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psychologique tel qu'entendu au Québec*

*El abuso emotivo : utilidad del concepto para la comprensión del acoso
psicológico (legislación de Québec)*

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1. Introduction

- 1 While physical violence garners much public attention, it is non-physical aggression that dominates the workplace and results in notable harm to more people. A particularly insidious form of this aggression is psychological harassment. While known by many terms (emotional abuse, Keashly, 1998 ; generalized workplace abuse, Richman *et al.*, 1996 ; psychological aggression, Greenberg & Barling, 1999 ; and bullying, Hoel *et al.*, 1999), an examination of the relevant literature indicates that there is a growing consensus across the international literature (Einarsen *et al.*, 2003 ; Keashly, 1998) on the types of behaviours that psychological harassment encompasses. Furthermore, it is painfully clear that these non-physical behaviours can be harmful to employee well-being (Keashly & Harvey, 2005). Although the degree of exposure varies, non-physical forms of aggression in the workplace are documented to be real, hurtful and part of many peoples' work experience (Keashly & Harvey, 2005 ; Soares, 2002).
- 2 The meaning of psychological harassment is sure to become a contentious issue in Quebec in the years to come. The province is the first North American jurisdiction to enact legislation on June 1, 2004, that seeks to prohibit psychological harassment at work. The

legislation modifies the labour code in that exposure to any conduct judged to create a psychologically hostile atmosphere is potential grounds for lodging a formal complaint. Wording of the law is still untested, so it is fair to expect that clarity will be sought through various mechanisms including an examination of the behavioural sciences literature. Indeed, the new legislation is likely to be tested with a flood of cases (Berthiaume & Desmarais, 2003). Consequently, this paper is one step in this search for knowledge. Fundamental to our contribution is the observation that the definition of psychological harassment in the new legislation in Quebec is similar to that employed by researchers in the area of workplace emotional abuse. We relate some of the conceptual and empirical developments in the area of emotional abuse in the workplace to the proposed legislation on psychological harassment. Because we equate the concepts, the terms psychological harassment and emotional abuse will be used interchangeably unless otherwise noted.

- 3 Drawing attention to the comparability of these definitions is important for at least three reasons. First, it is informative that legislators and scholars have independently come up with similar conclusions in their observations of the phenomenon. This suggests that there is a common thread to this problem that is apparent enough to be independently corroborated. Second, a common viewpoint provides fertile ground for developing an understanding of, and ultimately dealing with, the problem. It means that empirical research in the area of emotional abuse may become useful in guiding those seeking an etiologic understanding of the problem. Third, it allows for those interested in psychological harassment to become familiar with the related concept of emotional abuse. While it may not have been at the forefront of consideration during the framing of the Quebec legislation, emotional abuse is a highly similar concept that adds richness to continued consideration of the problem of workplace hostility.

2. Defining the Concepts

- 4 Our understanding of the nature, processes and effects of psychological harassment (i.e., emotional abuse) is currently evolving. There is much to learn about the processes by which the negative effects occur or how the behaviours experienced become labelled as abusive (Harvey & Keashly, 2003a). For example, what makes behaviour abusive in certain working contexts and not in others? Is once enough, or does it need to occur more persistently? Must the person communicate it as unwelcome to be counted as psychological harassment? Does intent to harm have to be present for it to be interpreted and experienced as harassment? These are but a few questions for which research has begun to provide answers. Answering these types of questions is important if we concern ourselves with understanding and explaining the experience of psychological harassment.
- 5 We begin with a comparison of the definitions offered in psychological harassment legislation and emotional abuse literature. After illustrating a clear overlap of these basic definitions, we will deepen the analysis by considering the critical dimensions upon which emotional abuse has been conceptualized. This type of analysis offers insights for those seeking a better understanding or clarity on issues relating to psychological harassment, but it also points out areas in which there is a lack of firm knowledge and a call for further discussion and research.

- 6 Drawing on an initial definition by Keashly (1998), Keashly and Harvey (2005) refer to emotional abuse as
- « repeated hostile verbal and nonverbal behaviours (excluding physical contact) directed at one or more persons over a period of time such that the target's sense of self as a competent worker and person is negatively affected. »
- 7 This definition focuses on the notion of *persistent* hostility through **repeated** action **over a period of time** with the **consequences being ultimately negative**. This phenomenon, as described, is very similar to that addressed by the legislation. The legislation also places importance on persistence or the repeated nature of the actions, recognizes that the actions lead to negative consequences, and cites a wide range of behaviours that could qualify as harassment. Specifically, section 81.18 of the Act stipulates that psychological harassment
- « means any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures that affects an employee's dignity or psychological or physical integrity and that results in a harmful work environment for the employee. »
- The legislation diverges from the persistence characteristic of emotional abuse when it notes that « a single serious incidence of such behaviour that has a lasting harmful effect on an employee may also constitute psychological harassment. »
[Bill 143 amendments to the Labour Standards Act]
- 8 Nonetheless, it is clear with even a perfunctory examination of these definitions that they have at least three major elements in common. The behaviours in question are : a) varied b) persistent, and c) hurtful to the individual. We believe the similarity runs deeper, as we will discuss in this article. However, because the legislation was developed independently of the concept of emotional abuse and is therefore not confined to its definition and framework, it is important for us to recognize its development.
- 9 Psychological harassment legislation in Quebec arose out of a broad consultation with experts, government officials, various interest groups and an inter-ministerial committee (see « Rapport du comité interministériel sur le harcèlement psychologique au travail » ; Rapport, 2001). The committee responsible for the report consulted groups throughout Quebec and examined the literature and legislation throughout Europe. A reading of the report and examination of the references used in drafting the report are also indicative of this influence. European scholarship, including that on mobbing by Leymann (1996) and moral harassment by Hirigoyen (1998), is clearly among these influences. Research on emotional abuse was only emerging during this time in North America, as evidenced by Keashly's (1998) cornerstone paper on the topic. The development of emotional abuse was also closely tied to the European literature, as detailed in a recent international effort to show this connection (Einarsen *et al.*, 2003) and recognized by leading scholars such as Leymann (1999, personal communication). We believe this paper allows those who are less familiar with the concept of emotional abuse to learn how it proposes concepts that may be of interest.
- 10 What legislators have called psychological harassment can be further examined using a framework proposed by Keashly (1998). Her framework was developed as a distillation of critical characteristics of abuse that run through dozens of related terms and constructs in the literature. This framework consists of seven dimensions that continue to guide key debates and research questions on emotional abuse and related concepts. It is our view that any debate or questions on, or challenges to the concept of psychological harassment will invariably revolve around issues emerging from any or all of these seven dimensions.

- 11 The dimensions are listed in Table 1. We briefly review each, relate it to the Quebec legislation where possible, and provide updates when appropriate with any significant research in recent years. We invite the reader seeking a complete discussion of each dimension, including a fuller list of supporting research, to consult the original work by Keashly (1998).

Table 1. Dimensions of Analysis for Emotional Abuse and Psychological Harassment

1	Behavioural nature of emotional abuse
2	Emotional abuse is patterned
3	Emotional abuse is unwelcome and unsolicited
4	Emotional abuse violates standards of conduct
5	Emotional abuse causes harm
6	Emotional abuse implies intent or failure to control actions
7	Emotional abuse involves differences in power

2.1 Behavioural Nature of Emotional Abuse

- 12 The first dimension of emotional abuse relates to its behavioural characteristics. Keashly and Harvey (2005) have argued for an all-inclusive definition wherein any non-physical behaviour is potentially considered emotional abuse. The main exclusion from an emotional abuse definition is behaviour that involves physical contact or that is primarily sexual (sexual/gender harassment) or directed at one's ethnic origins (racial/ethnic harassment). The definition of psychological harassment does not exclude these behaviours. The challenge posed by this legislation is that it includes more than any one definition in the behavioural literature. Scholars may therefore be talking about more circumscribed concepts than the legislation framers intended in their definition, and any comparisons should as such be cautioned. Indeed, various schemes have been proposed to deconstruct this construct and related ones into meaningful frameworks (Keashly, 1998 ; Newman & Baron, 1997 ; O'Leary-Kelly *et al.*, 2000). Others have defined outright a specific construct within this overall space and studied it specifically. For example, concepts such as *incivilities* (Anderson & Pearson, 1999 ; Cortina *et al.*, 2001), *social undermining* (Duffy *et al.*, 2002), *aggression* (LeBlanc & Kelloway, 2002), *abusive supervision* (Tepper, 2000) and *verbal abuse* (Cox, 1991) are among the many proposed concepts that upon close examination are part of the emotional abuse or psychological harassment as defined earlier. Essentially, they have all studied sub-concepts and generally shown similar, predictable negative patterns of effects if the behaviour is persistent in one's experience at work (Keashly & Harvey, 2005). Being continually rude or dismissive towards someone under the definition of incivility, or yelling at someone on occasion at work according to the definition of verbal abuse seem to have equivalent potential for contributing to a person's decreased well-being at work, given the « right » dosages and exposure.

- 13 As such, the arguments arising from this dimension are becoming clear to researchers of emotional abuse and have some specific insights for practice. It would appear that despite the *specific* behaviours experienced, what seems most predictive of the effects noted by several researchers are other factors such as whether it is repeated, seen as intentional or controllable, and who is engaging in the behaviour (Einarsen *et al.*, 2003). These and other aspects of the abuse seem to be important considerations in understanding the problem and will receive our attention in the sections to follow. This observation is consistent with the apparent intent of the Quebec legislation ; the legislation seems less preoccupied with the nature of the behaviours in stating that *any* vexatious behaviour can be psychological harassment.
- 14 However, having said this, it is clear that certain *specific* behaviours *can* by way of their extreme or serious nature constitute sufficient reason to be labelled as psychological harassment. The Quebec legislation clearly recognizes this. The legislation is worded, as *we believe it should*, to be complete and consistent with the intent of the law-to eliminate psychologically injurious activity from the workplace. Whether a single act, outrageous as it might be, constitutes *emotional abuse* is something that research on emotional abuse has not adequately addressed. We are in agreement that some non-physical behaviour need only occur once to have harmful effects, but there is little empirical research suggesting what these behaviours might be. Hence, research attention needs to focus on a better understanding of the relevant factors and implications of this issue.

2.2 Emotional Abuse is Patterned

- 15 A second important dimension is the idea that abusive behaviours are patterned or repeated (Keashly, 1998). Being patterned has typically been interpreted to mean that behaviours that are repeated over time are « abusive ». Until recently, most research has assumed, rather than directly assessed, that repeated behaviour is an important factor in determining emotional abuse. A recent exception is found in work by Keashly and Neuman (2002). As part of the larger project with the U.S. Department of Veterans Affairs on workplace stress and aggression, the authors demonstrated that those who were exposed to persistent hostility at least weekly for a period of a year showed greater damage than those who had been exposed to hostility less frequently. The question is whether such persistence directly results in harm or whether it works through an employee's perception that the behaviour is intentional, which has implications for how they respond to the aggression (Keashly & Harvey, 2003). Indeed, perceived intent to harm has been linked with greater negative effects (Keashly *et al.*, 1996).
- 16 Repeated behaviour, however, can be an ambiguous criterion on its own. As we examine the other dimensions we will note how the pattern must be interpreted within a larger context. Keashly (1998) recognizes, and this is enshrined in the legislation, that a single serious event can be grounds for emotional abuse, or as we have already stated, psychological harassment. Yet, as noted in the definition of emotional abuse, there seems to be an explicit recognition that it is *repeated* hostilities that are termed emotional abuse. This apparent paradox is resolved to the extent that we accept the notion that repeated behaviour is not a single valid test of the existence of emotional abuse. Repeated behaviour is important to the extent that it is what we might call « *persistent* » (Keashly & Jagatic, 2003 ; Neuman & Keashly, 2004) and as such involves several other dimensions to

be discussed below. Therefore, if used as a test of psychological harassment, it should be done with these other factors taken into consideration.

- 17 A more recent conceptualization of patterned behaviour is important to consider. Keashly and Harvey (2005) argue that behaviour within the domain of emotional abuse can be conceptualized within a hierarchical framework. It begins with lesser forms of abuse at the base, and each successive level thereafter symbolizes a more intense form of abuse. The pattern is that each higher level often implicitly includes a number of lower level behaviours. For example, angry outbursts at work are likely to be accompanied by or co-occurring with less intense forms of abuse such as incivilities and passive forms of aggression. The criterion by which such a hierarchy is constructed (i.e., intensity or severity) is unclear, as are other assumptions such as the direction of causality between the levels, if any. However, there is some belief that an ordering is possible and statistically feasible according to recent research (e.g., Glomb, 2002). The implications of this area of research will be significant for legislation and the prevention of psychological harassment in the workplace. If there is some type of relationship between the forms of abuse, and predictive patterns emerge, policies and practices would focus on preventing lesser forms of abuse from escalating toward more intense and potentially more damaging episodes. Indeed, the presence of lesser forms might alert organizations to a developing problem wherein the provision of constructive dialogue between the parties such as mediation is most likely to have maximum impact.

2.3 Emotional Abuse is Unwelcome and Unsolicited

- 18 This dimension may seem peculiar at first. Who would want to be abused? Does a person have to object to being treated in a certain manner for it to be emotional abuse? The answer to this question is more complex than it might first appear. It is relatively clear that making known to others that their behaviour is unwelcome and perhaps hurtful to the target is one significant sign that if the behaviour were to persist it could be considered emotionally abusive. However, because individuals often have some subservient role(s) in an organization, they may not feel secure enough to challenge the behaviour. This might occur despite there being mechanisms in place encouraging one to voice concerns. It might be argued that a failure to indicate a behaviour as unwelcome may not be necessary if the case can be made that the person was in a vulnerable position and any reasonable person would have known it to be unacceptable conduct. To be sure, much of this remains an open question that applications of the legislation are likely to answer over time.
- 19 Much greater controversy is likely to surround the second part of this dimension. As noted by Keashly (1998), the term « unsolicited » suggests that the target's role can come into consideration when examining the contributing factors. This suggests that some characteristic of, or actions by, the target begets, encourages or perpetuates the abusive conduct. When twisted, this line of research comes perilously close to blaming the victim, but it is research that is needed to understand or rule out by empirical examination any such characteristics. Research on perceived victimization at work (Aquino *et al.*, 1999; Aquino & Bradfield, 2000) is an example of scholarship concerned with understanding the potential role of victim characteristics or actions associated with the mistreatment. For example, victim characteristics such as conflict style (Aquino & Byron, 2002), self-esteem (Harvey & Keashly, 2003b; Einarsen, 2000), hierarchical status (Aquino, 2000) and

negative affectivity (Aquino et al., 1999) have all been found to be statistically related to mistreatment at work. Although the research falls short of demonstrating causal mechanisms, from a research and prevention viewpoint, understanding why these relationships hold is important.

- 20 These issues pose several challenges to the application of the new Quebec legislation. Making it known that behaviour is unwelcome is not a trustworthy indicator of the presence or absence of emotional abuse or discomfort with mistreatment. Studies have found that people avoid reporting the harmful conduct for several reasons, including the fear of speaking up (Harvey, 1996 ; Ryan & Oestreich, 1991), potential retaliation (Cortina & Magley, 2003) and indecision associated with the behaviour's appropriateness (Keashly, 2001). In fact, Cortina and Magley (2003) and Richman *et al.* (2001) present data to suggest that retaliation for reporting mistreatment is not an unfounded fear ; those who report are often targets of additional abuse. These research findings challenge the expectation that people can, will, and should self-report the problem because victims may be vulnerable to being victimized further when they report the mistreatment. As a result, they may choose silence over reporting and thus continue to suffer the abuse or its untreated effects. Such findings suggest that policies, practices and educational efforts need to provide venues for victims for **confidential** discussion and reporting.

2.4 Emotional Abuse Violates Standards of Conduct

- 21 The fourth dimension focuses on whether the behaviour violates standards of appropriate conduct (Keashly, 1998). For more serious behaviours there may be little debate about a violation of acceptable conduct. The problem with psychological harassment is that many of the behaviours can be subtle and ambiguous. Such is the case with incivility (Cortina *et al.*, 2001) and social undermining (Duffy *et al.*, 2002). Their effects may occur over time and go unnoticed or are « tolerated » when viewed as a discrete « small » incident that is unlikely to cause much damage. The potential for cumulative or compounding effects is simply overlooked.
- 22 We also need to be sensitive to disparate views of what constitutes « mistreatment ». Such views vary *within* and *between* individuals, organizations and societies. Within certain contexts these behaviours may have social acceptance or be tolerated by tradition (Keashly, 2001). In fact, in some cases, exposure to such conduct may be seen as a *necessary* part of the organization's functioning. Putting up with incivilities or even abuse from clients may be seen as a necessary part of doing business. For example, consider the barman who reluctantly disregards « teasing » or « insults » by the patron because he is a regular, or the sales clerk who is accused of being « out to lunch » and clearly « incompetent » by a customer irate over a product's performance. These are two scenes that people have witnessed and are likely to be divided on as to whether they are acceptable treatment in the workplace. Substitute the boss for the clients in these two scenarios and the implications for harassment may vary, as would changes in occupations, context and societal norms. Adding complexity to this is the fact that individuals may have personal standards that are different from those promulgated within the organization and society. Clearly then, complications can arise with all of these differences in standards.
- 23 By implication, there are things to be learned from the social character of emotional abuse. The challenge for organizations in trying to satisfy legislative requirements will be

to balance multiple standards in arriving at workable solutions. The problem may not simply reside in an individual harasser per se, but an entire social system that has unwittingly (or not) tolerated the conduct. Organizations have to begin thinking in systemic terms as they would with other harassment problems (e.g., sexual or racial/ethnic harassment). Relevant guidance is available in the legislation as well as research on emotional abuse in the workplace. Much can also be gleaned from practices relating to sexual and racial harassment. In the case of psychological harassment, it is clear that any conduct that is *experienced* as hostile has the potential for negative effects. Hence, employers would be well advised to build contingency plans for identifying and responding to such abuses.

- 24 As a starting point, employers can set objective limits of acceptable conduct that address the most « obvious » forms of emotional abuse such as public putdowns and derogatory name-calling. While this would deal with overt forms of harassment, they would also need to encourage sensitivity to its lesser forms by providing the opportunity for employees to voice discomfort with mistreatment in the workplace without a fear of retaliation. Several innovative possibilities seem likely. For example, in building on this notion of the social nature of conduct and opportunities for voice, an interesting approach would be to engage employees in discussions of what a healthy workplace looks like and then to identify behaviours that support or undermine such an atmosphere. These discussions and their outcomes not only provide a list of behaviours that are considered inappropriate but more importantly are illustrative of a process of employee engagement in defining and maintaining the work environment. In a recent study, Harmon *et al.* (2003) found that such high involvement workplace practices may function to prevent employee hostility.

2.5 Emotional Abuse Causes Harm

- 25 The fifth dimension invokes the notion that emotional abuse is in evidence when harm is done to the target. The type of harm is wide-ranging according to the research accumulated to date (Keashly & Harvey, 2005). The effects include various psychological, behavioural and physical outcomes to the individual, in addition to those noted as problematic to the organization. Illustrative research shows probable connections to mental health (Soares, 2002), work attitudes (Keashly *et al.*, 1997), problem drinking (Richman *et al.*, 2001), physiological problems such as higher blood pressure, reduced immune functions and other ailments related to increased visits to doctors (Wager *et al.*, 2003 ; Bennett-Herbert & Cohen, 1993 ; Spector *et al.*, 1988) and absenteeism (Harvey *et al.*, 2004). While these are all medium- to long-term effects, qualitative research has repeatedly found reports of the more immediate effects of feeling emotionally distressed and fearful (Keashly, 1996 ; Ryan & Oestreich, 1991). Moreover, the presence of post-traumatic symptoms, including fear, intrusive thinking and worry is suggestive that the effects may linger for an extended period after an initial exposure and/or after the source of the stress is gone (Soares, 2002 ; Harvey, 2003 ; Harvey & Keashly, 2003 ; Keashly, 2001 ; Leymann & Gustafsson, 1996).
- 26 It is important to note that the type of research supporting the effects noted to date is largely cross-sectional, making any causal statements probable, not certain. The preponderance of evidence is nonetheless consistent in showing a solid base of statistical associations. What is less clear is what Keashly and Harvey (2005) refer to as the « black

box » phenomenon. Unseen and largely unexplored are the many psychological and social mechanisms that play out between the time people are exposed to abusive conduct and the outcomes we propose and observe in association. We need to be able to better explain *how* abusive conduct translates into the type of effects proposed. Research in this area is likely to advance quickly as it learns from related areas that have been studied for longer and are better understood (domestic violence and aggression ; post-traumatic stress ; Harvey & Keashly, 2003a).

- 27 While it is clear that being psychologically harassed is harmful, there are individual, situational and contextual factors that can influence the degree of the harm (i.e., moderating variables). For illustrative purposes, we briefly examine two such factors here—personality of the target, and social support. Tepper et al. (2001) found that two of the « big five » personality characteristics served as moderators in predicting the relationship between supervisory abuse and dysfunctional resistance from subordinates. Those employees that were low in both conscientiousness and agreeableness tended to engage in dysfunctional forms of resistance. Although this type of personality study is too new for making generalized statements, such research is illuminating and suggestive for organizations.
- 28 Social support is a variable that has received attention within the context of potentially mitigating the harm associated with abuse. The role of social support is a complicated one that will invariably take much more research to clarify. As noted earlier, employees tend not to report their experiences to anyone within the organization. In fact, when people do talk about it, they tend to confide in family and friends who traditionally are not in a position to fundamentally change the work situation. Indeed, work by Schat and Kelloway (2003) illustrates that different sources and forms of social support vary in their ability to mitigate harm. In addition, recent research (Cortina & Magley, 2003 ; Richman *et al.*, 2001) indicates that actively confronting the actor can actually worsen the situation. Such findings have implications for legislation and subsequent organizational policies and practices. As with the section on violation of standards, the role of the organization and its management become central in creating opportunities and mechanisms for employees to receive organizational support and resources in dealing with these situations.

2.6 Emotional Abuse Implies Intent or Failure to Control Actions

- 29 The sixth dimension is focused on intent and controllability of the actor's actions. This dimension usually figures prominently in most considerations of abusive conduct and will likely play a leading role in making a case for psychological harassment. Determination by the target that there was intent is known to have a powerful influence on whether the behaviour is interpreted and *experienced* as abusive. Studies have been relatively consistent across a range of displayed negative behaviours in showing that the attribution of intent is an important judgement made by targets in defining their situation as abusive (Keashly, 1998 ; Neuman & Baron, 1998). The more the behaviour is interpreted as intentional, the greater the likelihood it will be experienced as abusive, and thus, the greater the potential for harm to be experienced (Keashly & Rogers, 2001).
- 30 Perceived intent and showing intent may be two different matters from a legal and practical standpoint. We are not sure how actor intent will be used in this new psychological harassment legislation and we offer no guesses. However, we do know that intent is a complex concept from an emotional abuse and behavioural science

perspective, and research suggests that *perceived* intent may be sufficient to create greater harm. Thus, demonstrating actor intent to harm may be only one factor in assigning responsibility and seeking restitution in some cases of psychological harassment. In practice, even if the actor had not intended to harm, the persistence of action which is characteristic of emotional abuse and, by extension, psychological harassment in the face of an increasingly distressed target may be perceived by a target as a lack of due care. The target may not make a distinction between persistence and intent and thus summarily experience the actions in the same detrimental way.

2.7 Emotional Abuse Involves Differences in Power

- 31 The seventh dimension draws on the concept of power. Power is thought to be an important defining element (Keashly, 1998). The challenge for this dimension is in the definition, recognizing that power is a complex social construction (Keashly & Jagatic, 2003). Power is not an absolute construct ; it is relative to the actors in the social system and the vulnerabilities they have towards one another, either real or perceived. What the literature seems to suggest is that emotional abuse can come from anyone in and around the organization, but that the specifics of the behaviour and their degree of impact depend upon the relative status of the actor. For example, Keashly and Neuman (2002) demonstrated that while co-workers and supervisors were equally likely to engage in persistent hostility towards other employees, behaviour directed by supervisors was experienced as more harmful. The authors speculate that this may result from the supervisors' greater ability to punish or withhold important rewards. In addition, when the immediate superior is the actor, one of the venues for reporting the mistreatment has been cut off. Also, supervisors may engage in somewhat different behaviours than co-workers that have more far-reaching effects on employees than a co-worker. For example, Neuman and Keashly (2004) found that supervisors were more likely to withhold praise, put employees down in public, ignore contributions, and deny raises or promotions, all behaviours that have a profound effect on employee development and promotion opportunities.
- 32 This is not to say that co-worker mistreatment is not harmful, because it is. Co-worker power comes not from the ability to control rewards and punishment but rather comes from the ability to control information such as withholding job-relevant information or from sharing inaccurate information that attacks reputation, which has implications for relationships with other co-workers. The point of this discussion for the legislation is the recognition that power and the ability to « defend » against or to respond effectively to mistreatment is complex, and at times subtle. While attention to abusive supervision (Tepper, 2000) is important, it should not outweigh the power imbalances and the attendant abuse that occurs among co-workers and other actors including clients, subordinates and third parties. Indeed, power comes in many forms.
- 33 One nagging question that may remain is how to distinguish an escalated conflict that is often characterized by increasingly abusive behaviours from a harassment situation elevated to a point of emotional abuse. This distinction has implications for prevention and intervention activities. The answer may come, in part, through considerations of power. Keashly and Nowell (2003) have argued that a fundamental difference lies in the ability to defend oneself, which is tied to relative power. Consistent with the European literature (Einarsen, 2000), a situation is a conflict when the parties are equally capable of

defending themselves, i.e., both can « give as good as they get ». A situation is harassment when one of the parties is disadvantaged relative to the other (due to position, skill level, etc.) and there is clearly a target and an actor. This distinction has important implications for the legislation in Quebec, which makes provisions for mediation of « psychological harassment ». Conflict situations, unless highly escalated, are amenable to reasoned discussion and, if necessary, the involvement of a third party such as a mediator (Lewicki, Barry, Saunders & Minton, 2003). However, unless such procedures are applied early in the development of psychological harassment, i.e., before damage has occurred and emotions are high, negotiation and mediation may place the target at a further disadvantage and run the risk of increasing the harm and of further empowering the actor. Rigorous research on mediation within the context of psychological harassment is generally wanting. We believe some interesting possibilities exist for the role of mediation and that this should be studied carefully to maximize its effective use and avoid potential risks that might occur with indiscriminate use.

3. Conclusion and General Implications

- 34 We have argued that the definition proposed by Quebec is similar to that employed by researchers in the area of emotional abuse in the workplace. Emotional abuse has been tied to the European literature (Keashly & Jagatic, 2003), as is the case for the Quebec concept of psychological harassment deriving from this same European base. We have attempted to add comparative linkages in this paper by showing that emotional abuse shares much with psychological harassment. This is beneficial to the degree that work in the behavioural sciences can be of assistance to those practising in the field. In particular it provides some thought on the various issues and characteristics that social scientists grapple with as they try to understand this problem in the workplace. In the current literature, there is definitely quality information on the problem and we also have many unanswered questions and points of contention that will need philosophical conviction as well as empirical evidence for their resolution. We end this article with some of the most striking findings, issues and contentions.
- 35 One important issue to contend with is the wide definition of the term psychological harassment. Consequently, it appears helpful to invoke other forms of analysis in determining instances of psychological harassment. This review suggests that this analysis might be affordably extended through a consideration of dimensions upon which emotional abuse has been elaborated (Keashly, 1998). The dimensions identified have each figured prominently in the literature relating to mistreatment at work and are therefore good starting points for considering the meaning of psychological harassment, if only to diverge from our coverage and to differentiate it from what we consider to be related concepts.
- 36 The point was made repeatedly that no single dimension will likely stand on its own in determining the nature of mistreatment at work. Those making decisions with respect to the nature and severity of psychological harassment will have the tough task of sorting through these elements and of assigning priority to those that most meaningfully enshrine the intent of the legislation. Various approaches and preferences are possible. For instance, Neuman and Keashly (2004) recently proposed that one possible framework would be to focus on the « Means, Motive and Opportunity » typology often associated with determinations of criminal activity. This type of system clearly would draw most

heavily on the dimensions of power and intent. In time, the legal system will develop its own standards with which to examine the issues and this too will be interesting to study as it emerges.

- 37 Emotional abuse is a behavioural concept that has its limitations when compared to the legal definition and its goals. On the point of a single serious event constituting psychological harassment, the difference with the existing emotional abuse literature is mostly one of definition as opposed to meaningful conduct to prohibit. Behaviourists might be concerned with whether repeated behaviours are a necessary hallmark of labelling something as emotional abuse. However, this does not take away from the rightful purpose of the legislation to label one serious event as psychological harassment and deal with it accordingly. In fact, these single outrageous behaviours may pose little concern for debate. Rather, it is the repeated exposure to a variety of « little hurts » that will likely engender the most serious deliberation. On this issue, the emotional abuse research is clear, useful and agrees with the legislative provisions ; persistent hostility even of a small magnitude has harmful possibilities for the worker and the organization.
- 38 On the issue of mediation, there is a practical consideration that needs attention. To what depth or degree will mediation be attempted in helping to resolve reported cases of psychological harassment ? In our considered opinion, it would have to be very early on, likely before the label of psychological harassment or emotional abuse is invoked, to have the greatest chance of success. As we have pointed out in this review, targets remain likely victims of additional abuse once they report the mistreatment. Indeed, they are very reluctant to do so, knowing full well that retaliation is possible. Moreover, as most conflict experts would warn, mediation has limits in effectiveness depending on the dynamics of the conflict (Donnellong & Kolb, 1994 ; Keashly & Fisher, 1990 ; Rayner, 1999 ; Zapf & Gross, 2001). Situations that are advanced, emotionally charged, and characterized by heightened levels of intensity are difficult candidates for mediation. At such times, an important first step is ending the opportunity for harm, e.g., separation, and then investigating the situation. Our point is not to discourage the use of effective mediation, but to proscribe its indiscriminate use. The use of mediation is an interesting and innovative idea within the context of psychological harassment, and research examining its use within this context is greatly needed.
- 39 To conclude, we have presented targeted coverage of dimensions on which psychological harassment might be examined for purposes of policy, practice and future research. Our goal here was to highlight certain issues that will likely pertain to an evolving understanding of psychological harassment and its prohibition in Quebec. We were clearly selective in this article, so the interested reader is invited to consult recent reviews of emotional abuse within an expanded international and theoretical context (e.g., Einarsen, 2000 ; Einarsen et al., 2003 ; Keashly & Jagatic, 2003 ; Keashly & Harvey, 2005). Indeed, while this legislation is new to Quebec, much can be learned from the existing legislation in other nations, the literature evidenced in this article, and the special issue.

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ABSTRACTS

This paper reviews the concept of emotional abuse in the workplace and applies relevant findings and concepts to psychological harassment as defined in the legislation enacted in Quebec beginning June 1, 2004. It is noted that the terms are highly related by definition and that a clear similarity exists. Accordingly, a prospective look is taken at the challenges involved in the understanding and application of psychological harassment based on seven dimensions commonly studied and referred to in the academic literature on emotional abuse. The conclusion is that the determination of psychological harassment involves a multidimensional consideration of factors and that this gives rise to several challenges in applying the new legislation.

Cet article s'intéresse au concept d'abus émotif au travail et à son application à des problèmes de harcèlement psychologique, tel que défini par la législation promulguée au Québec en juin 2004. Les définitions des deux termes sont rapprochées ce qui suggère qu'il s'agit de problèmes similaires. À des fins de prospective, l'article étudie les implications pratiques de l'application au harcèlement psychologique des sept dimensions associées à l'abus émotif dans la littérature scientifique. L'article arrive à la conclusion qu'un diagnostic de harcèlement psychologique requiert la prise en compte de facteurs multidimensionnels, ce qui soulève des difficultés multiples en ce qui a trait à l'application de la législation récente.

Este artículo se interesa al concepto de abuso emotivo en el trabajo y a su aplicación a los problemas de acoso psicológico, según la definición que figura en la legislación promulgada en Québec en junio del 2004. Las definiciones de los dos términos son próximas lo que sugiere que se trata de problemas similares. Con fines prospectivos, el artículo estudia las implicaciones prácticas de la aplicación de siete dimensiones asociadas al abuso emotivo en la literatura científica. El artículo concluye que un diagnóstico de acoso psicológico requiere tomar en cuenta factores multidimensionales, lo que plantea dificultades múltiples sobre la aplicación legislativa reciente.

INDEX

Palabras claves: abuso en el trabajo, acoso psicológico, agresión, intimidación

Mots-clés: abus émotif, harcèlement au travail, agression, intimidation

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