

Suicides at France Telecom a warning on work practices

Following a series of suicides among France Telecom workers - because of alleged stresses caused by management practices - the company has temporarily suspended its plans to restructure the workforce.

As many as 25 of the company's workers have committed suicide over the past 20 months. One worker threw himself off a bridge in the Alps, after being moved from a back-office job to one in a call centre. Another jumped from a window in her office at the end of the working day.

Both left notes blaming unbearable work conditions and enforced job changes. Yet another stabbed himself in the stomach in front of colleagues. The three cases are typical examples of what has been happening.

Trade unions claim that management – which is engaged in restructuring France Telecom following privatisation, during which process over 22,000 jobs have been axed – is responsible because of what the unions describe as a bullying management style and a brutal approach to restructuring.

There has been political furore. The company has been called in by the French Government (which is a 13% shareholder) to explain its actions and the deputy chief executive, who was in charge of the reorganisation, has resigned. The Financial Times reports that the company has set aside €1bn to cover the costs associated with stress resulting from the restructuring programme.

The spate of suicides has attracted worldwide media attention, with the Financial Times reporting on the impact of the suicides on the France Telecom brand. The Economist magazine has noted that the suicide rate in the company is about the national average. The French suicide rate, at 14.6 per 100,000, is the third highest in Europe.

Prevention policies

Whatever about that, the fact is that the spate of suicides must act as a warning to organisations to ensure their work practices do not lead employees to commit suicide.

Workplace suicide has been an issue in Japan for some years (see Panel) and in America the Occupational Safety & Health Administration (OSHA) records workplace suicides (there were 251 workplace suicides in America in 2008).

Work-related suicide in Japan

The Japanese recognise work-related suicides (karojisatsu) and death from overwork (karoshi) as occupational health and safety issues. They are also recognised as being eligible for compensation under the Japanese compensation system. In 2008 a total of 269 cases of karojisatsu and karoshi were approved for compensation. Sixty-six of the cases were work-related suicides (the second highest number recorded) and 158 were from brain or heart disease caused by overwork.

An article published in the *Journal of Occupational Health* notes: "With the rapidly increasing number of work-related suicides in Japan, both applications for workers' compensation and civil suits are proliferating." The research for the article was carried out by two psychiatrists. Twenty-two cases were examined. Twenty-one of the victims were male. The researchers found that in 17 cases the victim had experienced personnel changes (promotion or transfer). In 19 cases it was found that the victim worked long hours, in 17 cases the victim had a low level of decision latitude and in 18 cases social support was low. The researchers concluded that long working hours, heavy workloads and low social support, which can cause depression and depression, may in turn lead to suicide.

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The fact that these suicides are happening in an EU member state, which operates under the same basic health and safety legal structure as Ireland does (the Framework Directive) means that Irish employers need to consider if their workplace health and safety policies address the issue and Irish policymakers need to ensure that information and guidance is available to employers.

EAP expert Maurice Quinlan, director of the EAP Institute, advises that employers should have suicide awareness prevention policies in place. Quinlan says that under the SHWW Act 2005, both employers and employees have duties in relation to mental health.

Employers are, he says, required to put in place policies to protect the safety and health, including mental health, of employees and employees are required to notify their employers, if they became aware of a mental impairment that might expose them or others to danger (SHWW Act 2005, s23.4).

It is not just a question about having prevention policies, according to Quinlan. "Suicide in Irish workplaces is not", he says, "a frequent occurrence, but when it happens it can have a major impact". Employers should have pre-prepared critical incident policies, in order to address the trauma suffered by employees who witness suicides.

Resources

We are, Quinlan says, "entering into a climate where there will be an increase in work-related suicides". He warns the loss of a job may tip some people over the edge. He says employers should watch out for signs of potential suicides. Such signs may include deterioration in performance, isolation and depression.

Discussing resources to aid employers to develop policies, Quinlan mentions a publication by the National Office for Suicide Prevention, *Suicide prevention in the workplace: a resource for organisations/workplaces responding to and supporting persons who are at risk of suicidal behaviour*. The publication deals with the development of guidance. It includes guidelines for staff. It is available from the National Suicide Prevention Office (phone 01-6352179 or 01-6352039 or email info@nosp.ie). The guidelines are not available online.

The National Office for Suicide Prevention is an agency operating as part of the HSE. The HSE published a national strategy on suicide prevention, *Reach Out: National Strategy for Action on Suicide Prevention 2005-2014*.

The strategy identifies the workplace as a setting that can act for suicide prevention by: firstly supporting positive mental health promotion; secondly by responding in a supportive way when employees are under stress or strain for whatever reason; and thirdly by developing protocols of response when suicidal behaviour occurs. The strategy makes it clear that employers have responsibilities in this area. The strategy also points out that the HSA has a statutory role in supporting workplace mental health promotion and suicide prevention.

The HSA's psychologist, Patricia Murray, says that all suicides are tragedies. She notes that there are many factors that can cause or contribute a suicide, such as age, gender and family situation. The HSA looks at the issue "from the orientation of work". Mentioning the Authority's Work Positive pack as a resource, Murray says that employers have a duty "not to create stress that can impact negatively on a worker's health". Work Positive can help organisations identify potential problems.

Legal liability

The issue of who is responsible for mental injury at work was addressed by Ursula Connolly, a law lecturer in NUI Galway, when she spoke at a conference on law and mental health. In the course of the lecture, Connolly referred to the case of *Corr v IBC Vehicles* in which the English Court of Appeal held that an employer could be found liable for the suicide of an employee. The judgment, which was appealed, was upheld by the House of Lords (see *HSR, April 2008, pg12*)

In an earlier case (*Pocock v East Essex Mental Health National Health Service Trust*), a claim by the widow of a nurse, who committed suicide because of the stress he was under at work, was settled (see *HSR, April 1998, pg12*).

While these cases are not binding on Irish courts, Irish employers should note that the judgment in the Corr case would be a persuasive precedent in a case coming before the Irish courts.

Given the stance taken by the HSE in the national suicide prevention strategy and the judgment of the House of Lords in the Corr case, any employer who fails to put in place a suicide prevention policy is at the least leaving themselves open to prosecution and not putting themselves in a good position to defend civil claims.

That is aside from the negative publicity that may ensue, which can impact on the company's reputation as a brand, as the Financial Times suggests is happening in the case of France Telecom.