

Dolphins' locker room isn't only workplace with a bully

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It's easy to get bullied at work. Speaking up is another story.

Miami Dolphins tackle Jonathan Martin has shown us that bullying can happen to adults in the workplace, and refusing to tolerate those working conditions takes courage.

The question now is what it will take for professional sports and Corporate America to address bullying in the workplace before it makes headlines.

Just days ago, Martin, 24, abruptly left the Dolphins after a final incident in the team cafeteria and filed a formal grievance of player misconduct against teammate Richie Incognito. The Dolphins and the NFL Players Association since have been informed that Incognito did more than goad a young player. He sent him text messages and left him voicemails that are threatening and racially charged.

As the world of sports debates whether Incognito's alleged bullying of Martin was part of a hazing culture that leadership ignored, what has become clear is that abuse in the workplace finally is getting attention. So far, the Dolphins' response to the allegations that they fostered an unhealthy work environment is "we take this seriously"

Yet, if management were serious, how did Incognito's behavior happen in the first place? It is the same question employees in companies across the country have asked at their own job sites.

Hostility in the workplace is a large enough problem that 36 percent of workers say they have encountered it — that's at least one in three. Some experts even have called workplace bullying an epidemic that has been exacerbated by a recession that created job insecurity.

"Much of it goes undetected because people live in fear of keeping their jobs," said Paul Spiegelman, a workplace culture expert. "It's really an indictment of leaders who turn a blind eye or don't have enough of an early warning system to know what's going on in their businesses."

Typically, the workplace bully is someone who has higher status. The bad behavior often includes insulting another employee or humiliating him or her in front of others, undermining another person's work or consistently drawing attention to a co-worker's flaws.

Being the victim can affect someone's physical and mental health. There also is some evidence that employees who are bullied tend to take more sick days because of stress. In Martin's case, he is on leave from the team to seek help for emotional issues.

For now, Incognito has been suspended for "conduct detrimental to the team."

However, in most workplaces speaking up — particularly against a high performer or boss — typically doesn't go well. A 2007 Workplace Bullying Institute survey shows, 53 percent of employers did nothing when employees reported a workplace bullying incident. In 24 percent of cases, it was even worse: The person who complained got fired.

Surely, Martin is experiencing some backlash, too. As Miami Herald sports columnist Greg Cote points out, "Martin, unfortunately and unfairly, gets stigmatized now as soft or weak or a snitch, all things tough to overcome for a professional athlete, and all because he'd had enough and wouldn't play along with the curdled culture of the locker room."

One of the biggest challenges in getting management to take action is bullying is hard to define, explains Kelly Kolb, a labor lawyer with Fowler White Boggs in Fort Lauderdale "There are laws against sexual harassment or discrimination, but there is nothing that requires people to treat each other nicely."

True, workplace bullying is not illegal in any state. Although [23 states have tried](#) to pass anti-bullying laws, none have succeeded. Eleven states have anti-bullying laws pending. Florida is not one of them. Kolb says even the anti-bullying law would be difficult to enforce: "It's a civility code, and I don't know how you would enforce it."

The Dolphins incident highlights the sometimes-ignored fact that bullying in the workplace isn't just a moral problem but also is a managerial and economic one. Ignoring bullying can cost a business in myriad ways. With the Dolphins, the absence of leadership and discipline that allowed this behavior has created a national embarrassment for the franchise. And, it could cost the team in legal consequences, performance and team attendance, contract costs and public relations fees, according to a Patrick Rishe, an economics professor at the George Herbert Walker School of Business and Technology at [Webster University](#) in St. Louis, and the founder/director of Sportsimpacts.

In other workplaces, bullying has been shown to destroy productivity and lead to turnover. Studies show co-workers who witness bullying are as likely as victims themselves to look for a new job. "It's really in an employer's economic interest to root stuff out and stop it," Kolb says.

Gary Namie, who operates the Workplace Bullying Institute in Seattle, said the effects on a victim are particularly devastating when someone is supposed to be part of a team: "The number one leadership style that enables bullying is laissez-faire. What will emerge is a tribal set of rules where those who are most vicious will prevail."

Of course, there are ways to cope. Donna Ballman, a Fort Lauderdale labor attorney who represents individuals, advises anyone who is being bullied at work to keep track of incidents and start looking for another job: "It may seem obvious, but I can't tell you how many people come to me after they were fired, and they'd been tortured for years."

Bullies frequently cross the line into illegal behavior at work, giving the victim legal recourse. Just last month, a mentally challenged Texas man claimed victory after a jury awarded him almost a half-million dollars in a discrimination and harassment suit against the Kroger supermarket chain. Karl Tipple, 25, claimed a store manager made his life miserable because of his disabilities and verbally bullied him.

Miami attorney Marc Brandes of Kurkin Brandes said the Dolphins scenario is another case of bullying that has moved into something more serious.

“Employers don’t have to provide a stress-free work environment, but they do have to provide one that doesn’t violate someone’s civil rights,” Brandes said. “In Incognito’s case, leaving racially charged texts and voicemails only exacerbates the situation.” Because it may have been going on more than a year, and it wasn’t addressed, it could even lead to claims of a hostile work environment, a potentially costly outcome for the football team, Brandes said.

“I think it is an eye-opener for all professional sports and all business owners,” Brandes said. “We’re going to see them looking at their employee handbook and policies to make sure there is language that addresses situations like this, and we’re going to see a more open-door policy to encourage communication with management.”

Meanwhile, Spiegelman said sometimes it takes this type of public attention for workplace problems to improve. He’s hopeful, with the Dolphins example, that other businesses will have the courage to discipline a bully.

I know lots of employees who would like to feel that way, too.

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