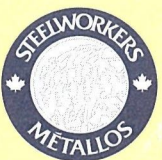


# Racial and Sexual Harassment, and Violence against Women:

## POLICY AND PREVENTION



**United  
Steelworkers**





## ***We can't make people like each other***

***We can't make people like each other.***

But in the workplace, we can make sure no one is treated differently because of their racial or ethnic origin, or because of their sex.

***We can't make people like each other.***

But we can encourage workers who are sexually and/or racially harassed to speak out with the support of their union.

***We can't make people like each other.***

But we can state clearly that our union will fight at all levels to eliminate sexism and racism.

***We can't make people like each other.***

But we can create a workplace free from sexism, discrimination, racism and bigotry.

***We can't make people like each other.***

But we can, through concrete action, promote tolerance and mutual respect in our union.

That's why we have adopted policies to prohibit and prevent sexual and racial harassment in the workplace. And that's why we have produced this workbook to help local union members address these issues step-by-step, incident by incident, with fairness and respect for all individuals.

***We can't make people like each other.***

But we can make it clear that our union is, indeed, *Everybody's Union.*



**United  
Steelworkers**



## Preventing Sexual Harassment in the Workplace

At the Steelworkers 1989 National Policy Conference, the union adopted a *Policy to Prohibit and Prevent Sexual Harassment in the Workplace*. This policy adopts the definition of sexual harassment recommended by the York University presidential Advisory Committee on Sexual Harassment.

### Sexual Harassment is:

- 1 unwanted sexual attention of a persistent or abusive nature, made by a person who knows or ought reasonably to know that such attention is unwanted; or
- 2 implied or expressed promise of reward for complying with a sexually oriented request; or
- 3 implied or expressed threat or reprisal, in the form either of actual reprisal or the denial of opportunity, for refusal to comply with a sexually oriented request; or
- 4 sexually oriented remarks and behaviour which may reasonably be perceived to create a negative psychological and emotional environment for work and study.

### Just what does this mean?

Does this mean that one person may no longer whistle at another to indicate appreciation for that person's looks? **Yes.**

Does this mean that one person may no longer touch another person without permission? **Yes.**

Does this mean that sexual jokes, slurs and gestures are not acceptable in the workplace? **Yes.**

Does this mean that pin-ups and sexual graffiti can no longer be put up in the workplace? **Yes.**

Does this mean that promises of promotion in return for sexual "favours" are illegal? **Yes.**

Does this mean that we are to treat each other with mutual respect? **Yes.**

**Mutual respect.** That's what it's all about. We work better when we work with people we respect and who respect us. Our workplace is a healthier and safer place to be when we can concentrate on the task at hand and not have to worry about harassment. And we are better members of our union because we can concentrate on helping each other out on the job rather than trying to always protect ourselves.

## Preventing Racial Harassment in the Workplace

Human Rights legislation in Canada defines harassment as "engaging in a course of vexatious comments or conduct that is known or ought reasonably to be known to be unwelcome." At the 1989 National Policy Conference, the United Steelworkers adopted the *Policy to Prevent Racial Harassment in the Workplace*.

### Racial Harassment is:

Words or actions which show disrespect or cause humiliation to another employee because of his or her race, colour, language, creed, ancestry, place of origin or ethnic origin. Disguised as a joke, subtle or overt, these acts of harassment are offensive, demeaning, embarrassing and hurtful.

**Mutual respect.** That's what it's all about. We work better when we work with people we respect and who respect us. Our workplace is a healthier and safer place to be when we can concentrate on the task at hand and not have to worry about harassment. And we are better members of our union because we can concentrate on helping each other out on the job rather than trying to always protect ourselves.



### Just what does this mean?

Does this mean that ethnic or racial jokes are no longer acceptable in the workplace? **Yes.**

Does this mean that racist graffiti and pictures cannot be put up in the workplace? **Yes.**

Does this mean that people may no longer "tease" a co-worker or make comments that are racially insulting or present stereotypes of racial or ethnic groups? **Yes.**

Does this mean that it is illegal to refuse to work with a person because of her or his ethnic background? **Yes.**

Does this mean that intimidating or threatening a person because of her or his skin colour, language or ethnic background is racial harassment? **Yes.**

Does this mean that we are to treat each other with mutual respect? **Yes.**



# What is the Union Doing?

The union has appointed Sexual and Racial Harassment Complaints Counsellors to help you deal with incidents of harassment in the workplace. You can reach a counsellor through the National or District Offices.

Harassment Complaints Counsellors will assist local unions to deal with incidents, hold workshops inside and outside the workplace, and distribute information to heighten awareness about tolerance and equality in a multicultural society and workplace.

All union courses start with a discussion of our policies to prevent sexual and racial harassment, focusing on efforts to promote respect between men and women and between people of different cultural and racial backgrounds inside and outside of the workplace.

The union seeks nothing more than mutual respect between people. That is the basis of human equality and the foundation of trade unionism.

Everybody's  
**UNION**

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## What can you do in your workplace and at local union events?

- 1 Negotiate strong employer/union workplace policies and procedures on sexual and racial harassment. *See contract language, page 9.*
- 2 Negotiate workplace education sessions on challenging and preventing sexual and racial harassment, for all bargaining and non-bargaining unit members in the workplace.
- 3 Appoint someone on your local union executive to deal with issues of harassment. Training is available through the *Human Rights* and *Women of Steel* course, or through a union counselling program.
- 4 Copy and post on the bulletin board the definitions of sexual and racial harassment in this workbook. And, make sure the membership knows who on the local executive is available to discuss harassment problems in the workplace.
- 5 Create a supportive climate to encourage sexual and racial harassment victims to come forward.
- 6 Conduct sexual and racial harassment awareness campaigns through union meetings, local union newsletters, forums, and guest speakers.
- 7 Amend the local union by-laws and pamphlets to ensure the elimination of sexual and racial harassment wherever it exists.

## Points to remember:

- Sexual and racial harassment are illegal.
- Sexual and/or racial harassment are one person's attempt to demonstrate power over another person. People in lower paying and less secure positions – often women, visible minorities, people with disabilities and aboriginals – are most likely to be the targets of harassment.
- Harassment can “poison” the work environment, affecting work performance and endangering the safety of the worker and his or her co-workers. Undermining personal dignity and pride, harassment, if unchallenged, can lead to accidents and prolonged illness.
- Our goal is to achieve harassment-free workplaces, union schools and conferences. Awareness-raising, union educationals, newsletter arti-

**Mutual respect.** That's what it's all about. We work better when we work with people we respect and who respect us. Our workplace is a healthier and safer place to be when we can concentrate on the task at hand and not have to worry about harassment. And we are better members of our union because we can concentrate on helping each other out on the job rather than trying to always protect ourselves.

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cles and bulletin board postings go a long way to prevent harassment. But by far the greater influence is the attitude displayed by individual members of the union leadership.

We must make it clear, not only at meetings but on a one-to-one basis, that harassment has no place in our union. If there are pin-up pictures, graffiti or other material that is offensive, remove it.

Listen to what is going on in the workplace and end harassment before it explodes. Take a leadership role by asking the harasser to stop. Don't wait for a complaint.

- You may be uncomfortable when someone comes to you with a complaint, especially if you haven't dealt with such situations before. Listening to accounts of hostile, frightening interactions, which are hard to sort out, can be stressful for you as well. This is normal. Ask another activist, your district's complaints counsellor or your staff representative to give you the support and information you need. The situation won't just go away no matter how much you may want it to. The member is looking to you for help, support and advice.
- When discussing cases of harassment among local union executive members, stewards or union officials, be careful to protect confidentiality. Do not refer to people by name. Instead use the terms victim, alleged harasser and witness. Be careful not to identify specific work areas.
- If there is more than one member of the bargaining unit involved, the union has a responsibility to represent the interests of each of them.



## WHAT TO DO

if you are being sexually/racially harassed:

- Document the time, date, names of any witnesses and detailed information about the nature of the incident.
- No means no. If possible, tell the harasser to stop the offensive behaviour: their actions or words are unwelcome and contrary to governing human rights legislation and where applicable, collective agreement provisions.
- Contact the designated local union executive member, steward, member of Human Rights or Women's Committee or your District's Harassment Counsellor for assistance in filing a grievance or mediating a resolution.

## WHAT TO DO

if you believe that a fellow worker is being racially/sexually harassed:

- Let the worker know you are there to help.
- Help them to document what has happened and support them in reaching the designated local union executive member, steward, member of the Human Rights or Women's Committee or your District's Harassment Counsellor.
- Treat your fellow workers with respect. It's surprising how much faster and easier the job gets done when we work together as a team.



## Dealing with complaints of harassment: TIPS FOR LOCAL UNION ACTIVISTS

- 1 Assure the person that you take their complaint seriously. Let them know that you are aware how difficult it is to come forward with a complaint. Be a listener not a judge. If the situation was bothering her or him, it is the right thing to come forward.
- 2 Ask if the person is comfortable discussing the problem with you. Assist them in contacting one of the union's designated counsellors.
- 3 If applicable, provide them with a copy of the union and company policy.
- 4 Let the person know the options available in pursuing a complaint. These options include:
  - a union to investigate and attempt to mediate a resolution
  - b union to approach management to investigate
  - c filing a complaint with the Human Rights Commission
  - d criminal or civil charges with police investigation
- 5 Confidentiality. Reassure the person that your discussions and their comments will not be shared with the alleged harasser or any witnesses. If the complaint becomes a formal grievance or complaint, some parts of the case may become public.
- 6 Ask the person to document the incident(s) in writing. The documentation needs to include:
  - a time and place of the incident(s)
  - b names of witnesses (if any)
  - c what the harasser did and said (word for word if possible)
  - d what they did or said and how she/he felt about it
- 7 Make sure that there are some union members or community counsellors who can provide emotional support to the person.
- 8 In some cases, the victim may need to take sick leave or file a workers' compensation claim or, if absolutely necessary, a temporary re-assignment could be made. After discussing this with the victim, make sure that you obtain help to facilitate this process as quickly as possible.



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## What is the role of Harassment Complaints Counsellors?

### Co-worker Harassment:

- 1 With the victim's permission, Harassment Counsellors investigate the complaint by interviewing the victim, alleged harasser and any witnesses.
- 2 Counsellors attempt to mediate a satisfactory resolution. This mediation may result in an apology or a written agreement between the victim and the respondent. This agreement includes a promise that the offending behaviour will not recur. Most complaints can be resolved in this way without any further intervention.
- 3 If attempts at mediation do not succeed, the Counsellor, with the victim's consent, will advise the alleged harasser in writing that the victim may file a formal complaint with the employer and/or human rights commission in the appropriate jurisdiction.

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With the victim's permission, Harassment Counsellors investigate the complaint and attempt to mediate a satisfactory resolution. If that fails, they may help the victim to launch a grievance.

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- 4 If the alleged harasser still does not respond to mediation or no solution is possible and/or incidents of sexual harassment or racial harassment continue, the Counsellor will assist the victim in writing a letter to the employer.
- 5 Once this letter is sent to the employer, the employer has a legal responsibility to investigate. Negotiated collective agreement provisions, where applicable, will be set in operation thereby involving an outside Harassment Investigator. (See contract language, page 9.)

### Supervisor/Worker Harassment:

- 1 With the victim's permission, Harassment Counsellors will speak confidentially with the employer to determine whether the matter can be resolved.
- 2 If no resolution is possible, the Counsellor may approach the local union to assist the victim in filing a grievance.
- 3 In the event that the grievance proceeds to arbitration, the victim will be required to give evidence of the harassment. If an arbitrator allows the grievance, she/he in accordance with collective agreement provisions (see contract language), may direct that the grievor not be required to work with any supervisor or foreman found to have engaged in harassment conduct.

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## Anti-Sexual and Anti-Racial Harassment Collective Agreement Language

- 1.1 The company shall maintain a working environment which is free from sexual and/or racial harassment.
- 1.2 For the purposes of this clause, "sexual harassment" includes:
  - (1) unwanted sexual attention of a persistent or abusive nature, made by a person who knows or ought reasonably to know that such attention is unwanted; or
  - (2) implied or expressed promise of reward for complying with a sexually oriented request; or
  - (3) implied or expressed threat or reprisal, in the form either of actual reprisal or the denial of opportunity, for refusal to comply with a sexually oriented request; or
  - (4) sexually oriented remarks and/or behaviour which may reasonably be perceived to create a negative psychological and/or emotional environment for work and study.
- 1.3 For the purpose of this clause, "racial harassment" includes:
  - (1) engaging in a course of comment or conduct that is known or ought reasonably to be known to be unwelcome where such comment or conduct consists of words or action by the company, supervisor,

or a co-worker in the bargaining unit, which disrespects or causes humiliation to a bargaining unit employee because of his or her race, colour, creed, ancestry, place of origin or ethnic origin.

- 1.4 Upon receipt of a confidential letter from a person designated by the union to implement the union's policy against either sexual or racial harassment in the workplace (the Sexual Harassment Complaints Counsellor, hereinafter the "SHCC" or the Racial Harassment Complaints Counsellor, hereinafter the "RHCC"), complaining of any incident of sexual or racial harassment involving an employee of the company, the company shall forthwith refer the letter to a Sexual Harassment Investigator or Racial Harassment Investigator (hereinafter the "SHI" or the "RHI" respectively) who shall within 3 weeks of the receipt of the letter by the company make a non-binding recommendation to the company and shall deliver copies of the report to the company and the union.
- 1.5 The parties agree that neither the SHI, RHI, SHCC nor the RHCC shall be a compellable witness at any arbitration and the parties



agree not to seek to have them give evidence at any arbitration hearing between the parties. The SHI shall be \_\_\_\_\_, \_\_\_\_\_ or \_\_\_\_\_ and the RHI shall be \_\_\_\_\_, \_\_\_\_\_ or \_\_\_\_\_.

**1.6** The expense of the SHI and RHI shall be borne equally by the company and the union.

**1.7** Where an arbitrator concludes that section 1.1 has been breached, the arbitrator may direct:

- (1) that the aggrieved employee (the complainant) not be required to continue to work in proximity to any person (respondent) found to have engaged in any sexual or racial harassment conduct; and
- (2) that any employee who is found to have engaged in sexual or racial harassment conduct be reassigned to another location or time of work without regard to the respondent's seniority; and
- (3) that the company pay the aggrieved employee compensation

for all losses flowing from and reasonably connected to the sexual or racial harassment conduct complained of.

**1.8** In any arbitration case arising out of or relating to sexual or racial harassment conduct, where an arbitrator finds that sexual or racial harassment has occurred the arbitrator is hereby expressly empowered to direct that the perpetrator be transferred away from the place and/or time of work of the person found to have been sexually or racially harassed and the arbitrator shall impose a remedy which is designed to only affect the perpetrator insofar as that is possible and where there is any detriment to be suffered respecting job classification, seniority, wages, etc., such detriment shall fall upon the perpetrator and not upon other bargaining unit employees. The arbitrator may direct a transfer of the perpetrator without regard to his/her seniority.

# Violence against women is not a 'women's problem'

## LET'S PUT IT ON THE TABLE.

### Put the sounds on the table:

The sound of a slap as hand meets flesh.  
The sound of a crack as head meets wall.  
The snap of a bone breaking.

### Put the statistics on the table:

1 out of 4 women is sexually assaulted, 50% before the age of 19

1 in 10 women is physically and/or sexually assaulted by her spouse or live-in partner

A women who calls the police is likely to have been assaulted 30 times before doing so

Every 17 minutes in Canada, a sexual assault takes place; 90% of the victims are female

It is estimated that 50-90% of women have at some point been harassed in the workplace

Occupational violence against women on the job is on the increase

### Put the excuses on the table:

"We just treat her like one of the boys."

"When I come home from a hard day at work I don't want to have to listen to kids screaming."

"I saw the way she looked at that guy. Does she think I'm stupid?"

"I just had a fight with my boss and I was in a bad mood."

"I get enough hassles at work. When I get home I want a little respect."

### Put the questions on the table:

Why do some men think it's O.K. to tell jokes that demean and demoralize women?

Why do some men think it's O.K. to harass a woman at work with sexual comments?

Why do some men think it's O.K. to sexually assault a woman they meet at a bar?

Why do some men think it's O.K. to beat their wives or partners?

### Put the responsibility on the table:

Who listens to those jokes that degrade women?

Who ignores sexual comments made about a female co-worker?

Who ignores sexist pin-ups and graffiti?

Who hides their head in the sand and turns their back when they hear about violent acts against women?

Who buys the myth that violence against women is a women's problem?

### Let's put it on the table:

Violence against women is not a women's problem, it's OUR problem.



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# LET'S PUT IT ON THE TABLE.

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Although the actual number of men who act violently against women is in the minority, most of us – men and women – fail to act or speak out. We can no longer be silent. We must get this out in the open. We must put it on the table.

Statistics tell us that whether we are aware of it or not, we all know a woman who has been abused or is being abused right now. She may be our neighbour, our doctor's wife or the woman working right next to us.

The issue of violence against women cannot be isolated from issues of power and control. Our society, based on unequal wealth, status, opportunity and power is a breeding ground for abusive behaviour. Because of their lack of economic and political power, women are especially vulnerable to acts of violence. Doubly disadvantaged women – women with disabilities, lesbians, aboriginal and visible minority women – are doubly vulnerable to acts of violence.

We have strong policies designed to prevent and challenge Sexual and Racial Harassment in the workplace, to balance Family Responsibilities and to implement Pay Equity. We will continue to promote education programs like *Women of Steel* and *Working Together* to help our members understand the issues and identify solutions. Speakers have been invited to membership meetings. We have designed and produced videos, leaflets, newsletters and workshops.

We are proud of the steps we are taking to challenge some of the behaviour which results in acts of violence against women. We do this work because we believe in fairness, equality and justice for all members of our

union and for our society as a whole.

We are committed to creating a safe environment for women. We believe safety in the workplace, in the home and in the community is a basic human right. Violence against women is a crime. There are no excuses. The full weight of the law must be brought to bear on offenders.

But in order to change the behaviour of violent men, we must also change **our** behaviour. We can no longer hide our heads in the sand. We can no longer turn our backs.

**Violence against women is not a women's problem, it's OUR problem.**

**So, let's put it on the table. On our table, the bargaining table, the community table, the government table and the family dinner table.**

## ON OUR TABLE

- work with national and provincial women's organizations representing battered and abused women to identify and distribute resource material to local unions
- produce cards and posters for our members and their families to highlight available community resources
- encourage local unions to meet with women's groups to develop ways to create a safe environment for victims to approach local union leadership for guidance and support
- produce materials like leaflets, posters, buttons, or videos to help

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# LET'S PUT IT ON THE TABLE.

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local unions and area councils put the issue on the table

- support prevention and education programs of the Canadian Labour Congress and Provincial/Territorial Federations of Labour

## ON THE BARGAINING TABLE

- develop resource materials for local unions on women's safety audits and the redesign of the workplace to reduce the risk of violence
- develop contract language to include the right of women to refuse work if they are being harassed, the right of women who have been assaulted inside or outside of the workplace to seek counselling of their choice insured by the employer, necessary medical leave, paid legal assistance for legal processes that are not covered by the collective agreement, and counselling for workers to help the healing process
- continue to bargain USWA policy and education programs to challenge sexual harassment in the workplace by co-workers and management.

## ON THE COMMUNITY TABLE

- support and encourage local unions and area councils to contact community groups and participate in raising public awareness during Violence Against Women month (November) and on December 6, *National Day of Remembrance and Action on Violence Against Women*
- encourage local unions and area councils to assist community groups in putting these issues on the community table through

jointly held events and donations to local shelters, interval houses, and other groups offering assistance to abused and battered women

## ON THE GOVERNMENT TABLE

- pressure federal and provincial governments to change the justice system to ensure tougher enforcement of criminal laws related to sexual assault and other acts of violence against women
- urge federal, provincial and local governments to increase funding for shelters and interval houses, sexual assault and treatment centres, counselling services, and victim/witness assistance programs

## ON THE FAMILY DINNER TABLE

- identify and distribute resources including videos, cartoons and other easy-to-read books to help us speak frankly and safely with our children about violence against women and children. We need to counter messages our children receive through television that violence is the only mechanism available to resolve disputes.
- identify and distribute materials to assist local unions lobby school boards to acquire and integrate appropriate training materials for use in elementary and secondary schools. We need to educate the next generation now.

**Let's put it on the table. Violence against women is not a women's problem, it's OUR problem.**



# Important Information

(See page one of the inside cover of the phone book for some of these telephone numbers; get others from your local union officers)

Police:

\_\_\_\_\_

Distress Centre:

\_\_\_\_\_

Rape Crisis Centre:

\_\_\_\_\_

Hospital:

\_\_\_\_\_

Women's Centre/Shelter:

\_\_\_\_\_

Emergency Shelter:

\_\_\_\_\_

Family Doctor:

\_\_\_\_\_

Nearest Steelworker Office:

\_\_\_\_\_

District or Sub-district Office:

\_\_\_\_\_

National Office:

\_\_\_\_\_

Staff Rep.'s Name and Number:

\_\_\_\_\_

District Harassment Counsellor/s:

\_\_\_\_\_

Shop Steward/s:

\_\_\_\_\_

\_\_\_\_\_

## Local Union Officers

President:

\_\_\_\_\_

Vice-President:

\_\_\_\_\_

Recording Secretary:

\_\_\_\_\_

Treasurer:

\_\_\_\_\_

Guide:

\_\_\_\_\_

Outside Guard:

\_\_\_\_\_

Inside Guard:

\_\_\_\_\_

Trustees:

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# NOTES

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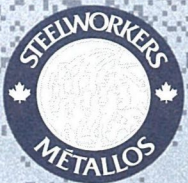
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**United  
Steelworkers**



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