

From: [REDACTED]
To: [PID Act Review](#)
Subject: PIDAct Review 2023
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I, [REDACTED], wish to lodge, by my formal consent, this non-exhaustive submission paper for the purposes known and as publicly advised on 23 November 2022, by the Attorney-General and Minister for Justice, Minister for Women and Minister for the prevention of Domestic and Family Violence, the Honourable Shannon Fentimen.

It is with discretion of anonymity And volition, that I provide my information with authenticity and evidence based resolve and I sincerely hope that this contributes to positive change within an arena of greatly profound and deep-rooted complexity.

[REDACTED]

The art and act of whistleblowing isn't about invoking change to reach perfection, in my own opinion, it's about corporations reaching a level of maturity with their compliance and governance and by this, whenever there is a whistleblower event its because the corporation or individual made conscious choices against policy, or use 'interpretation' as a get-out-of-jail card.

I am not perfect. I make errors in judgement from time to time and Lord knows this paper may well be used against me however I am above scrutiny because I know I am not perfect and do not seek perfection, I seek workability and without integrity, which is not perfection, there is no workability.

Fundamental changes, if you please, for consideration under the whistleblower act with view for corporation mandatory change under organisational law:

- Segregation of HR business partners and inhouse whistleblower representation
- HR as a department should be external to the corporation to allow freedom from corruption and individualisation of protocols.

There has been various misconduct issues that have been ongoing over the past three years. [REDACTED]

It is also known that social media is saturated with experiences that HR devalue the 'human' fundamental in 'Human Resources', in addition, these experiences flag evidence

of biases, and possibly as a result of unique micro-aggressions which have been identified throughout the inequality revolution.

Causal factors are:

1. Constant unresolved conflict among coworkers and manager/seniors with coworkers
2. Poor intervention to ensure or support work/life balance
3. Lack of follow through from management and coworkers when given advisement on Compliance
4. Lack of honesty and transparency when it comes to promises about growth and development opportunities
5. Lack of honest communication between task processors and task owners
6. No or inconsistent adherence to required training
7. Tolerated unfair, inconsistent treatment by Managers and coworkers
8. Lack of support to staff from human resources, including improper processes when handing over from one hrpb to another
9. Unchecked biases
10. Inability to provide 360degree feedback on management, coworkers and business areas

These causal factors are listed and linked below, within the framework of existing legislation, which we as Queenslanders are required to abide

All of which irrefutably contributed towards an aggravated workplace (psychological) injury, identified under the worksafe.qld.gov legislation, as repeated displays of and mismanagement of behaviour, whether intentional or unintentional, that may constitute as work-related bullying, but not limited to:

- deliberately leaving someone out of work-related activities
- withholding information that is vital for effective work performance
- not giving someone the information, supervision, consultation or resources they need to get the job done
- spreading misinformation or mean rumours

1. The rules

- a. Workplace Health and Safety

<https://www.worksafe.qld.gov.au/laws-and-compliance/work-health-and-safety-laws>

Who's responsible?

The Act places the primary health and safety duty on the business owner or employer—referred to in the Act as a *person conducting a business or undertaking (PCBU)*.

The business owner must ensure, so far as is reasonably practicable, the health and safety of workers at the

workplace.

This means doing what you are **reasonably** able to do to ensure the health and safety of workers and others like volunteers and visitors.

Duties, or responsibilities, are also placed on managers, supervisors and workers at a workplace.

A manager exercising their legitimate authority at work may make some workers uncomfortable.

The question of whether management action is reasonable is determined by considering:

- the actual management action rather than a worker's viewpoint of it
- if the action involved a significant departure from established policies or procedures
- if a departure from established policies or procedures happened, whether it was reasonable in the circumstances.

Some examples of reasonable management action are:

- setting realistic and achievable performance goals, standards and deadlines – *however, what is reasonable is providing the resources, tools, policies, procedures, training and the leader alternative in absence of.*
- fair and appropriate rostering and allocation of working hours – *in events of extra hours these should be allowed to be recorded and tracked and not weaponised.*
- transferring a worker to another area or role for operational reasons – *however a fair and transparent process should be practiced to avoid the use of unchecked biases.*
- deciding not to select a worker for promotion where a fair and transparent process is followed: *Fair and transparent process does not seem to be documented anywhere, what's an illustrated industry standard?*
- telling a worker about unsatisfactory work performance in an honest, fair and constructive way: *Constructive feedback from leaders is not consistently not provided and then later used as unchecked biases when making decretionary decisions about staff*
- telling a worker about unreasonable behaviour in an objective and confidential way: [REDACTED]
[REDACTED]
- implementing organisational changes or restructuring: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- taking disciplinary action, including suspending or terminating employment where appropriate or justified in the circumstances: [REDACTED]
[REDACTED]

b. Queensland Office of Industrial Relations Anti Bullying Laws

<https://www.oir.qld.gov.au/industrial-relations/qld-industrial-relations-framework/workplace-bullying>

What is considered 'bullying'?

A worker is bullied at work if:

- a person or group of people repeatedly act unreasonably towards them or a group of workers of which the employee is a member, and
- the behaviour creates a risk to their health and safety.

What is reasonable management action?

Reasonable management action can include, for example: making decisions about an employee's poor performance, taking disciplinary action, and directions about the way work is carried out.

Reasonable management action which is carried out in a reasonable way is not bullying.

Management action that is not carried out in a reasonable way may constitute bullying.

How are workplace bullying protections different from discrimination protections?

Discrimination occurs when there is 'adverse action', such as firing or demoting someone because of a person's characteristics like their race, religion or sex.

In contrast, workplace bullying does not have to be related to a person or group's characteristics and adverse action does not have to have occurred.

What to do if you are being bullied at work?

If you think bullying or harassment is happening at your work, you can talk to:

- a supervisor or manager
- a health and safety representative
- the human resources division
- a union.

■ [REDACTED]

■ [REDACTED]

distress

- anxiety
- panic attacks or disturbed sleep
- physical illness, for example muscle tension, headaches, fatigue and digestive problems
- loss of self-esteem and self-confidence
- feeling isolated
- deteriorating relationships with colleagues, family and friends
- negative impact on work performance, concentration and decision-making ability
- depression
- suicidal thoughts.

f. Emotional blackmail

This occurred on two separate occasions:

[REDACTED]

- <https://humanrights.gov.au/our-work/4-creating-safe-and-healthy-workplace-all>

Some characteristics of a healthy and safe workplace:

- professional development is supported and encouraged

- obstacles to optimum mental health are identified and removed
- diversity is viewed as an organisation advantage
- staff turnover and sick/stress leave is low
- staff loyalty is high
- workers are productive members of a team.

- **Commitment to a strategy for creating a healthy working environment**

A key component to the success of creating a safe and healthy work environment is commitment and awareness.

This can be demonstrated throughout the organisation by:

- commitment from senior managers and other senior staff to develop a healthy working environment through mission statements and policies
- managers demonstrating their commitment by implementing the strategies making all staff aware of your managerial commitment to having a healthy and safe working environment.

A safe and healthy workplace culture has many benefits such as:

- promoting staff loyalty and pride
- generating positive views about the business – both by workers and clients/customers
- becoming a highly sought after work environment when recruiting new staff greatly improving productivity.

- **Consulting with workers**

In terms of mental health, it is important to involve workers and their representatives in strategies and policies related to OHS, risk management and mental illness. Not only is consulting with workers required under OHS law, it also makes good sense in creating a safe and healthy workplace.

- **Identify the hazards, assess the risks and implement controls to minimise the risks**

Assess the work and workplace characteristics to identify whether it is a healthy and safe work environment or one that could create or contribute to poor mental health.

- **Possible mental health hazards to assess**

Stress is a major contributing factor to mental health issues in the workplace. There are eight clear risk factors:

- high demand (work overload)
- low support from co-workers and supervisors lack of control
- poorly defined roles
- poorly managed relationships and conflict

- poor change participation
 - lack of recognition and reward
 - organisational injustice.
-
- <https://www.oir.qld.gov.au/industrial-relations/qld-industrial-relations-framework/workplace-bullying>

Bullying and harassment in the workplace can greatly affect a person's mental health. Bullying and harassment can take the form of:

- abusive behaviour or language
- unfair or excessive criticism
- purposely ignoring the worker's point of view
- tactless remarks or actions which put down the person
- malicious rumours or gossip

• How to deal with a manager or coworker who undermines you:

- Document Examples of the Undermining.
- Speak to Your Manager.
- Find Allies.
- Ask Your Manager or Ally to Confront the Underminer.
- Escalate to HR and / or Senior Management.

• How to deal with a toxic boss or coworkers: 7 Key tips

- Decide whether to stay or quit. ...
- Find friends at work. ...
- Be professional even when your boss isn't or when your coworkers aren't. ...
- Don't be a target (do your job and do it well) ...
- Learn and adapt to their leadership style. ...
- Don't take it personally. ...
- Talk to HR when necessary and keep detailed records.

• *Your boss Or coworkers block communication with you or colleagues*

If your boss doesn't trust you to represent your team in crossfunctional meetings and cuts you out of important communication, they're setting you up for failure in

both the short term and the long term.

- **Gaslighting**

The term “gaslighting” refers to a process of psychological manipulation that causes someone to question their own beliefs, experiences, and sanity. While the phrase is frequently used regarding personal relationships, it can apply to various aspects of our lives—including the workplace.

#1. They blatantly lie and deny their promises, even when you have proof.

Gaslighters often go back on their promises and deny past claims. Even worse, they tend to place the blame on the victim. For instance, say you spoke with your boss on Monday, and they approved you leaving a few minutes early on Friday to make an appointment.

Friday rolls around, and you find yourself suffering from whiplash as your boss claims, “That never happened!” and even negates your memory of the conversation (“Why would I even say that?”). If this scenario sounds familiar, there’s a good chance that your boss is gaslighting you. Likewise, if you emailed a presentation due at the end of the week (and have the “sent” receipt to prove it), a gaslighting boss might question your sanity (“I never got it!” or “Obviously you forgot”) regardless of any proof you have.

#2. They lash out at you if you question them.

One of the primary behaviors that gaslighters exhibit is defensiveness. Nobody likes to be wrong—it’s human nature, after all—but a gaslighter often evades any notion of accountability, let alone has the decency to apologize.

Rather than admit to an act of wrongdoing, they’re more likely to pin the blame on you. Consider the scenario above about the presentation you *know* you emailed, but your boss claims they never received.

Even if you politely and respectfully push a tad further (“Would you mind doing a quick scan of your inbox again, just to make sure?”), you’ll likely be met with more abusive language (“I told you I don’t have it!” or “Are you calling me a liar?”). Playing

the victim via defensiveness and lack of responsibility is a telltale sign of gaslighting.

#3. They trap you in a push-and-pull cycle of abusive language and praise.

Many gaslighters utilize a wound-and-soothe cycle where they alternate between inflicting harm (such as using insulting or abusive language) and positive reinforcement. This often creates a never-ending cycle of doubt where a victim ends up dismissing their negative feelings as a result of the “soothing” that follows it.

In many cases, the gaslighter will withhold positivity until the victim reaches the very brink of their breaking point, leading to an overwhelming accumulation of emotion. As you can imagine, this is extremely detrimental to a person’s confidence and emotional wellbeing, and can quickly lead to fatigue, burnout, and poor mental health.

#4. They contradict themselves to confuse you about your role and responsibilities.

Maybe this sounds familiar: your boss demands that you prioritize a certain task at the beginning of the week, but then proceeds to deny this towards the end of the week. Even worse, they may follow up this confusion with a degrading question, such as, “Why on earth would *this* take precedent over *that*?” or a sardonic comment, like, “Are you stupid? Which task do *you* think matters more?”

In another scenario, maybe your boss tells you to do one task a certain way, only to later tell you that you’re doing it wrong—all while making you feel incompetent and at fault. As you can imagine, this can lead an employee to question themselves and experience diminished self-confidence. Such behavior is indicative that your boss is gaslighting you at work.

#5. They make you feel like you’re never doing enough, even when you’re doing everything.

Have you ever felt that you’ve gone above and beyond to earn your superior’s approval, yet it never seems to be enough for them? Maybe they don’t seem to understand your overflowing plate, let alone the superhuman skill that was required of you to fulfill their every wish.

Regardless of how thin you stretch yourself, gaslighters are rarely satisfied. Rather, they'll always demand more from you—even if you literally work yourself into the ground. Setting boundaries in the face of gaslighting is one of the most difficult things an employee will face, but it's essential if you hope to prioritize your mental health and emotional wellbeing both inside and outside of the workplace.

#6. They make you feel crazy, sensitive, or ashamed—especially in front of your peers.

Gaslighters are pros at ridiculing and belittling. Sadly, this can lead an employee to have a negative and inaccurate perception of themselves and their actions.

For example, a gaslighter can easily cause a worker to confuse their perspective. Rather than perceiving the act of standing up for their rights as just, professional, and necessary, an employee may be convinced to view their decision as “being too sensitive” or “acting crazy.”

Such mind games can easily jeopardize our mental and emotional wellbeing in the workplace and lead to worsening doubts about our identity, competency, and employee rights. More often than not, a gaslighter will also seize the opportunity to belittle and ridicule employees in front of their peers, leading to increased feelings of humiliation, doubt, and shame.

• WHAT SHOULD I DO IF MY BOSS OR COWORKER/S IS GASLIGHTING ME?

There are steps you can take if you're being gaslighted at work. No one should have to endure inappropriate behavior, ridicule, or humiliation at the hands of a gaslighter, regardless of their position at the company.

Gaslighting is illegal assuming a victim can prove to the court that such behavior is harassment and/or discrimination. There can and should be legal repercussions for someone who gaslights an employee or colleague.

- <https://www.worksafe.qld.gov.au/safety-and-prevention/mental-health/Psychosocial-hazards/high-and-or-low-job-demands>

The first step is to identify the presence of high and/or low job demands in your place of work. This means looking at everything from the work environment to work tasks, how they're carried out, and the way work is designed and

managed.

Situations that may lead to high job demands include:

- time pressure (e.g. working long hours without adequate breaks, giving unreasonable deadlines for work tasks, or being pressured to complete work tasks outside of work hours or while on leave)
- role overload (e.g. allocating tasks to workers that are beyond their level of competence or capacity, or having to rapidly evaluate complex situations and make effective decisions under pressure)
- unachievable deadlines
- high vigilance (e.g. air traffic controllers)
- challenging work hours or shift work (shift patterns that are unpredictable)
- unrealistic expectations to be responsive outside of work hours
- physically demanding work.

Situations which may lead to low job demands include:

- having little mental stimulation or problem-solving opportunities within the work, or long periods of idle work (e.g. being unable to undertake other tasks while waiting for tools)
- requiring workers to undertake repetitive tasks with little variety
- monotonous work, highly automated work or sorting tasks (e.g. sorting irregular fruit, monitoring CCTV cameras, stop/go machine operation)
- allocation of tasks that are well below a worker's level of competence or capacity, or where workers cannot maintain their skills (e.g. not enough role-specific tasks to keep competencies).

To determine if job demands may be hazardous in your place of work:

- talk with health and safety representatives, health and safety committees, workers, customers and clients
- walk through and inspect your place of work (pace of work, backlog of work)
- review workers' compensation claims (for any mention of hazardous job demands leading to stress or injury)
- refer to industry standards and guidelines
- review relevant hazard / incident reports and complaints
- collect and review available internal information (e.g. meeting minutes, records of excessive overtime, turnover data).

A risk assessment involves thinking about what could happen if someone is exposed to a hazard (the consequence of exposure) and the likelihood of it happening.

Psychosocial hazards may interact or combine to increase the overall psychosocial risk so need to be considered together.

A risk assessment can help you figure out:

- the severity of a risk
- whether any effective control measures are in place
- what actions you can take to control this risk
- how quickly you should act.

To determine the likelihood that someone will be harmed by exposure to their job demands, ask yourself:

- has it happened before, either in this place of work or somewhere else?
- if it has happened, how often does it happen?

To determine the possible consequences, ask yourself:

- will it cause minor or serious injury, or death?

After the risks have been identified and assessed, you'll need to control them.

Risk control measures should be selected on the basis of highest protection and most reliability.

Control measures

- **Eliminating the risk**

The most effective control measure is to eliminate the hazard and associated risk, for example designing work to ensure manageable workloads and achievable performance standards, or rotating tasks and activities for workers are not over exposed to time pressures or excessively demanding work (or conversely to prolonged or excessive monotonous work).

- **Minimising the risk**

If it's not reasonably practicable to eliminate the hazard, the risk should be minimised by using a range of control measures, for example scheduling regular breaks throughout the day and ensuring workers are taking breaks to get adequate rest and recovery, ensuring work tasks and cases are matched with the worker's capability level, or ensuring sufficient cover for workers who are on leave.

- **Using administrative controls**

You must also use administrative controls if there is still a risk after you've tried to reduce it with other control measures. Administrative controls protect your workers by working in ways that reduce their exposure to a hazard, for example introducing flexible working arrangement policies and practices, or implementing workload reporting and review systems and scheduling regular opportunities to review workloads with staff.

You may need to use a combination of these control measures to meet your responsibilities under WHS laws. Refer to the *Managing the risk of psychosocial*

hazards at work Code of Practice 2022 for more information.

Risk management should be an ongoing process in your business, and you should review your control measures regularly. Don't wait until something goes wrong. In some situations, WHS legislation requires you to review controls.

These are:

- when the control measure is not effective in controlling the risk
- before a change that might give rise to a new risk
- when you identify a new hazard or risk
- when consultation with workers indicates a review is needed
- when the dynamic and complexity of your business changes, e.g. for a new supervisor or worker
- after a health and safety representative requests a review.

A review of risk control measures should be undertaken after incidents which indicate the presence of psychosocial hazards.

A review of risk control measures can include an examination of:

- the physical work environment
- work systems and procedures
- worker training and information
- the consultation processes in your place of work.
- <https://www.worksafe.qld.gov.au/safety-and-prevention/mental-health/Psychosocial-hazards>
- Fatigue
- Harassment including sexual harassment
- Bullying
- Violence and Aggression
- Traumatic events
- Poor environmental conditions
- Remote or isolated work
- Poor workplace relationships including interpersonal conflict
- Poor organisational justice
- Low reward and recognition
- Poor organisational change management
- Low role clarity
- Poor support
- Low job control
- High and/or Low job demands

So therefore, **In my own words and sound interpretation of experiences through regulations such as** [REDACTED]

[REDACTED] my injury is as a result of having suffered and experienced long term consistent exposure to a significant amount

of knowingly toxic workplace behaviours which have been compounding over time which included but wasn't limited to management strategy or and decisions which were not properly overseen, monitored, handed over or investigated by HR staff in a reasonable way in order to preserve, and uphold safety in the workplace.

Personal events below:

All events/instances/examples which were Always discussed within a timely manner to

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I trust that if you need any other information you can ask me, I insist you ask, otherwise I will Await further instructions.

Regards

[REDACTED]