

Harassment Prevention and Resolution in the Workplace



We are reissuing the following bulletin that was distributed on January 15th, 2018.

Harassment is a complex matter. What one person considers as proper behaviour, another may perceive to be harassment. In many cases, the lines are not sharply defined. Education, conversations, reflection and awareness of basic human values are the beginning. The test is in how we treat one another in our daily interactions. Often, what is needed is simple, basic decency.

Harassment is:

Harassment is defined as offensive or intimidating behaviour that is unwelcome. It can occur in the form of bullying for any reason categorized as personal harassment or specifically as sexual harassment through any form of sexualized treatment. Harassment can also occur based on protected grounds under human rights legislation.

Legislation and collective agreements define harassment slightly differently, but according to overarching legal standards:

- The behaviour can be direct or indirect, obvious or subtle, active or passive.*
- It can take the form of written, verbal, physical, electronic or any other form of expression.*
- Harassment can be physical, psychological or a combination of the two.*
- The impact on the subject of harassment, not the intent of the harasser, defines harassment. I didn't mean to offend ← or It was meant as a joke ← are not legitimate excuses.*
- Harassment can be one incident or repeated incidents (it is often several incidents that occur over a period of time). Remember, a single incident can have a severe impact on the subject.*

The Law Says:

Discrimination is a form of harassment that excludes individuals or treats them unfairly because they are members of specific groups.

The Canadian Human Rights Act, passed in 1977, protects people in Canada from discrimination. Human rights violations that relate to what is known as a protected ground may warrant the intervention of the Canadian Human Rights Commission. The 11 grounds of discrimination protected under the Act are: race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, and a conviction for which a pardon has been granted or a record suspension has been ordered.

Discrimination need not be overt in order to be unacceptable. Systemic discriminatory practices are often embedded in an institution or sector and may be invisible to the people who do not experience it.

[Click Here](#)

For more information on harassment @ Canadian Human Rights Commission

[Click Here](#)

For more information on discrimination @Canadian Human Rights Commission

Harassment is Not:

The behaviours of individuals that are not considered harassment are those that arise from a relationship of mutual consent. Respectful workspace banter and interactions, such as a hug between friends, mutual flirtation and a compliment on physical appearance between peer colleagues where there is no power imbalance are not considered harassment.

In addition, the day-to-day issues related to performance (i.e., providing direction to an individual in order to have the person improve their performance) absenteeism, discipline and even dismissal “ as long as they respect collective agreements, policies and legislation, are reasonable and not abusive or discriminatory “ should not be interpreted as harassment. However, a workspace disagreement, when poorly handled or left unresolved, can lead to harassment.

[Click Here](#)

for more information on Definitions and Concepts

What do we Want to Change:

Cabin Personnel have a right to workspaces free from personal harassment, sexual harassment and violence.

Harassment is not a joke. It is an expression of perceived power by the harasser over another person, usually for reasons over which the subject has little or no control. It can manifest itself in overt violent behaviour, but more frequently, it reveals itself in subtle actions, which may or may not be intended but, nonetheless, have a negative impact.

***CUPE - Air Canada Component** is committed to the pursuit of respectful workspaces and supports those who have experienced or witnessed toxic situations. We will not tolerate nor condone behaviour that is meant to undermine the dignity or self-esteem of an individual, or which creates an intimidating, hostile or offensive environment. As Union members we must speak out against harassment and stand together in addressing problems when they arise.*

The Local CUPE office can assist in defusing situations or facilitating mediation between members. Give the office a call at [604-295-4259](tel:604-295-4259) or send an e-mail to officers@local4094.ca.

If you need help, **EAP is also available**. Please feel free to contact Vicki Jensen, our Western Regional Coordinator: v.jensen@accomponent.ca or call: [604-270-5703](tel:604-270-5703).

Ultimately, employers are responsible for providing an environment or service that is free of harassment. The company has a harassment complaint process for employees to follow if a resolution cannot be reached.

[Click Here](#)

for the Company's Workplace Violence and Harassment Complaint Form

Additional links:

[Click Here](#)

For Information on People to People Communication "Preventing and Resolving Harassment for a Healthy Work Environment"

[Click Here](#)

For Information on Occupational Health and Safety Hazard "Workplace Bullying and Harassment"

[Click Here](#)

For Information on How to Recognize Workplace Bullying and Harassment

[Click Here](#)

For Frequently Asked Questions on Workplace Bullying and Harassment

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