

Revised January 1, 2023

**UNITED, STEEL, PAPER AND FORESTRY, RUBBER,  
MANUFACTURING, ENERGY, ALLIED INDUSTRIAL AND  
SERVICE WORKERS INTERNATIONAL UNION  
(UNITED STEELWORKERS)**

**(hereinafter the “Union” or the “International Union”)**

**POLICY AGAINST HARASSMENT AND VIOLENCE CANADA (the “POLICY”)**

**STATEMENT OF POLICY ON HARASSMENT AND VIOLENCE**

**A. INTRODUCTION**

The Union is committed to providing a harassment and violence-free environment in all Union workplaces (meaning any place over which the International Union has direction and control, such as offices or event locations) and at all Union activities. We have democratically passed tough, meaningful policies on harassment at our Conferences and Conventions and negotiated such policies to protect our members. They are not just words. We take them seriously. In addition to cooperation and understanding, mutual respect must be the basis of interaction among trade unionists.

Harassment and violence are no joke. It creates feelings of uneasiness, humiliation and discomfort. It is an expression of perceived power and superiority by the harasser over another person. In addition, all Union members, officers and employees are entitled to be physically safe on Union premises and at Union activities.

There are two principles fundamental to the trade union movement: human rights and solidarity. Harassment and violence strike at the heart of both.

**B. SCOPE AND APPLICATION**

For the purposes of this Policy, the following definitions shall apply:

“Harassment” is a form of discrimination. It means improper comment or conduct that a person knows or ought reasonably to know would be unwelcome, offensive, embarrassing, or hurtful. Harassment may result from one incident, or a series of incidents. Harassment can occur between Union members, between Union members and Union officers, or between Union members and third parties.

Harassment can be based on a prohibited ground of discrimination, as set out in provincial human rights legislation, such as race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status, disability, language, etc. However, it doesn't have to be. Improper conduct or comment which has no work or event-related purpose can also constitute harassment.

“Sexual Harassment” under this Policy means:

- (a) engaging in a course of vexatious comment or conduct against an individual because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought to be known to be unwelcome, or
- (b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to an individual and the person knows or ought reasonably to know the solicitation or advance is unwelcome.

Examples of sexual harassment can include:

- sexually suggestive or obscene remarks or gestures
- leering (suggestive staring) at a person's body
- unwelcome physical contact
- having to work in a sexualized environment (bragging about sexual prowess, or discussions about sexual activities)
- circulation or posting of sexist jokes or cartoons, or displays of pin-up calendars or other objectifying material
- transphobic or homophobic comments, questions, jokes, name-calling, and images.

“Racial harassment” means harassment on the grounds of race. It may also be associated with the grounds of colour, ancestry, where a person was born, a person's religious belief, ethnic background, citizenship or even a person's language.

Examples of racial harassment can include:

- racial slurs and jokes
- ridicule, insults or different treatment because of a person's racial identity
- posting/e-mailing cartoons or pictures that degrade a person of a particular racial group
- name-calling because of a person's race, colour, citizenship, place of origin, ancestry, creed or ethnic background.

“Personal harassment” or “psychological harassment” means engaging in a course of vexatious comment or conduct against an individual that is known or ought reasonably to be known to be unwelcome. Personal or psychological harassment is harassment that is not related to a prohibited ground identified in human rights legislation.

Examples of personal or psychological harassment include:

- spreading malicious rumours, gossip or innuendo
- persistently criticizing, demeaning or ridiculing a person
- undermining or deliberately impeding a person’s work
- excluding or isolating someone
- physical threats or assault
- communication that is insulting, humiliating and mocking
- frequent angry shouting/yelling or blow-ups
- regular use of profanity and abusive or violent language

A reasonable action taken by the Union relating to the management and direction of Union staff, workplaces or events is not harassment. Harassment does NOT include the following:

- A disagreement or misunderstanding
- Conflict between co-workers
- A single comment or action unless it is serious or has a lasting harmful effect.
- Rudeness unless it is extreme and repetitive

“Violence” or “workplace violence” is:

- a. The exercise of physical force by a person against a Union member on Union premises or at a Union event that causes or could cause physical injury to the employee.
- b. An attempt to exercise physical force against a Union member on Union premises or at a Union event that could cause physical injury to the employee.
- c. A statement or behavior that is reasonable for a Union member to interpret as a threat to exercise physical force against the member, on Union premises or at a Union event, that could cause physical injury to the member.

“Domestic violence” is:

A person who has a personal relationship with a Union member such as a spouse or former spouse, current or former intimate partner or a family member that may physically harm, or attempt or threaten to physical harm, that Union member on Union

premises or at a Union event. In these situations, domestic violence is considered violence.

Examples of violence include:

- Verbally threatening to attack someone
- Leaving threatening notes or sending threatening e-mails
- Shaking a fist in someone's face
- Wielding a weapon
- Throwing an object at someone
- Sexual violence against someone

The Union will neither tolerate nor condone behavior from anyone on Union premises, doing Union business, or attending Union events which is likely to undermine the dignity or self-esteem of an individual, or create an intimidating, hostile, dangerous or offensive environment. All Union officers, members and staff have a role to play in maintaining an environment free from harassment and violence. All are encouraged to report any incidents of harassment and/or violence to the appropriate person.

### **C. COMPLAINTS**

The Union considers harassment and violence of any kind a serious offence. An individual may make a complaint under this Policy verbally or in writing if they believe their rights under the Policy have been violated.

All complaints under this Policy should be made to a Director, whether the National Director for Canada or a District Director or a person designated by a Director for receiving such complaints.

In the event the complaint is about the conduct of a person designated by a Director for receiving such complaints, the complaint should be made to the appropriate Director. In the event the complaint is about the conduct of a Director, the complaint should be made to the Director of Personnel or their designate in the Union's Personnel Department in Pittsburgh.

Complaints should be as detailed as possible, and should provide the name of the person(s) against whom the complaint is being made, and the incident(s) being complained of, including relevant dates, locations, particulars of what was said or done by whom, and include or list any documentation relevant to the investigation of the complaint. Where a complaint is made verbally, the reporting contact will reduce the complaint to writing.

Where a complaint has been made, the Union will review safety measures with affected staff and implement additional measures if necessary, including prohibiting any contact between the complainant and any respondent(s) until the complaint has been dealt with and reporting the incident giving rise to the complaint to the authorities.

Details of the complaint will be provided to the respondent(s). The respondent(s) will be asked to provide a response to the complaint, which will be relayed to the complainant(s).

Once a complaint has been made, an investigator will be appointed to investigate the complaint. The investigator will meet with the complainant(s), respondent(s) and any other relevant individual(s), for the purposes of conducting an investigation into the complaint. Once the investigation is complete, the investigator will issue a report summarizing the allegations and investigation results. Both the complainant(s) and respondent(s) shall be informed of the results of the investigation and of any corrective action that has been/will be taken as a result of the investigation, in writing.

All Union officers, members and staff are required to co-operate with the investigator.

The investigator will, wherever possible, complete the investigation within 120 days of receiving the assignment and in all cases in a fair and timely manner.

This Policy is not intended to discourage anyone from exercising rights pursuant to human rights legislation or pursuant to any other law.

#### **D. FRIVOLOUS OR VEXATIOUS COMPLAINTS**

This Policy shall not be used to undermine others through the making of frivolous or vexatious complaints. Claims of harassment or violence which are made in bad faith may result in disciplinary action taken against the complainant.

#### **E. CONFIDENTIALITY**

The Union understands that it is in the interests of all parties that matters arising under this Policy be kept confidential. Rumours and innuendo destroy the integrity of the fact-finding process and principle of the early and expeditious resolution of disputes.

To protect the interests of the complainant(s) and respondent(s), confidentiality will be maintained throughout the complaint process and all records of the investigation once completed will be kept confidential, except to the extent necessary to prevent harm to

anyone, to ensure the requirements of a fair investigation, to take appropriate corrective action, or as otherwise required by law.

#### **F. REPRISALS**

This Policy prohibits reprisals against individuals, acting in good faith, who report incidents of harassment and violence, provide information related to a complaint, or help to resolve a complaint. The Union will take all reasonable and practical measures to prevent reprisal or threats of reprisal. Reprisal is defined as any act of retaliation, either direct or indirect.

Any individual who believes they have been the subject of a reprisal may make a complaint under this Policy.

#### **G. CONSEQUENCES FOR VIOLATION OF THE POLICY**

A substantiated complaint or reprisal will result in appropriate corrective action up to and including discipline for those found to have acted in violation of this Policy.

#### **H. SUPPORT AND TRAINING**

The Union is committed to supporting those who have been affected by harassment and violence and to providing appropriate training for all Union officers, employees, and members on this Policy.

The Union will ensure that those designated to investigate complaints have knowledge, training, and experience in issues relating to harassment and violence as well as knowledge of relevant legislation.

#### **I. OTHER RESOURCES**

At Union events, a Director may identify one or more Anti-Harassment/Anti-Violence Counsellor(s) to be the Director's designate(s) for receiving complaints under this Policy.

DATE:

APPROVED BY: [DISTRICT OR NATIONAL DIRECTOR]