



# Sexual Harassment

## What is Sexual Harassment?

Sexual harassment consists of unsolicited, unwanted comments, gestures, or physical contacts of sexual nature, taking place on a one-time basis or in a series of incidents. Sexual harassment takes many forms; it includes but is not limited to:

- Unnecessary touching or patting*
- Suggestive remarks, abusive comments or threats*
- Leering at a person's body*
- Demands for sexual favours*
- Compromising invitations*
- Unwelcome jokes, innuendos and taunting*
- Displaying pornographic or other derogatory pictures*
- Condescension or paternalism which undermines self-respect*
- Physical assault.*

This type of behavior is one-sided and is usually displayed by someone in authority who uses power to gain sexual favours.

## Who Are The Victims?

Although men can also be victims of sexual harassment, studies done in the United States and Canada have established that women are predominantly the victims. Any woman is vulnerable regardless of age, appearance or occupation. The negative effects on the victim's health, job performance and economic well-being can be devastating. The victim may be fired or working conditions become so intolerable that resignation often appears to be the only solution.

## Are We Protected Adequately?

Treasury Board has a policy against sexual harassment. But it has virtually no teeth. Time limits for completing investigations and rendering decisions are open-ended. No role is envisaged for the Union. The grievance procedure, the best guarantee we have to ensure fair treatment in the workplace, is not even mentioned. Management thus has a free hand in handling complaints.

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Workers dissatisfied with the department's handling of a complaint are instructed to refer it to the Public Service Commission or the Canadian Human Rights Commission.

Under the Canadian Human Rights Act, sexual harassment is a prohibited ground for discrimination. This Act applies to all federal workers. In addition, the Charter of Rights and Freedoms prohibits discrimination on the basis of sex.

The Canadian Human Rights Commission can be effective in resolving sexual harassment cases because of its investigative powers. Binding decisions result. But the length of time required to resolve complaints is a big disadvantage.

## What is the Solution?

Collective bargaining is still the best route to fight sexual harassment. We need collective agreements that contain clauses which protect members and guarantee effective redress. This is currently a demand at the master contract bargaining table.

A negotiated clause in our collective agreements would ensure members know their rights. And it would guarantee that a third party, *not* our management, would make the final decisions in a harassment case.

In addition to protection in our collective agreements, victims must be able to come forward confident they will give the necessary support and protection from union representatives and co-workers. As unionists, it is our responsibility to provide this kind of support to victims of sexual harassment.

In 1986, fighting sexual harassment in the workplace is a valid and important union concern. Through membership activity and pressure, we have brought this issue to the forefront. But there's still a long way to go before all our workplaces are free of the threat of sexual harassment.

**That's why we're getting organized.**



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