As a trade union and professional association, 'protect and respect' is the essence of what we stand for – protecting members and promoting respect for maritime professionals.

Workplace bullying and harassment is an issue we have been addressing for many years, going back to our first survey of women members in 1999. That led to the adoption of policies by the Union's governing Council and the development of industry guidance. More recently, a further survey of all members revealed the problem had not gone away. This led to calls for more support for members, and this pack is the result. It is aimed at those members who may be experiencing bullying or harassment in the maritime workplace, and the colleagues who want to help them.

We know from our own research that many seafarers experience fulfilling careers at sea. However, there are some who experience bullying and harassment and never say anything about their experience because they think no-one will believe them, that they won't get any support – or even that they might suffer reprisals. Far too often, people who are being bullied or harassed end up cutting short a promising career at sea because they can't see another way out of their situation. This is damaging for the shipping industry, wasteful of scarce training resources and acts as a disincentive for young people to choose a career in shipping.

If you are being bullied or experiencing harassment, please don't let things get to crisis point. Nautilus is here to support you in recognising and tackling the problem – starting with an informal chat about your options. If we work together, we can, and we will, stamp out bullying and harassment in our industry.

Mark Dickinson

General Secretary

Nautilus International

January 2013

1. Aim of this resource pack

This Protect and Respect pack is a service for members of Nautilus International. Its main aims are as follows:

- to let members know about the work Nautilus has been doing to tackle bullying and harassment in the maritime workplace
- to help members understand what constitutes bullying and harassment, and identify whether they are being bullied or harassed
- to advise members on what they can do about bullying and harassment and explain how Nautilus can help

In developing its own procedures, Nautilus has drawn on successful practices and advice documents developed by other organisations such as trade unions and government bodies. Where relevant, the sources of material adapted for this pack are identified.

2. Bullying and harassment in the maritime workplace

For some time now, Nautilus has been aware of a persistent problem in the shipping industry: workplace bullying and harassment. The Union's governing Council first decided to take action on this back in the 1990s, after hearing about members' experiences of ill-treatment – which was often directed against female seafarers. At the Council's behest, the Union (then known as NUMAST) carried out a survey of its women members in 1999 to learn more about this, and some disturbing findings emerged.

At that time, 76% of respondents reported that they had suffered sexual harassment at sea – and of these, 73% had not felt able to make a complaint. The survey findings led to a partnership between NUMAST, the RMT union and the UK Chamber of Shipping to develop 'best practice' guidelines on tackling bullying and harassment, along with an education package for shipping companies and ships' officers. The UK guidelines later formed the basis of the 2005 **ECSA/ETF Guidelines to Shipping Companies on Equality of Opportunity and Diversity in the European Shipping Industry**.

To determine the experiences of seafarers since the introduction of this UK and EU guidance on eliminating bullying and harassment, Nautilus undertook a further survey of all members – male and female – to gather evidence on the subject: the **2010 Nautilus Bullying, Discrimination and Harassment Survey**.

Several respondents to the 2010 survey commented that, in their experience, levels of bullying and harassment had fallen in recent years – and older participants in particular noted that colleagues' behaviour had changed for the better since they had first gone to sea. However, nearly 40% of members responding to the survey said they had experienced bullying in the maritime workplace during the last five years – around twice the rate usually found in British or Dutch workplaces. Why should this be? It could be connected with the pressure of being in a confined shipboard environment for extended periods, or it may be that old-fashioned prejudices are still tolerated more at sea than on land. But that doesn't mean things can't change.

The members responding to the 2010 survey were clear they wanted the Union to take a strong stance against bullying and harassment, as were those attending the Nautilus Women's Forum. Indeed, a motion on bullying and harassment was submitted by members of the Forum to the 2011 General Meeting.

Union members voted overwhelmingly in support of the motion, meaning that Nautilus is now committed to the following:

- seeking measures to train staff and managers in companies employing Nautilus members on recognising and dealing with workplace bullying and harassment
- seeking training for all Nautilus officials and lay representatives on how to deal with complaints of bullying, harassment and discrimination
- Increasing awareness of the issue through the production of literature for Nautilus members.

In addition to these commitments, the Union is now in discussions with other maritime organisations and welfare bodies on the feasibility of setting up an anti-bullying support service for seafarers.

Nautilus already promotes adherence to the **ECSA/ETF Guidelines to Shipping Companies on Equality of Opportunity and Diversity in the European Shipping Industry** – the industry-wide voluntary standard for anti-bullying policies at shipping companies and other maritime organisations. The guidelines are available on the memory stick version of this Protect and Respect pack and can be found on the Union's website **www.nautilusint.org**.

Please note that the Union also requires high standards of professional behaviour from its own staff and members, as set out in the Mutual Respect Policy published in this pack and at **www.nautilusint.org**.

3. What are bullying and harassment?

What is bullying?

The **ECSA/ETF Guidelines to Shipping Companies on Equality of Opportunity and Diversity in the European Shipping Industry** describe bullying as:

a threatening or intimidating work environment in which a group of people or an individual may become fearful or intimidated because of the negative or hostile behaviour of another group of people or individual

Bullying often involves a misuse of power or position and is often persistent and unpredictable. It may be vindictive, cruel or malicious, but sometimes the people displaying bullying behaviour do not fully realise the effect their actions are having on others.

What is harassment?

Closely linked to bullying, harassment is defined in the European Directive on establishing a general framework for equal treatment in employment and occupation¹ as:

a form of discrimination when unwanted conduct takes place which has the purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment

¹ Council Directive 2000/78/EC

All forms of ill-treatment in the workplace could arguably come under the definition of bullying or harassment. Nautilus members have reported experiencing sexual harassment, sex discrimination, homophobia, ageism, racism and religious discrimination. None of these are acceptable 'reasons' for one person to mistreat another, and they are all essentially manifestations of the same problem: a lack of respect for others.

How do you know if someone is a bully or harasser?

We recognise a bully or harasser by their behaviour. It is about what they do, not what they look like or their position in the workplace.

Bullies or harassers may conform to the traditional stereotype of a big, aggressive individual who shouts, taunts and hits – or they may not. It is quite possible for bullies and harassers to be physically smaller and weaker than their victims and still make their lives a misery through unpleasant words and actions.

It's also worth remembering that workplace bullying is not confined to colleagues in the same team. For example, some Nautilus members working at sea have reported being bullied by personnel from their crewing agency or their company's head office.

And while bullying is often a particularly acute problem in the confined environment of a ship, it has also been reported by Nautilus members working in shore-based jobs or attending nautical college.

Unfortunately, a bully or harasser could even be someone who is a fellow member of your Union. Nautilus expects high standards of its members, as set out in the Mutual Respect Policy (available with this pack or at www.nautilusint.org). But sometimes people do not live up to these standards, and the Union will take action if a Nautilus member is found to have broken its rules by bullying a colleague.

Useful examples of bullying and harassment are given in the **ECSA/ETF Guidelines to Shipping Companies on Equality of Opportunity and Diversity in the European Shipping Industry**.

What *isn't* bullying or harassment?

In order to stamp out bullying and harassment, it is important that there is no confusion about the behaviour involved. Every workplace sometimes has a need for disciplinary procedures, and in every workplace there will sometimes be constructive criticism by managers and disagreement between colleagues. As long as these actions are tackled in a fair, respectful way, they do not constitute bullying or harassment.

Legitimate and reasonable actions taken by managers aimed at directing and controlling how the work is done are not bullying or harassment. Such actions may include the following²:

- giving a staff member constructive feedback on their performance / behaviour
- managing performance issues
- transferring, terminating or taking action to make a staff member redundant, where the process is fair and equal
- taking justifiable decisions relating to recruitment, selection and other development opportunities
- allocating work in compliance with workplace systems / policies
- ensuring workplace policies are implemented
- undertaking disciplinary procedures for proven misconduct or for actions involving significant policy breaches
- overseeing injury and illness processes in accordance with union agreements and relevant employment law

² Based on guidelines from the Australian union HSU east

4. Am I being bullied or harassed?

Being bullied or harassed onboard ship

If you are having trouble on your ship, it is worth considering whether bullying or harassment is involved at some level. Of course, it may be quite obvious that a particular person is making your life hell. But bullying and harassment can be a more subtle and insidious problem which can gradually cause people to lose faith in their own judgement.

You may be thinking that you are the one at fault, when in fact you are suffering unacceptable treatment from a colleague, a manager, or a group.

Sometimes bullying and harassment are even institutionalised at a company, so that systems for appraisal and promotion are routinely unfair to certain employees, and colleagues learn to act in a negative way as part of the corporate culture. It is all too easy in this environment for some seafarers to abuse the concepts of 'seafaring traditions' and 'shipboard discipline' to make others' lives a misery.

If you are not sure whether or not you are being bullied, compare your situation with the checklist opposite.

Talking things over with someone who is not directly involved can also help you to see your situation more clearly and decide whether bullying or harassment is playing a role. A Union representative would be a good person to have this discussion with – either a lay representative who works with you or a Nautilus official contactable by phone or email.

Being bullied or harassed in a shore-based workplace or college

Although shore-based workplaces and colleges appear to have a better record on bullying and harassment than vessels do, they're certainly not immune to the problem. There can be people in any environment who are unkind, jealous, aggressive, prejudiced or simply thoughtless in their behaviour towards others.

If you suspect you are being bullied or harassed while working ashore or studying at college, please look at the checklist opposite to identify the warning signs, and remember that Nautilus is here to support all its members, whatever your place of work or study.

Bullying and harassment checklist

Look at the checklist below³. If any of these things are happening to you, there is a possibility you are being bullied or harassed.

	It feels like someone finds fault with everything I do – I can't seem to get it right professionally or when socialising with colleagues.
	I used to know what I was good at and how to make friends, but here at work I feel like I have lost confidence in my own judgement and don't know who to trust.
	If someone else makes a mistake or tells a joke that falls flat, it's fine, but if I do the same thing, it is treated as a serious offence.
	I am often left out of work discussions or work-related social occasions but am made to feel that it's my own fault if I don't know what's going on.
	Sometimes colleagues shout at me or threaten me – privately or in front of others.
	People often say or do things that they think I will find offensive, in order to try and get a reaction from me.
	I am often either overloaded with work or assigned to menial tasks.
	I have had annual leave, sick leave or compassionate leave denied in circumstances where the leave has routinely been granted to others.
	I have been denied the training I need to do my work properly and develop my career, while others are encouraged to do the training they need.
	I have been given unrealistic goals to meet or impossible deadlines, but I feel like it's my fault if I can't meet the targets.
	I have been subjected to formal disciplinary procedures (such as written warnings) for trivial or fabricated matters, or without proper investigation.
	I feel that I am in a hopelessly miserable situation and the only thing I can do about it is to leave.

³ Based on material from Bully OnLine and developed by The Nautilus Women's Forum

You can look at what other maritime professionals had to say about their experiences of workplace bullying in the **2010 Nautilus Bullying, Discrimination and Harassment Survey** (available in the memory stick version of this pack or at www.nautilusint.org).

Examples of bullying and harassment are also given in the **ECSA/ETF Guidelines to Shipping Companies on Equality of Opportunity and Diversity in the European Shipping Industry**.

5. Am I a bully?

Sometimes we are not aware of the effect our own actions are having on others, and it pays to take a moment to think about how we conduct ourselves at work. The following checklist⁴ can help you reflect on whether you may have been bullying or harassing others – or at least behaving in a way that makes your colleagues uncomfortable.

- **Do you consider that your way of doing a job is always right?**
- **Do you raise your voice at other workers?**
- **Are you sarcastic or patronising to other workers?**
- **Do you criticise individuals in front of others?**
- **Do you criticise minor errors and fail to give credit for good work?**
- **Do you shun any other workers or spread rumours or malicious gossip?**

Guidance on the appropriate way to behave at work and when taking part in Union activities is given in the Nautilus International Mutual Respect Policy published in this pack and at www.nautilusint.org.

Please note that if any of our members are accused of bullying or harassment, the Union will provide appropriate support to them and work to ensure they get a fair hearing. If you are facing a bullying or harassment charge and would like to discuss your options, please use the contact methods on pages 16 & 17.

⁴ From the ECSA/ETF Guidelines to Shipping Companies on Equality of Opportunity and Diversity in the European Shipping Industry

6. I believe I'm being bullied or harassed. What action should I take?

Bullying and harassment is a problem which rarely goes away by itself, so if you are being bullied or harassed, it is vital to take action. What you do now will have a big impact on the successful resolution of the problem further down the line.

This page contains advice⁵ on what you can do – either to tackle the issue yourself or to gather information for use at a later stage. Remember, as a Nautilus member, you're never alone; you can always talk things through informally with someone from the Union before you do anything.

Do your research

Find out your company's policy on bullying and harassment. This should set out how employees are expected to behave and explain the procedures for making a complaint.

If you work for a European company, your firm's policy is likely to be based on the **ECSA/ETF Guidelines to Shipping Companies on Equality of Opportunity and Diversity in the European Shipping Industry** – the industry-wide voluntary standard for anti-bullying policies at shipping companies and other maritime organisations. The guidelines are provided with the memory stick version of this Protect and Respect pack and can be found at www.nautilusint.org.

Be aware that Nautilus also requires high standards of professional behaviour from its own members, as set out in the Mutual Respect Policy published in this pack and at www.nautilusint.org.

Keep notes

Make a note of any incidents, including the time, the date and the names of any witnesses, as well as anything you said to the bully or harasser and your emotional state (it is important to be clear about how someone's behaviour made you feel, so it can't

⁵ Based on Tackling bullying and harassment at work, Labour Research Department 2005

be passed off as a joke). Copies of relevant appraisals, letters or memos should also be kept. Your notes and relevant documents will help you think clearly and decide what to do next, whether or not you choose to 'make it official'.

Speak to the bully or harasser

This is obviously not a pleasant prospect, but it is very important. For one thing, speaking out can often make an immediate difference. But this is also something you *must* do if there's a chance you might end up making an official complaint. If you don't say anything now, the bully or harasser could later argue that they 'didn't know there was a problem', which would greatly weaken your case.

When you speak to the bully or harasser, do this in front of a witness and make a note of the date, time and place that you spoke out. Tell the person you find their behaviour unacceptable and ask them to stop. This is sometimes all that's needed. Bullies do not like being confronted, particularly by someone who is calm and civilised.

Get support in your workplace

If the bullying or harassment continues, tell a friend or colleague if possible. You may not be the only one who has suffered.

Contact Nautilus

The Union can advise and support you in many ways, from a confidential chat to helping you through your company's complaints procedure. Remember, you should never go to a meeting related to a complaint without a witness, whether this is your Union representative, a colleague or a friend. There's more about how Nautilus can help you on pages 16 - 18.

7. How can Nautilus help me?

If you are being bullied or harassed, Nautilus is here for you. We will start with an informal chat or email about your options, and any action we take will be led by you – this is a basic principle of how a union works for its members. All calls and emails will be taken in confidence, and Nautilus will not approach your company about the bullying or harassment without your permission. In fact, we will take no formal action until you specifically authorise us to do so on the requisite form (known as an ‘AA’ Form).

You may wish to talk first to the Nautilus lay representative in your workplace; this will be one of your colleagues who volunteers as a liaison officer or Partnership at Work delegate. Lay representatives receive training from Nautilus on how to help other members, including supporting their colleagues with bullying and harassment issues.

If there is no lay representative where you work, or if you prefer to talk to somebody outside your company, please contact one of the Nautilus offices.

We offer several ways for you to get in touch with us:

Email us at bullying@nautilusint.org. Your message to this dedicated address will be delivered in confidence to Nautilus staff who have been trained and have the necessary experience in dealing with bullying and harassment. When you email us, please give us:

- **your name**
- **your membership number**
- **a brief description of your situation**
- **a phone number we can call you on if you want to speak to someone – or tell us if you prefer us to support you via email**

Call our offices in the UK, Netherlands or Switzerland. When you call our switchboards, ask to speak to the Industrial Organising department. Our frontline staff in the department will take your name and membership number and arrange for the most suitable person to call you back in confidence.

Please make sure you say that you are calling to discuss a bullying or harassment issue. The numbers to call are:

Head office (London): +44 (0)20 8989 6677

UK northern office (Wallasey): +44 (0)151 639 8454

Netherlands office (Rotterdam): +31 (0)10 477 1188

Switzerland office (Basel): +41 (0)61 262 24 24

Contact the female or young members' support staff. If you are a woman member, you may prefer to deal with one of the female staff members assigned as contact points for female members. When you call us on one of the numbers above, explain you are calling about a bullying or harassment problem and ask to speak to a female official. Alternatively, email women@nautilusint.org with a brief description of your problem and leave a phone number or email address so the assigned female official can contact you.

Trainees (cadets) and young members – both male and female – can also ask to speak to a staff member who has been specially assigned to support them. When you call us, explain you are calling about a bullying or harassment problem and ask to speak to the official who supports young members. Alternatively, email youth@nautilusint.org with a brief description of your problem and leave a phone number or email address so the assigned official can contact you.

Please note that if any of our members are themselves accused of bullying, the Union will also provide appropriate support to them and work to ensure they get a fair hearing. If you are facing a bullying or harassment charge and would like to discuss your options, you are welcome to use the contact methods above.

Our commitment to members

- we will treat any cases of bullying or harassment seriously and be supportive at all times
- we will ensure confidentiality is respected, understanding that many victims of bullying and harassment do not report incidents because of lack of confidentiality, lack of confidence that the issue will be treated seriously or fear of reprisals
- we will explain the processes and options available to members—including the time limits for applying for employment tribunals, if that is an option we believe is worth exploring
- we will make sure that we know what a member wants us to do
- our Union personnel will get support and assistance if they feel out of their depth or uncomfortable. Dealing with bullying and harassment can be traumatic for Union personnel as well as members
- we will keep the member informed and get their agreement for any course of action we determine needs to be taken

Appendix: Nautilus International Policy on Mutual Respect

Nautilus International is opposed to any discrimination based on age, colour, disability, marital status, nationality, gender, sexual orientation, religion, race or creed and has adopted a statement on equal opportunities to give effect to this commitment.

Among trade unionists there is a very high degree of appreciation of the need to respect the dignity of every individual. Nevertheless, in all organisations there should always be vigilance to ensure that all participants in Nautilus's meetings and events feel they are able to work in an atmosphere in which they feel comfortable and safe.

Nautilus International is committed to creating and maintaining a working environment based on dignity and mutual respect. Nautilus neither condones nor tolerates behaviour that undermines the dignity or self-esteem of any individual or creates an intimidating, hostile, abusive or offensive environment. This commitment applies to all delegates and participants, women and men, in Nautilus meetings, activities and social gatherings and Welfare Fund activities wherever they may take place.

As an employer, Nautilus has a legal as well as moral responsibility to protect its employees from any form of harassment, abuse or similarly unacceptable behaviour. This applies to the working environment in London, Rotterdam and Wallasey and to Nautilus meetings wherever they are held. It also applies to social occasions where the attendance of Nautilus staff is linked to their employment and where Nautilus is liable as an employer.

In order to give effect to this policy, Nautilus has prepared the following guidelines.

Guidelines on the policy

Nautilus International is committed to creating and maintaining a working environment based on dignity and mutual respect and Council has adopted a statement on Equal Opportunities giving effect to this commitment.

In all organisations there should always be vigilance to ensure that all members of staff and participants in Nautilus meetings feel they are able to operate in an atmosphere in which they feel comfortable and safe. This should apply to meetings, socialising and all the events around Nautilus activities.

What we ask of you

- **To treat everybody, including other members, as well as Nautilus officials and staff members, with respect and dignity**
- **To make absolutely sure your own behaviour does not cause offence or misunderstandings**
- **To think before you make personal remarks**
- **To accept responsibility for challenging all forms of unacceptable and offensive behaviour, and for upholding personal dignity**

This may involve such forms of unwanted behaviour as:

- **Unwanted physical contact**
- **Physical or sexual assault**
- **Sexual or compromising propositions**
- **Racist, sexist or religious jokes**
- **Offensive language, insults and obscene gestures**
- **Unwelcome gifts**
- **Intrusion by pestering or stalking**

These lists are not definitive.

We are aware that among trade unionists there is a very high degree of appreciation of the need to respect the dignity of every individual. We welcome your cooperation in our practical efforts for making Nautilus as a workplace and all Nautilus meetings a positive experience for everyone.

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