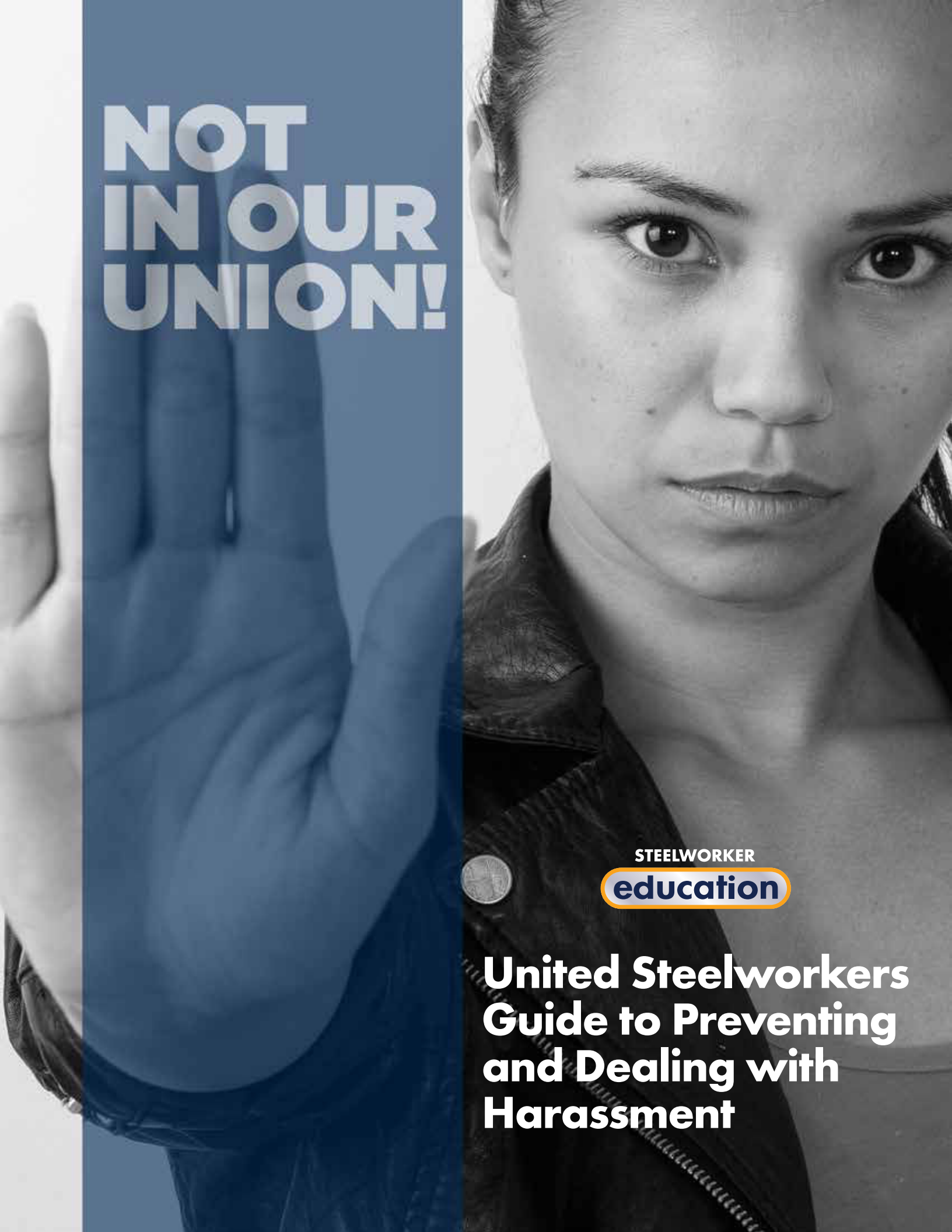


A black and white photograph of a woman with dark hair, wearing a leather jacket, looking directly at the camera with a serious expression. A large, semi-transparent blue stop sign graphic is overlaid on the left side of the image. The text "NOT IN OUR UNION!" is written in large, bold, white capital letters across the top of the stop sign.

**NOT
IN OUR
UNION!**

STEELWORKER

education

**United Steelworkers
Guide to Preventing
and Dealing with
Harassment**

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uswmetallos



@SteelworkersCA

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

As Steelworkers, we can't make people like each other. But we can:

- Create harassment-free spaces in our workplace and in our union.
- Make sure no one is treated differently because of their racial or ethnic origin, or because of gender, ability or sexual orientation.
- Encourage workers who are harassed to speak out with the support of our union.
- State clearly that our union will fight at all levels to eliminate discrimination and harassment, both in the workplace and the union.
- Create a workplace and a union free from sexism, discrimination, racism and bigotry.

We can't make people like each other. But we can, through concrete action, promote mutual respect in our union.

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What is Workplace Harassment?

Harassment is offensive behaviour that a reasonable person would consider unwelcome. It can be based on a person's race, sex, sexual orientation, disability, gender identity, gender expression, age or religion or on personal dislike.

Harassment can take the form of:

- Behaviour that is direct or indirect, obvious or subtle, active or passive.
- Written, verbal, physical, electronic or any other form of expression.
- Physical and/or psychological attack.
- A series of incidents, or in some cases, a single incident with a significant impact on the target.
- From offensive words and jokes, all the way to physical violence.

Society has become less tolerant of direct harassment. But subtle harassment continues and can be:

- In the form of jokes or other humour – “I was just kidding! Lighten up!”
- Disguised as simple curiosity – “When did you come to Canada?” or “I didn’t know you people did that!”
- Covered up by the harasser’s innocence or ignorance – “I didn’t mean to offend,” “I didn’t know that you were _____,” or “But my best friend is from that group and we say that to each other all the time.”

Whether an action is harassment or not depends on its **impact** on the target, **not on the intent** of the harasser.

No matter what form it takes, workplace harassment weakens solidarity among workers and threatens economic security. Targeted workers can suffer health impacts, which can result in poor performance, absenteeism, and ultimately, discipline. Rather than confront their harassers or file complaints, many targeted workers choose to quit and try to find other work. Steelworkers want to increase workers’ economic security and build solidarity. That’s why we want to prevent workplace harassment.

Preventing Workplace Sexual Harassment

Sexual harassment is:

Behaviours of a sexual nature that:

1. Target a person's sex, or
2. Put sexual conditions on a person's job, or
3. Create an intimidating, unwelcome, hostile or offensive environment.

So can I...

Share intimate stories about my ex-spouse with other co-workers, when we work for the same employer? **No, you can't.**

Refuse to help a female co-worker with a task because – hey! – she wanted a man's job so she should do it like the rest of us? **No, you can't.**

Keep asking a co-worker out on dates, even though they always say "no"? **No, you can't.**

Hug a co-worker without getting their permission first or give my opinion on their appearance or clothing? **No, you can't.**



Preventing Workplace Racial Harassment

Racial harassment is:

Words or actions which show disrespect or cause humiliation to another person because of their race, colour, language, religion, creed, ancestry, place of origin or ethnic origin. Whether subtle or overt, these acts of harassment are offensive, demeaning, embarrassing and hurtful.

Three of the most common forms of racism in Canada today are:

Islamophobia: Aimed at people who practice the Muslim faith and at those mistakenly perceived to be Muslims

Anti-black racism: Aimed at people of African and Afro-Caribbean descent

Indigenous racism: Aimed at people who are First Nations, Métis or Inuit

So can I...

Refuse to work with someone of the Muslim faith and talk to other co-workers about my fears of terrorism? **No, you can't.**

Regularly praise a co-worker who is First Nations for their perfect attendance record and for not being "like other Indians"? **No, you can't.**

Give white co-workers access to the best shifts or training opportunities ahead of black co-workers who are just as qualified? **No, you can't.**

Give credit to white co-workers for their good ideas but ignore good ideas from black co-workers? **No, you can't.**



Whether subtle or overt,
acts of harassment are
offensive, demeaning,
embarrassing and hurtful.

Preventing Workplace Harassment Based on Sexual Orientation, Gender Identity and Gender Expression

Many union members who are gay, lesbian, bisexual, transgender, queer, two-spirit, etc. (LGBTQ2SIA+) do not feel safe from harassment in the workplace or in our union. Yet, our LGBTQ2SIA+ members are entitled to participate fully at work and in our union without harassment or discrimination.

What is sexual orientation? Each person's sexual orientation is based on the gender of the people they are sexually and/or romantically attracted to.

What is gender identity? How each of us defines our gender. It is each person's internal and individual experience of gender, their sense of being a woman, a man, both, neither or anywhere on the gender spectrum. (Our gender identity may not "match up with" how we express our gender.)

What is gender expression? The way a person presents or communicates their gender, through dress, hairstyle, body language, speech, emphasis or de-emphasis of bodily characteristics, mannerisms, etc.

Gay/Lesbian: A person who is sexually attracted to the same gender as themselves. Lesbian refers to women who are attracted to other women.

Bisexual: A person who is sexually attracted to two or more genders.

Queer: Can be used as an umbrella term for LGBTQ2SIA+ individuals. Some people may generally identify as queer instead of categorizing themselves into a specific group.

Transgender: A person who, either fully or in part, doesn't identify with the gender they were designated at birth.

Two-Spirit: A contemporary Indigenous term for people who have a blend of masculine and feminine qualities and characteristics. This term also reclaims and honours various cultural traditions that recognized more than two genders. Note that this term is specific to Indigenous peoples and should not be used by non-Indigenous people to describe themselves.

Intersex: A person born with a combination of male and female biological characteristics such as reproductive systems and chromosomes.

Asexual: A person who experiences little or no sexual attraction to anyone.

So can I...

Keep calling a transgender co-worker "Bob" and "he," instead of "Bella" and "she," even when she keeps reminding me? **No, you can't.**

"Forget" to warn a gay co-worker about workplace hazards because I don't like having gay people on the job? **No, you can't.**

Never invite a lesbian co-worker to take part in workplace social events because I'm afraid she'll hit on me? **No, you can't.**

Preventing Workplace Harassment Based on Physical and Mental Disability

People with physical and mental disabilities are entitled to participate fully in workplaces across Canada. Employers and unions have an obligation to look at how changes can be made to workplaces and the design of work to help accommodate injured workers and workers with mental and physical disabilities.

What are physical disabilities?

Physical disabilities include physiological, functional and mobility impairments of the body. In some cases, the disability is “visible” and can be “seen” by others, but in other cases it can be invisible. A physical disability can be permanent, temporary or worsen over time. Physical disabilities can exist from birth or occur due to physical injuries at any time, whether at work or not.

What are mental disabilities?

Mental disabilities or illnesses can be thought of as “invisible” because they cannot be “seen.”

A mental disability or illness can be permanent, temporary or worsen over time. Mental disabilities or illnesses can exist from birth or occur due to physical injuries at any time, whether at work or not.

So can I...

Complain that a co-worker who is being accommodated with light duties is being “a slacker” and “making the rest of us do all the work”? **No, you can’t.**

Question whether a co-worker with a mental-health problem is “up to the job” or could be a safety hazard to other workers? **No, you can’t.**

Use derogatory words like “crazy”, “mental” and “gimp” in regular conversation, especially when co-workers with disabilities are nearby? **No, you can’t.**

Preventing Personal Harassment in the Workplace

Personal harassment or bullying is offensive, unwelcome behaviour that does not appear to be based on a person's race or other characteristics protected by human rights legislation.

We used to think of bullying as childish schoolyard behaviour. But now we understand that adults can bully one another, too.

Bullying or personal harassment can be:

- **Physical:** such as hitting, pushing or making threats to use physical force.
- **Verbal:** using words to verbally attack someone, such as name-calling.
- **Social:** trying to hurt someone by excluding them, spreading rumours or ignoring them.
- **Cyberbullying:** using electronic media to threaten, embarrass, intimidate or exclude someone, or to damage their reputation, such as sending threatening text messages.

So can I...

Regularly play practical jokes on all of my co-workers, because it helps make the day go by faster? **No, you can't.**

Yell at this one co-worker whenever they make a mistake and chew them out in front of everyone else? **No, you can't.**

Minimize a co-worker's contribution and encourage others to do the same because you are both in line for the next promotion? **No, you can't.**

Personal harassment or bullying is offensive, unwelcome behaviour that does not appear to be based on a person's race or other characteristic protected by human rights legislation.



Why Don't Victims of Harassment Report?

Harassment, of all kinds, still happens far too often in workplaces. And research tells us that the least-common response to harassment is to report it. Why is that?

Employees fear they will:

- Not be believed.
- Be blamed for causing the offending action(s).
- Suffer professional retaliation.
- Be ostracized by co-workers

How Realistic Are These Fears?

Very realistic. Research has shown that:

- 75% of employees who spoke out against workplace harassment faced some form of retaliation.
- Over a three-year period, women who reported harassment faced psychological abuse, lower performance evaluations, shunning by co-workers and withdrawal of social support.
- A majority of women who filed sexual harassment complaints were ultimately dismissed from their jobs.
- Harassment reporting is most often followed by indifference from the employer or organization, a downplaying of the harassment complaint and hostility and reprisals against the target.

Given these experiences, it is not surprising that so few complaints are filed.

Instead, the targets of harassment are forced to deal with the issue themselves, often by:

- Avoiding the harasser.
- Denying or downplaying the gravity of the situation, including not defining the behaviour as harassment.
- Attempting to ignore, forget or put up with the behaviour.
- Blaming themselves.

What We Can Do in Our Local

Educate

- Negotiate for Steelworkers Anti-Harassment Workplace Training sessions to be delivered by trained Steelworkers facilitators to all workers in the workplace. Ask your Staff Representative or District Education Coordinator to schedule other anti-harassment and human rights courses in your area.
- Make it a priority to educate local officers and Health and Safety Committee members about how to prevent and deal with harassment.

Use Local Union Structures

- Harassment is a threat to workplace health and safety. Encourage your Health and Safety Committee to take action against it, just like they would for any other hazard. Committees can also play a role in providing moral and emotional support to complainants.
- Create and empower a local Human Rights Committee to build solidarity, educate and promote equality in the workplace. The committee could be given a specific mandate to take action against harassment and support complainants, in conjunction with the Health and Safety Committee.
- When recruiting members to serve on committees or be stewards or local officers, encourage members who are women, racialized, Indigenous, LGBTQ2SIA+ and workers living with disabilities.
- Conduct harassment awareness campaigns through local union meetings, local union newsletters, forums and guest speakers.
- Assess your workplace to see how prevalent harassment is. Use “Know the Risk Factors for Workplace Harassment” later in this guide to help you.
- Adopt an anti-harassment policy for your local union. Either modify the USW Anti-Harassment Policy (specifically the details about investigation and reporting), or look to definitions and processes in your jurisdiction’s human rights or occupational safety laws.
- Read out the local’s anti-harassment policy at meetings, and if there are questions or incidents, deal with them as quickly as possible. Set the tone for meetings to ensure there is an opportunity to educate members and field questions or concerns raised at the meeting. If there are questions or incidents, it is important to act on them as quickly as possible.
- Provide training and support to local union officers, stewards and meeting chairpeople to prevent and deal with harassment (see “What Can Stewards or Other Local Officers Do?” later in this guide).
- Amend the local union by-laws to include policy and procedures to prevent and deal with harassment to ensure the elimination of harassment wherever it exists.

Strengthen Collective Agreements

- Negotiate harassment clauses that provide social and counselling support to victims during complaint processes.
- Identify factors such as understaffing, job insecurity, discrimination and outsourcing as triggers for workplace harassment and stress and bargain measures to address or eliminate them.

Remove Barriers to Reporting

- Make sure that the employer has clear harassment and violence complaints policies. These should include a clear definition of what behaviour is prohibited, to whom an employee should report a complaint, the process and timeline for investigating and deciding on complaints, and the consequences to an individual if the complaint is upheld.
- Ensure that union members are familiar with harassment and violence complaints policies in the workplace.
- Educate union members about the strategies suggested in the “What Can We Do as Individual Members?” section of this guide to intervene, assist and/or provide support. As bystanders, we have a role to play in creating a workplace culture that rejects harassment and violence.
- Where a union member initiates a harassment complaint, provide emotional support. Tell the member you believe them.
- Investigate a harassment complaint as you would any other grievance. Advocate on behalf of a member alleging harassment as you would any other grievor.



Make it a priority to educate local officers and health and safety committee members about how to prevent and deal with harassment.

- Remember that there is no “higher” standard of proof required of a harassment complaint. It is not a criminal proceeding. Harassment targets don’t have to prove they were harassed “beyond a reasonable doubt.” The burden of proof in a harassment complaint is the same as in any other grievance: given all the circumstances, is it more probable than not that the harassment occurred?
- Don’t dismiss a member’s complaint of harassment just because they can’t provide direct evidence that the harassment occurred. Harassment complainants often don’t have direct evidence because harassment usually takes place behind closed doors when there are no witnesses present.
- Look for evidence in the complainant’s actions during the time when the harassment took place. While there may be no direct evidence of harassment, targets of harassment can often corroborate their stories in other ways: for example, by confiding in friends and family about what had occurred, by altering their behaviour in the workplace or by exhibiting signs of mental distress such as being absent from work more often.
- Always remember: false complaints of harassment are exceedingly rare. Targets of harassment have nothing to gain, and everything to lose, by coming forward with their stories. So we should engage with members by assuming that what they are telling us is true, unless the evidence clearly shows otherwise. In other words, we should treat them the same way we would any other grievor.



Know the Risk Factors for Workplace Harassment

Research tells us that workplaces are more likely to experience harassment if:

- The majority of the workers share similar characteristics (gender, age, race, cultural background, etc.) with a small minority who are different.
- They have many young workers, who may be less willing to speak up because they want to “fit in” and establish their careers.
- They have a few “high value” employees or “stars.”
- There are significant differences in power between groups of workers or between management and workers.
- Customer service and customer satisfaction are high priorities and key to profitability.
- Work is monotonous or made up of low-intensity tasks.
- The workplace is geographically isolated or spread out over a large area.
- The workplace culture tolerates or encourages alcohol consumption.
- The employer exercises little or no control over behaviour.



Remember:
False complaints of
harassment are
exceedingly rare.

What Can Stewards or Other Local Officers Do?

An effective response to a harassment complaint offers three kinds of support:

1. Emotional support:

- Listen without judgment.
- Accept what you are told as true.
- Communicate that harassment is never the responsibility of the target. "You are not to blame."
- Respect the target's choice of what and how much they disclose.

2. Logistical support: Explain the steps that can be taken to protect the target and prevent disciplinary or financial penalty.

3. Resources: Offer to provide referrals to appropriate resources in the workplace and wider community.

If you believe that a co-worker is being harassed in the workplace or when a member approaches you with a complaint:

1. Ask if the member is comfortable discussing the problem with you. If they would be more comfortable speaking to an activist or steward of a different gender, race or age, or if they would like to have a friend or family member sit in with them, take steps to make that possible.
2. Assure the member 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 is bothering them, coming forward is the right thing to do.
3. If applicable, provide them with a copy of the union and company policy. Let the member know the options available in pursuing a complaint. These options include:
 - Union approaching management to investigate
 - Union filing a grievance
 - Filing a complaint with the Human Rights Commission in some circumstances
 - Criminal or civil charges with police investigation
4. Confidentiality: Reassure the member 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.
5. Ask the member to document the incident(s) in writing. The documentation needs to include:
 - Time and place of the incident(s)

- Names of witnesses (if any), including others they may have told about what happened shortly after it happened
 - What the harasser did and said (word for word if possible)
 - How the target of the harassment felt about it
6. Find out the names and contact information of any union members or community counsellors who can provide emotional support to the member.
 7. In some cases, the member may need to take sick leave, file a workers' compensation claim, or if absolutely necessary, seek a temporary re-assignment. After discussing this with the member, make sure that you get help from a steward, local executive member or other local resource person to facilitate this process as quickly as possible.

Be sure to offer emotional support, logistical support and referrals to resources in the community.



What Should Local Union Officers Do When a Member Reports Harassment by Another Member?

Whether member-to-member harassment occurs in the workplace or at a union event, the information in the section “What Can Stewards or Other Local Officers Do?” is applicable. Be sure to offer emotional support, logistical support and referrals to resources in the community.

When harassment occurs at a local union event, the employer’s policy doesn’t apply. Here’s what local officers can do:

1. Offer emotional support and referrals to the member making the complaint.
2. Look into the complaint as you would a grievance:
 - a. Assign a steward or local officer to investigate, someone who all parties involved will be comfortable with.
 - b. Encourage the complainant to tell their story. Take good notes, and ask them to write out their own version, too. Ask what steps they would like taken to address the situation.
 - c. Ask the complainant if anyone else witnessed the incident, was told about the incident after it happened or has useful information to share. Go and talk to these people and document what they say.
 - d. Talk to the member alleged to be the harasser. Take good notes and ask them to write out their own version, too. Ask if there are any witnesses to be interviewed and talk to them, too.
 - e. Review all the evidence. Look at the definition of harassment in the local’s anti-harassment policy and see if it was violated.
 - f. Write a short report, reviewing the evidence and noting how the USW Anti-Harassment Policy was (or was not) violated. Make recommendations for next steps, if necessary.
 - g. Submit the report to the local president, who should advise the complainant and the alleged harasser of the outcome.
 - h. Contact your staff representative for any necessary support along the way.

What Can We Do as Individual Members?

If you think you are being harassed in the workplace:

- Document the time, date, and names of any witnesses and detailed information about the nature of the incident.
- If possible, tell the harasser to stop the unwelcome behaviour.
- If you are uncomfortable about doing that on your own, seek support from a steward or committee members from the Health and Safety Committee or Human Rights Committee.

If you see or hear a co-worker being harassed in the workplace, speak up and take action to assist the target:

- Offer support. Targets of harassment often feel isolated and alone. They also tend to blame themselves for the harassment. So you could say: "I noticed that happened. Are you okay with that?"
- Reassure them by telling them: "This isn't your fault. You didn't do anything wrong."
- If they want to take action, offer to accompany them to speak with an employer representative, steward or local officer.



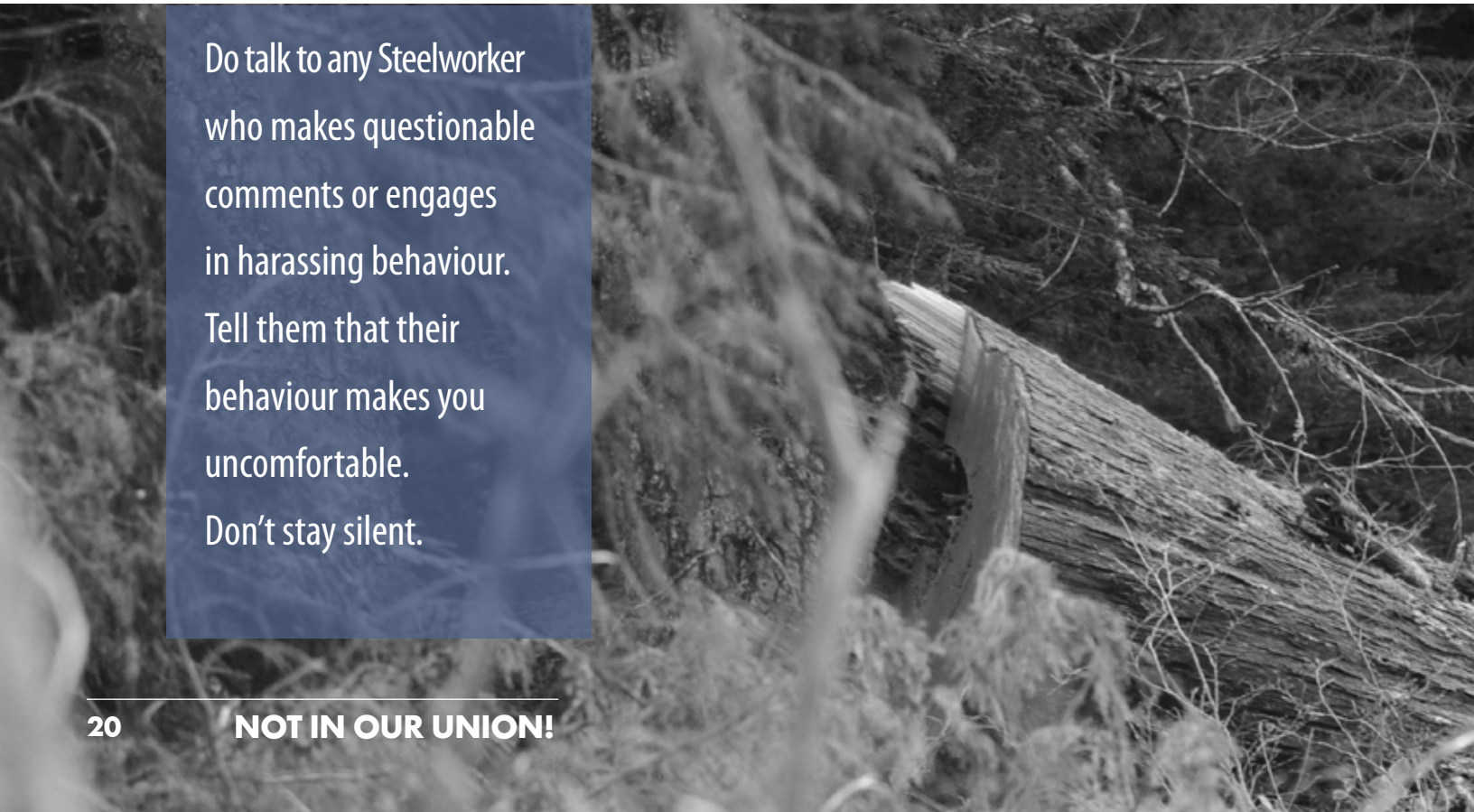
Offer support to targets of harassment. Reassure them that it isn't their fault.

If you see or hear a co-worker being harassed in the workplace, speak up and take action toward the harasser:

- The best thing to do: tell the harasser to stop. Explain why their behaviour is unwelcome. Point out that they are responsible for the impact of the harassment and that their intention doesn't matter. Ask them to change their behaviour in the future.
- Or: approach the harasser and say something like, "That joke wasn't funny," or, "That was off-side."
- If speaking up in the moment is difficult, try to interrupt the conversation (for example, by asking to speak with the target in another room) or change the subject.
- You can also talk to the harasser at a later time, after you've had a chance to digest what you've heard or seen. If you do so, it is better to ask questions than make accusations. For example: "Were you aware of how you came off in that conversation?" rather than "You're a sexual harasser."
- If others were present when the harassment occurred, talk with them about what you all witnessed or heard. Ask: "Did you notice that? Am I the only one who sees it this way?"

Be a model of good behaviour in your workplace:

- Treat all co-workers with respect.
- Refuse to join in conversations or laugh at jokes that degrade others. And voice your disapproval.
- Say "no" if anyone tries to share offensive posts, texts or photos they've received.
- Do small acts of civility by, for example, praising good work, not interrupting and giving co-workers your full attention when they are talking to you.



Do talk to any Steelworker who makes questionable comments or engages in harassing behaviour. Tell them that their behaviour makes you uncomfortable. Don't stay silent.

Preventing and Dealing with Harassment in Our Union

Our union stands squarely against harassment. Despite our best efforts, harassment can still occur during union activities and events. Here are some best practices for activists, officers and staff to avoid engaging in harassment:

- Don't hold one-on-one meetings in personal hotel rooms (i.e., the room you sleep in).
- Don't touch or hug others without asking if they consent. Think about whether your position in our union allows for free consent; if it doesn't, then don't touch or hug at all.
- Don't comment on someone's appearance.
- Don't ask about someone's relationship status.
- Don't initiate or take part in conversations about sex.
- Don't ask members or staff over whom you have power (or perceived power) for a date. And if you do and they say "no," don't ask again.
- If someone is drunk, they cannot consent to you or to anyone else who may also be trying something. Your union comrade is your responsibility, so say something and intervene.
- Don't get defensive when you get called out. If someone tells you that you crossed a line or made a mistake, that will probably make you feel bad, but don't put it on them to make you feel better. Apologize without qualification and don't repeat the behaviour.
- Don't use your power to get anyone's attention, company or sexual favours.
- Do talk to any Steelworker who makes questionable comments or engages in harassing behaviour. Tell them that their behaviour makes you uncomfortable. Don't stay silent.



Things We Can Do to Create a Better Union Culture

- Be aware of your power relative to other Steelworkers, due to your seniority, elected office or connections within our union. Use it to build equality and respect within our union. Use it to educate, especially by talking to other Steelworkers about their behaviour.
- If you are asked to be on a panel or committee and you see that it's all men or all white people, say something. Maybe even refuse the spot!
- Recruit, mentor and promote women, racialized people, Indigenous people, LGBTQ2SIA+ people and people living with disabilities, without expectation of reward.
- Share the space with Steelworkers from marginalized groups. Apply these examples about women to all Steelworkers from marginalized groups:
 - Don't talk over women.
 - When you notice another man talking over a woman, say: "Hey, she was saying something."
 - When you hear a woman offer a good idea or good analysis, say: "I like that" rather than rephrasing it or adding to it. Let it stand as her idea or analysis.
- Rather than talking about how you are "not like those other guys" or "not like other white people," just show it in your behaviour.
- Practice how not to "mansplain": when men explain things to women in regards to the women's own expertise or lived experiences – as if the men know more about the women's own lives than the women themselves. (Also avoid "whitesplaining" and other variations of this offensive behaviour.)
- Do the work yourself to find out why women (or racialized people or any other marginalized group member) consider something objectionable (or homophobic or cultural appropriation). Don't ask them to educate you about what they have to deal with in their lives.
- Don't get defensive if you make a wrong step and someone calls you on it. Apologize, learn and keep working.
- Don't minimize the problem by saying things like "Not all men..." or "Not all straight people..." or "Other racialized people don't feel that way." Maybe those statements are true AND harassment still exists.

USW Anti-Harassment Policy

This is the anti-harassment policy that covers events sponsored by the international and national levels of our union. Local unions should also have their own anti-harassment policies and could modify this one for their own use.

The Yellow Sheet

Steelworker members are entitled to a harassment free environment at all union activities, events and meetings.

There are two principles fundamental to the labour movement: human rights and solidarity. Harassment strikes at the heart of both.

Steelworkers will not tolerate nor condone behaviour that is likely to undermine the dignity or self-esteem of an individual, or which creates an intimidating, hostile or offensive environment. As Steelworkers we must speak out against harassment and stand together to protect human rights.

Harassment is not a joke. It is an expression of perceived power by the harasser over another person, usually for reasons over which the victim has little or no control. Prohibited grounds under Human Rights Codes across Canada can include sex, race, age, marital status, sexual orientation, gender identity, disability, political or religious beliefs and place of national origin.

Harassment can be defined as any action (verbal, psychological or physical) on a single or repeated basis which humiliates, insults or degrades and is known or ought reasonably to be known to be unwelcome by the victim of the harassment.

Harassment can include but is not limited to: unwanted comments, slurs, racist or sexist jokes, pictures or posters, bullying or intimidation, graffiti, physical contact of any kind, remarks about a person's appearance or personal life, unwelcome sexual advances or demands, suggestive looks or gestures.

Steelworkers take harassment complaints seriously. Complaints of harassment at Steelworker activities will be investigated by one of our anti-harassment complaints counsellors and reported to the Canadian National Director for any necessary follow-up. A substantiated complaint will result in action by the union, which could include the removal of the harasser from the event. A letter outlining the reasons for the removal will be sent to the local union.

"We can't make people like each other. But we can, through concrete action, promote mutual respect in our union."

