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## Abstract

France has experienced a 'suicide epidemic' in the workplace, with rising numbers of employees choosing to kill themselves in the face of extreme pressures at work. Whilst deteriorating working conditions in the UK have led to suicides, these remain officially invisible, as suicide is not recognised in legislation as a work-related accident. In France, hundreds of families of suicide victims have successfully pursued litigation in the courts, but in the UK, few cases make it to court and when they do, they are rarely successful. Unless we recognise, document and analyse the phenomenon of workplace suicide, we will be unable to deal with its devastating human consequences.

## Article

**In July 2016, Paris prosecutors announced that the former chief executive of the telecoms provider, France Télécom (rebranded Orange in 2013) and six senior managers may face criminal charges in relation to suicides by 35 employees at the company in 2008 and 2009 (Box 1) (Waters and Chan, 2016. If the trial goes ahead, the ex-bosses face up to two years in prison and a €30,000 fine.** This follows an earlier case when a French court of appeal found the car manufacturer, Renault, guilty of gross negligence with regard to three suicides at the company (Venturi, 2014).

Over the past decade, France has experienced what the international media has described as a 'suicide epidemic' in the workplace with increasing numbers of employees choosing to kill themselves in the face of extreme pressures at work. Suicides have affected a wide range of companies and sectors including postal services, car manufacturing, telecommunications, electricity and gas, banks, supermarkets, research centre and call centres. In a number of cases, individuals have left letters, subsequently published in the press, in which they explicitly blame work or conditions at work as the cause of their actions. Others have chosen to kill themselves in a highly visible or symbolic way, returning to work in order to take their own lives and to make clear the connections between their suicide and work. In 2013, the French government set up a National Observatory of Suicide to respond to escalating suicide rates, not just in the workplace, but across the whole of French society.

Yet, workplace suicide is not a uniquely French phenomenon. Recent studies carried out in the United States (Tiesman *et al.*, 2015), Australia (Routley and Ozanne-Smith, 2012), Japan (Kawanishi, 2008), China (Chan, 2013), India (Agrawal, 2014) and Taiwan (Chen, 2014) point to a steep rise in workplace suicides in the context of deteriorating working conditions and increased job insecurity. For instance, in the United States, workplace suicides decreased between 2003 and 2007, but then rose sharply in the following years. In Japan, *karo-jisatu* or suicide by overwork is treated as an urgent public health issue and, under a 2014 law, the government is obliged take responsibility for creating safer work environments. Although, as a recent systematic review noted, few workplace suicide prevention interventions have been evaluated, there is evidence that some, both general and occupation-specific are effective (Milner *et al.*, 2015).

The rise in suicides can be situated in the profound transformations in the workplace that are linked to the political and macroeconomic shift to neoliberalism over the past 30 years. The rise of neoliberalism has modified the contractual relationship between employer and employee that characterised the post-war Fordist era and has radically transformed conditions of work (Danford *et al.*, 2002). Today's globalised workplace is characterised by conditions of precarious employment,

defined as those that reduce the “stability and continuity of the employment relationship; stability of income; quality of working conditions; and access to social protection through the employment relationship” (Barbier, 2011). This is manifest as increased job insecurity, work intensification, an extension of flexible contracts and a decline of social protection. Researchers have highlighted the deleterious effects of precarious employment on the health of workers with rising cases of acute stress, anxiety, sleep disorders, burnout and in some cases, suicide (Ferrie et al. 2002, Clarke *et al.*, 2007; Lau *et al.*, 2012; Benach *et al.*, 2013).

In the UK, employment precariousness is made evident by the rapid rise of zero hours contracts whereby staff have no job security and are forced to make themselves available for work, with no guarantee that they will be offered a shift on a particular day. As of March 2016, just over 800,000 UK workers are on such contracts, according to the Office for National Statistics (ONS, 2016), although some have suggested that the actual figures are significantly higher. In one recent case, the founder of the retailer Sports Direct (where 90% of employees are on zero-hour contracts) has been summoned before a parliamentary committee to explain the company’s practices, including in-depth surveillance and intrusive searches (Butler, 2016). Many UK employees are today subject to continuous monitoring, with advances in technology being used to introduce intrusive forms of surveillance. The internet sales company Amazon was criticised in 2013 for tagging its employees using GPS trackers in one UK warehouse (Channel 4 News, 2013). Given the French experience, it would be surprising if worsening working conditions in the UK had not led to at least some suicides. Yet, if any have occurred, they remain officially invisible. Whilst the Office for National Statistics documents suicide rates in some occupations, there is no information about whether these suicides are work-related or not (ONS, 2015). Furthermore, these statistics do not help to explain the occurrence of suicide peaks within particular companies, which are often linked to the effects of management policies across the entire workforce and covering a range of occupations. British trade unions contend that, in reality, there have been several hundred recent workplace suicides, representing what is, in effect, a hidden epidemic. In a special dossier on workplace suicide, the trade union publication *Hazards* recounts stories of suicide cases involving teachers, NHS managers, engineers, factory workers, police officers and doctors (Hazards, 2008).

In France, workplace suicide has become a highly visible public health issue because here, workplace suicides are officially recognised and documented by the authorities. For instance, when a suicide takes place in the workplace, it is immediately investigated as a work-related accident and the burden of proof is on the employer to prove that it is not work-related. Even in cases where a suicide takes place outside of work, it is still investigated as a work-related accident where the victim (in the case of attempted suicide) or the family can prove a causal link to work. This presumption of causality is meant to protect the employee (in an attempted suicide) or his or her family and circumvent the need for them to engage in legal action in order to prove the employer is liable. Hence, one in every five employee suicides reported to the authorities (Sécurité sociale) in France is officially recognised as being work-related (Lerouge, 2014). At the same time, hundreds of families have pursued litigation against companies and in many cases, have secured financial compensation. In one case the wife of a 39 year old engineer, who jumped from a drawbridge to his death at the Renault research centre where he worked, pursued litigation against the company. In 2011, a court of appeal condemned Renault for gross negligence and criticised managers for ignoring the dangers to which the employee was exposed and for failing to take appropriate action (Avocats de Paris, 2015). Yet while workplace suicides are recognised officially in France, the system is still not perfect

and there have been efforts to improve the mechanisms for recording them. Thus, a recent pilot study examined how recording could be improved by combining data from multiple sources (death certificates, labour inspectorate, social insurance and autopsy reports) (Bossard *et al.*, 2016).

By contrast, in the UK, workplace suicide is not recognised in legislation and there are no specific official mechanisms for data collection. Even when it is committed in the workplace, suicide is presumed to be an individual and voluntary act and according to Health and Safety Executive legislation: 'All deaths to workers and non-workers, **with the exception of suicides**, must be reported if they arise from a work-related accident' (emphasis added) (HSE, 2016). Furthermore, few cases make it to court and those that do are rarely successful. **Whilst in principle, employers can be prosecuted under the 2007 Corporate Manslaughter and Corporate Homicide Act, there have yet to be any cases arising from employee suicide (DWF, 2016). Consequently, the priority should be enforcement of the existing legislation rather than enactment of new laws. There also seems to be greater scope for recourse to civil litigation.** Although there has so far been only one successful claim against employers in the British courts, concerning a maintenance engineer who committed suicide following a severe injury at Vauxhall Motors where he worked, the House of Lords found that the suicide was reasonably foreseeable **and the relatives were therefore entitled to compensation under the 1976 Fatal Accidents Act (Freckelton, 2009)**. In another case, a 53 year old manager with British Telecom was found hanging in his office in 2009. His widow requested a fatal accident inquiry, noting how he had been under sustained pressure in the period leading up to his death and was working continuously. Yet the British judge ruled that it would not be in the public interest to undertake such an inquiry (Peebles, 2013). In theory, such deaths could be identified by coroners, but their willingness even to make a finding of suicide at all has declined substantially in recent years. An increasing number of deaths, especially poisoning, deemed as suicide by researchers have led to coroners' verdicts of accident or misadventure (Gunnell *et al.*, 2013). Coroners can give narrative verdicts, which would provide additional information that might point to a workplace link, but these are extremely rare.

The erosion of workers' rights in the UK shows no signs of abating, extending from its earliest victims, low-skilled manual workers to the professions. Drudgery is today often psychological and characterised by extreme forms of suffering that may or may not be visible. At the same time, the opportunities for communicating grievances through trade unions have also been weakened. One study of a suicide wave by workers in China suggests that suicide may be used as an extreme form of protest where other channels of communication are unavailable (Chan and Pun, 2010). In the UK, the attempt to impose a new contract on junior doctors in early 2016 can serve as an example of a shutting down of channels of communication, affecting a professional group already at elevated risk of suicide. As one anonymous junior doctor who planned, but did not complete a suicide recently noted "I was entrenched in a hospital system that brutalised young doctors.... Run ragged, we fought to keep our patients safe, but their numbers outstripped ours 20 or 30 to one, and the efforts this took were superhuman. The nurses knew, the consultants knew, even the hospital management knew, yet no one seemed to give a damn." (Guardian, 2016)

The French experience shows clearly that, when people feel they no longer have a voice in the workforce, they protest in other ways including, in the most extreme cases, by killing themselves. It seems almost inevitable that the conditions in which some people in the UK now work are already contributing to suicides, something that should be entirely avoidable. There is a serious risk that it

could become worse. Moreover, the growth of precarious employment is a global phenomenon, making this issue one of much wider interest (Kalleberg, 2009). The French context shows that unless workplace suicide is socially and legally recognised and data is collected centrally, then we will be unable to deal with the profound consequences of this phenomenon for suicidal individuals, their families and society more widely.

**As researchers collaborating in a network on international workplace suicides, we recommend an urgent investigation into workplace suicides in the UK, so that we can better understand, monitor and prevent this public health phenomenon. We believe examples of best practice from other countries and in particular, measures put in place in countries including the US, Japan and France can help provide potential models for tackling this issue in the UK. In the light of evidence of rising cases of workplace suicide and a societal cost of non-action, it is also crucial that current legislation on reportable work-related accidents is reviewed, so that workplace suicide is recognised and that employees, families and businesses are protected.**

## Box 1. Investigating suicides at France Télécom

One of the French companies worst affected by suicides has been the telecommunications giant, France Télécom/Orange, where twelve employees took their own life in 2008, nineteen in 2009, twenty-seven in 2010, and eleven in 2011. Despite a new agreement on workplace conditions negotiated with the trade unions, there has been a renewal of suicides in recent years with eleven cases in 2013 and ten suicides in 2014. Suicides took place at a time when the company was restructuring, including a plan to cut 22,000 jobs in three years. **Suicidal individuals shared a similar profile: these were typically skilled male engineers or technicians in their fifties who had been forcibly redeployed into low-skilled roles, often in call-centres.**

On 17 January 2014, a 42-year old employee dealing with business customers at a France Télécom/Orange office in Paris, threw himself under a suburban train on his way to work. His sister, who is pursuing a claim against the company, contends that her brother had repeatedly complained to his bosses that he was a victim of bullying by his manager. Occupational doctors had also reported a deterioration of working conditions at the agency where he worked, with a rise of workplace stress as a result of company restructuring. Prior to his suicide, the victim had sent e-mails to family members complaining of an unmanageable workload and of constant surveillance and he referred to 'humiliation', 'intimidation' and 'bullying'. He held several meetings with senior management where he complained of harassment by his manager. Five days before his suicide, he sent an e-mail to his head of service in which he reiterated his request to change teams. These email exchanges are being used as evidence in the investigation by the public authorities into his suicide.

**Some French researchers have questioned whether the 35 France Télécom suicides in a period of two years are statistically significant given the company's large workforce of 102 254 employees (70% are male). One statistician compared the suicide rate at France Télécom with that of the general population and concluded that this did not in fact constitute a 'suicide wave' as the suicide rate was 17.1 for every 100,000 employees compared with a national rate of 19.6 per 100,000 people (Padieu, 2009). However, other researchers have criticized a 'denialism' and point out that the demographic characteristics of France Télécom suicide victims are distinctive in statistical terms: highly-educated, skilled workers in active employment. Amongst the general population, suicide rates tend to be higher amongst those with low levels of educational attainment and those out of work (Baudelot & Gollac, 2015).**

**The France Télécom suicides were reported widely in the national and international media. Whilst studies of clustering or copycat effects linked to inappropriate media reporting have been carried out in other cases, such as in the aftermath of the Foxconn suicides (Cheng, Chen, Yip, 2011), no comparable studies have been carried out at France Télécom. Further research is therefore needed to analyse whether the media's influence generated a clustering effect amongst employees in this company.**

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