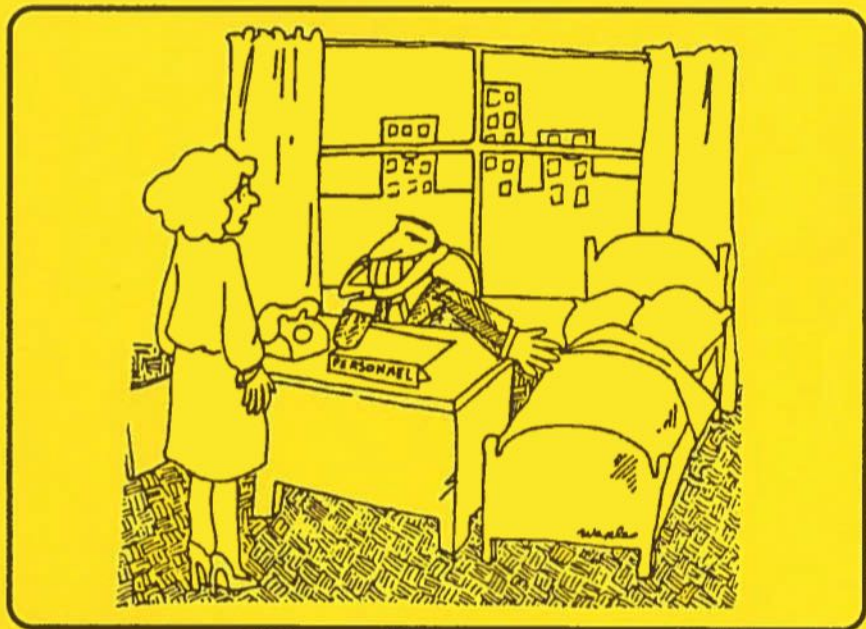
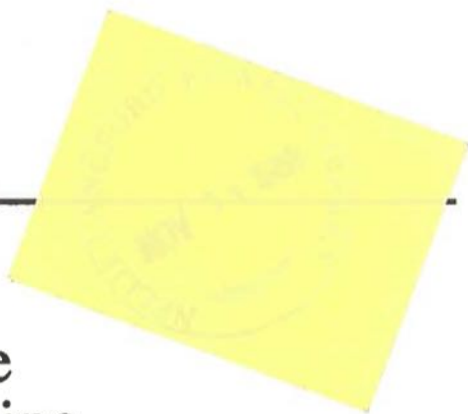


A Guide
to Fighting
Workplace Sexual Harassment/
Assault



Bonnie Robichaud



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Note about the author:

Bonnie Robichaud recently won a complaint of sexual harassment against the Department of National Defence and her supervisor in the Supreme Court of Canada. This eight-year struggle led her through the grievance procedure, complaints with the Public Service Commission, complaints to her Member of Parliament, a claim with the Ontario Workers' Compensation Board, and a complaint of discrimination on the basis of sex with the Canadian Human Rights Commission. She laid two complaints under Section 45 of the Canadian Human Rights Act, which deals with retaliation to anyone involved with the complaint, one unsuccessfully, the other was dropped. She lost her complaint of discrimination in 1982 from a decision by a one-man Tribunal appointed by the Canadian Human Rights Commission, however, sexual harassment was considered a complaint under the Canadian Human Rights Act. She appealed this decision to the Canadian Human Rights Review Tribunal, where her complaint was substantiated in 1983, finding the government and harasser guilty. This decision was appealed to the Federal Court of Appeal, where in 1985 the harasser was found guilty, but the government was not. This decision was appealed to the Supreme Court of Canada, who in an unanimous decision on July 29, 1987, found that the discriminatory acts of an employee were considered the discriminatory acts of the employer (whether the acts were known or not by the employer). It also made the employer responsible for providing a healthy work environment¹.

Edited by: Larry Robichaud

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Disclaimer:

The information contained in this booklet is intended as a guide only; it is not legal advice.

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INTRODUCTION

This booklet is about SEXUAL HARASSMENT/ASSAULT, STEMMING FROM A PERSON'S EMPLOYMENT, commonly known as sexual harassment. Its main objective is protecting employment, and employment rights.

This booklet is primarily written for residents of Ontario. Women in the Province of Ontario can work for employers that are either Federally or Provincially regulated. Each individual should determine which regulations and policies are relevant to their own employment situation. While each employment situation may be different this booklet contains a general discussion of both Federal and Provincial Legislation, employer obligations and policies, and protection under collective agreements.

The only major study of its kind in Canada undertaken by the Canadian Human Rights Commission in 1981 showed that over one and a half million Canadians have been sexually harassed. Of these fewer than 2% ever made a formal complaint to an outside agency². Sexual harassment, like sexual assault or wife battering, will not go away by staying silent. It can only be lessened by actively fighting back, by understanding that it is not a personal problem, that we are not responsible for the harassment, assault, or battering.

Laws and attitudes on these issues have changed. It is now an offence under the following: The Ontario Human Rights Act; The Canadian Human Rights Act; The Canada Labour Code; Treasury Board; and Ontario Government Policy against personal and sexual harassment. Many large employers now have a specific policy against sexual harassment. Protection against sexual harassment is provided for in many collective agreements. Many unions have a policy protecting members from sexual harassment/assault by other union members.

Sexual harassment/assault stemming from an employment or union membership situation is now well recognized. We must recognize that these can also be criminal offenses. The connection must be made that sexual harassment can also mean sexual assault. If that is the case the police should become involved. Seek help from a Sexual Assault Support Centre, particularly in cases of sexual assault and cases of sexual harassment that are difficult for the complainant to cope with. Do not feel that if the police become involved your rights as an employee will be looked after: it is very unlikely they will be. YOU, and I do mean you, have to ensure that your employment rights are protected. Do not hesitate to seek professional help, even medical counselling; (Note: not all counsellors are sensitive to the problem of sexual harassment, you may have to go to more than

one to find the counsellor you are comfortable with.) It is common that the effects of both sexual harassment and sexual assault often require professional help.

Sexual harassment/assault is no longer seen as a personal problem but is now recognized as a social problem, one that the union we belong to and the employer we work for have a legal responsibility to provide protection from.



Coffee?? When you could settle for me?

WHAT IS SEXUAL HARASSMENT/ASSAULT?

The Ontario Human Rights Code, 1981, provides a remedy for three common types of sexual harassment:

“The first type is “a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome” perpetrated by the person’s landlord, someone acting for the landlord, a co-tenant, a person’s employer, someone acting for the employer, or a co-worker. Examples of this type of behaviour include repeated sexual remarks, or physical contacts, that are degrading.”

“The second type of behaviour is a sexual advance or solicitation made by a person

who is in a position to grant or deny a benefit to another. This is a contravention of the Code when the person making the solicitation or advance knows, or should know, that such behaviour is unwelcome. Unwelcome advances from a professor or teacher to a student, from a landlord to a tenant, or from an employer to an employee are examples of this type of behaviour.”

“A third type of prohibited behaviour occurs when a person who is in a position to grant or deny a benefit threatens or institutes a reprisal against the person who rejected his or her sexual advance. An example is the denying of a promotion or firing of an employee because the employee has refused a sexual proposition.”³

The Ontario Women’s Directorate’s definition of sexual assault is:

“a) Sexual assault is any form of non-consensual, coerced or unwanted sexual activity/touching.

b) Sexual assault is an act of violence, control, domination.

c) Sexual assault is unfortunately a much too frequent part of women’s lives.

Conservative statistics document that:

- “1 in 4 women will be sexually assaulted at some time in their lives;
- 1 in 17 women will be raped at some time in their lives.”⁴

The Canadian Human Rights Act includes sexual harassment as one of a number of prohibited grounds of discrimination. Their list is as follows:

“Harassment may be related to any of the discriminatory grounds contained in the Canadian Human Rights Act. Such behaviour may be verbal, physical, deliberate, unsolicited or unwelcome: it may be one incident or a series of incidents, while the following is not an exhaustive list, harassment may include:

- verbal abuse or threats;
- unwelcome remarks, jokes, innuendoes or taunting about a person’s body, attire, age, marital status, ethnic or national origin, religion, etc;
- displaying of pornographic, racist or other offensive or derogatory pictures;
- practical jokes which cause awkwardness or embarrassment;
- unwelcome invitations or requests, whether indirect or explicit, or intimidations;
- leering or other gestures;
- condescension or paternalism which undermine self-respect;
- unnecessary physical contact such as touching, patting, pinching, punching;
- physical assault;”⁵

WHAT CAN YOU DO ABOUT IT

When you have an employment-related complaint of sexual harassment/assault you have three choices:

1. QUIT YOUR JOB
2. PUT UP WITH IT
3. STAY AND FIGHT

You and your family will have to carry a heavy load (depending on your support) so think it over carefully. These are things to consider:

- Your health.
- Your finances.
- Your job security (is your probation over?).
- Family responsibilities (can you make the time necessary to stick it through?).
- If you are a union member, how much backing can you get from your local, head office?
- Does your union have a policy? If so, get a copy.
- What, if any, policy does the employer have? A code of conduct and anti-harassment policy? Get a copy if they have one.
- Does the employer have a formal, confidential complaint process that assures employees that harassment is not tolerated?

If you have decided on number three to STAY AND FIGHT, GOOD LUCK, it can be done. The following are things to do and remember: (not necessarily in this order)



1. Prejudice does not end with the employer.
2. Do not take for granted that things are done, follow up. For example, if you are in a union ask a steward to put in a complaint for you to management, verify that management gets it by going with your steward. Stay involved.
3. Do not let anyone, Union or Management prevent you from putting in your complaint. All that has to be said is "We were not told about it." Put your complaint in writing so as to avoid being told that your complaint was never received.
4. Get support even if only from a few people (family, close friends). You are going to need them. Get them locally if at all possible. Long-distance phone calls can add up. Personal contact is good. Letter writing is good, but very time consuming.
5. Keep notes daily if necessary and date everything. Get a filing system together. It will make it much easier and will make your information easy to find.
* I would suggest file by date, a file folder per month.
Keeping notes is work, but gives you the best job insurance you can find. It also helps you to get some of the bad feelings off your chest, so to speak, and puts the burden of remembering the details on paper, leaving you freer to handle the day-to-day problems.
6. Keep a record of your expenses i.e. postage/courier, long-distance calls, travel etc.
7. It helps to legitimize your complaint. All recorded details really add up. You need more than isolated incidents. You are in the best position to keep a record of events.
8. Don't blame yourself for the harassment. The more you burden yourself with guilt, the more difficult you make it on yourself.
9. Only you can best judge whom to present your complaint to first: the union if you have one, or management. Be sure you put your complaint in writing, and be sure management gets it, even if it means you personally deliver it.
10. Don't meet management alone. Always have a steward or witness with you who can be counted on. Insist that you be allowed a witness if the meeting is a disciplinary meeting. If asked to a meeting by management, find out the purpose of the meeting.
11. Keep a copy of everything/anything you write to anyone concerning your complaint. Keep a copy, and make a note of all enclosures. Carbon paper is pretty cheap insurance. Give away only photo copies, no matter to whom, whenever possible. (If getting photo copies is a problem, have the recipient return your photo copies; you can use them again later.) Some of those involved may not have your best interests in mind.
12. Just remember that the bad reactions you may get from putting in your complaint are a sign that the harasser/management are worried. Stay with it. As

much as possible, don't let them know how upset you are by their bad treatment of you.

13. Watch out for the petitions against you. Petitions are a sign that the harasser/management are worried that you will be believed. Make a note of who is circulating them, to whom they are being circulated, if possible, and what is on them. You may get support from those people who refuse to sign them. The petitions are an attempt to break your morale and turn workers against you.

14. Stick to your guns. When you are right, you can see it through. Keep in touch with your support people.

15. Find out, if possible, if there are others who have similar complaints of discrimination. Keep in mind that management may use techniques that divide workers.

THE UNION LOCAL AND NATIONAL OFFICE

Being a member of a union can provide many advantages. You are more likely to have better job security. Find out if your collective agreement has specific clauses dealing with discrimination and/or harassment. Many unions have specific policies dealing with one member sexually harassing another member. Find out what policies, if any, your union has, and what training is available to the members. Unions are becoming more sensitive to the problem of discrimination in the workplace and are setting in place policies and training sessions for their stewards and members. Some very good representation can be provided by sensitive and well-trained local stewards.



However, good representation is not guaranteed. Unions are a reflection of our society, and they are still very much male dominated. Support and good representation are not automatic. Because of the nature of discrimination, your local may not support your complaint for various reasons:

- a. Their own prejudices.
- b. Their loyalty towards the other member/s involved.
- c. Their commitments with management.
- d. Their own fear of retaliation.

SIGNS THAT SHOW NO SUPPORT FROM THE UNION

1. They don't take your complaint seriously,
2. They will suggest it is a personal problem.
3. They will try to delay submitting your complaint.
4. They don't relay to management how serious your complaint is.
5. Your grievance/s or complaint may be poorly written up and presented, or they will not write them up at all or present them.
6. They may say they have done things regarding your complaint (i.e. presentation of a memo on your complaint) but have not acted.
7. They may say they are too busy; you are not the only member with a problem.
8. When you follow up, little or nothing is done.
9. There will be few, if any, letters of support. They may say there are but will not provide you with copies.
10. Minor things may be done to keep you coming to see them. As long as they know what your problems are and are given a say in how to handle them, they maintain control. Use of this control is often not in your best interest.
11. They will discourage you from going to any individuals or organizations for help. They may even threaten to not represent you if you go to a lawyer to seek legal advice or representation. This is a pretty clear indication that you will not get good representation.
12. They make a lot of promises but don't keep them. These unkept promises usually surface later and are often let slip behind your back. Don't be discouraged by them.
13. It is even possible that the local chief steward will sit in on your grievance hearings as a witness for management.

WHAT YOU DO IF YOU DON'T GET UNION SUPPORT

Be on guard. Having the support of the Local can be crucial. But if you don't have it, be aware of it and work at getting support outside the Local. (Keep trying to get support from the members but don't fool yourself.)

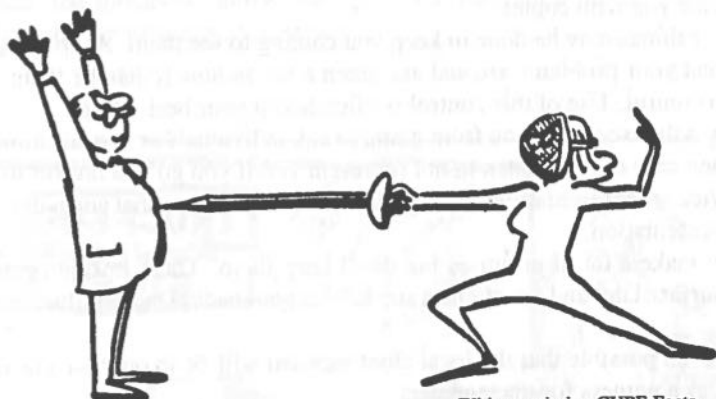
If you do not gain the Local's support, you will have to do many of the functions the Local would have done for you, or assisted you with, yourself. Bring a witness you can count on. You may have to do the following:

1. Meet with management on your own behalf.
2. Represent yourself at hearings.
3. Put in grievances.
4. Keep the Local, or National office informed and involved.
5. Work with the Local or National Office Representative.
6. Perhaps help with getting community support.
7. The Local's support opens many doors otherwise very difficult to open.

The Local Officers may not just come out and say "we do not support you" because:

- a. It looks bad for them.
- b. They need the flow of information you give them.

The sooner you realize they don't support you, the sooner you will seek support elsewhere i.e. Regional or National Representative, other unions, women's groups, Human Rights Commission, Workers' Compensation Board, your Member of Parliament, the media, etc.



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WHAT ARE THE CAUSES OF SEXUAL HARASSMENT/ASSAULT:

In sexual harassment/assault the harasser/assaulter often takes advantage of the lower power position of the victim. The harasser/assaulter is still thinking in the old stereotypes that a woman's place is in the home; a woman is dependent on a man. These men misinterpret a woman's friendly manner as an invitation to bed.

These men refuse to take no for an answer and feel they have a right to sexual favours. They feel that sexual favours are perks that come with the job.

It has nothing to do with sex and everything to do with power. It divides workers, causing the complainant to feel guilty and often affects the complainant's employment status. Management, co-workers, friends and family tend to blame the victim. "Your clothes must have turned him on", "You must have asked for it", "What can you expect when you work alone with him, overtime", "You must have liked it", "You did not tell him No", "It is part of the job".

Male Chauvinism, the attitude that men are better, is the concept that is being threatened--the principle that men are better merely by an accident of birth.

As women are becoming better educated, and more women must work to take care of their needs and the needs of their families, they are competing for the more interesting and better paying jobs traditionally held by men. Advances in technology have made it possible for women to do a much wider range of jobs. The biggest barrier still remains society's attitude toward women competing for and acquiring these jobs.

As long as women can be reduced to being only sex objects and not given recognition for their full potential as human beings, the employer will continue to gain by underpaying them. As long as men see women as housekeepers, respon-



MARCEL EBF.

sible for childbearing and a threat to their job, they will continue to harass them, either sexually or in other ways, to keep women from gaining equality in the workplace and in society.

Understand what Sexual Harassment is. It is Power, not Sex, Not affection, Not caring --. It is Coercion. It is violence against women.

THINGS TO WATCH FOR

Watch for the guilt. You are not responsible for the harasser's action, if he/she refuses to accept NO when he/she should.

You have the right to say NO to unwelcome advances. As long as you continue to give passive resistance, or give in, the harasser has power over you.

NOTE: The suggestions given above deal mainly with support for the complainant who continues to work for the same employer while working on resolving the complaint. However, there are many points that will still apply if the complainant is no longer at the workplace. Many of the suggestions that follow will continue to deal with the complainant remaining on the job. The aim is to maintain employment if the complainant wishes, and to restore the workplace to an harassment-free environment.

When approaching any government agency, make it your business to find out what their policy and regulations are regarding workplace sexual harassment/assault. Ask to be informed about their particular procedures for resolving these complaints. The procedures outlined in this booklet are generalized procedures and can always be open to change.

PUTTING IN A CLAIM WITH THE ONTARIO WORKERS' COMPENSATION BOARD

Most workers in Ontario are protected under the Ontario Workers' Compensation Act. When you lose time off work due to the stress related to sexual harassment/assault as a result of your employment, serious consideration should be given to protecting your income by making a claim with the Ontario Workers' Compensation Board. This not only provides income protection, but it also provides another means for putting pressure on the employer to take your complaint seriously. It does so by bringing in another investigating body. It further legitimizes your complaint. It is difficult to win a claim against the Ontario Workers' Compensation Board, but it is not impossible, it is worth a try. All it will

cost you is your time. It is this type of pressure from women that will help ensure our income when we are forced to take time off work as a result of employment-related stress due to sexual harassment/assault.

CANADA LABOUR CODE POLICY

The amendment to the Canada Labour Code of 1985 imposes upon many employers a duty to provide an harassment-free workplace. They are required to not only develop a policy against sexual harassment but to post that policy. It provides for a penalty not exceeding \$100 per day on summary conviction.⁶

PUTTING IN A COMPLAINT WITH THE PUBLIC SERVICE COMMISSION

Because Treasury Board of Canada has put out a policy prohibiting personal harassment at the workplace in 1982,⁷ The Public Service Commission has the power to investigate. If the complaint is founded "...the complainant and the department agree on a settlement, the directorate follows up to ensure it is carried through."⁸

In most cases all avenues of complaint open to you at the workplace must be exhausted before a complaint can be processed with either the Ontario Human Rights Commission or the Canadian Human Rights Commission (i.e., the grievance process if you have one). If you work for the Federal Public Service, you may file a complaint with the Public Service Commission, Investigations Branch, as outlined in Treasury Board Policy⁹. Treasury Board Policy does not cover harassment under the prohibited grounds of discrimination under the Canadian Human Rights Act. If your complaint falls under both personal harassment and sexual harassment, you will have to decide your best route for complaint. It is presently Government Policy that either the Canadian Human Rights Commission or the Public Service Commission will investigate your complaint. Both agencies will not investigate your complaint at the same time, even though you may well have a complaint that falls under each of their jurisdictions. This can be a disadvantage to you, so complain to the agency which has the greatest power to resolve your employment problem. If your complaint is discrimination, it is usually the Canadian Human Rights Commission.¹⁰ (The Canadian Human Rights Commission takes collect, long-distance calls. The phone number is in the blue pages of your phone book under "Government of Canada")

SUBMITTING A COMPLAINT WITH THE HUMAN RIGHTS COMMISSION

1. Do not be discouraged by the length of time it takes to resolve your complaint.
2. Be prepared for the difficulties with the Human Rights Commission accepting your complaint.
3. Be clear in your own mind that you were discriminated against under one or more of the grounds under the Human Rights Act and that you can establish that it was on the basis of your sex or other grounds under the Human Rights Act. Be sure you relate this to the Human Rights Commission both verbally and in writing.
4. After a complaint form is filled out and signed with either Ontario or Canadian Human Rights Commission, it is investigated.
5. After the investigation, you will be given a copy of the investigation report to ensure it is accurate. Changes to it are then possible within a limited time period. On the basis of the report, it is either substantiated or not. You will be given a reply in writing.
6. If substantiated, it goes on the recommendations to conciliation. Hopefully this will result in some agreement which resolves the problems. (In most cases this happens.)
7. If the complaint is not resolved, the complaint can be sent to the Board of



Directors who vote whether it will go to Tribunal or a Board of Inquiry for a hearing.

8. This could take some time. By this time you better have a good deal more support, as it is starting to get expensive and lonely. **HANG IN THERE.** You can make it if you believe in yourself and stand your ground.
9. Taking your complaint through The Human Rights Commission procedures can be, and usually is a long process...long meaning months, sometimes years. Don't get discouraged. It can be done.

POSSIBLE REMEDIES AND PENALTIES UNDER THE CANADIAN HUMAN RIGHTS ACT

This is a partial list of remedies, under the Canadian Human Rights Act, a Tribunal can make an order for:

- a) "that such person cease such discriminatory practice" and prevent the practice from reoccurring in the future;¹¹
- b) "that such person make available to the victim...such rights, opportunities or privileges as, in the opinion of the Tribunal, are being or were denied the victim as a result of the practice;¹²
- c) "that such person compensate the victim, as the Tribunal may consider proper, for any or all of the wages that the victim was deprived of and any expenses incurred by the victim as a result of the discriminatory practice;" and,¹³
- d) "the Tribunal may order the person to pay such compensation to the victim, not exceeding five thousand dollars..."¹⁴

Under the Canadian Human Rights Act, there can be imposed a maximum fine of \$5,000 for an individual or up to \$50,000 for an employee organization or an employer for an offence under Section 45 which states:¹⁵

"No person shall threaten, intimidate or discriminate against an individual because that individual has made a complaint or given evidence or assisted in any way in respect of initiation or prosecution of a complaint or other proceedings under this Part, or because that individual proposes to do so."¹⁶

What the Act does not say is that although you lay the complaint through The Canadian Human Rights Commission, it is a criminal offence and the charge must be laid within six months of the incident which gave rise to the complaint. The RCMP is the investigating body for complaints under section 45. "The Canadian Human Rights Act requires that before any charges are laid, the RCMP must first obtain the consent of the Attorney General of Canada...this requirement clearly constitutes a conflict of interest when the complaint is against a fellow cabinet minister and his own government."¹⁷

I am not suggesting don't lay a complaint under this section of the Act, but I am saying be aware what it means, very strict time limits, barriers to laying the complaint and the high degree of proof required. Chances of success are limited. What it might do, however, is that your complaint adds to your documentation and puts pressure on the employer to resolve the complaint.

POSSIBLE REMEDIES AND PENALTIES UNDER THE ONTARIO HUMAN RIGHTS CODE 1981

If you work for the Ontario Public Service, a complaint can be launched through Human Resources.¹⁸ This does not preclude your right to go to the Ontario Human Rights Commission. (The Ontario Human Rights Commission takes collect, long-distance phone calls. Their number can be found in the blue pages of your phone book under "Government of Ontario") All other Provincially-regulated employees can file their complaint through the Ontario Human Rights Commission.¹⁹ The board may, by order:

- a) "direct the party to do anything...the party ought to do to achieve compliance with this Act..."²⁰
- b) direct the party to make restitution, including monetary compensation, for loss arising out of the infringement, and, where the infringement has been engaged in wilfully or recklessly, monetary compensation may include an award, not exceeding \$10,000, for mental anguish.²¹

The Ontario Human Rights Code provides for a fine not to exceed \$25,000 to anyone interfering in the proceedings.²²

You may not experience all these difficulties with your complaint, but it could happen. The Human Rights Commission won't do it all for you. It is a vehicle to air your complaint. It provides a means for redress, but remember you will have to be the moving force behind your complaint. You will have to do a great deal of work. Only you can decide if it is worth it. Remember what can be at stake, not only your job, but your livelihood, your self-esteem, your reputation, the cost to your health due to internalizing, the assault on your dignity, etc. It is difficult either way. You must weigh the cost of walking away, and the cost of fighting back. In fighting back you learn a great deal. You have not lost until you quit and you, collectively, with many other complainants of sexual assault and sexual harassment, can turn this insidious problem around by fighting back and refusing to accept being treated this way. Only by women fighting back can we ever make any changes. Men are not going to do it for us. We have to do it for ourselves. We have a lot of power to make changes if we only use it.

If you are a member of a union, lobby for support even if you are no longer working. Write other union bodies for support, i.e. Ontario Federation of Labour, Canadian Labour Congress, Women's groups such as the National Action Committee on the Status of Women, Legal Education Action Fund (LEAF), your community Women's Centre, Sexual Assault Support Centres, Women's groups in the union, Labour Councils. Write your member of parliament, Provincial or Federal depending on what legislation you are covered under. Find out who the employment critics are in the legislature. Let them know what is happening (Other labour bodies will not assist you with your own union difficulties. Individual members of other unions can support you and often will if the right members are approached.)

Depending on the difficulties involved in your case and your need to gain support over an extended period of time, a Newsletter may be required. It also provides a lot of political pressure. A petition demanding a healthy work environment could also be circulated on your behalf.

- Get contacts in the Media, Newspaper, Radio, T.V.

10. When asked to make important decisions about your complaint for example, withdrawing your complaint, transferring to another area of work, withdrawing grievance/s don't sign papers you are not sure about or feel uncomfortable with. MAKE IT A RULE TO ALWAYS WAIT AT LEAST 24 HOURS BEFORE MAKING A COMMITMENT. If the offer is good, it will still be there; if it is not, you are better off not having signed it or not having made the commitment. (It may be a tactic of management to put you on the spot to force a decision which is often not in your best interest)

11. Whenever possible, have a representative with you whom you can trust.

12. Sometimes your greatest strength can be in showing up to work every day. Take it an hour at a time if you have to.

13. Join a car pool. This will give you a stronger commitment to continue working through to the end of each shift. If you are tempted to leave early, you are faced with having to walk or bus home or the person you gave a ride to has to find another way home.

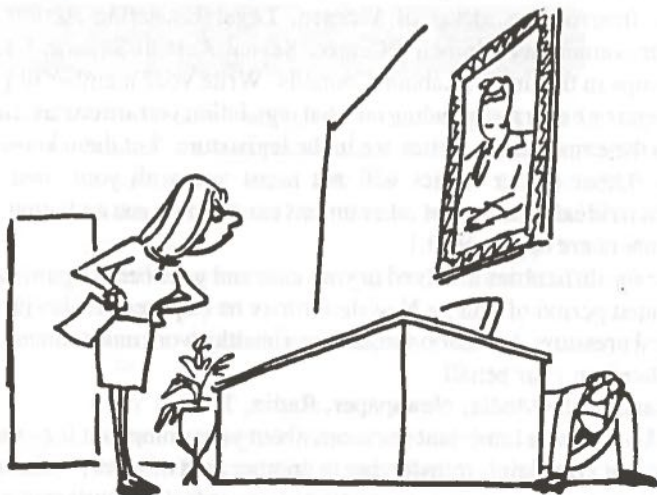
14. Remember that even if things are rough at times, there is still a job to be done so management have to get off your back at one time or another. This will give you a breathing spell.

15. Don't forget to get support from every possible avenue in the Labour Movement and Women's Movement. This can be done by:

- Writing letters.
- Going to Conferences (Women's, Labour); letting people there know of

your problem and seeking their support; providing a one-page write-up of the situation, including how you can be reached.

- Phoning different groups.
- Networking, developing a mailing list of supporters, keeping in touch through a Newsletter mailed to media, politicians, board of directors of the union.
- Seeking financial assistance.



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IMPORTANT THINGS TO REMEMBER: WATCH FOR THE HIDDEN AGENDA

Difficult does not mean impossible. Change the word "Difficult" to CHALLENGING.

Just because it has never been done before, does not mean it can't be done.

Scary is not fatal.

Don't take NO for an answer, when NO is the wrong answer.

When someone, particularly in authority, tells you something about your complaint that does not feel right, it probably is not.

Set your goals. What is it you want?

Do you want a problem or a solution. Some people want a problem, so they follow all the rules of those who are doing the discriminating. These people either want the problem, or don't understand that this is the way they are going to keep that problem for a long time. If you want a solution, you have to take control of the situation, think for yourself and be aggressive about solving the problem, and the odds of arriving at a solution are increased many times.

Example of a solution: your job free of harassment, discrimination etc. When things get rough and you have to set a course of action, always look ahead and think "Will this, get me closer to a solution or farther away?" It is easy to get caught up with other issues, such as getting even with the harasser or the employer or even non-supportive co-workers or union local.

Who is going to pay, because this can be expensive? If you get all bogged down with paying for the phone calls, postage stamps, etc., you will never get past square one. Don't let yourself lose sight of your goals.

When you get advice, think carefully whose interests they represent. If someone from personnel tells you not to pursue the complaint outside the organization because it will be bad for you, remember that person may not have your best interests in mind. Use your instincts. You will have to be the driving force behind your complaint; there are too many ways for management to put a stop to it.

Don't worry too much if others don't like you. The main thing is that you like yourself. Your real friends will still be there.

Hopefully you may never have these types of problems, but if you do, running away from them can be even more difficult to live with than doing something about them.

You are far more likely to gain by standing your ground than by giving in (giving up your complaint).

It can be a real character builder, a real adventure, a learning experience. It is not all bad. But most important you have your self-respect. You have stood up for what is yours and what you have every right to have.

Don't worry about how long it takes. Time will pass either way. This way you will have the satisfaction of seeing it through and having tried, no matter which way it turns out. By the way, you will only lose if you quit before you have won.

I am sure you have heard the saying "life has no guarantees." Well, that's wrong. It does. If you don't try, you automatically lose. So if you want guarantees, failure is guaranteed. Success must be worked for, but how sweet it is.



"Mr. Baker, I've just divorced one of 'God's gifts to women.' And for the time being, I'm returning further packages unopened."

NETWORKING: USED TO GAIN SUPPORT FOR AN ISSUE

Networking is what people use to gain support for an issue from individuals. It is the first step in seeking support for an issue. The second step would be to gain institutional support for that issue, from unions, women's groups or government bodies. What makes networking so effective is that the individual support is now linked together, in a very loose fashion, with no formal structure, but is used to lobby support for an issue in an organized way. Support is no longer just random individual support, but it is support that is given leadership by the people who have the greatest knowledge, interest and energy to provide that leadership.

NEWS RELEASE

Here are some ideas on how to write a news release. The media can be a useful way to gain support for resolving your complaint.

On top, clearly state who is sending it and how to contact the sender. Date it and indicate when it can be released. Usually it states "For Immediate Release."

Keep a news release to one page, typewritten double spaced.

The opening paragraph should state the most important point you are trying to make. The middle paragraphs give background information and supporting details.

In the closing paragraph, repeat your most important point. Repeat who is to be contacted, where (phone number, address), and when. Be there at the specified time.

Be straightforward and honest with reporters. They have a job to do. Provide the details the reporters need, and have this information ready for them. This gives you a much better chance of having your story written up by a newspaper. Management often say "no comment." This will give you an advantage.²³



For a complaint to be resolved there are several very important aspects to remember:

1. Keep up the complainant's morale. Give encouragement; watch for depression.
2. Keep up a good support network; keep building on it
3. Fight the complaint from every area possible: Management, Human Rights Commission, Union, Media, Members of Parliament, Women's Groups, Labour Groups, Church, Community Groups, any organization or individual who might help.
4. Circulate a petition on behalf of the complainant.
5. Don't put all your eggs in one basket. It is through the combined efforts in as many areas as possible that your strength will come.
6. It is important to have some understanding of Sexual Harassment/Assault to be better able to deal with it and understand both how difficult it is to solve and why it is so important to do something about it.
7. As long as women can be reduced to being only sex objects and not given full recognition for their full potential as human beings, the employer will continue to gain by underpaying and overworking them. As long as men see women as a threat to their jobs and their masculinity, they will continue to harass them, either sexually or in other ways, to keep women from gaining equality in the workplace and in society.
8. Understand what Sexual Harassment is. Power. Not sex. Not affection. Not caring -- it is coercion and violence against women.



With permission CUPE Facts.

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CARTOONS

Cover page and page 20

Ellen Adelberg, Breaking the Silence, "Sexual Harassment: We've Only Just Begun" (Ottawa, Ontario) Spring issue 1985, With Permission.

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