



United Steelworkers Guide to
**PREVENTING AND
DEALING WITH
WORKPLACE
HARASSMENT**

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Steelworkers have adopted policies to prohibit and prevent harassment and violence in the workplace. 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.

We can't make people like each other. But we can:

- Create workplaces free from harassment, discrimination, sexism, racism and other forms of bigotry
- Make sure no one is treated differently because of their racial or ethnic origin, or because of gender identity or expression, 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

The USW has a guide for preventing and addressing harassment inside our union. You can find "Not in Our Union! United Steelworkers Guide to Preventing and Dealing with Harassment Within our Union" at usw.ca/uahg

The USW also has policies that address harassment and violence at union events and in union-controlled spaces. You can find those policies at usw.ca/policies.



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What is workplace harassment?

Harassment is offensive or hostile 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, religion or other reasons set out in human rights laws, 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
- Offensive words and jokes all the way to physical violence
- Excluding or isolating someone

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 opinions on their appearance or clothing? **No, you can't.**



Preventing racial harassment in the workplace

Racial harassment is:

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

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

1. **Islamophobia:** Aimed at people who practise the Islamic faith and at those mistakenly perceived to be Muslims
2. **Anti-Black racism:** Aimed at people of African and Afro-Caribbean descent
3. **Anti-Indigenous racism:** Aimed at people who are First Nations, Métis or Inuit
4. **Anti-Asian racism:** Aimed at people of Asian descent and fed by misinformation during the pandemic

So can I... :

Refuse to work with someone of the Islamic 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 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 racialized co-workers? **No, you can't.**

Preventing harassment in the workplace based on sexual orientation, gender identity and gender expression

Many union members who are gay, lesbian, bisexual, transgender, queer and Two-Spirited, etc. (LGBTQ2SIA+) may not feel safe from harassment in the workplace. Yet LGBTQ2SIA+ members are entitled to participate fully at work 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.

Trans:

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

Two-Spirited:

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 living 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 who live 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. Physical disabilities can be permanent, temporary or worsen over time. They can exist from birth or occur due to physical injuries at any time, whether at work or not.

What are mental disabilities?

Mental disabilities – including mental illnesses, mental injuries, and intellectual disabilities – can be thought of as “invisible” because they cannot be “seen.”

Mental disabilities can be permanent, temporary or worsen over time. They 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 conversation? **No, you can't.**

What is personal or psychological harassment?

Personal or psychological harassment is offensive, unwelcome behaviour that does not appear to be based on a person's race or other characteristic protected by human rights legislation. Sometimes we refer to it as "bullying." Whatever the label, it undermines a person's dignity and creates a hostile environment.

We used to think that only kids picked on one another, but now we understand that adults can do it, too.

Personal or psychological harassment is still an attempt by one person to exercise power over another. It can be repeated or a single serious incident, and 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
- **Online (also known as 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.**

Why don't victims of harassment report?

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 down-playing 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

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

If even some of these characteristics sound like your workplace, it could be a sign that action is needed to keep everyone safe from harassment. Talk to your local union officers about your concerns. The section “What we can do in our local about workplace harassment” gives some ideas for preventive measures.



What can we do in our local about workplace harassment?

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.

For information on the USW’s Anti-Harassment Policy and how local unions can prevent and deal with harassment inside the union, see “Not in our union! United Steelworkers Guide to Preventing and Dealing with Harassment Within our Union at usw.ca/uahg.”

The USW has policies that address harassment and violence at union events and in union-controlled spaces. You can find those policies at usw.ca/policies.

Strengthen collective agreements

- Negotiate anti-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.
- Review your employer’s policy to make sure it complies with human rights and occupational health and safety laws in your jurisdiction, as well as with best practices for combatting harassment. If the policy is weak, push for improvements.

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 workplace harassment complaint, provide emotional support. Tell the member you believe them. And make sure that the employer acts promptly and follows the workplace policy. If not, the union member making the complaint has grounds for filing a grievance.

What can local officers and stewards do?

It's the employer's responsibility to create a harassment-free workplace. Having said that, local officers and stewards have an important role to play.

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 our union, 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 officer 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 employer's policy.
4. Let the member know the options available in pursuing a complaint. These options include:
 - Union accompanies the member to file a complaint under the employer policy, which should result in an investigation
 - Union to file a grievance
 - Filing a complaint with the Human Rights Commission in some circumstances
 - Criminal or civil charges with police investigation
5. Confidentiality: Reassure the member that your discussions and their comments will not be shared with the alleged harasser or any witnesses. If the member files a complaint under the employer policy or files a grievance, some information may become public.
6. 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
7. Find out the names and contact information of any union members or community counsellors who can provide emotional support to the member.
8. 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.

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 from 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.

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 offside."

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.

- Rather than make accusations, you could try:
 - Asking a question. For example: "Were you aware of how you came across in that conversation?" rather than "You're a sexual harasser."
 - Disarming the person by assuming they were being sarcastic or trying for humour. For example, "I know you were just trying to be funny, but did you know that some people really think women like those awful comments?"
 - Connecting yourself to the target of the harassment. For example, "I was bullied like that in school so those comments make me feel really uncomfortable."
- 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 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 or 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

Things we can do to create a better culture in the workplace

- Be aware of your power relative to other workers, because of your seniority, skills or connections. Use it to build equality and respect, and to educate, especially by talking to other workers about their behaviour.
- If you are asked to be part of a work project and you see that it’s all men or all white people, say something. “There should be some women on the team,” or “We should train Black workers, too.”
- Offer to mentor women, racialized people, Indigenous people, LGBTQ2SIA+ people and people living with disabilities. Without expectation of reward.
- Share the space with others. Apply these examples about women to all workers 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’re “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.

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