



Sexual Harassment

What is Sexual Harassment?

Sexual harassment is “unwelcome conduct of a sexual nature” that has a negative effect on where you work, live, or receive services. It can be verbal or physical. “Unwelcome” attention includes any attention that a reasonable person would know is unwanted. Sexual harassment often occurs in a situation where the harasser has more power than you do.

Examples of Sexual Harassment

- Verbal abuse or threats
- Unwelcome remarks, jokes, innuendoes or taunting
- Displaying of pornographic or other offensive pictures
- Practical jokes that cause awkwardness or embarrassment
- Unwelcome invitations or requests
- Leering or other gestures
- Unnecessary physical contact such as touching, patting, pinching, punching
- Sexual assault (this may be a criminal matter)

Sexual Harassment in the Workplace

Sexual harassment in the workplace may include a promise of reward in exchange for sexual favours. Or it may include a threat, either stated or unstated, that if you don't go along with the harassment there will be job consequences. Consequences can include losing your job, or not getting the shift you want, or being demoted, or being denied a promotion.

Sexual harassment can also occur without any promises of reward or threats. The harassment can make the workplace an intimidating, hostile, or offensive place. This is sometimes called “a poisoned work environment.”

What does the Law Say About Sexual Harassment?

Sexual harassment is discrimination on the basis of sex. The law says that employers have a duty to provide a healthy and respectful work environment free from sexual harassment. If harassment occurs in the workplace, employers are responsible. Employers have been held liable for harassment of employees by their supervisors, co-workers, or clients.

Harassing actions need not be intentional in order to be considered sexual harassment. “It was just a joke” or “I meant it as a compliment” is no excuse under the law.

What Can I do About Sexual Harassment?

If you are being sexually harassed it's a good idea to think about what action you can take. Keep in mind that the harassment is not your fault. Harassers are responsible for their own behavior. Always remember this when you take any action to stop sexual harassment.



Northwest Territories Human Rights Commission

Here are some things you can do:

- **Keep a record** - Keep track of times and dates, and witnesses. Witnesses are people who saw the harassment, and people you spoke to about the harassment. Write down exactly what each of you said, and how the harassment made you feel. If you have received any letters from the harasser, keep them.
- **Talk about the harassment** - Talk to your fellow employees, or other tenants or students. This may be difficult, especially at first, but it can be very helpful to you.
- People who know about the harassment may be witnesses for you when you take action. Also, the harasser may be harassing others as well.
- **Let the harasser know what you think** - If you can, it's a good idea to let the harasser know the behaviour is unwelcome. You may be able to do this by consistently ignoring suggestive comments and gestures. Or you may tell the harasser directly what you think of the behaviour. You can do this in person or in writing. If you confront the harasser in person, take someone with you as a witness and for support.
- **Report the harassment** - Report the harassment to your supervisor, or the harasser's supervisor, or other senior personnel or faculty. It's a good idea to complain as soon as you feel able to.
- **Get help from the community** - Get some support from a local women's group or community group. There are groups who have experience in helping people deal with sexual harassment. They may help you figure out which option to take, and give you emotional support.

Taking action to end sexual harassment can be complicated because you live in a small community, or because English is not your first language. Contact your nearest women's centre, aboriginal organization or immigrant-serving agency for support.

What Legal Options Do I Have?

You can choose one or more legal options. For example, you can use the company's internal complaint procedure and also file a human rights complaint.

Your options include the following:

- Use an internal complaint procedure.
- If your company or school or university has a policy against sexual harassment, check it to see if it has a complaint procedure. If there is no complaint procedure, you may want to ask the personnel manager or student counselor what steps to take.
- Use the union procedure. Talk to your shop steward about how the union deals with sexual harassment.
- File a complaint with the NWT Human Rights Commission. For more information on how to file a complaint, call the Commission at **1-888-669-5575**. Services provided by the Commission are free.