



COLORADO LAWYER ASSISTANCE PROGRAM

Surviving an Unhealthy Workplace: **How Stress Rolls Downhill**

“Primates [including humans] are super smart and organized just enough to devote their free time to being miserable to each other and stressing each other out.” ~ Dr. Robert Sapolsky

Dr. Robert Sapolsky is a neuroendocrinologist and Stanford professor who has spent almost four decades studying the physiological effects of stress on health in baboons and humans. In addition to the conclusive evidence that long-term stress suppresses the immune, digestive, and reproductive systems (thus making us sick, amongst other side effects), Sapolsky's research also revealed that rank in society (usually dictated by the rank of hierarchy at work for humans) directly correlates to stress levels, and thus to overall physical and mental health. Simply stated, those who are of a lower rank and/or that socially isolate have the highest incidence of stress related illnesses; thus, stress rolls downhill. Why? According to Dr. Sapolsky's work, in environments where primates are not in daily physical danger from predators, they create psychological stressors; basically, they take out the stress on each other in accord with the hierarchy. When those who are close to the top of the hierarchy, especially those with type-A personality traits (usually the dominate males in most primate troops; usually the boss in human society), are having a bad day (when they are angry, fearful, confused, or feel threatened about something), they take it out on those who are subordinate to them.

The Whitehall Study, a longitudinal research project that commenced in 1967 and continues to the present, has traced the same phenomena exclusively in humans in their work environment. The results mirror Dr. Sapolsky's findings; those who have lower rank in the workplace suffer from much higher stress related illnesses and diseases than those who are higher in the organizational hierarchy. Why? Those in lower ranks in the workplace are generally in positions without any power or control over decisions; the perception is that the higher-ups, or bosses, have the power and control over the lives of the subordinates. Often times, those who are higher up in the ranks remind their subordinates often that “they are the boss” by micromanaging subordinates, randomly changing the expectations of employees so that the employees “can never get it right,” negating subordinates ideas, reprimanding or yelling at staff (showing poor boundaries; treating staff or employees as if they were children), using the threat of control over the person's employment over their heads (thus instilling fear in their employees), and generally behaving as if they were dictator. The stress

created from this type of situation makes subordinates physically, mentally, and emotionally ill.

What do these research projects have to do with lawyers? The practice of law is about helping others, yet is based on a hierarchical, adversarial process. The adversarial process is often used as an excuse for belligerent and even unprofessional behavior amongst many attorneys (and judges) that leads to a type of institutional bullying. In fact, research suggests that “lawyers...[are] more likely than other professionals to be exposed to toxic behavior in the workplace including verbal abuse, mistreatment, bullying, competition and destabilization from colleagues as well as sexual harassment.”¹ This culture directly contributes to the fact that attorneys have the highest rates of depression, anxiety, and suicide of any profession.² Neither Dr. Sapolsky’s research nor the Whitehall study focused exclusively on lawyers, and yet their findings and the environment they studied mirror the legal culture almost exactly.

Thankfully, there is a positive message in this research. We can mitigate the damaging effects of stress individually, and as a culture as a whole, in order to support our physical, mental, and emotional health. Self-care is an obvious remedy, but in some cases, exercise, eating well, spending less time with technology (ie. not working around the clock), or taking time to relax isn’t enough to mitigate the stressful environment we are in on an almost daily basis. The research suggests that one reason for this work related stress is that employees feel they do not have any control over their work days because they are being micromanaged and they do not have a say in what they do on a daily basis. In the practice of law, this can extend to feeling abused by demanding or difficult clients as well.

Even though the concept of control is ultimately illusory, we need to feel a sense of control over our own lives in general. For example, we can’t control the rush hour traffic we find ourselves in, but we can control our car and we can control our reaction to the traffic. Experiencing even the perception of control or “having a say” in a situation can drastically reduce our stress levels. Focusing on the resources or support you have to solve the problems you are facing is a highly effective way to reduce stress levels because the sense of powerlessness is neutralized by a goal to solve a problem.

In our place of employment, if we can advocate for ourselves and have discussions with the “higher ups,” or with the human resource department, we should do so. It is important to express what works for us and what doesn’t; however, there might be situations

¹ Marianna Papadakis, *Lawyers Have Lowest Health and Wellbeing of All Professionals, Study Find*, FINANCIAL REVIEW, (Nov. 20, 2015, 1:00PM), <http://www.afr.com/leadership/lawyers-have-lowest-health-and-wellbeing-of-all-professionals-study-finds-20151117-gl1h72>.

² Rosa Flores & Rose Marie Arce, *Why Are Lawyers Killing Themselves?*, CNN (Jan. 20, 2014) <http://www.cnn.com/2014/01/19/us/lawyer-suicides/>.

where the environment might be too threatening or unstable to have such mature discussions. If you cannot discuss your needs with those you work for or with, another remedy the research suggested is cultivating relationships and social groups outside of work that foster a sense of belonging and positivity. The resiliency to cope with the stress comes from using our social nervous system, the system that is activated when we are around others we feel appreciation and love for. This system produces the chemicals that neutralize and heal the damage created by stress. Positive interpersonal relationships (with friends, family, members of a weekend sports league, colleagues, romantic partners, etc.) cultivate a sense of safety that is missing in stressful work environments; they allow us to feel like we can be ourselves without the fear of doing “something wrong.”

We should also make efforts to behave well to those around us. It’s a common occurrence to behave badly when we feel mistreated by others. However, that just perpetuates the stress cycle. If we have been gossiping about others, being judgmental, bullying or gas lighting, chronically complaining, or generally being difficult, we are actually making the situation worse for ourselves. While we cannot control other people’s behavior, we can certainly focus on behaving with maturity, integrity, compassion, and honesty ourselves. When we are proud of our own words and actions, stress levels diminish, and we can make better choices about how to respond to other people who might not be behaving well.

When it comes to dealing with demanding or difficult clients/complainants, setting boundaries and explaining reasonable expectations at the beginning can help prevent conflicts down the road. It is also crucial to express a level of understanding for the situations that bring the individuals to our office. This can be difficult when we are stressed out, overwhelmed, or in a bad mood (or if we have a personality that generally lacks compassion), but if we allow our “issues” to impact communication, we will escalate a situation rather than diffusing it.

The research also suggests that our work culture can support, rather than hinder, our health. Employers can empower employees by recognizing the individual needs of employees, by delegating more authority to employees, by allowing time off to take care of medical or personal appointments, etc. The research also suggests, like employees, employers can work on their own stress and anger management in order to avoid transferring their stress to their employees. Creating a less stressful work environment requires attention to the problem at all levels, and opening up a dialogue about health and self-care can be a helpful place to start.

Whether you are on the employee or employer side of the employment hierarchy, or if you are dealing with issues between colleagues, we can all benefit from reframing the stress

in our lives. Remembering why we decided to work in the world of law, focusing on the aspects of our jobs that we appreciate, and taking the time to communicate with those around us in a meaningful way can go a long way in reducing our daily stress. In some cases, we can't change the environments we are in, but we can change our reactions and responses to that environment.

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