

Jasna Teofilovska, PhD
Associated Professor of MCR
State University of Tetovo
teofilovskajasna@yahoo.com

**IDENTIFYING AND FACING MOBBING IN
THE ENTERPRISES OF THE REPUBLIC OF
MACEDONIA**

Abstract

Mobbing or psychological (moral) abuse of employees is a rather widespread phenomenon in the enterprises in the Republic of Macedonia indicated by the results of existing studies and surveys conducted with the employees in the public and private sector. However, since no concise or express and accurate definition exists related to workplace mobbing, this study is focused on defining existing plentiful literature dedicated to this matters, and taking into consideration the applicable legal framework, or more precisely Law on Protection against Harassment at Workplace. In that light, the possible cases of workplace mobbing were differentiated from other types of labor violence or other rights. Furthermore, cases are indicated where mobbing behavior is not in question; in fact certain professional norms and requirements by employers are concerned, which cannot be treated as abuse of the employee. In addition, consequences to the mobbing victim are highlighted, which seriously harm both his/her physical health and personal and professional integrity and position of the enterprise. Taking into consideration the number of employees subjected to mobbing in Macedonian enterprises, a range of measures to assist the employers to easier cope with this serious problem are proposed.

Key words: mobbing, enterprise, legislation, mobbing victim, employer

1. INTRODUCTION

Modernization, globalization and transition to capitalist business lead to changes in the employees' behavior as a result of increased requirements, deteriorated interpersonal relations and office abuse.

Practices of efficient organizations confirm that strategic management of human potentials strives to build adequate system to overcome mobbing in the workplace as a form of discrimination, and to ensure support to realization of better organizational performances. On the other hand, management is under big pressure and endeavors to verify its justification and demonstrates its active contribution related to enhancement of the organizational performances. Those two factors are drivers of management studies, key objective of which is to inspect mobbing impact as a psychical and moral bullying and abuse (*employee abuse, workplace terror; bullying*), workplace terror and influence of such circumstances against organizational performances and sustainable competitive advantage.

2. CURRENT MOBBING SITUATION IN THE REPUBLIC OF MACEDONIA

Workplace mobbing is a rather widespread phenomenon evidenced by its treatment from various aspects within different scientific disciplines. A comprehensive and precise definition of mobbing, however, does not exist, which can be concluded from the existing literature. In general, mobbing is categorized as personal and psychical threat related to workplace behavior. It occurs on daily basis irrelevant of the victim's education level, material status or gender. As an average, four persons per week report workplace bullying. Incredibility in the judicial system and harmed health condition are some of the reasons why persons being bullied do not file a complaint in courts but in the Office for Assistance and Education of Mobbing Victims.⁸

With reference to the legal framework associated to this problem, there is Law on Protection against Harassment at Workplace.⁹ Experts are still discussing some ambiguous and imprecise provisions; however it provides for that, if

⁸ Office for Assistance and Education of Mobbing Victims commenced its operation on December 21, 2010 within the Trade Union of Financial Activities, which is part of the Federation of Trade Unions of Macedonia. It is aimed at providing advisory, legal, health and social and other type of assistance to harmed employees.

⁹ Some EU Member States and other countries have adopted relevant mobbing-related laws in the past years. Relevant bodies in the Republic of Macedonia have established that the current mobbing-related legislation is incomplete and insufficient; therefore a new Law on Protection against Harassment at Workplace has been drafted and adopted in 2013.

present, it is easily evidenced.¹⁰ So, a mobber's bullying and harassment can be established from copies of letters, e-mails, faxes, SMS and etc. The persons are requested to provide eventual notes related to the occurrence perceived by other persons or witnesses. Moreover, of considerable significance for evidence in the trial is the employee's logbook. Those are notes written out by the employee in his/her logbook on daily base: threats, assaults, harassments and etc. In the Office believe that the citizens are not familiar how to act in such situations to provide evidence for the court. They, however, notify about cases where mobbing is not concerned.

3. THEORETICAL FRAME

Some suggestions and our own perceptions are given below to assist in resolving this dilemma (see also: Armstrong 2003; Leymann 1990; Leymann 1992, etc.).

3.1. What is mobbing

In order to be absolutely unacceptable behavior characterized as mobbing and a victim thereof, and finally to be able to file a complaint against abuse protection, it is not sufficient that such behavior happen only once but it has to occur repeatedly. For that purpose, it is important to construe that the person acting inappropriate has had intention to undermine your dignity, reputation, integrity or harm your health.

The following procedures are considered workplace mobbing or abuse:

- disabling normal communication (yelling, intimidations, insults, unjustifiably and willingly interrupting the employee to express his/her opinion, discontinuing the employee's speaking, permanent phone calling and harassing, if the object fails to come to a job interview, and etc.);
- serious undermining interpersonal relationships (ignoring the employee's presence, avoiding communication, unjustified physical isolation or prohibiting his/her communication with the other employees, failure to call him/her at a meeting, unjustified attachment of his/her working tools, and etc.);
- undermining personal integrity (teasing, gossiping, false allegations, demerit comments on the employee's personal characteristics, imitation of his/her voice, gesture, movement and etc.);
- undermining personal standing (unjustified persistent criticizing,

¹⁰ Recently news has been published that the first mobbing sentence was adjudged in Macedonia. For further information, please visit: <http://www.akademik.mk/donesena-e-presuda-za-mobbing-vo-makedonija-se-sozdava-sudska-praksa-koja-ohrabruva-veli-advokatot-petro-janura/> (accessed 13 August 2016).

undervaluing the employee's work, allocation of meaningless work tasks, precluding the employee to perform his/her obligations, allocation of humiliating tasks under the employee's level of knowledge and skills, unrealistic time limits, frequent changes of the work tasks or inappropriate work interruptions, imposition of malicious tasks not related to employee's position and workplace, excessive work monitoring, ungrounded or excessive use of control and other mechanical devices and intentional exclusion from additional education and professional training, and etc.);

- harming the employee's health (permanent pressure and intermediation, such as quitting job, termination of employment contact or application of psychological harassment, physical bullying, without any crime elements, intentionally provoking conflicts and stress, and etc.); and
- sexual harassment (offensive and inappropriate comments and actions of a sexual nature, attempt or indecent of undesired physical contact, inducement of sexual favor by promising rewards or threats or extortions, and etc.).

3.2. What is not mobbing

There are practices and behaviors that we may face at work, and which may resemble to (emulate) workplace abuse; however, from a legal aspect they cannot be treated as mobbing. In such cases other violence of the employee rights may exist, for which various methods of protection are envisaged.

This may refer to the following:

- *individual employer's act (decision, offer of annex to the employment contract, warning, and etc.) containing decision on the rights, obligations and the employee's responsibilities related to the employment (the Law on Employment Relations provides for the right to initiate proceedings against such acts);*
- *deny or deprive of a right determined by law, general act or employment contract, such as not to pay salaries and other receiving in case of overtime in opposition to the law, if one is deprived of one's right to daily, weekly or annual holiday and etc. (for all this matters we can refer to the Labor Inspectorate or initiate labor court dispute);*
- *implementation of employee discipline intended for better organization of the work (for instance, prohibition of access to Facebook during work hours or prohibition of meal consumption in premises for visitors);*
- *reasonable activities aimed at health and safety protection at work (use of employee's electronic identification card when arriving and leaving workplace or obligation to wear helmets at construction site);*

- *discrimination or unfair relation among the employees due to their personal characteristics (discrimination is prohibited, while protection is ensured by special procedure);*
- *behavior that can be characterized as workplace bullying but not repeatedly or no intention exists to undermine dignity or health (employees behaving inappropriate or improper may be imposed disciplinary fine);*
- *occasional different opinions, conflicts and problems occurring and related to the work, if no intention exists for harm or insult.*

3.3. Crimes and bullying at work

It is important to make difference between mobbing and crime. For instance, cases of inflicting minor or serious body injuries, rape and etc., are not categorized as mobbing but something much more serious.

There are procedures such as crime, abuse and torture, safety threatening, insult or false allegations, which are indisputable, referred to as crime, and if they repeatedly occur this can mean workplace bullying at the same time. If you have been insulted once only, then you are a crime victim but not mobbing victim.

In cases of psychological harassment and bullying by the superior, the victim has several possibilities. To quit job, initiate court proceedings, publicly oppose taking the risk to be dismissed from work or tolerate. Few persons initiate proceedings, and even fewer accept the risk of being dismissed. According to the knowledge so far, more persons will ask for assistance but they are aware that they cannot find a new job and even they lack money to cover the court fees; they keep silent and tolerate bullying as long as a possibility for a new job appears, or long-term exposure to such hardships will seriously harm their health. Victims often know to withdraw when court procedure is concerned due to the above reasons. Experience indicates that in RM an employee will rarely withdraw and quit.

4. RESEARCH SO FAR

The Federation of Trade Unions of Macedonia increasingly faces psychological pressure on its membership – employees. Taking into consideration frequent appeals of the union membership for protection of the right to safe and health conditions at work and protection of the employee’s dignity in securing existence, the CCM intensively treats mobbing. The manual „Psychological Pressure at work – Mobbing“ has been published for the purpose of high level of information on this negative occurrence. This is first edition of the kind in the Republic of Macedonia

and its primary purpose is to offer general information on the term mobbing, its recognition, consequences thereof and handling therewith.

This can be perceived from the results of the survey conducted by the Federation of Trade Unions of Macedonia, which clearly indicates to expressive form of mobbing in RM. This is first survey of the kind in the country providing insight in mobbing prevalence and impact on the employees' mental and physical health. The survey was conducted on representative sample size in bigger cities of the country, assuming national, gender, status and any other structure important for perceiving this situation. A total of 510 respondents were surveyed, which is a relatively large sample size to confirm the data relevance. The deviations range around 5%.

The survey was conducted in different activities and sectors represented as follows:

Industry	193	38%
Trade	155	30%
Public sector	162	32%
Total	510	100%

T-1: Mobbing survey in public and private sectors

Source: Federation of Trade Unions of Macedonia (2009), Survey "Mobbing – Psychological Pressure at Workplace"

It shows that 40% of the respondents were victims of mobbing, mostly by insinuations and excessive controls; major reason of mobbing was political affiliation; mobbing was assumed mostly by superiors (55%); prevalent consequences were: harmed employees' social and emotional balance and general health (40% felt headaches, tachycardia, and high blood pressure).

With reference to protection against mobbing, the respondents' expectations were that The Federation of Trade Unions is the only organizational form for their protection, indicating to the need for further instructions related to the manners and possibilities to cope with this occurrence provided by this employee organization.

The following results were obtained from the survey responses (we present the results in relation to each of the questions).

- Have you been a victim of mobbing?

Yes	207	41%
No	303	59%
Total	510	100%

T-2: Mobbing survey in public and private sectors

Source: Federation of Trade Unions of Macedonia (2009), Survey "Mobbing – Psychological Pressure at Workplace"

The high percentage of mobbing victims is impressive and much higher than the European average (25%). The response to this question should be south either in high level of the respondents' sincerity or in the fact that this occurrence is present and more frequent in societies in transition.

Occurrence of mobbing in our country is not of a recent date; it however gains ground in the transition period as well as in the post-transition period. Consequently, mobbing as a disease of modern civilization and communication kitsch is one of many consequences of these periods in the entire social life in our country. It is directly related to the socioeconomic development and to the social safety system and requires multidimensional approach in achieving better lifestyle of the citizens as fundamental human right and need.

5. CONSEQUENCES TO MOBBING VICTIM AND ENTERPRISE FUNCTIONING

The list of mobbing causes and consequences can be neither final nor universal considering the fact that each individual has own specific features and needs. However, general and common mobbing consequences are that it:

- harms general health (causes occurrence of organic or psychical disease – interference in memory, anxiety, nightmare, concentration problems, stomachaches, slackness, unrest, depression, lack of initiative, vomiting, apathy, irritation, restlessness, aggressiveness, unsteadiness, perspiration, arrhythmia, breathlessness, blood pressure problems, sleeplessness, nausea, loss of appetite, weepiness, loneliness, isolation, shiver, and etc.);
- influences professional workability (due to physical, emotional and mental deterioration), feeling of inefficiency, fatigue and exhaustion appears due to requirements opposite to the individual's competence, or require outsized physical and psychical input against low compensations, status or career promotion (Koic & Apostolovski, 2006: 16).

For mobbing victims bullying experience is very hard. They often do not express their feelings being afraid of misunderstanding and disbelief by the others. In such situation, it usually happens that the victim is not supported and understood even by his/her family members, which doubles the problem.

6. SUGGESTIONS AND RECOMMENDATIONS HOW TO COPE MOBBIING IN THE ORGANIZATIONS IN THE REPUBLIC OF MACEDONIA

Irrelevant of the actual, methodologically-imperfect condition of the area of mobbing survey in the Republic of Macedonia, it is imperative to indicate to insufficiently operationalized term of mobbing and nature of the matter. Therefore we keep to the phases through which we can establish the existence of mobbing;

– **First phase** – the victim's deprivation of work, isolation and does not have company anymore during the breaks – indication for intention to be dismissed either they consider that she/he is needless or because they are envious and feel jeopardized of her/his capacity. It is easy for the person to pull out of this phase; she/he has to immediately settle the problem and simply ask the superior what the matter is and "show her/his attitude". The answer may tell her if a normal problem at work is in question that is to be solved, or she is really a victim of mobbing.

– **Second phase** – mobbing usually takes longer period and the victim fails to notice while asking her/himself whether he/she is working hard enough or makes mistakes, cannot accustom to the work, feels less valuable, and loses reputation and right to express.

– **Third phase** – the victim is "the villain of the piece" for all omissions and inefficiency of the team, being blamed to hinder the work.

– **Fourth phase** – the victim struggles for the workplace survival, endeavors to complete all entrusted tasks although he/she is aware of their extensiveness and intentionally given unreasonable deadlines.

– **Fifth phase** – the victim is completely excluded from the work process, feels sick, depressed, sees a psychiatrist, leaves the work and even assumes suicide.

Erosion of business ethics is a result of the business and business competitive relations, and on the other side it demolishes moral elements of the business culture. Particularly important in this frame appears to be dealing with mobbing by taking initiative on the following levels:

- ❖ individual level – the person is to eliminate or reduce the situations resulting from mobbing in his/her surrounding, to estimate potential damages and minimize the level of pressure experienced as a result of mobbing.
- ❖ organizational level – to analyze the work in order to create conditions to change the work environment, or to manage the workplace conflicts; to motivate and secure the employees:
 - health and safe conditions for work;
 - stimulating opportunities for personal development and self-efficacy;
 - impartial and fair rewarding;
 - conditions of inexistence of prejudices and discrimination on any grounds;

- conditions for the employee to feel useful, efficient and respected;
- participation in setting mutual objectives and decision-making, settling and dealing with problems;
- balanced work and private life of the employees;
- right to privacy and own opinion, positions and attitudes (conditions for existence of plurality of ideas in the organization);
- socially responsible work environment (organization open for the employees' needs) (Kostelic i Martić, 2005: 69).

When development of mobbing process has been established, it is the employer's obligation to protect the victim. His/her stigmatization has to be precluded and he/she must be in a condition to retain his/her previous reputation and capacity. The victim has to take a sick leave and offered professional rehabilitation. It is a great omission for the employer to permit the person concerned to go through the mobbing process and just dismissed afterwards.

Furthermore, the employer has to choose one or more persons in the organization to whom the employees concerned by mobbing can refer to for advice. In addition, the employer has to observe and apply current regulations that could help in the fight against mobbing and ensure the employees' rights related to maintaining physical and psychical health at work. To that end, he/she has to provide regular control of the work environment and ensure the necessary work conditions.

7. CONCLUSION

The objectives of workplace mobbing and harassment policy is usually focused on raising awareness to this problem to easily recognize key challenges at different levels both in organizations and society as a whole; to act on organizational and individual levels and encourage and sometimes help organizations to take actions.

Governmental policies, preventions and interventions as well as possibilities to reduce mobbing vary among the countries. As a result, national and international sectors express their concern and take different measures and activities to prevent and deal with workplace mobbing.

Bibliography

1. Armstrong, M (2003). *A Handbook of Human Resource Management Practice*, 9th ed. London and Philadelphia: Kogan Page.

2. Federation of Trade Unions of Republic of Macedonia, Office for Assistance and Education of Mobbing Victims. Available at: <https://www.facebook.com/MOBING-Kancelarija-za-pomos-i-edukacija-na-zrtvite-na-mobing-SSM-101417246636491/> (accessed 20 July 2016)
3. Koic E & Apostolski J (2006). *Mobbing hr. Najcesca pitanja i odgovori*, drugo izdanje. Virovitica, Zagreb: Udruga za pomoć i zaštitu žrtava mobinga; Grad Zagreb, Gradski ured za rad, zdravstvo i socijalnu skrb.
4. Kostelić-Martić A (2005). *Mobing: psihicko maltretiranje na radnom mjestu*. Zagreb: Školska knjiga.
5. Law on Protection against Harassment at Workplace. Official Gazette of the Republic of Macedonia, No. 73/2013
6. Leymann H (1990). "Mobbing and Psychological Terror at Workplaces". *Violence vict*, 5:165-84.
7. Leymann, H (1992). The Mobbing Encyclopaedia: Bullying. Available at: <http://www.leymann.se/> (accessed 15 February 2011)
8. Whistleblowing. Heinz Leymann. Available at: <http://www.leymann.se/> 13 200 et (accessed 15 February 2011)