



Workplace Harassment

What is Workplace Harassment?

Workplace harassment is behaviour in a workplace that is unwelcome and offensive. Workplace harassment embarrasses, humiliates, and makes the workplace negative and uncomfortable.

Examples:

- Unwanted jokes, insults or remarks that embarrass or insult someone.
- Homophobic remarks that put someone down for being gay, lesbian or bisexual.
- Showing racist, sexist, or other offensive pictures through e-mail, posters, magazines or other materials.
- Targeting someone for greater scrutiny and criticism because they are different.
- Refusing to talk to or work with someone.
- Destroying or damaging personal property.
- Unwanted sexual invitations and sexual contact.
- Threats and intimidation.
- Unwanted physical contact such as touching, hitting, pinching, and patting.

What does the *Human Rights Act* say about it?

The *Act* says it is against the law to harass employees because of their:

- Race, colour, ancestry, place of origin, ethnic origin and nationality
- Religion or creed
- Age
- Disability
- Sex, sexual orientation
- Gender identity
- Marital status, family status, family affiliation
- Political belief, political association
- Social condition
- Pardoned criminal conviction

The *Human Rights Act* only deals with workplace harassment that is based on one of the reasons listed above.

If you think you are being harassed at work because of one of these reasons, you can file a complaint of discrimination with the NWT Human Rights Commission. If you aren't sure about what kind of harassment you are experiencing, you can call the Commission to find out if the *Act* covers it.



Northwest Territories Human Rights Commission

What can I do about it?

- Tell the harasser what you think - If you can, tell the harasser that you find the behavior unwelcome and want it to stop. You can do this in person or in writing. Bring a witness for support if you do it in person.
- Write it down - Include what happened with times, dates, descriptions, witnesses and your feelings.
- Report the harassment to your supervisor or your boss's supervisor. They may be able to make changes so the harassment stops.
- Use your workplace harassment policy – Find out if your workplace has a harassment policy. If so, use it to stop what is happening.
- Talk to your union – If possible, talk to your union about how the union deals with harassment.
- Get support - Talk to a counselor or someone you trust to help you with how you are feeling. Contact a local community organization to see if they can help.
- Call the RCMP if you were physically or sexually assaulted or threatened with violence.
- File a complaint with the NWT Human Rights Commission – If the harassment is the kind that is covered by the *Act*, contact the Commission. Services provided by the Commission are free.

Frequently Asked Questions

Q: Who is responsible for stopping workplace harassment?

A: Employers have a legal duty to provide a workplace that is free of discrimination and harassment. Employers are responsible for the actions of their employees. Employers have to take reasonable steps to prevent and to stop harassment.

Q: Does the harasser always have to be a boss or coworker?

A: No. The harasser could be a client, customer, contractor, volunteer, board member or anyone who comes under the authority of the employer.

Q: Can workplace harassment happen outside of the workplace or after regular working hours?

A: Yes. It can take place at a work-related activity that happens outside of the workplace and after working hours. This could be business travel, conferences, telephone calls and social gatherings connected to work.

Q: What happens if the harasser was only joking around?

A: Even if the person meant it as a joke, this will not stand up as a defense in a human rights complaint. Human rights complaints look at the impact of the harassment on the person who experienced it, not the intentions of the harasser.

For more information contact the Commission at 1-888-669-5575.