



Building a
**Sexual
Harassment-Free
Workplace**
in Electricity

**Educational and
Outreach Program**



Department of Justice
Canada

Ministère de la Justice
Canada

About **Electricity Human Resources Canada** (EHRC)

Electricity Human Resources Canada (EHRC) embarked on a key initiative to address sexual harassment and violence in the workplace. Funded by the Department of Justice Canada, the resulting program will equip employers with clear policies, procedures and practices to build a respectful and safe work environment for all employees.

It builds on EHRC's years of work tackling gender discrimination in the electricity sector through the Leadership Accord on Diversity, Equity and Inclusion.

Our vision is to build a world-class electricity workforce. We will achieve this by growing our Canadian electricity labour force to be safety-focused, innovative and inclusive.

Our mandate is to:

- **Deliver critical business intelligence to inform labour market decision-making.**
- **Forge partnerships that enable the industry to adapt, upskill and innovate.**
- **Lead the industry in creating and sustaining a skilled and inclusive workforce.**
- **Inspire our future workforce to build a low carbon economy.**

Further information on EHRC is available at ehrc.ca.

Ce rapport est également disponible en français sous le titre: Ébauche de l'outil de mentorat pour un espace sécuritaire.
This report is also available in French.

The opinions and interpretations in this publication are those of the author and do not necessarily reflect those of the Government of Canada.

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About a **Sexual Harassment-Free Workplace**

Electricity Human Resources Canada (EHRC) has embarked on a three-year initiative: *Building a Sexual Harassment-Free Workplace for Women in Electricity*, funded by the Department of Justice Canada. It is designed to help the sector develop practical and promising solutions to sexual harassment in the workplace.

To develop this program, researchers reviewed relevant literature and a sample of policies from the electricity industry. They also held a series of virtual cross-country consultations with electricity sector employers, unions, partners and other stakeholders. Input from these consultations noted that, while it is important to acknowledge the disproportionate impact of harassment on people who identify as women, the supports should take a more inclusive view of gender. Interventions should also be framed with a trauma-informed/intersectional lens, and be made part of existing workplace frameworks such as health and safety.

The project has generated a broad set of tools and resources to help the electricity industry prevent and address gender-based harassment and violence (GBHV) across all workplace settings. The tools and resources can be customized and used by all industry stakeholders including employers, unions and learning institutions. In some cases, tools and resources may further inform materials organizations have already created. In others, they can be used as a starting point for a formal response to gender-based violence.

Acknowledgements

An Advisory Committee with representatives from electricity sector employers, relevant unions, professional bodies and law firms has provided ongoing advice, guidance and validation throughout this project. Thank you as well to the many individuals and organizations who shared their experiences and insight, shaping our understanding of sexual harassment in the workplace.

Michelle Branigan

CEO | EHRC

Anita Gara

Project Manager | EHRC

Mark Chapeskie

VP Programs | EHRC

Carol Dayment

Committee Chair; Director Diversity, Equity & Inclusion | Emera

Jeanette M. Southwood

Vice President, Corporate Affairs and Strategic Partnership | Engineers Canada

Cheryl Paron

International Representative, First District (Canada) | International Brotherhood of Electrical Workers (IBEW)

Felicity Forbister

Respectful Workplace Advisor | Manitoba Hydro

Mike Fiorini

Director, Strategic Advisory Asset Transformation | Stantec

Introduction to the Resources

In 2020, Statistics Canada found that 47% of Canadian workers had witnessed or experienced some sort of inappropriate sexualized behaviour or gender-based discrimination in a work-related setting.¹

One-fifth of workers said inappropriate sexualized behaviours had happened away from the worksite.² These incidents matter — 43.3% of those who experienced sexual harassment and violence reported negative consequences to their health, well-being and work.³

Public awareness is growing about the prevalence of such incidents. That's putting pressure on employers to introduce policies and procedures that support an appropriate workplace culture.

The legal system is also taking notice. A growing body of federal, provincial and territorial laws require employers to protect workers from threats, including workplace harassment and violence based on gender. These protections generally fall under human rights, employment standards, and workplace health and safety legislation. Certain behaviours may also be criminal and addressed by the Criminal Code of Canada.

While these issues can affect anyone, those who identify as women are at higher risk. In 2020, EHRC conducted research into the electricity sector's gender inclusion status and found that women's workplace experiences often differ from those of their male colleagues.⁴ For example, while one in five female research participants reported personal experiences with harassment, violence or bullying in their workplace, male research participants were surprised and dismayed at some of the behaviours and situations that women regularly confront in the workplace. These findings are supported by other research that describes the impact of toxic masculinity on safety and other organizational results. To shift the electricity sector away from a traditional male-dominated culture, the EHRC report recommended that leaders create respectful work environments by clearly communicating behavioural standards and norms and actively addressing actions not in keeping with those norms.

- 1 Statistics Canada. (2021). Workers' experiences of inappropriate sexualized behaviours, sexual assault and gender-based discrimination in the Canadian provinces, 2020. www150.statcan.gc.ca/n1/pub/85-002-x/2021001/article/00015-eng.htm
- 2 Statistics Canada. (2021). Workers' experiences of inappropriate sexualized behaviours, sexual assault and gender-based discrimination in the Canadian provinces, 2020. www150.statcan.gc.ca/n1/pub/85-002-x/2021001/article/00015-eng.htm
- 3 Western Centre for Research and Education on Violence Against Women and Children and Canadian Labour Congress. (2022). *Harassment and Violence in Canadian Workplaces: It's [Not] Part of the Job*. <https://nursing.ucalgary.ca/sites/default/files/teams/13/Respect-at-Work-Report-ENGLISH.pdf>
- 4 EHRC. (2020) *Leadershift: Pathways to Gender Equity*. electricityhr.ca/wp-content/uploads/2020/05/EHRC-Leadershift-Report-English-WEB-5.pdf

Resources at a Glance

To meet these needs, EHRC has developed the following three interrelated components.

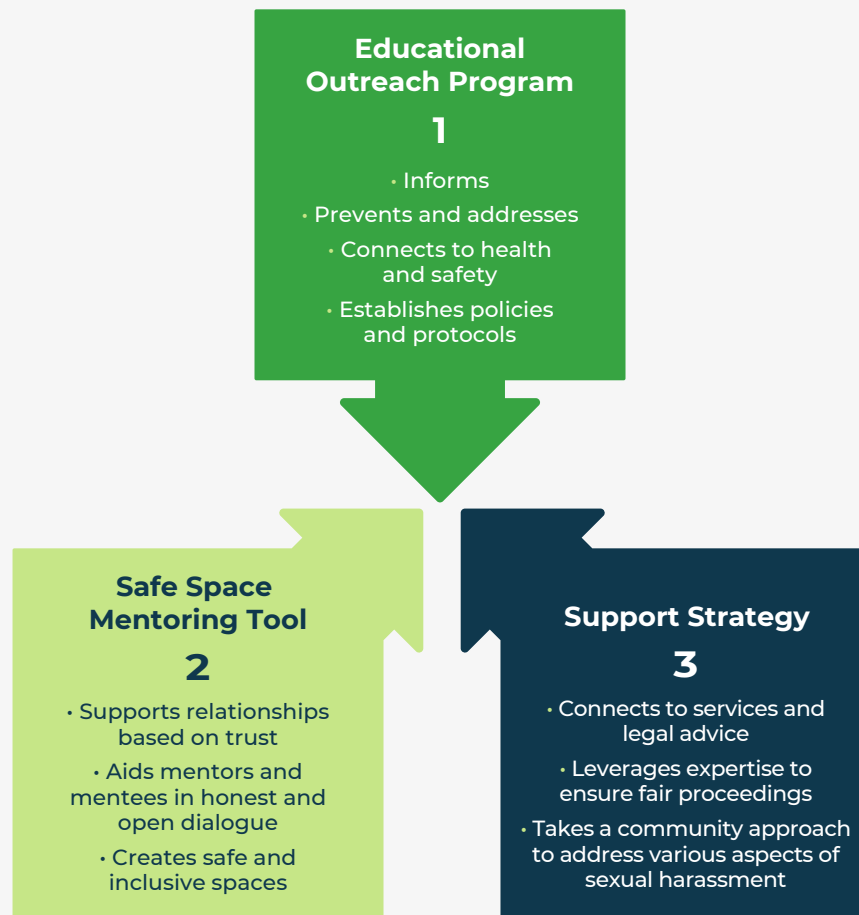


Figure 1: Sexual harassment-free workplace initiative

These supports help electricity industry stakeholders prevent and address gender-based violence in various workplace settings and situations within the sector. Materials available include:

- **Resources:** Providing background information on various topics (e.g., infographics, articles, videos)
- **Tools:** Supporting practical application of knowledge and skills (e.g., tip sheets, assessment sheets)
- **Activities:** Offering opportunities for mentors/allies to apply knowledge and skills (e.g., case scenarios, interactive presentations, reflection, assessment opportunities)
- **Audio-visual presentations:** Including narrated and non-narrated slide presentations, interactive presentations, and videos

1. Educational and Outreach Program	2. Safe Space Mentoring Tool	3. Support Strategy
<p>This program is intended to help electricity sector partners prevent and address GBHV by:</p> <ul style="list-style-type: none"> • Increasing awareness of GBHV and its impact in the workplace • Establishing and improving policies and procedures • Expanding and strengthening the scope of equity, inclusion and diversity bodies, and Health and Safety Committees <p>The program includes a toolkit, awareness campaign and training.</p>	<p>This tool offers resources and materials to support respectful, safe, and beneficial mentoring of employees, including interns and students. The tool enhances and aligns with EHRC’s Mentor Junction, a free online platform that pairs learners with mentors (industry professionals in the electricity sector), as well as EHRC initiatives such as Connected Women and other peer supports.</p>	<p>This resource is a comprehensive integrated strategy and framework to support those affected by GBHV in the workplace. It recognizes that ending GBHV is a collective effort that requires all employers and employees to be part of the solution. To do this, workplace leaders and employees must know how to support survivors and others to come forward, and to continue to support them during the aftermath of an incident or complaint and throughout any investigation.</p>

Educational and Outreach Program

Background

This program is one of the key supports of the Building a Sexual Harassment-Free Workplace initiative. Its purpose is to ensure employers understand GBHV and how it affects the electricity sector, and to offer tools and resources to help address it.

What is gender-based harassment and violence (GBHV)?

GBHV is harassment and violence directed at persons because of their **gender identity** or **gender expression**, or that affects persons of a particular gender disproportionately. It also includes sexual harassment and **intimate partner violence**. While people of any gender can experience GBHV in the workplace, women are at higher risk.⁵

Employer obligations

Each jurisdiction in Canada requires employers to meet specific obligations to provide a harassment-free workplace. Each employer is responsible for determining their specific obligations in their respective jurisdiction.

For example, some jurisdictions (Alberta, British Columbia, Newfoundland and Labrador, and Ontario) require employer, supervisor and/or employee training on harassment. Training generally includes guidance on recognizing harassment, and policies and procedures

for reporting, investigating and documenting harassment.

Workplace impacts of GBHV

GBHV affects workplaces in many significant ways. These include:

- **Compromising workplace safety**
- **Reducing productivity and engagement among staff**
- **Increasing absenteeism and employee turnover**
- **Damaging workplace culture**
- **Increasing administrative costs for investigating and resolving incidents**
- **Creating potential liability for harm caused**

UNSAFE WORKPLACES

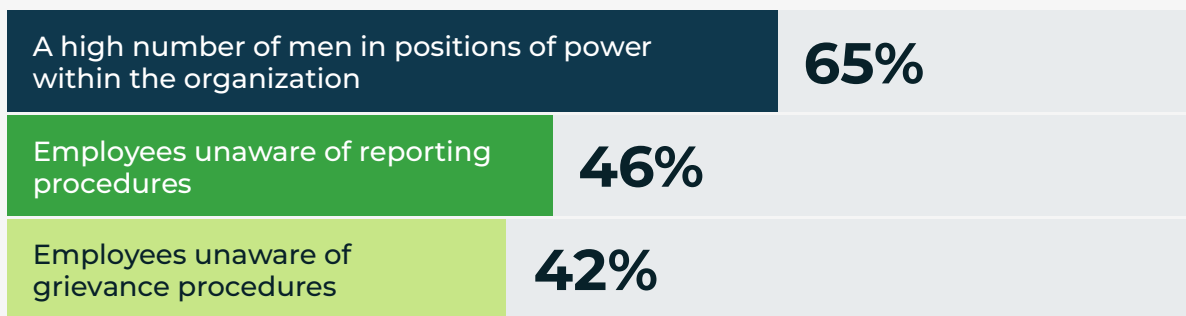
The presence or threat of GBHV creates hostile work environments, conflict and stress. It can have mental health impacts, making it a workplace health and safety issue. Almost 90% of women in Canada report using strategies

⁵ Ontario Secondary Schools Teachers' Federation. (2020). Sexual harassment: Abuse in the Canadian workplace. *Update*. <https://osstfupdate.ca/2020/06/08/sexual-harassment-abuse-in-the-canadian-workplace>

to avoid unwanted sexual advances in the workplace, including avoiding specific people and altering how they dress.⁶ Negative effects can also extend to other workers who witness incidents or are affected by the aftermath, mainly due to concern for the survivor and for their own safety.⁷

GBHV can happen at in-person workplaces, in isolated or remote settings, and at home. While risks are higher at in-person workplaces because of direct contact, employees in remote workplaces or who work from home are subject to physical isolation, which can make them vulnerable by reducing the number of potential witnesses.

Women who experienced GBHV in the workplace indicated these main risk factors



Source: "Workplace bullying and harassment" issue of *Visions Journal*, 2020, 15 (4), pp. 30-33

Figure 2: Main risk factors as observed by women who experienced GBHV in the workplace

REDUCED PRODUCTIVITY AND INCREASED STAFF TURNOVER

GBHV can have various effects on productivity, with survivors potentially unable to be as productive as they usually are. They may isolate themselves or not participate in work-related events to protect themselves from further harassment. This self-isolation may also extend beyond the workplace. Responding to GBHV (investigating, consulting, evaluating and acting) also takes time and attention away from other areas of the business.

GBHV can also lead to a loss of talent as people look for lesser roles or quit altogether. If an organization gets a reputation for its **hostile work environment**, the best talent may never consider working there in the first place. This is particularly challenging for organizations that have high skill requirements that take years to develop and face competition with other sectors of the labour market.

EMOTIONAL/PSYCHOLOGICAL IMPACTS

The emotional and psychological impacts of GBHV can be severe. The sexualized nature

⁶ Angus Reid. (2018). #Metoo: Moment or movement? angusreid.org/me-too

⁷ Wathen, C.N., MacGregor, J.C.D. & MacQuarrie, B.J., with the Canadian Labour Congress. (2014). Can work be safe, when home isn't? Initial findings of a pan-Canadian survey on domestic violence and the workplace. London, ON: Centre for Research & Education on Violence Against Women and Children. www.uwo.ca/projects/heritage/heritage3/img/survey-report.pdf

of the violation adds a particularly traumatic aspect,⁸ and when harassers/abusers are in positions of trust or authority, the sense of betrayal is profound.

Survivors may experience shock, irritability and anger – at the offender, at the organization or at how the situation was handled. Some may even be angry with themselves or assign self-blame for having caused or allowed it to happen, for not doing enough to stop it, or for not reporting. They may experience hyper-alertness and

hypervigilance, caused by a sense of perceived threat or danger, and may fear escalation or being alone with the harasser. GBHV can even cause **post-traumatic stress disorder (PTSD)** symptoms.

Survivors may also experience fear and anxiety about their job security and career. This can include concerns about not being believed, professional **retaliation**, having their privacy or confidentiality compromised, or being villainized or ostracized in the workplace.

This program provides materials and strategies that support electricity sector stakeholders in addressing these challenges and has been developed in consideration of the issues and suggestions that emerged during consultations.

ECONOMIC COST

One study found that the annual losses for Canadian employers related to GBHV was approximately \$18.7 million.⁹ An additional \$77.9 million was lost in 2009 due to intimate partner violence.¹⁰

Employers may also suffer damage to their reputations as a result of inappropriate response to GBHV, incur legal expense related to investigations, or have to pay court-imposed awards or settlements to survivors.

INTIMATE PARTNER VIOLENCE

While intimate partner violence is not strictly a workplace issue, its effects can also extend to the workplace. More than half (54%) of survivors said the violence continued while they were at work (for example, through abusive phone calls or criminal harassment).¹¹ About one-third of intimate partner violence survivors said issues related to the violence negatively impacted their job performance due to distraction, sleep deprivation, anxiety, depression or needing to take time away from work.¹² More than one-third of survivors of intimate partner violence say their co-workers were also impacted, often due to stress or concern about the survivor experiencing violence.¹³

8 Canadian Women's Foundation. (2022). The facts about sexual assault and harassment. canadianwomen.org/the-facts/sexual-assault-harassment

9 Hoddenbagh, J., Zhang, T. & McDonald, S. (2014). An estimation of the economic impact of violent victimization in Canada, 2009. Research and Statistics Division, Department of Justice Government of Canada. www.justice.gc.ca/eng/rp-pr/cj-jp/victim/rr14_01/rr14_01.pdf

10 Zhang, T., Hoddenbagh, J., McDonald, S. & Scrim, K. (2012). An estimation of the economic impact of spousal violence in Canada, 2009. Ottawa, ON: Department of Justice Canada, Research and Statistics Division. www.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/rr12_7/rr12_7.pdf

11 Wathen, C.N., MacGregor, J.C.D. & MacQuarrie, B.J., with the Canadian Labour Congress. (2014). Can work be safe, when home isn't? Initial findings of a pan-Canadian survey on domestic violence and the workplace. London, ON: Centre for Research & Education on Violence Against Women and Children. www.uwo.ca/projects/heritage/heritage3/img/survey-report.pdf

12 Scott, K.L., Lim, D.B., Kelly, T., Holmes, M., MacQuarrie, B.J., Wathen, C. & MacGregor, J.C.D. (2017). Domestic violence at the workplace: Investigating the impact of domestic violence perpetration on workers and workplaces. Toronto, ON: University of Toronto. dvatworknet.org/sites/dvatworknet.org/files/PAR_Partner_report-Oct-23-2017dl.pdf

13 Wathen, C.N., MacGregor, J.C.D. & MacQuarrie, B.J., with the Canadian Labour Congress. (2014). Can work be safe, when home isn't? Initial findings of a pan-Canadian survey on domestic violence and the workplace. London, ON: Centre for Research & Education on Violence Against Women and Children. <https://www.uwo.ca/projects/heritage/heritage3/img/survey-report.pdf>

Challenges in preventing and addressing GBHV in the electricity sector

Focus group consultations with electricity stakeholders and subject-matter experts across Canada revealed a number of challenges faced by the industry in addressing sexual harassment, including:

- **Historical tolerance and power dynamics** that enable perpetrators to get away with inappropriate behaviour.
- **Lack of recognition of GBHV as a health and safety issue by employers**, which denies employees the right to refuse unsafe work based on risk or actual experiences of GBHV.
- **The sheer range of incidents**, from micro-aggressions to misconduct to physical violence.
- **Isolated and remote workplace settings** that offer limited supports and protections.
- **The practice of removing the survivor from the workplace/site instead of the perpetrator.**
- **Reluctance or refusal on the part of supervisors and managers to recognize and address complaints.**
- **Lack of clear policies and procedures or enforcement.**
- **Barriers to reporting** and potential negative impact of reporting on workplace safety, career and mental health.
- **Lack of recognition** of the impact of intimate partner violence in the workplace.
- **Gaps in supporting survivors** and connecting perpetrators to intervention programs.

This program provides materials and strategies that support electricity sector stakeholders in addressing these challenges and has been developed in consideration of the issues and suggestions that emerged during consultations.

Toolkit: Preventing Gender-Based Harassment and Violence

This toolkit offers resources to support electricity stakeholders in preventing and addressing GBHV in the workplace through:

- Ensuring compliance with relevant legislative requirements
- Developing effective and appropriate policies and procedures
- Creating awareness and commitment to a positive workplace culture
- Understand the organization's responsibility to prevent workplace-related GBHV
- Recognize GBHV as both an equity and a workplace health and safety issue
- Identify factors that increase risk of GBHV and put preventative strategies in place
- Create and apply effective policies and processes that address GBHV in work-related settings, including for employees working from home

Who can use it:

- Organizational leadership
- Supervisors/managers
- HR
- Diversity, equity and inclusion (DEI) units
- Unions
- Health and safety committees
- Employees who want to be allies and supporters

Objectives

To help those in the electricity sector:

- Clearly define workplace-related GBHV and recognize its different forms
- Become familiar with relevant provincial legislation and acts that protect against GBHV in the workplace

Managing the organizational context

The *organizational context* is the “background” or “environment” in which the organization operates. It is influenced by both external factors (such as legislation and standards, as well as how an organization acts to comply with legislation) and internal factors (such as how individuals perceive their workplace, including its policies, practices and procedures).¹⁴

Organizational culture has a strong relationship with GBHV. Compliance with relevant laws, bolstered by a positive, inclusive and equitable workplace culture, decreases GBHV, reduces retaliation against those who confront and report harassment, and improves the work and psychological outcomes of survivors.¹⁵

14 Parker, C. P., Baltes, B. B., Young, S. A., Huff, J. W., Altmann, R. A., Lacost, H. A., ... Roberts, J. E. (2003). Relationships between psychological climate perceptions and work outcomes: A meta-analytic review. *Journal of Organizational Behavior*, 24, 389–416. doi.org/10.1002/job.198

15 Bergman, M. E., Langhout, R. D., Palmieri, P. A., Cortina, L. M., & Fitzgerald, L. F. (2002). The (un)reasonableness of reporting: Antecedents and consequences of reporting sexual harassment. *Journal of Applied Psychology*, 87, 230–242. doi.org/10.1037/0021-9010.87.2.230

Resource 8: Summary of Relevant Legislation and Acts presents a summary of legislation that addresses protection related to GBHV in the workplace. The table is organized by region and includes codes, acts and regulations that outline the duties and responsibilities of employers and the rights of employees in the prevention and response to GBHV in workplace environments.

ORGANIZATIONAL CHANGE MANAGEMENT

Although change is a necessary part of a successful organization, it is not always easy and can have a significant impact on the organization at all levels. However, change can be a major opportunity for growth when those in leadership positions understand the change process and what to expect, and approach the change intentionally and systematically.

Some organizational changes are adaptive, requiring minor shifts, while others are transformational, requiring dramatic shifts. Transformational organizational change, like creating cultures of equity and inclusion, requires substantial amounts of time and energy.

Organizational change management refers to the various actions that an enterprise takes to alter its culture, infrastructure or processes. It typically includes four major phases:

- **Preparation**
- **Implementation**
- **Follow-through**¹⁶
- **Monitoring and assessment**

WHAT IS NEEDED?

Shifting to a culture that promotes diversity, equity and inclusion is necessary to create workplaces free of GBHV. This shift takes courage, planning and skill, and every employee has a role to play. The success of the change process

rests on an understanding of the present situation and of the intended targets or outcomes. A top-down process marked by genuine commitment and acceptance of the benefit of change is essential to ensure collective buy-in at all levels of the organization.

Senior leadership needs to have a “big picture” vision, be genuinely committed to the change, be able to explain why the change is necessary and motivate change in others.

Managers must be able to determine the steps and resources needed to shape the change process. They must continuously model and reinforce expected behaviour.

Employees must be convinced of the benefit of the change, clear about the organization’s expectations and provided with the right tools. They must also understand the risks associated with refusing to change their views (intransigence).

THE CHANGE PROCESS

Organizational change management takes time, sustained effort and strategies for measuring impact to establish and fortify lasting and meaningful change.

An organizational change plan includes the voices of a wide representation of stakeholders. Strong guidance, supports and resources encourage acceptance and broad application. Dedicated implementation management provides direction and attention to reach the agreed-upon outcomes and reduce and overcome obstacles. A successful change process will be able to anticipate obstacles and adjust plans.

EFFECTING ORGANIZATIONAL CHANGE

While the development of strong policies and procedures is critical and may avoid liability, strictly legal approaches have shown to be

¹⁶ Stobierski, T. (ND). Organizational Change Management: What it is & Why It’s Important. Harvard Business School.

insufficient to eliminating GBHV. Several other components are required to rid workplace cultures of GBHV:

- **Appropriate training and education for all employees**, based on their responsibilities and position within the organization
- **Organizational desegregation** – including increasing the number and diversity of other gender identities in male-dominated workplaces; promoting people of other gender identities to visible positions of leadership; and distributing power more equitably among men, women and employees of other gender identities
- **Creating and supporting allies** who actively confront inappropriate behaviours when they occur
- **Establishing processes that encourage confidence, safety and confidentiality**
- **Promoting an intersectional approach to equity**, recognizing that a combination of social group memberships (racialized, **2SLGBTQI+**, differently abled) changes people’s perceptions of the world, experiences and life outcomes,¹⁷ and increases their risk of GBHV
- **Using methods that genuinely assess outcomes and impact**

17 Crenshaw, K. (1993). Demarginalizing the intersection of race and sex: A Black feminist critique of antidiscrimination doctrine, feminist theory and antiracist politics.

Tool 1: Measuring the success of change efforts

The following outcomes can be used to measure the impact of policies and initiatives intended to eliminate GBHV.

Employees feel safe and protected

- Increased level of employee comfort at work
- Reduction in feelings of discomfort and fear
- Confidence in organization’s response to GBHV
- Increased confidence in disclosing/reporting and seeking assistance
- Observed positive changes in the work environment

Stronger workplace culture and improved morale

- Observable positive changes in the workplace culture
- Increased feelings of commitment and confidence
- Increased sense of being valued and motivated
- Increased understanding of and compliance with acceptable behaviour
- Uncovering of previously hidden discrimination, harassment and violence
- Increased likelihood of bystanders taking action
- Increased productivity and attendance
- Reduction in adverse consequences to the organization (e.g., legal, financial, professional and reputational risks)

Good practices for mitigating risk

The following tools can help your organization develop good practices to minimize the risk of GBHV in the workplace. This includes putting the right systems in place, learning from incidents when they do happen, supporting employees working remotely, and developing policies and procedures.

Tool 2: Setting up organizational systems to minimize risks

Workplace GBHV audits are an important change agent tool. An inclusive GBHV audit process uses multiple forms of data to gauge workplace culture. Drafting appropriate questions and analyzing the responses year over year will be helpful in gauging impact. Data collected should reflect a variety of perspectives and positions within the organization.

Calling on volunteers (from different teams or who represent different identities) or external auditors helps put people at ease and reduce concerns about participation.

The following are suggested areas to explore, which can be customized to fit your specific organization:

Data collection can include:

- Confidential surveys
- Conversations with employees
- Exit interviews
- Training evaluations
- Sickness absence or return-to-work meetings
- Performance reviews
- Mentoring programs
- Staff networks
- Committees such as diversity, equity and inclusion (DEI) and workplace health and safety

Prevention

Do you have written harassment policies and procedures in place, including ones that specifically address GBHV and intimate partner violence?

Do your policies define GBHV, provide specific examples of prohibited conduct and state explicitly that any retaliation for reporting is also prohibited?

Do you communicate the contents of the GBHV prevention policy to your employees, contractors, clients and members? This might be done in contracts, during onboarding or training, on social media, etc.

Do you ensure in policy and in practice that no disciplinary or punitive action is taken against an individual for reporting GBHV?

Education and Training

Is your policy well publicized, distributed to employees and supervisors, and introduced during orientation and training sessions?

Is there a training program for all employees/members to help heighten sensitivity to and awareness of GBHV issues?

Are supervisors, managers and others trained in how to recognize GBHV, how to respond and how to comply with the GBHV policy?

Is GBHV prevention part of your health and safety training and monitoring processes?

Reporting

Do you require by policy and/or practice that people report any occurrences of GBHV in the workplace (including intimate partner violence), and offer anonymous and confidential reporting options?

Are there clear procedures for complaints of GBHV that recognize how GBHV may impact survivors' ability to report and participate in resolution?

Do you offer support to those who want to make a report?

Response

Do you have at least one person in a leadership/senior position who is specially trained and responsible for responding to GBHV complaints? Do employees know who this person is?

Does your policy outline management's roles and responsibilities in preventing and responding to GBHV?

Does your policy describe the range of disciplinary actions that may be imposed for prohibited conduct, up to and including termination?

Do you have readily available emergency procedures in place to address an occurrence that poses or threatens to pose an immediate danger to the health and safety of an employee?

Do you have a policy to address the confidentiality and privacy of employees/members that would protect them from being stalked or surveilled (e.g., not providing information about the whereabouts of employees or members to callers, including family members and spouses)?

Do those accused of GBHV have an opportunity to explain before a decision is made?

When deciding on a remedy, are there measures in place to ensure nothing is done that could be considered retaliation or punishment against the complainant or survivor, such as changing their work duties or reassigning them to a less desirable position?

Resolution

- Do you have trained, designated complaint recipients?
- Are the investigators appointed to GBHV investigations chosen in accordance with regulations?
- Are there alternative avenues for reporting when the designated complaint recipient is the person named in the complaint?
- Do you respond to all notices of occurrences of harassment and violence?
- Do you have a formal process to investigate occurrences of GBHV that happen outside the workplace (for example, cyberbullying outside of work hours)?
- Is the option of conciliation available?

Protection

- Is the location of the workplace high-risk (e.g., isolated, remote, publicly accessible)?
- Are security measures in place to reduce risk (e.g., locking of access doors after hours, surveillance of exits and entrances, adequate lighting inside and outside the workplace)?
- Are there security protocols in place to mitigate risk for work-related activities occurring outside company premises (e.g., after-hour events, conferences, travel, etc.), and are these security protocols shared with employees/members?
- Are there processes in place to identify security gaps and accountability mechanisms to ensure they are addressed?
- Are there protocols in place to protect employees/members who work alone, in small numbers or at isolated worksites?
- Are employees/members trained on safety precautions and procedures to follow when working alone or in small numbers to protect themselves from harassment and violence?

Psychological Safety

- Do managers, mentors, and other designated support employees/members receive training on identifying risks and supporting psychological health?
- Do employees/members have access to internal resources and/or external resources that can provide support for psychological or emotional stress stemming from the workplace or personal life?
- Are there specific preventative measures in place to protect employees when they work during times of increased psychological vulnerability, such as under high-stress conditions (e.g., those related to seasonal demands, exceptional circumstances, etc.)?
- Where appropriate, do harassers/abusers have access to services or supports to help them change their behaviours and attitudes?

Monitoring and Assessment

Do you have a system for periodically reviewing GBHV and health and safety policies and procedures to make sure they comply with current legislation and address the specific needs of employees and members?

Are GBHV-related competencies and conduct reflected in performance appraisals?

Is your organization consistent in how discipline is decided and imposed once GBHV is confirmed?

Source: Adapted from Government of Canada. (ND). Sample risk assessment. www.canada.ca/content/dam/canada/employment-social-development/programs/workplace-health-safety/harassment-violence-prevention/Sample_Risk_assessment_EN.pdf

Tool 3: Tips for Debriefing and Learning from Incidents

Debriefing is a way to review the situation that led to a complaint and the processes used to address the complaint. The goal of debriefing is not to review evidence, but to focus on improving policies, procedures and response. This helps you continually enhance the health of your workplace culture.

The debriefing process should involve anyone who was directly involved in responding to the complaint and should take into consideration the experiences of survivors and witnesses to

the incident. Sessions can be done with large or small groups and may focus on different aspects of the incident, depending on the roles and responsibilities of participants. Ideally, sessions should be facilitated by someone unconnected to the situation to ensure everyone has an opportunity to participate fully.

Before debriefing starts, a process for documenting the meeting and agreeing on recommendations should be put in place and communicated to all participants.

The following are possible areas to explore:

- Review the details of the incident(s) and discuss organizational and societal factors that increase risk for GBHV, including isolation of workplace, homogeneity of employees, power dynamics, workplace culture, use of alcohol or drugs, and employee behaviour.
- Review all relevant policies, procedures and processes (*e.g., harassment, violence in the workplace, respectful workplaces, health and safety, code of ethics*) to determine if changes are required.
- Review education and training to identify and address gaps.
- Assess the impact of the incident and the resulting actions on survivors and others affected. Is there need for additional supports?
- Identify opportunities to reduce or mitigate future risks. Connect back to the contributing factors.
- Identify immediate issues surrounding problems involving future risk and safety – are other employees at immediate risk?
- Predict events and reactions that may emerge in the aftermath of the incident and decision, including potential for retaliation, ostracism, escalating harassment/violence, etc.
- Make recommendations to prevent similar circumstances from happening in the future.
- Decide on a means of monitoring follow-through on the recommendations.

Tool 4: Tips for Remote Work Situations

Maintaining health and safety standards is important whether employees are on site or working virtually.

Employees can feel more isolated when working virtually or remotely, which can take a toll on their mental health especially if they are in unsafe environments. Supervisors and managers may need to adapt the way in which they monitor and support employees, keeping in mind that the home may not be a safe place and that remote locations can pose more risk for harassment and violence.

- **Make sure remote and home-based employees have access to information and supports about mental health and safety.**
- **Virtual team meetings and individual meetings can be an opportunity to tactfully check in with employees who are working remotely.** Go beyond a task focus to ask employees how they are doing on a personal level. Be sure to provide a safe space and respect their preferences for privacy.
- **Use technology to keep employees connected for both work and social events including professional development opportunities.**
- **Schedule regular check-ins.**
- **If intimate partner violence/domestic violence is suspected, you may want to check in more frequently and put some safety protocols in place.** This might include the best time to connect, code words if it's not a safe time to talk or if the individual is in immediate danger, what to do in a crisis, etc.
- **Create tag messages and include in footer of emails that links directly to a “Landing Page” that offers information on health and safety related to GBHV.**
- **Ensure onboarding process is the same regardless of where the employee works.**
- **Ensure training and professional development sessions are inclusive of examples that recognize how GBHV manifests in the virtual environment.**
- **Identify what virtual sites employees are already using frequently and include messaging, updates, information there (e.g., Health and Safety, HR, the Employee Assistance Program (EAP), training sites, company news).**
- **Ensure all employees are aware of the sign that indicates a situation is unsafe and they need help. The “Signal for Help” sign was created by the Canadian Women’s Foundation** as an online initiative to assist those experiencing violence because of home isolation during the pandemic. However, as people continue to work remotely its relevance remains. Signal for Help is a simple single-hand gesture that can be visually and silently displayed during video calls, to alert family, friends, or colleagues that an individual needs help and that they would like someone to check in safely with them.



Figure 3: The Violence at Home Signal for Help

Tool 5: Characteristics of Effective Policies and Procedures

Policies are critical to changing workplace culture and preventing GBHV in the workplace. They communicate to employees the organization's commitment to a GBHV-free work environment, clearly outline expectations for acceptable workplace behaviour, and promote a culture of respect and inclusivity.

Policies addressing GBHV may be stand-alone or integrated into other policies. Either way, you can use this checklist as a guide to some of the specific considerations you should remember when developing GBHV policies and processes.

Creating policies and procedures based in law and promising practices

- To ensure policies comply with relevant legislation and consider case law, use a collaborative and inclusive process that involves:
 - Human resources
 - Legal professionals
 - Health and safety committees
 - Unions (if applicable)
 - Representatives of groups most impacted by GBHV in the workplace
- Adopt a comprehensive approach to policy development, making connections with policies that address other forms of harassment and violence in the workplace, and ensure a strong focus on those most affected by GBHV
- Outline the specific behaviours considered workplace GBHV
- Recognize the diversity of employee identities and workplace settings and circumstances, especially those that may increase risk of GBHV
- Identify the steps employees are expected to take if they become aware of incidents of GBHV
- Address specific protections against retaliation
- Recognize and address GBHV as a workplace risk and consider the needs of diverse groups of employees
- Incorporate policies and procedures into the employee handbook or policy manual and post online where employees access other company-related information
- Connect and/or integrate GBHV policies into other workplace policies, processes and initiatives, e.g., health and safety, respectful workplace, DEI and domestic violence/intimate partner violence

Shifting workplace culture

Policies are an important element to help you set and communicate organizational culture. To promote practical strategies and actions that advance organizational change, policies should:

- Clearly state “zero” tolerance for GBHV
- Identify and outline the roles and responsibilities of various departments, bodies and employees
- Provide the necessary supports to managers, employees, etc., in carrying out their responsibilities, and hold them accountable
- Prescribe a timeframe for reporting suspected GBHV

It is vitally important to the success of any policy that top leadership approve the policy, take ownership of it and model appropriate behaviour. Leadership must be actively involved in communicating commitment and support for the policy and in explaining how it aligns with the organization’s vision, mission, values and competitive edge.

Framing GBHV as a health and safety issue

To sustain and embed GBHV policies in the consciousness of the organization, GBHV must be framed as a health and safety issue. Relevant policies should:

- Align with and integrate relevant components of GBHV policies, and vice versa
- Make clear how preventing and addressing GBHV is to be reflected in workplace health and safety structures (e.g., health and safety committees, materials, meetings, talks and stand-downs)
- Encourage and support bystander and third-party reporting

Promoting clear, safe and confidential reporting

Disclosing experiences of GBHV is an intensely vulnerable act. It can be more difficult for certain people based on their identities and place in society, the level of harassment or violence they endured, and past experiences.

Procedures for reporting complaints of GBHV should:

- Be clearly outlined
- Be easily accessible
- Include the roles and responsibilities of all parties involved
- State what to expect
- Describe where and how to report
- Describe avenues for resolution
- Spell out timelines and any limits to privacy and confidentiality

Reporting options must recognize:

- Potential barriers and risks survivors may face when disclosing
- The need for various internal and external options and supports, including third-party/anonymous reporting
- The possibility that GBHV may also be motivated by hostility or demonstrate hostility toward the survivor's other identities (e.g., disability, race, religion, etc.)
- The fact that survivors may find it difficult to separate their various identities (e.g., race and gender identities) when considering their experiences of harassment and may face additional challenges to reporting
- The risks of various work relationships, power dynamics, culture of misogyny and environments including remote and virtual
- The need for alternate reporting points in case the harasser is the complainant's supervisor or a supervisor does not take a complaint seriously
- The need for a broad and inclusive definition of "workplace"
- The importance of complainant involvement in decisions about process, when possible and appropriate
- The need for managers to take complaints seriously, document complaints and take complaints to the appropriate level
- The need to advise survivors of other resources available to them (e.g., external supports, human rights complaints, criminal charges, etc.)

Resolving complaints

To ensure complaints are adequately resolved, policies should:

- Clearly set out investigative procedures and resolution, including possible consequences, leaving as little as possible to the discretion of the investigator
- Explicitly call for disciplinary action for all complaints deemed valid and include specifics on what actions should be taken based on the severity of the complaint (e.g., mandatory training for first-time, minor offences or firing for severe or repeated behaviours)

Taking a trauma-informed/survivor-centred approach to resolving GBHV complaints

Generic misconduct reporting and investigation processes are generally not appropriate for GBHV complaints. GBHV-related policies and processes must recognize the erosion of

trust, obstacles to disclosing, and the unique psychosocial challenges and impacts for survivors of GBHV.

Policies and processes should:

- Instill confidence that GBHV complaints will be handled professionally, objectively and in a timely manner.
- Be designed to establish or re-establish trust between the complainant/survivor and the organization.
- Include precautions to safeguard the privacy of individuals involved.
- Include steps to reduce risk of further harassment because of the complaint.
- Support those affected and send a message that it is safe to come forward.
- Provide multiple avenues to report GBHV so an employee can bypass their supervisor if they are dismissive, unsympathetic or the alleged harasser.
- Include a provision for third-party intermediators (who may be internal or external to the organization) who can provide support to survivors in making complaints and throughout the resolution process.
- Consider the potential effects on survivors of the language and messaging used in policies (e.g., addressing “bad faith” complaints in the policy may have the unintended effect of making survivors or third parties reluctant to come forward).

Monitoring policy impact

Monitoring and evaluation can help track and drive continuous improvement. Your processes should include:

- Debriefing with survivors and those responsible for resolving complaints about their experience once a complaint is settled.
- Planning for mandatory periodic review and assessment of GBHV policies, initiatives and programs, including the complaint process.

Tool 6: Policy Template

Policies are critical to changing workplace culture and preventing GBHV in the workplace. They communicate to employees the organization's commitment to a GBHV-free work environment, clearly outline expectations for acceptable workplace behaviour, and promote a culture of respect and inclusivity.

The following policy template can be used as a stand-alone template, or you can integrate relevant portions into policies with wider scopes (e.g., *respectful workplace*, *discrimination and harassment*, *workplace health and safety*).

Gender-based harassment and violence-prevention policy template

[Name of organization] wants all employees to feel respected and empowered at work. To ensure a positive environment for all employees, in accordance with **[Name/section of relevant legislation(s)]**, **[Name of organization]** prohibits gender-based harassment and violence and related retaliation in all its forms. All incidents of gender-based harassment and violence by any employee of our company will be taken seriously, investigated thoroughly and fairly, and responded to with appropriate discipline, up to and including termination of employment.

GENDER-BASED HARASSMENT AND VIOLENCE

Gender-based harassment or violence is “committed against someone based on their gender identity, gender expression, or perceived gender.”¹⁸ It most often targets women, **transgender** people, and gender non-conforming or **non-binary** people.

Sexual harassment is any sexual behaviour that makes someone feel intimidated, coerced, humiliated or disrespected. All of the following are examples of prohibited sexual harassment:

- **Sexual advances:** Sexual advances include unwanted touching, assault, offers or requests for sexual favours, sexual comments, treating employees differently because of sexual attraction, and standing too close or brushing up against employees in a sexual manner. It also includes behaviours such as leering, whistling, or making obscene noises or gestures.
- **Verbal harassment:** Sexual jokes, comments and slurs are a form of harassment and have no place in our work environment. This can include comments or questions about someone's appearance, attractiveness, relationships or other private matters.
- **Comments on gender or orientation:** Sexual harassment may also include demeaning remarks or jokes based on gender or gender stereotypes, sexual orientation, or sexual identity. Whether directed at a co-worker or merely overheard, verbal harassment is strictly prohibited at **[Name of organization]**.
- **Offensive content:** Storing, distributing, displaying or discussing sexually explicit or suggestive images or content in the workplace or on company-owned property is

18 Here to Help. (2020). Gender-Based Violence and Harassment in the Workplace: Working together to create safer workplaces and communities. heretohelp.bc.ca/visions/workplace-bullying-and-harassment-vol15/gender-based-violence-and-harassment-in-the-workplace

strictly prohibited. This includes printed or electronic materials that disrespect or ridicule others based on gender, sexual orientation or sexual identity.

- **Sexual assault:** Sexual assault is a criminal offence that refers to any form of unwanted, non-consensual sexual contact. This includes unwanted penetration (rape), as well as any form of unwanted sexual touching, kissing, grabbing, etc.
- **Violence:** Violence refers to the threatened, attempted or actual conduct of a person that causes or is likely to cause physical or psychological injury or harm.

It includes:

- The exercise of physical force by a person against another person that causes or could cause them physical injury
- An attempt to exercise physical force against a person that could cause them physical injury
- A statement or behaviour that is reasonable for a person to interpret as a threat to exercise physical force against them that could cause them physical injury
- Intimate partner/domestic violence or sexual violence

[Name of organization] understands that anyone can be subject to sexual harassment, regardless of gender, and anyone who interacts with our employees can be a perpetrator, including contractors, suppliers and customers. Gender-based harassment and violence can happen anywhere our employees work (at work-related events, on and off **[Name of organization]** premises including at conventions and other company-sponsored off-site events, at social events, and on social media). Any sexual conduct that is unwelcome and makes an employee feel uncomfortable, wherever it occurs, is prohibited.

DEFINITIONS

Within this policy the following terms will be understood to have the following meanings.

Agents: Consultants, independent contractors and agents retained by **[Name of organization]**.

Employees: All employees of **[Name of organization]**, including full-time, part-time, casual and contracted employees, as well as senior management and the board of directors.

Protected grounds: Race, religious beliefs, skin colour, gender, gender identity, gender expression, disability (apparent or non apparent), age, ancestry, place of origin, marital status, source of income, family status, sex (including pregnancy and breast feeding), record of offences, political belief and sexual orientation.

Work site: Any place where business or work-related activities are conducted. It includes the physical work premises (offices or plants), work-related social functions, assignments outside of **[Name of organization]** offices or plants, work-related travel, work-related conferences or training courses, virtual workspaces, and social media.

RETALIATION

At **[Name of organization]**, employees can report gender-based harassment and violence without fear of punishment. Retaliating against an employee who complains or inquires about sexual harassment is illegal and will not be tolerated. This includes any adverse treatment following a complaint, such as ignoring or slighting the employee, providing less favourable hours or other working conditions, withholding **privileges** or information, denying promotions or development opportunities, or demoting or firing the employee.

Managers or supervisors who retaliate against an employee for reporting gender-based harassment and violence will be subject to discipline up to and including termination.

REPORTING

If you believe you have been subjected to gender-based harassment or violence, or if you witness any instances of gender-based harassment or violence at **[Name of organization]** work sites, you must report the incident promptly to your supervisor, our HR director or another designated person **[insert specific names/positions to whom reports should be made]**. If you are uncomfortable reporting the harassment to any of those parties, you should report it to a member of the leadership team you feel comfortable with. You may also submit an anonymous report by **[insert particulars of where and how to report can be made anonymously]**.

If you are unsure whether conduct rises to the level of harassment, you should report it.

HR will work confidentially with the relevant parties and with **[Name of organization]** to investigate the incident and respond appropriately. An investigation will be conducted in accordance with **[Refer to procedures/process to be followed]**. All investigations will be documented and reviewed by senior management to ensure proper, impartial application of this policy.

SUPPORT AND OTHER ACCOMMODATIONS

[Name of organization] recognizes the impact and challenges employees affected by gender-based harassment and violence may experience. Every employee involved in a gender-based harassment or violence complaint or incident is entitled to seek support from internal or external resources. Such support can

be sought during the reporting of the incident, throughout the investigation process and in the aftermath of the complaint. **[NOTE: If the organization provides for time off for those involved in a complaint, this should be included here.]**

CONFIDENTIALITY

[Name of organization] will make every effort to protect the identity of any employee or agent making a report, as well as that of the person alleged to have committed the violation and any witnesses to the incident. The identity of employees who report gender-based harassment and violence will be kept confidential except as required to investigate and respond to the complaint. HR will discuss any necessary disclosures with the employee before sharing information with others.

[Name of organization] will not disclose the circumstances related to an incident, nor the names of the parties involved (including the complainant, the person alleged to have committed the offence and any witnesses) except where necessary in the following circumstances:

- To investigate the incident or to take corrective action
- To inform the parties involved in the incident of the results of the investigation and corrective action taken
- To inform employees of a specific or general threat of violence or potential violence
- As required by law

For each investigation undertaken, **[Name of organization]** requires that employees or agents interviewed as part of the investigation process not discuss the matter with others and maintain confidentiality. Failure to maintain confidentiality may be grounds for disciplinary action, up to and including termination.

DISCIPLINARY ACTIONS

Gender-based harassment and violence is subject to discipline, including counselling, training, verbal warning, written warning, reassignment, demotion, suspension, probation and termination. The severity of the conduct will determine the appropriate discipline.

[Insert positions of who will be involved] will review all complaints, assign discipline and document the results. These documents will be maintained in secure files.

RIGHT TO COMPLAIN

Nothing in this policy replaces or interferes with any employee's right to file a complaint with **[Name of relevant Commissions, Tribunals]** or other regulatory agencies or to make a criminal complaint.

ACKNOWLEDGEMENT AND TRAINING

Every employee, including senior management and the board of directors, is required to certify upon hiring and every **[specific schedule]** thereafter as a condition of their employment or appointment to the board that they have received and read, understand, and will comply with this policy.

Every employee, including senior management and the board of directors, is required to participate in mandatory training **[Insert training requirements]**.

AGENTS

Agents of **[Name of organization]** are expected to demonstrate strong ethical values and standards of behaviour. Accordingly, all agents of **[Name of organization]** and their staff providing services to or on behalf of **[Name of organization]** must adhere to policies and/or practices that are consistent with this policy.

Every agent, as a condition of their engagement with **[Name of organization]**, must either:

- Agree to comply with this policy
- or
- Certify in writing to **[Name of organization]** that they or their respective organization has a policy that is binding on them, and which contains all the elements of this policy.

[Name of organization] therefore strives to ensure our agents are made aware of the **[Name of organization]** policies (including this policy) that apply to the work for which they are being engaged. Ongoing compliance with the principles set forth in this policy is a material condition of every agent's continuing relationship with **[Name of organization]**.

POLICY REVIEW

This policy will be reviewed when an incident occurs and at a minimum on an annual basis or when changes to applicable laws or regulations dictate that a review takes place. Any changes made to the policy will be communicated to all employees and agents, and all education and training materials adjusted accordingly.

Raising awareness about workplace GBHV

Building awareness about GBHV in the workplace helps educate an organization's leaders and employees on its prevalence, brings the issue to the forefront of organizational consciousness, encourages dialogue, promotes social change, motivates people to change or act, and alerts survivors of the options and resources available to them. To be successful, education and awareness campaigns should be adequately resourced and use simple messaging that resonates with the intended audience. Supports should be provided to allow the audience to make changes or take required actions.

To create a campaign that leads to meaningful change:

- **Know who you are trying to reach.**
- **Do your research and engage with topic experts and a variety of stakeholders** (employees, unions, etc.) to ensure you have accurate data on a range of issues.
- **Be precise in your messaging about what you want people to do or know.** What is the purpose of the campaign?
- **Use multiple and familiar channels** – the same ones you use when you want to reach the widest diversity of your target audience (e.g., social media, email, posters, regular newsletters).
- **Connect the campaign to other initiatives,** commemorative dates or events that could further highlight the campaign.
- **Determine ways of monitoring and assessing campaign uptake.** This should be part of the overall impact assessment of the GBHV initiative.
- **Be prepared to deal with backlash.** Concerns can become more evident as the culture of the organization changes, more

survivors come forward and individuals are held accountable for their behaviour. Reaction can manifest in various ways, from subtle concerns about the risks of having women in traditionally male-dominated workplaces to misinformation campaigns waged in the media. Be ready to counteract with facts.

See [Resource 6](#) for a glossary of terms and definitions related to GBHV in the workplace. This glossary can be placed directly on your website.

CREATING A CAMPAIGN

The tools and resources in this section are meant to complement organizational policies and procedures on GBHV and reinforce information covered in GBHV training. A well-executed and effective campaign relies on the repetition of a consistent and targeted message delivered using various channels.

GBHV-free workplace campaigns aim to:

- **Raise awareness about GBHV in the workplace, its manifestations and its impact**
- **Help survivors recognize and report GBHV and take steps to address its impact**
- **Position GBHV as both a workplace equity and inclusion issue and a health and safety issue**

Presented here are several possible “hooks” or key messages you can consider incorporating into your own campaign, along with other materials for a campaign entitled “This is gender-based harassment.” Feel free to use them as is or tailor them to your organization's needs.

Tool 7: Campaign Key Messaging

Title: *This is Gender-Based Harassment*

Goal: To build awareness of the breadth, subtleties and impact of the various tactics and forms of GBHV. It illustrates common examples of the actions that intimidate, shame, isolate and discriminate against persons based on gender.

The campaign should:

- Raise awareness about the multifaceted nature of GBHV in electricity workplace settings.
- Validate and name the experiences of a diverse group of survivors by amplifying their voices.
- Highlight the organizational impact of GBHV.
- Offer connection to redress and support for those affected by GBHV.

Content suggestions:

- Examples of GBHV across a continuum of behaviours and actions
- Statistics related to prevalence in Canadian workplaces
- Impact on those affected
- Impact on the organization
- How and where to report
- Resources for additional information and support

Key messages:

- Recognition of GBHV in the workplace is critical if meaningful and intentional action is to be taken to address and prevent it.
- GBHV affects not only the survivor, but also co-workers, team functioning and productivity, talent acquisition and retention, and the organization's ability to grow and be competitive.

Tool 8: Four communication options

Using various educational and awareness materials and resources, the core message can be cascaded through all media channels. Materials can be posted in workplaces, shared on social media sites or accessed digitally. This tool includes samples of the following:

- **Poster/postcard**
- **Social media tag**
- **Infographic**
- **Video concept**

Each sample includes a QR code, which can be a quick and easy way for employees to use their smart devices to seamlessly connect to information such as:

- **Helplines and other supports**
- **Information on how to make a complaint or report**
- **Information about GBHV**
- **Information about IPV**

QR codes are easily customizable to geographic locations and/or workplaces and can be included on postcards or posters in common areas, washrooms, etc. An individual can then scan the codes with their wireless device and immediately load a digital resource. Codes should always be presented with short explanations of what they link to.

The technology to implement this is relatively easy to master and readily available, usually for free. You can generate a QR code using a variety of productivity tools, including Microsoft Word, or any of several QR-code generating websites. Enter the web address you want to link to, generate the code, then download the

code image so you can use it wherever you need it.

For example, try scanning the following QR code. It links to the Government of Canada’s [“Gender-Based Knowledge Centre: Crisis lines for those affected by gender-based violence.”](#)



TIP: This site includes a “leave quickly” function that allows a user to click a button to quickly and easily move to an unrelated neutral website (in this case, the Government of Canada’s weather information page). This function can be used by anyone who doesn’t want someone approaching to see what they were looking at and avoids raising questions by quickly closing a browser window. If you’re creating web-based resources, consider including this function as an added protection for users.

Poster/postcard

Figure 4 is a mock-up that can be used as a poster or a postcard. It aims to educate on the various behaviours and activities that are considered gender-based harassment. You can redesign and customize it to highlight the information most relevant to your organization.

Figure 4: “This is Gender-Based Harassment” campaign poster/postcard



Social media tag

An image similar to the one shown in **Figure 5** can be placed permanently on social media pages and at the bottom of emails (in a similar position to where social media links are placed).

Figure 5: “This is Gender-Based Harassment” campaign social media tag



Infographic

Figure 6 shows an example of an infographic that could be used in the “This is gender-based harassment” campaign. Created using a free online template, the infographic defines gender-based harassment and covers the different types of harassment and their prevalence, common forms, settings where gender-based harassment is more likely to happen, and impact.

Figure 6: “This is gender-based harassment” campaign infographic



Video concept

Videos can be created at relatively low cost. For example, Microsoft PowerPoint now lets you animate slides, record narrative and create a video. Videos can then be uploaded to a platform such as a YouTube or Vimeo, or embedded on a website for employees.

See the following tutorials on how to create videos from a PowerPoint presentation:

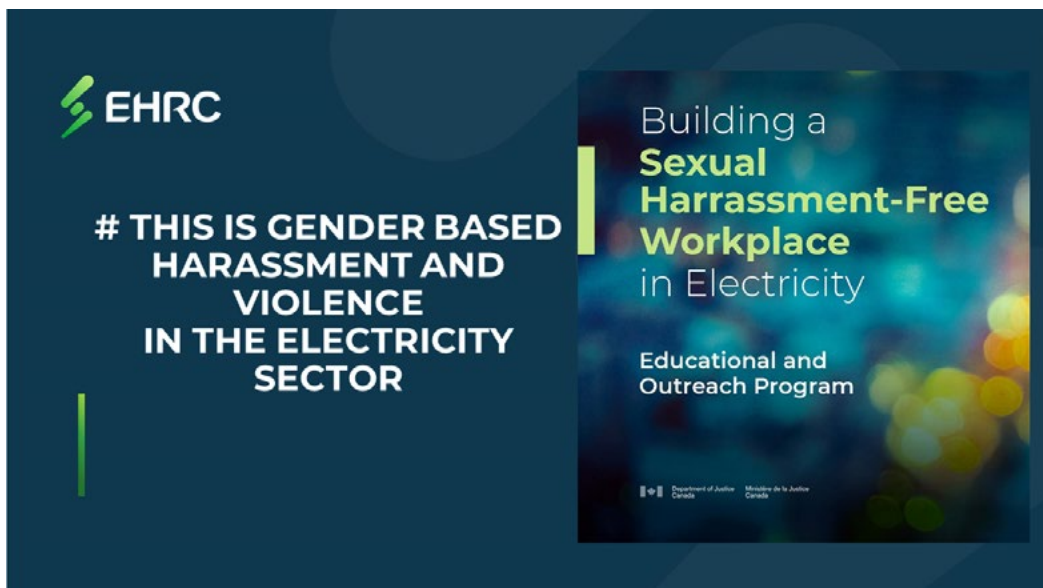
- <https://youtu.be/ttxs9QpfeCA>
- <https://youtu.be/DoyE48W3RUY>
- <https://youtu.be/ttxs9QpfeCA>

Below is an outline for a three-minute video sharing information about the types of GBHV and how it manifests in electricity workplaces. You can use graphics that feature various workplace settings and a diversity of survivors and perpetrators. The video can be used in training and accessed as a stand-alone asset.

Topics to be covered:

1. **What is it: Defining GBHV**
2. **Types of GBHV**
 - Sexual harassment
 - Sexual assault
 - Degrading and insulting treatment and remarks
 - Intimate partner violence
3. **Workplace impacts (various electricity stakeholders will talk about the different impacts; use real-life situations from the electricity sector)**
4. **Reporting and accessing support**

Figure 7. “This is gender-based harassment” campaign video



Build your own campaign library

By putting together a collection of key messages and other campaign elements, you can create a “library” you or others can use to create tailored campaigns to address specific topics or audiences. Resource 1 includes a selection of alternate or additional message ideas you can customize for electric industry stakeholders (employers, employees, unions, learning institutions, etc.) and incorporate into campaigns. You can also use them as stand-alone items, or you can combine components from different ideas to suit your needs.

Be sure to use graphics and examples in your campaign materials that reflect a diversity of settings, workplaces, professions and employee identities.

Resource 1: Messaging library - Campaign ideas

Campaign 1: I/O- It's **NOT** Ok

This campaign builds on a slogan that plays on the abbreviation for input/output (I/O) to present various levels of inappropriate behaviours and actions.

GOALS

- Raising awareness about the continuum of behaviours and actions that are inappropriate
- Recognizing GBHV as a health and safety issue
- Reflecting a diversity of workplace settings and survivors

CONTENT SUGGESTIONS

- Illustration of the continuum of behaviours and actions that are considered GBHV
- Impact on the health and safety of the workplace and the psychological safety of the individual
- Increased risk in certain settings (*e.g., male-dominated, isolated*)
- Links between GBHV and health and safety standards

Campaign 2: Awareness + Action = Change

This campaign focuses on prevention, emphasizing that concrete actions must be taken to accomplish real workplace transformation.

GOALS

- Calling on individual employees, companies, unions, learning institutions and survivors to play active roles in ending GBHV in electricity workplaces
- Highlighting the impact of GBHV on survivors and workplace environments
- Promoting safe, healthy and inclusive environments for all

CONTENT SUGGESTIONS

- The benefits of creating respectful and inclusive workplaces
- Responsibilities of employers and employees to report and address GBHV
- Encouragement and support for reporting — how and where reports can be made, including third-party reporting options

Campaign 3: GBHV — A workplace health and safety risk

This campaign focuses on linking GBHV to workplace health and safety risks.

GOALS

- Understanding the physical and psychological manifestations and impacts of GBHV
- Raising awareness of how allowing GBHV to go unchecked and unaddressed in workplace settings can impact health and safety
- Promoting safe, healthy and inclusive environments for all

CONTENT SUGGESTIONS

- Description of impact versus intent
- Focus on workplace policies and procedures and how they promote safe and respectful work environments
- Examples of how GBHV can be integrated into existing health and safety processes and practices
- Supports available to those affected

Information and messaging ideas

There is a wealth of information available that you can use to support your campaigns. When designing your materials, start by considering what you want people to know or do differently, so you can determine what information to include. You might choose to focus on just one area, such as “**What is GBHV?**” or you could combine data focusing on various aspects.

Presented here is some key information about GBHV to get you started.

What is GBHV?

- Jokes, gestures, comments and banter of a lewd or sexual nature
- Inappropriate conversations
- Physical/bodily contact, including patting, grabbing and touching
- Sexual attention, including constant and repeated advances and requests or flirting
- Spreading, displaying or sending of sexual or degrading materials
- Stalking, cyber-stalking, surveilling and trolling
- Non-consensual or coerced sex
- Indecent exposure or inappropriate display of body parts
- Offers of workplace benefits for engaging in sexual activity
- Mistreatment for not engaging in sexual activity

- Suggestions that someone does not act how someone of their perceived gender is “supposed” to act
- Bullying behaviours, such as insults, mistreatment, ignoring or exclusion, because of their gender, sexual orientation and/or assumed sexual orientation
- Comments that people are either not good at a particular job or should be prevented from having a particular job because of their gender

Source: City of Toronto. (ND). Resources and tools for supervisors. www.toronto.ca/city-government/accessibility-human-rights/domestic-and-intimate-partner-violence/resources-and-tools-for-supervisors

Figure 8 summarizes findings from a study that looked at experiences of GBHV in the workplace. This information can be used for educational purposes and to inform the types of behaviours to focus on during training sessions.

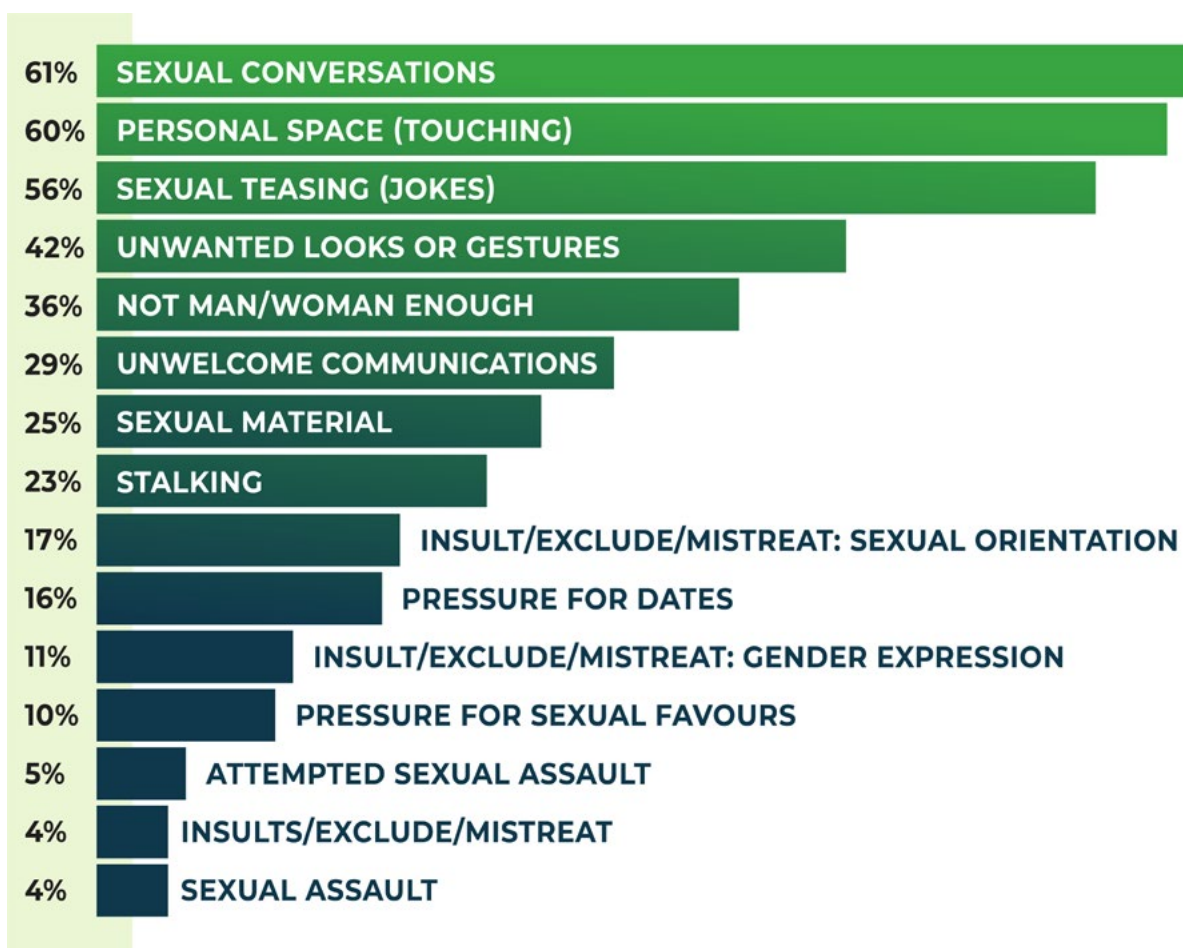


Figure 8: Breakdown of sexual harassment and violence behaviours/practices

Source: Western Centre for Research and Education on Violence Against Women and Children and Canadian Labour Congress. (2022). Harassment and Violence in Canadian Workplaces: It’s [Not] Part of the Job. <https://nursing.ucalgary.ca/sites/default/files/teams/13/Respect-at-Work-Report-EN-GLISH.pdf>

Where GBHV happens

Nearly half (47%) of Canadian workers have witnessed or experienced some sort of inappropriate sexualized behaviour or gender-based discrimination in a work-related setting, according to a 2022 Statistics Canada study. One-fifth of workers said inappropriate sexualized behaviours happened away from the worksite.

GBHV can take place in any of the following settings:

- **Worksite or office building**
- **Parking lot or outdoor space**
- **Lodging provided by work**
- **Work-related travel**
- **Activity or a social event** with co-workers, supervisors or others associated with work (e.g., contractors, consultants, clients, customers, patients)
- **Training session or other event organized by work**
- **Online or on the phone**

Source: Statistics Canada. (2021). *Workers' experiences of inappropriate sexualized behaviours, sexual assault and gender-based discrimination in the Canadian provinces, 2020*. <https://www150.statcan.gc.ca/n1/pub/85-002-x/2021001/article/00015-eng.htm>

Impacts of GBHV

In one survey, 43.3% of those who experienced sexual harassment and violence identified negative consequences to their health, well-being and work:

- **70%** of survivors missed work, left early or arrived late
- **55%** experienced decreased productivity

- **46%** experienced loss of trust in team
- **41%** experienced loss of trust in supervisors
- **89%** were reassigned/transferred against their will
- **88%** were transferred, suspended, fired or lost a shift
- **84%** changed jobs within the organization or quit
- **77%** were denied a promotion, pay increase, good performance rating or good reference

Sexual harassment affects bystanders as well, by creating an atmosphere of fear and **intimidation**.

Sexual harassment and violence led to costs related to company reputation, investigations and settlements/awards.

A survey of Ontario case law found awards for damages to survivors of workplace sexual harassment typically ranged from \$12,000 to \$50,000. And damages for sexual harassment are on the rise.

One 2016 decision by the Supreme Court of Canada awarded nearly \$300,000 in damages to an employee who had been subjected to repeated sexual harassment, sexual assault and racial harassment, and then dismissed from her employment without cause or notice. The employee's daughter was also awarded \$25,000 pursuant to a *Family Law Act* claim.

Sources:

Western Centre for Research and Education on Violence Against Women and Children and Canadian Labour Congress. (2022). *Harassment and Violence in Canadian Workplaces: It's [Not] Part of the Job*. <https://nursing.ucalgary.ca/sites/default/files/teams/13/Respect-at-Work-Report-ENGLISH.pdf>

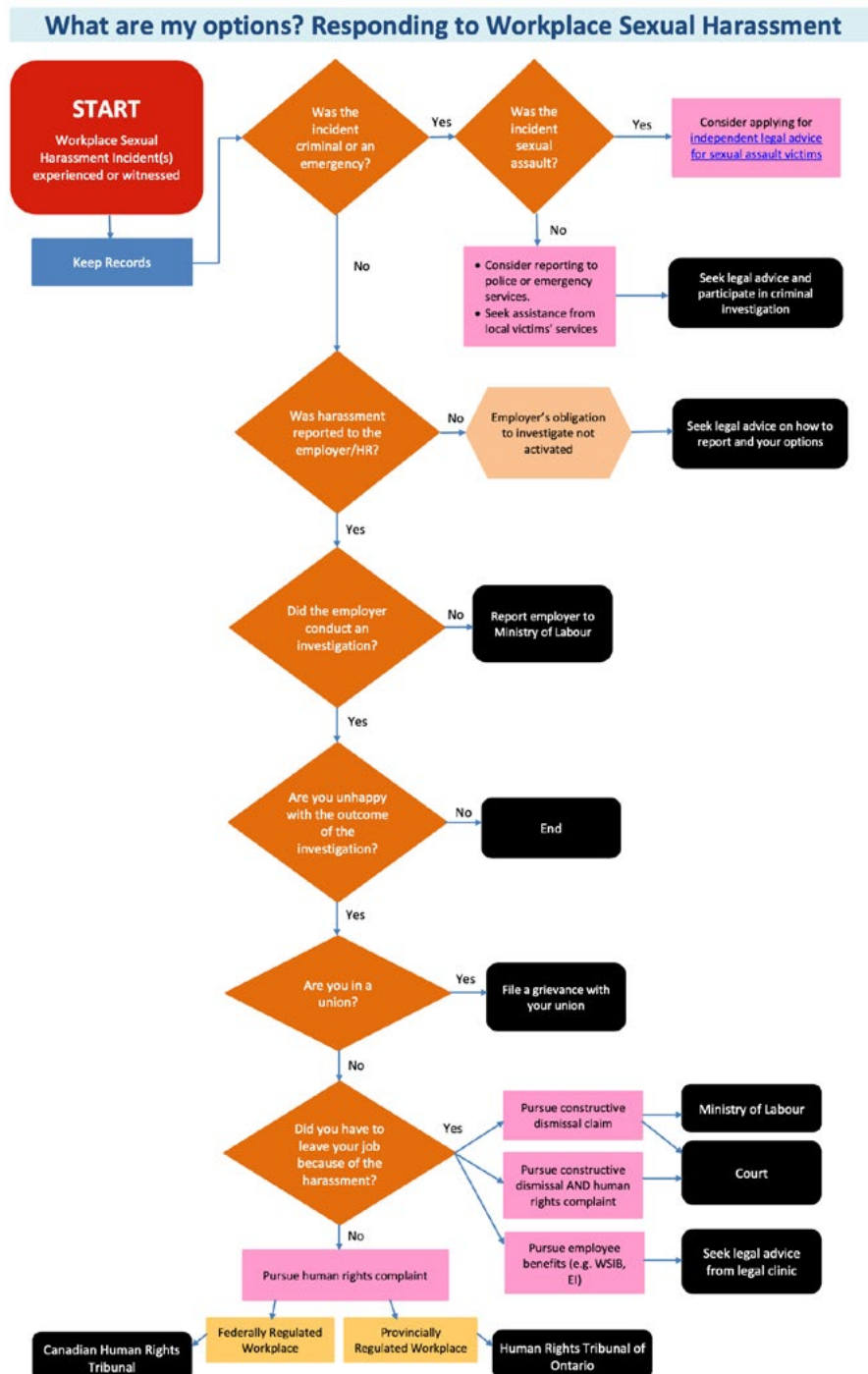
Pina, A., & Gannon, T. A. (2010). *An overview of the literature on antecedents, perceptions and behavioural consequences of sexual harassment*. *Journal of Sexual Aggression*. <https://www.tandfonline.com/doi/abs/10.1080/13552600.2010.501909>

MacDonald, N. C. (2016). *Damages for workplace sexual harassment on the rise*. <https://macdonaldassociates.ca/2016/01/26/damages-for-workplace-sexual-harassment-on-the-rise/>

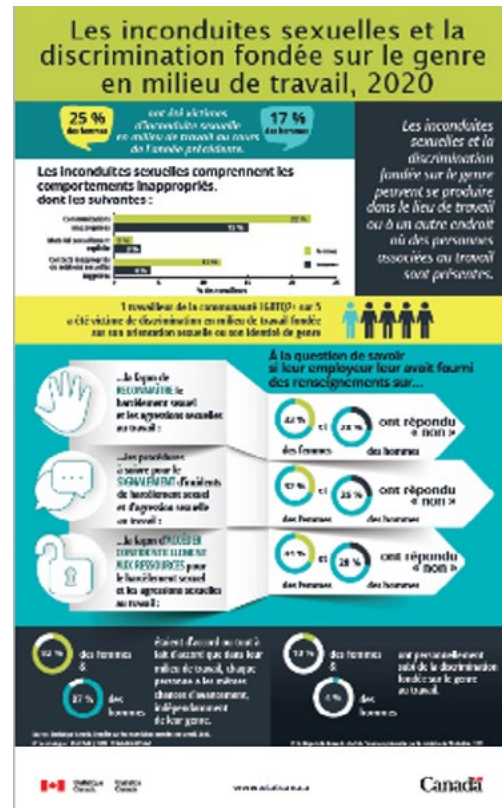
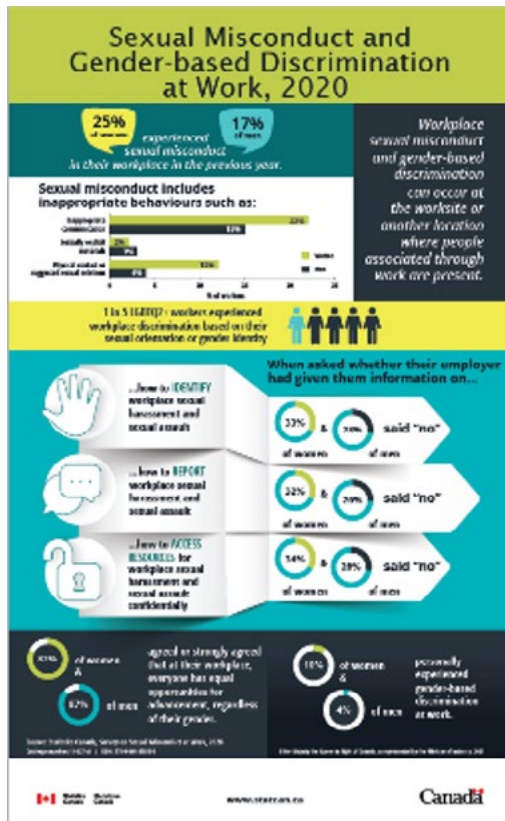
Sample infographics

The following infographics can be used as-is (with credit to their creators) or as inspiration to create your own.

How to Respond to GBHV, from the Community Advocacy and Legal Centre:
<https://communitylegalcentre.ca/legal-info/sexual-harassment-at-work-more-legal-information-workers>



Sexual misconduct and gender-based discrimination at work, from Statistics Canada (available in English and French): <https://www150.statcan.gc.ca/n1/en/pub/11-627-m/11-627-m2021061-eng.pdf?st=gXIYWGB>



Spaces where sexual harassment occurs and its potential impacts, from the Western University Centre for Research on Violence Against Women and Children: <https://www.vawlearningnetwork.ca/our-work/infographics/placeswhere/Places-Where-Sexual-Harassment-Occurs-and-Its-Potential-Impacts.jpg>


SPACES WHERE SEXUAL HARASSMENT OCCURS & ITS POTENTIAL IMPACTS



Sexual harassment can negatively impact every domain of a survivor's life.

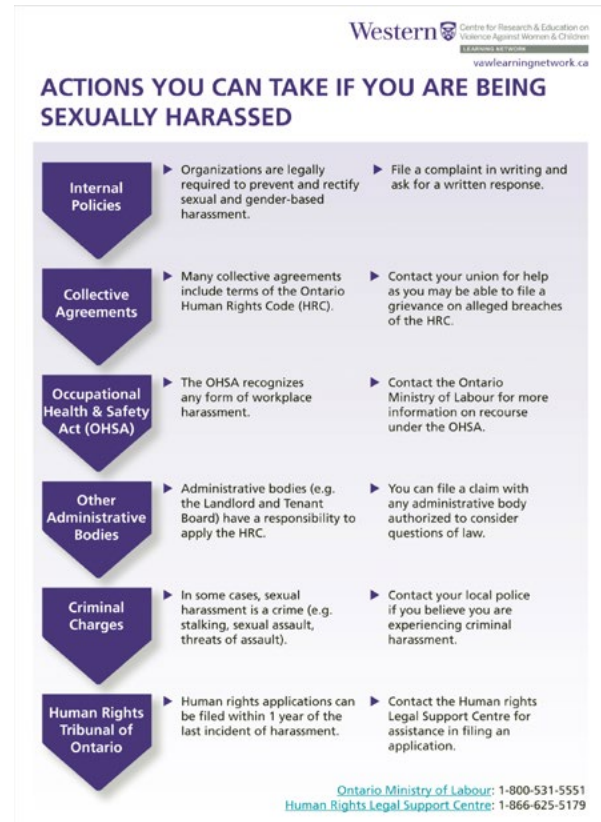
Sexual harassment – What is a myth and what is reality?, from the Western University Centre for Research on Violence Against Women and Children:
<https://www.vawlearningnetwork.ca/our-work/infographics/shwhatisamyth/Sexual-Harassment-What-is-a-Myth-and-What-is-Reality.jpg>

Actions you can take if you are being sexually harassed, from the Western University Centre for Research on Violence Against Women and Children:
<https://www.vawlearningnetwork.ca/our-work/infographics/actionsyoucantake/Actions-You-Can-Take-if-You-Are-Being-Sexually-Harassed.jpg>

Western  Centre for Research & Education on Violence Against Women & Children
1-866-625-5179
vawlearningnetwork.ca

SEXUAL HARASSMENT - WHAT IS A MYTH & WHAT IS REALITY?

Myths*	Realities
Sexual harassment is no big deal <ul style="list-style-type: none"> It is an invention of feminists Women exaggerate the impacts It's not like she was raped 	It is a violation of human rights. It is a violation of various federal, provincial/territorial and/or municipal legislations.
It is a "deviant" or rare event <ul style="list-style-type: none"> Men who harass must be perverse, ugly, sexually frustrated – not regular guys It only happens to women in male-dominated fields 	Sexual harassment is a widespread problem. Anyone can be sexually harassed; however, subordinated groups (e.g. women, LGBTQ people, people with disabilities) are targeted more often. Street harassment can be sexist, racist, transphobic, homophobic, ableist, sizeist and/or classist.
It is "normal" behaviour between sexes <ul style="list-style-type: none"> It's innocent flirtation/sexual attraction Women are being hyper-sensitive 	It is not part of courtship; nor about unrequited love or romantic attraction. It is often used to express power over another person. It is discrimination.
He didn't mean to do it <ul style="list-style-type: none"> He was having fun/drink and got carried away He's a good guy/my friend/co-worker 	Sexual harassment is intentional behaviour. Often, it re-asserts gender, race, age or class hierarchies within environments (school, work, street) in harmful ways.
Stopping/reporting sexual harassment is easy <ul style="list-style-type: none"> Women file reports lightly Women easily gain the upper hand by reporting She can verbally protest She can avoid harm if she wants to 	There are many barriers to reporting that silence women or lead them to minimize, ignore or "put up" with harassment. Sometimes reporting creates additional problems for victims: e.g. s/he may be ostracized by co-workers, not believed, or pay for being a "whistle-blower".
"Reactions" to sexual harassment are the real problem <ul style="list-style-type: none"> Results in political correctness Ruins "normal relationships" Stops people from having fun 	Sexual harassment causes negative consequences (e.g. poor health, loss of earning potential). Its repercussions should never be blamed on the person being harassed.
She asked for it <ul style="list-style-type: none"> She chose to work in a male environment She wears sexy clothes 	Everyone has the right to learn, work and be in settings free from discrimination.



Resource 2: List of GBHV public awareness campaigns

Electricity sector stakeholders can demonstrate social responsibility and good corporate citizenship by connecting to and forming mutually beneficial relationships with existing campaigns addressing GBHV. Whether local, provincial or national, campaigns can offer valuable resources and expertise you can use to amplify your own workplace initiatives to prevent and address GBHV.

If you're able, consider sponsoring a campaign. Many of the organizations that run these campaigns operate on shoestring budgets and welcome ethical corporate sponsors.

Women and Gender Equality Canada

Women and Gender Equality Canada works to advance equality with respect to sex, sexual orientation, and gender identity or expression through the inclusion of people of all genders, including women, in Canada's economic, social, and political life. The department also promotes a variety of celebrations that highlight women's achievements and the progress Canada has made toward advancing gender equality, as well as commemorative dates to remember the victims and survivors of gender-based violence.

<https://women-gender-equality.canada.ca/en.html>

Canadian Women's Foundation #ActTogether Campaign

This partnership between the Canadian Women's Foundation and The Body Shop addressed GBHV in the second wave of the pandemic by inspiring digital activism at a time of heightened risk for women, girls, and Two Spirit, trans and non-binary people.

<https://canadianwomen.org/acttogether-campaign>

Moose Hide Campaign

This campaign is an Indigenous-led grassroots movement of men, boys and all Canadians standing up to end violence against women and children.

<https://moosehidecampaign.ca>

Shine the Light on Woman Abuse Campaign

The public awareness campaign of the London Abused Women's Centre (in Ontario) raises awareness of men's violence against women by turning communities purple for the month of November. Purple is a symbol of courage, survival and honour, and has come to symbolize the fight to end abuse against women.

The goal of the campaign is to stand in solidarity with abused women and support them in understanding that any shame and/or blame they may feel does not belong to them but to the perpetrators of their abuse. The campaign also raises the profile of community agencies that can help abused women live their lives free from violence and abuse.

<https://www.lawc.on.ca/shine-light-woman-abuse-campaign/>

12 jours d'action contre les violences faites aux femmes

The annual 12 Days of Action Against Violence on Women is an opportunity to collectively reflect on the various forms of violence that affect women and to put forth concrete solutions to curb this scourge. In Quebec, the campaign runs from November 25 to December 6.

<https://12joursdaction.com/en/about-us/our-campaign>

YWCA Canada Rose Campaign

This campaign is a national advocacy campaign that calls for action to end violence against women and girls and promotes strategies to stop violence in our communities. The campaign takes its name from the original rose button, created 27 years ago to commemorate the women who were murdered at École polytechnique.

<https://ywcacanada.ca/rose-campaign>

White Ribbon Campaign/ Ruban blanc

White Ribbon has engaged millions of people, brands, organizations and educators through the creative use of social and mobile tools that inspire men to speak out against gender-based violence.

<https://www.whiteribbon.ca>

Women's Shelters Canada (WSC) "More Than" National Awareness Campaign

The "More Than" campaign is both for women experiencing abuse and those who know someone experiencing violence. It details how women's shelters and transition houses offer

services beyond an essential safe bed to sleep in, such as counselling, safety planning and children's programming. The campaign directs viewers to ShelterSafe.ca, WSC's national online directory that enables women to quickly connect to their local shelter via an interactive map.

<https://endvaw.ca/archives/news/womens-shelters-canada-launches-more-than-national-awareness-campaign>

Canadian Federation of Students/ La Fédération canadienne des étudiantes et étudiants - No Means No/Non c'est non

The Canadian Federation of Students developed the bilingual "No Means No" campaign almost 20 years ago to raise awareness and reduce the occurrence of sexual assault, acquaintance rape and dating violence. The No campaign consists of various materials, including buttons, stickers, posters and postcards that highlight research on sexual violence in Canada.

<https://cfsontario.ca/campaigns>

United Food and Commercial Workers Union (UFCW) Canada - #NoMore Campaign to End Gender-Based Violence

UFCW Canada has launched the #NoMore campaign to help eliminate GBHV. The campaign creates awareness about GBHV in the workplace by calling out its different forms, such as harassment, sexual harassment and assault.

https://www.ufcw.ca/index.php?option=com_content&view=article&id=31818&Itemid=2450&lang=en

Tool 9: What to cover in safety talks, health and safety meetings, and safety stand-downs

Standard safety processes such as safety talks, health and safety meetings, and stand-downs should include references to GBHV policies and reviews of GBHV incidents as regular features. This validates GBHV as a health and safety issue and reinforces your efforts to create a GBHV-free organizational culture. Some topics to address include:

- **Reviewing what constitutes GBHV**, and emphasizing that anyone can be victimized by GBHV and that inappropriate behaviour will be taken seriously and addressed.
- **Communicating a strong organizational commitment to a GBHV-free workplace.**
- **Reviewing and discussing relevant policies**
- **Providing specific examples of behaviour or actions that constitute GBHV** (choose examples that will resonate with the workplace setting).
- **Reviewing the negative impact GBHV has on the workplace**, including how incidents can jeopardize the health and safety of affected individuals, their co-workers and the organization overall. (See [Workplace impacts of GBHV](#))
- **Advising workers of their responsibility to prevent and report GBHV.**
- **Outlining how reports can be made and to whom**, including any available options for making anonymous complaints (e.g., *whistle blower phone lines, forms that can be completed and submitted anonymously*).
- **Discussing the supports and protections available for those who experience GBHV or make complaints.**
- **Reminding workers that all complaints will be investigated and explaining the investigation process.**
- **Reminding workers of the consequences of engaging in inappropriate behaviour.**
- **Reviewing the signs of IPV and explaining the supports available to those living with IPV** (e.g., *abusers, survivors and other family members*) (refer to [It's Our Business: Intimate Partner Violence \(IPV\) a Workplace Health and Safety Issue](#)).
- **Reviewing policies addressing IPV in the workplace and reviewing measures to be taken if an employee or member is at risk** (refer to appropriate policy and procedures).
- **Indicating where employees can find more information.**

Special Focus on Intimate Partner Violence (IPV)

Intimate partner violence (IPV) is a serious crime that affects Canadians from all walks of life from coast to coast to coast, in both urban and rural areas. Although the Canadian Criminal Code makes no explicit reference to “domestic violence” or “intimate partner violence”, there are several offences that may apply in situations of IPV. See [Resource 7: IPV and criminal law](#) for a list and description of these offences.

Resource 3: Employer responsibilities under provincial law

While anyone can be subject to IPV, in Canada, victims are overwhelmingly women.

Provinces have laws that apply to all employees living with IPV, and requirements for employers vary by jurisdiction. However, employers are generally required to take all reasonable precautions to protect their workers from illness and injury – including violence. Some provinces and territories require employers to have workplace violence and harassment policies and programs, and these can extend to cover IPV in the workplace.

For example, Ontario’s legislation considers the possibility of IPV spilling into the workplace. This means that, when considering their employees’ safety, organizations must also consider whether employees are safe from IPV, even when working from home.

Safeguarding against violence

Your organization should have a workplace violence prevention policy and program that address IPV in the workplace. In some provinces, this is a legal requirement.

The policy and program should include:

- **Instructions for confidentially reporting IPV in the workplace**
- **Details on how the employer will respond to incidents**
- **IPV resources**
- **A workplace [safety plan](#)**

Protecting employees

All provinces allow eligible employees to take job-protected leave for reasons related to IPV or sexual violence. The details of this type of leave, such as duration and eligibility criteria, vary by province. To ensure employees can take this time off, some provinces require employers to provide pay for some or all of the leave. You may choose to go beyond your province’s minimal standards. You may also extend an employee’s leave of absence and/or offer workplace relocation options where possible.

Your organization should be ready to respond to workers’ concerns on a case-by-case basis, as every situation calls for a unique approach.

Remote workers should be encouraged to voice their concerns to management, and systems should be in place for reporting incidents and accessing help.

Take the following steps to help protect your employees:

- **Implement a policy that educates employees on IPV and what to do if they see signs of it.**
- **Ensure employees are trained in and informed of your organization's protocols for supporting those living with IPV.** These could include shelters, legal options, psychological support or additional supports the organization will provide.
- **Provide annual training on IPV so it isn't just a one-time conversation.** Knowledge of the issue and awareness of your organization's concern may be what some employees need to come forward. Repetition and reinforcement show the organization's commitment.
- **Ensure that every report of IPV is addressed quickly and confidentially.** Work with employees to ensure they understand their rights. Through employee and family assistance, encourage them to consult a lawyer for legal advice, and support or engage police involvement when appropriate.

Addressing the Impacts

Resource 4: It's our business – IPV is a workplace health and safety issue

The following information can be used to create posters or infographics, or be included in health and safety newsletters.

Also known as spousal or domestic violence, IPV is a common form of gender-based violence perpetrated by current or former intimate partners or spouses.

IPV can happen to anyone regardless of background, socio-economic status, race, ethnicity, etc., and in all kinds of relationships.

IPV can take many forms

- Physical abuse
- Sexual abuse
- Criminal harassment (stalking)
- Financial abuse
- Emotional/psychological abuse
- Technology-facilitated violence

IPV is most likely to be experienced by...

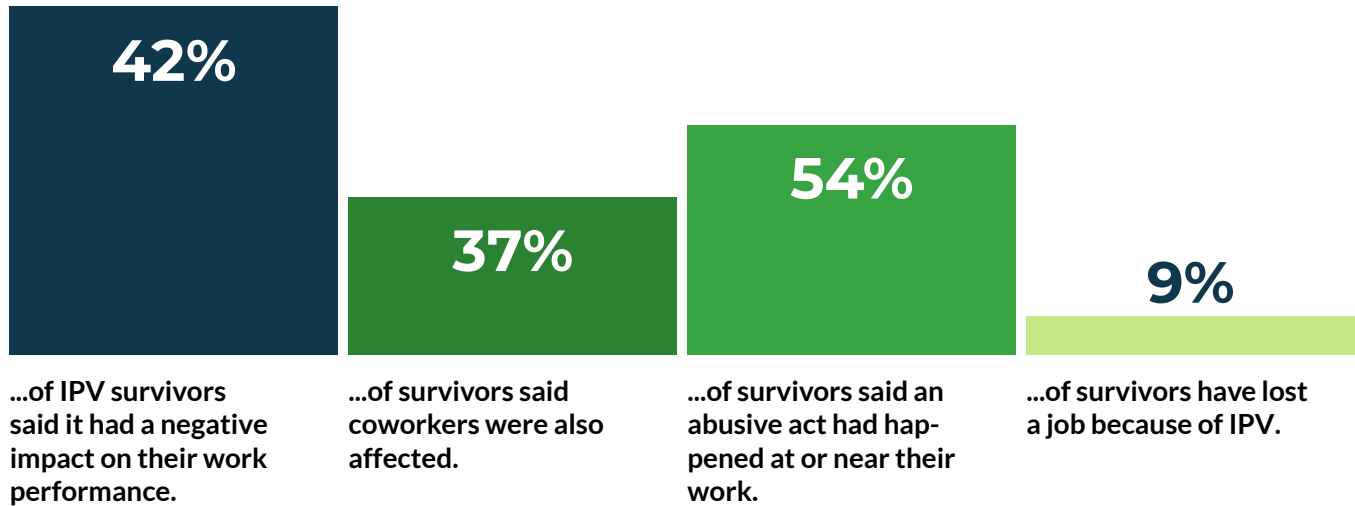
- Women
- Indigenous workers
- LGBT2SQ+ individuals
- Persons with disability

Workplace impacts

IPV can...

- Affect employee productivity (e.g., decreased focus on tasks)
- Be a hazard for workplace security through loss of concentration
- Lead to presenteeism and absenteeism
- Affect employee morale for IPV survivors and their co-workers (e.g., frustration, fear, etc.)
- Create an environment of suspicion, fear and distrust
- Put other employees at risk
- Create significant costs to employers and the workplace

Canadian employers lose \$77.9 million annually due to the direct and indirect impacts of IPV.



Source: Canadian Labour Congress. (2014). Can work be safe when home isn't? Initial findings of a pan-Canadian survey on domestic violence and the workplace. canadianlabour.ca/wp-content/uploads/2019/04/dvworksurveypreport2014enr.pdf

How IPV spills into the workplace

- The abuser sends threatening emails, voice messages and/or faxes.
- The abuser humiliates the survivor by criticizing or degrading them in front of other staff.
- The abuser constantly contacts the workplace and other staff to keep tabs on the survivor.
- The abuser shows up at the workplace to check in on the survivor.
- The abuser shows up at the workplace at the end of the day to walk the survivor out as a form of control.
- The abuser shows up at the workplace to visit co-workers to gather information about the survivor's whereabouts.
- The abuser is physically abusive to the survivor at their workplace.

Other tools and resources

Resource 5: Recognizing IPV in the workplace

A colleague who is involved in an abusive relationship may not display the tell-tale black and blue marks we so often associate with IPV. Here are some warning signs that may indicate a colleague is in an abusive relationship.

- **Change in job performance** (e.g., *poor concentration, errors, slowness, inconsistent work quality*)
- **An unusual number of phone calls or text messages**, strong reactions to those calls or messages, and/or a reluctance to answer the phone or respond to messages
- **Receipt of insensitive or insulting messages** intended for the colleague experiencing abuse
- **Disruptive personal visits to workplace** by current or former partner or spouse
- **Questions about whereabouts, company and activities** from a current or former partner or spouse
- **Absenteeism or lateness**
- **Requests for special accommodations** such as leaving early or changing schedules
- **Reluctance to leave work**
- **Obvious injuries** such as bruises, black eyes, broken bones, hearing loss that may be attributed to falls, being clumsy or accidents
- **Clothing that is inappropriate for the season** (such as long sleeves and turtlenecks during the summer), **sunglasses inside or unusually heavy makeup**
- **Minimization or denial of harassment or injuries**
- **Isolation**, including unusual quietness and avoidance of others
- **Emotional distress or flatness, tearfulness, depression or suicidal thoughts**
- **Signs of anxiety and fear**
- **Sensitivity about home life or hints of trouble at home** (e.g., *references to bad moods, anger, temper, and alcohol or drug abuse*)
- **Fear of job loss**
- **Lack of access to money**

The perpetrator

Someone who is behaving abusively at home may be “invisible” as an abuser at work. They may be an excellent worker, manager or professional and reveal no overtly violent behaviour in the work environment. However, others may show signs of an abusive temperament. These can include:

- **Being absent or late because of conflict at home**
- **Calling or contacting their partner repeatedly during work**
- **Bullying others at work**
- **Blaming others, especially their partner, for problems**
- **Denying problems**
- **Being unable to take criticism and acting defensively when challenged**
- **Acting like they are superior and of more value than others in their home**
- **Controlling their partner’s or ex-partner’s activities**

Source: Western University, (ND). *Make It Our Business. Warning signs for domestic violence in the workplace.* www.makeitourbusiness.ca/warning-signs/warning-signs-for-domestic-violence-in-the-workplace.html

Tool 10: Tips for responding to a disclosure of IPV

Disclosure is not easy for people experiencing harassment or violence within their family, intimate relationships or workplace. Trust, privacy, being believed and not being judged are critical factors that influence whether someone will share their experience or seek help. Many people report feeling unsure how to engage with someone they suspect may be experiencing harassment or violence or who disclose such experiences for fear of saying the wrong thing. The tips may help people feel more comfortable supporting survivors or perpetrators.

Bear in mind that people experiencing IPV often react in ways we may not expect.

In addition, some disclosures require follow up by your supervisor. It is important to understand the limits of confidentiality and what situations must be reported.

Before you ask someone about their experiences of IPV, consider whether you need to know or if you're simply curious. If you don't need the information, don't ask. In most cases, you do not need many specific details to connect someone with other resources. Wherever possible, connect the family to services in the community with expertise in dealing with IPV or family violence.

Tips for supporting a survivor:

- Listen carefully without judging, telling the person what to do or asking unnecessary questions.
- Thank the individual for sharing their story and let them know you understand how difficult it was to share.
- Let them know what happened is not OK, it's not their fault, and they did nothing to deserve it.
- Let them know you are worried/concerned for their safety and that of their family.
- Ask what you can do to help.
- Offer to assist them in finding services or resources.
- Ask if there is someone else who they can call for support, such as a friend or family member.
- How to respond if the abuser discloses
- If it's the abuser who has shared, remember to separate the action from the person. It's important to the safety of the family that they get help.

If there is imminent danger, GET HELP!
Don't try to solve the problem on your own.
24-hour Crisis Line: [Phone Number]

Tool 11: Sample policy and procedures on IPV in the workplace

The following policy template can be used as a stand-alone template, or you can integrate relevant portions into other existing policies (including your GBHV policy).

Purpose

Intimate partner violence (IPV), also referred to as domestic violence, is a public concern that affects employees in their homes, the community and the workplace. In addition to its multiple negative consequences for victims and survivors, IPV can spill over into the workplace, compromising the safety of victims/survivors as well as their co-workers.

[Name of organization] recognizes that IPV can affect anyone, regardless of socio-economic status, education, culture, age, gender, race, religion or **sexual orientation**, and it can occur in a wide variety of contexts. Women and children are the most frequent victims/survivors of IPV.

The **[e.g., Occupational Health and Safety Act]** requires that all employers take every precaution reasonable in the circumstances for worker protection if they become aware, or ought reasonably to be aware, of an employee in an IPV situation that may expose them to harm in the workplace. **[Name of organization]** is committed to meeting this legal responsibility in a manner that identifies and prescribes practices that will promote safety in the workplace and respond effectively to the needs of employees affected by IPV.

Definitions

Intimate partner violence is the intentional and systematic use of tactics to induce fear and establish and maintain power and control over the thoughts, beliefs and conduct of another in an intimate/familial relationship. The pattern of behaviour may include physical violence, sexual, emotional/psychological abuse and stalking, which may also be facilitated by electronics and technology. IPV has been identified as a major global public health concern, linked to inter-generational violence and harmful physical, emotional and economic impacts on victims/survivors, witnesses and society as a whole. Other common terms for IPV include personal relationship violence or family violence.

Perpetrator: An individual who uses a pattern of coercive tactics against an intimate partner, with the goal of establishing and maintaining power or control over the intimate partner. The perpetrator may be a current or former spouse or partner, relative or friend.

Victim/survivor: The person upon whom harm was inflicted. These terms are used together throughout the policy to respect individuals who may identify as one or the other or both.

Responsibilities

[Name of organization] will strive to create a workplace that is free from all forms of violence, including IPV, and to support employees who are recognized to be or who report being victims/survivors or perpetrators of IPV.

[Name of organization] will take reasonable preventative measures to protect the safety of employees who request assistance in the workplace because they are affected by IPV, including:

- Connecting the individual to resources and supports, including those that can help them create a safety plan
- Ensuring the individual's privacy and confidentiality are respected in the workplace (other employees will be informed on a need-to-know basis only, and only to the extent necessary to protect safety and comply with legislative requirements)
- Ensuring information is not provided to callers or visitors who may intend to stalk, surveil or track an employee

Managers/supervisors will:

- Understand and uphold the principles of this policy
- Ensure this policy is explained to all employees
- Be aware of observable signs or behaviours that may suggest IPV
- Take every precaution reasonable in the circumstances for worker protection
- Provide informed and supportive responses to employees experiencing or witnessing IPV

- Make employees aware of resources (internal and external) that are available to assist victims/survivors of IPV
- Work with employees who report being the victims/survivors of IPV to develop a workplace safety plan to protect them and others in the workplace. This plan will be individualized to the circumstances reported but may include elements such as:
 - Resource and referral information
 - Call screening, a new phone number, e-mail blocking, removal of employee contact information from public directories
 - Additional security and/or security measures at the workplace
 - Work schedule adjustments to enable IPV victim/survivor to obtain medical, counselling or legal assistance
 - Workplace relocation
- Consult confidentially with other organizational leadership or community experts in developing the workplace safety plan
- Properly document all reports of IPV
- Protect the confidentiality of employees who report IPV within the limits needed for safety, recognizing that information may need to be shared on a strictly need-to-know basis if an employee's safety at work is jeopardized
- Take all reasonable and practical measures to protect workers who report IPV in the workplace or act as witnesses from reprisals or further violence
- Take appropriate corrective and/or disciplinary actions to address instances in which an employee uses workplace resources to perpetrate IPV

Accommodations

Employees may require work schedule adjustments or time off to secure medical or legal assistance or counselling, find new housing, attend court proceedings, relocate, participate in safety planning, make other safety arrangements, or engage in self-care. They may also need to care for other family members who have been impacted by the abuse or violence.

[Name of organization] will ensure employees know who to contact to request time off or other accommodations. This person can also help them determine the most appropriate form of leave available. Where possible, employees must provide reasonable advance notice before taking leave. [Name of organization] will attempt to provide paid leave before requiring the employee to use unpaid leave.

[Name of organization] will make **reasonable accommodations** to enable an employee who is a survivor of IPV to continue to perform their job. If a requested accommodation is not feasible, [Name of organization] will seek alternative accommodations.

Employees who witness IPV in the workplace are required to:

- Take action to ensure their own immediate safety in the event of an IPV incident
- Report any such incident immediately to their supervisor or manager
- Report to their supervisor or manager any information that indicates the safety of any employee is at risk as a result of IPV

Apart from these situations, employees must maintain confidentiality regarding a co-worker experiencing IPV.

Although [Name of organization] encourages disclosure to protect the safety of all employees and others in the workplace, [Name of organization] recognizes that employees experiencing IPV may be reluctant to disclose the problem to a supervisor or manager. Disclosure enables [Name of organization] to support affected employees and provide links to appropriate services. While [Name of organization] respects employees' need for confidentiality, employees are required to disclose:

- Any situation that threatens the safety of the workplace
- If they have applied for or obtained a restraining order that includes the workplace as a protected area

The Occupational Health and Safety Coordinating Committee will review this policy every [timeframe] and make recommendations for amendments as needed.

Authorities

CRIMINAL CODE OF CANADA

[Insert additional relevant legislation if required]

Sources:

City of Toronto. (ND). *Resources and tools for supervisors*. www.toronto.ca/city-government/accessibility-human-rights/domestic-and-intimate-partner-violence/resources-and-tools-for-supervisors

City of Toronto. (ND). *Domestic/intimate partner violence policy*. www.toronto.ca/city-government/accountability-operations-customer-service/city-administration/corporate-policies/people-equity-policies/domestic-intimate-partner-violence-policy

Tool 12: IPV content for education/awareness

The following content and key messages can be used in posters, postcards, newsletters, social media posts and other assets. It includes information on the prevalence of IPV and its impact, and provides connection to supports.

Key stats

- 1 in 4 Canadian women will experience IPV in their lifetime
- Women are three times more likely to be the victims of IPV
- Women are more likely to experience severe forms of IPV
- 80% of victims of intimate partner homicide are women
- Witnessing family violence is as harmful to children as experiencing it directly
- 30–40% of children who witnessed IPV reported being physically abused themselves

Key messages for witnesses

If you think someone is in an abusive relationship...

- Talk to them and make sure they know you can be trusted
- Encourage them to seek support and identify their support network

For additional information and support: [\[Insert # of provincial crisis line\]](#)



Key messages for survivors and perpetrators

The workplace has a unique opportunity to engage both survivors and perpetrators of violence. While resources and messaging often focus on supporting survivors, to truly reduce IPV, perpetrators must also be encouraged and supported to seek help, take responsibility for their actions and make necessary changes.

MESSAGING FOR SURVIVORS

LOVE SHOULDN'T HURT

Does your partner...

- Hurt you
- Yell at you
- Control you
- Say it's your fault

It's **NOT** your fault.

Talk to someone who can help.

[insert appropriate crisis number]

MESSAGING FOR PERPETRATORS

LOVE SHOULDN'T HURT

Do you feel ashamed about the harm you've caused those you care about?

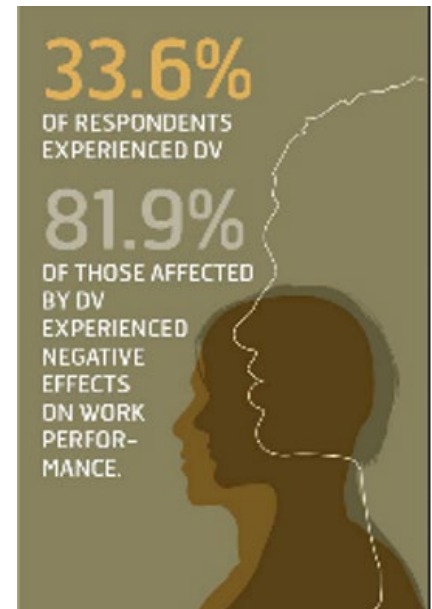
Would you like to make a change?

Talk to someone who can help.

[insert appropriate crisis number]

Sample workplace IPV posters

The following are some examples of what IPV posters could look like.



From the Canadian Union of Public Employees: https://cupe.azureedge.net/sites/cupe/files/domestic-violence-embed_e.jpg

GBHV Training

This section outlines two workshops that organizations, unions or other groups can deliver to a range of audiences. They are designed to be instructor-led, with some independent learning activities, delivered in either a face-to-face, virtual or blended format. Workshop 1 is for a wide audience while Workshop 2 is customized for leadership audiences.

Facilitation Resources

APPLICATION:

For individuals who will be involved in the delivery of training

DELIVERY METHOD:

Downloadable PDF

GOAL:

To support training facilitators in delivering the contents of the training and creating respectful and supportive participant experiences

Workshops Content

Training preparation

Role and competencies of facilitators

Options for in-person and virtual delivery

Adaptation of the workshops

Managing facilitation challenges

Dealing with disclosure from participants

Creating safe learning environments

Training overview and facilitation notes for:

Workshop 1: Preventing and addressing GBHV in workplace settings

Workshop 2: Responding to GBHV in the workplace

Training evaluation form

Workshop 1: Preventing and addressing GBHV in workplace settings

APPLICATION

Basic training for all employees, trainees, students, contractors, and members of unions and associations

DELIVERY METHODS

Instructor-facilitated in person, virtual or a blend of both

PROPOSED TIME ALLOTTED

2 hours

MATERIALS REQUIRED:

- **For in-person:**
 - Computer and projector
 - Name tent cards
 - Markers
 - Flipcharts or whiteboards
 - Evaluation forms
- **For virtual:**
 - Camera, microphone and speaker

GOAL

To provide the knowledge and tools needed to identify, interrupt and report inappropriate behaviour in the workplace

LEARNING OBJECTIVES

As a result of this training, participants will be better able to:

- Identify workplace actions and behaviours that constitute GBHV and inequity and that limit employee and workplace success.
- Recognize common examples of GBHV that impact the electricity sector.
- Understand every organization's, employee's and member's responsibility to prevent and respond to workplace-related GBHV.
- Apply strategies to prevent GBHV, support coworkers who may be experiencing harassment and violence, and help them in a way that prioritizes their safety, agency and privacy.

Content plan

Introduction

Slides 1–7 (20 minutes)

Purpose: Introduce the topic and set the context for the training

Welcome and introductions (5 mins)

About the GBHV-Free Workplace Initiative (5 mins)	Overview of training and delivery
	Introduction to the GBHV-free workplace resource
	Connection to related organizational initiatives (<i>customizable</i>)

Introduction

Slides 1–7 (20 minutes)

Purpose: Introduce the topic and set the context for the training

Context setting (5 mins)	Learning objectives
	Invitation to participate, including ground rules for creating a productive and safe learning environment
	Trigger warning and available support resources for managing reactions
Icebreaker/reflection activity: “My workplace culture is...” (5 mins)	Invite participants to share their thoughts on the culture in their organization, particularly as it relates to GBHV
	Debrief: Ask participants to reflect throughout the training on what is working well in their organization and where improvements could be made

Definitions and language

Slides 8-15 (20 minutes)

Purpose: Review definitions and language that will be used throughout the training that participants should become familiar with

Lecturette (8 mins)	Terms related to GBHV in the workplace
Video (7 mins)	Terms and concepts related to sexual orientation and gender identity
Reflection activity: “ <i>Response to persons who challenge society’s gender and sex expectations</i> ” (5 mins) Discussion questions:	When a person challenges society’s gender or sex expectations (e.g., career choice, appearance, speech, advocating for non-conforming gender identities, etc.), how do you feel?
	What reactions does it evoke?

Recognizing GBHV in the workplace

Slides 16-28 (25 minutes)

Purpose: Provide examples of the various forms of GBHV and explore common misconceptions and workplace impacts

Lecturette (10 mins)	Why focus on GBHV prevention in the electricity sector?
	Forms of GBHV

Recognizing GBHV in the workplace

Slides 16-28 (25 minutes)

Purpose: Provide examples of the various forms of GBHV and explore common misconceptions and workplace impacts

Interactive activity: “5 myths about GBHV in the workplace” (5 min)	What do you think? True or false?
Intent vs. Impact (10 mins)	Workplace impacts
	Impacts on survivors and other employees
	IPV in the workplace

Interrupting and reporting incidents of GBHV

Slides 29-39 (45 minutes)

Purpose: Present examples of the continuum of behaviours and actions that constitute GBHV

Lecturette (10 mins)	Employer responsibilities (<i>customizable</i>)
	Addressing GBHV in the workplace (<i>customizable review of organizational policies</i>)
Case scenarios: “Is it GBHV?” (30 mins)	Presentation and analysis of a series of examples of actions and behaviours that could be considered GBHV Participants are given the opportunity to reflect on and discuss the scenarios in pairs or small groups. They should be encouraged to consider the forms of GBHV presented, the intent, and the impact on affected individuals and the workplace.
What to do in case of GBHV (5 mins)	If you are the target
	If you witness an incident
	If someone approaches you with a complaint or tells you about an incident
	The consequences of failing to address GBHV

Wrap-up/closing

Slides 40-43 (10 minutes)

Purpose: Review key points and bring closure to the training

Presentation

Closing exercise:
“My workplace culture could be...”

Invite participants to reflect on what their workplace culture could be and the actions they can take to contribute to making that change

Resources: Where to find support (*customizable*)

Thank you

Participant feedback/evaluation

Workshop 2: Responding to GBHV in the workplace

APPLICATION

For those in leadership positions (supervisors, managers, HR/EDI personnel, union representatives, etc.) who are responsible for preventing and addressing workplace GBHV

DELIVERY METHODS

Instructor-facilitated in person or offered in a blended format (not recommended for self-directed virtual delivery)

PREREQUISITE

Workshop 1: Preventing and addressing GBHV in the workplace

PROPOSED TIME ALLOTTED

2 hours

MATERIALS REQUIRED:

- **For in-person:**
 - Computer and projector
 - Name tent cards
 - Markers
 - Flipcharts or whiteboards
 - Evaluation forms
- **For virtual:**
 - Camera, microphone and speaker

GOAL

To help those in leadership positions in the electricity sector create workplace cultures that reduce the incidence of GBHV and apply measures that comply with legislation and consider the unique impacts on those who are affected

LEARNING OBJECTIVES

As a result of this training, participants will be better able to:

- Understand their responsibilities as they relate to preventing and addressing GBHV
- Recognize the risks of not taking action in response to inappropriate behaviours or complaints
- Apply relevant legislations, policies and processes
- Integrate GBHV into inclusion and health and safety frameworks
- More effectively manage reports, complaints and retaliation related to GBHV
- Apply investigative procedures

Content plan

Introduction

Slides 1–7 (20 minutes)

Purpose: Introduce the topic and set the context for the training

Welcome and introductions (5 mins)

About the GBHV-Free Workplace Initiative (5 mins)	Overview of training and delivery
	Introduction to the GBHV-free workplace resource
	Connection to related organizational initiatives (<i>customizable</i>)
Context setting (5 mins)	Learning objectives
	Invitation to participate, including ground rules for creating a productive and safe learning environment
	Trigger warning and available support resources for managing reactions
Icebreaker/reflection activity: “My workplace culture is...” (5 mins)	Invite participants to share their thoughts on the culture in their organization, particularly as it relates to GBHV
	Debrief: Ask participants to reflect throughout the training on what is working well in their organization and where improvements could be made

Activating organizational shift

Slides 8-13 (20 minutes)

Purpose: Understand that creating a GBHV- free workplace requires transforming the workplace culture

Lecturette (5 mins)	What is organizational culture?
	Culture is like an iceberg – it’s the underlying elements that will sink an organization
	GBHV in the workplace
	Shifting organizational culture
	GBHV-free organizations – how to effect change

Addressing GBHV in the workplace

Slides 14-20 (25 minutes)

Purpose: Review the various components required to effectively address GBHV through a trauma-informed and intersectional lens, and understand the impacts of GBHV

Lecturette (15 mins)	Detailed review of legislation, policies, rights and protections, and practices
	Effective policies and procedures
	Risk factors for GBHV in the workplace
	Impact on survivors and co-workers
	Creating psychologically safe environments
Reflective small group activity: <i>“Integrating GBHV protections into other frameworks”</i> (10 mins)	Discussion question: What can be done in your workplace to integrate GBHV protections and policies into other workplace frameworks?
	Debrief: Encourage participants to share what they are already doing and any additional ideas, such as health and safety, DEI, HR (recruitment, retention, promotions, etc.)

Through a trauma-informed lens

Slides 21-26 (15 minutes)

Purpose: Explain how trauma affects individuals and how it is compounded by multiple identities, and explore trauma-informed approaches

Lecturette (15 mins)	Survivor-centred approaches
	What is trauma?
	Trauma and memory
	Intersections of social identity and experiences of harassment and violence
	Principles of trauma-informed approaches

Employer responsibilities

Slides 27-31 (15 minutes)

Purpose: Highlight employer responsibilities for creating GBHV-free workplaces and strategies for integrating GBHV into existing frameworks

Presentation	Employer obligations (<i>customizable review of specific obligations</i>)
	Policies and supports
	Considerations for integrating GBHV
	Consequences of failing to address GBHV

Activity: Responding to GBHV in the workplace

Slides 32-35 (45 minutes)

Purpose: Give participants an opportunity to think about how to apply some of the concepts covered in the training

Case scenarios: “ <i>Responding to GBHV in the workplace</i> ” (30 mins)	Employer obligations (<i>customizable review of specific obligations</i>)
	Participants are given the opportunity to consider and discuss in small groups how best to respond and apply policies and processes (focus on impact, overlap with other forms of harassment and discrimination, power and privilege, risk of retaliation, etc.)
Discussion questions	What is the impact of this type of behaviour?
	What are the potential risks to the organization?
	What is your responsibility?
	What processes and options might be appropriate? (<i>consider reporting, investigation, resolution</i>)
	What supports might a survivor or complainant need through the process?

Wrap-up/closing

Slides 36-39 (10 minutes)

Purpose: Review key points and bring closure to the training

Presentation

Closing exercise:

“What can be done to improve my organization’s response to GBHV?”

Invite participants to reflect on the actions they can take to improve their organizations’ response to GBHV

Resources: Where to find support (*customizable*)

Thank you

Participant feedback/evaluation

Safe-Space Mentoring Tool

Click the button below to open the *Safe-Space Mentoring Tool PDF* in a new tab:

[CLICK HERE TO OPEN PDF](#)

Support Strategy and Procedure Framework

Click the button below to open the *Support Strategy and Procedure Framework* PDF in a new tab:

[CLICK HERE TO OPEN PDF](#)

Additional Resources

Resource 6: Glossary — Terms related to GBHV

This glossary presents terms and definitions related to gendered harassment and violence in the workplace. You can add it to your organization’s website, making it easily accessible and searchable. Be sure to conduct regular reviews of the terms and definitions, as language is ever evolving.

Ally

A person who does not share the same identity (race, gender, etc.) but supports members of an adversely impacted or excluded community. For example, a (typically) straight and/or cis person who supports members of the LGBT2SQ+ community.

Bullying

Behaviour that seeks to harm or intimidate those perceived as vulnerable. In bullying, there is a power imbalance: the person doing the bullying has power over the person being victimized. This power could be related to stature, gender identity, position, etc.

Bystander effect

The phenomenon in which the greater the number of people present, the less likely people are to help a person in distress or who is being targeted.

Cis/cisgender

A term for people whose gender identity is in line with or “matches” the sex they were assigned at birth. Cis can also be used as a prefix for words referring to the alignment of gender

identity and assigned sex, e.g., cisnormativity, cissexual, cisgender, cis male and cis female.

Coercion

The use of authority, force or intimidation to impose an unwanted advance or to compel someone to do something they do not want to do.

Complainant

A person who reports an alleged sexual misconduct incident. A complainant may or may not also be the victim in the incident.

Consent

The voluntary, ongoing and affirmative agreement to engage in a sexual activity. In the eyes of the law, submission or passivity does not constitute consent. The absence of no does not mean yes.

In all cases, a person initiating sexual activity must take reasonable steps to establish consent.

Consent can be revoked at any time.

With respect to sexual assault involving adults, **section 273.1 of the Criminal Code** sets out specific situations where, by law, no consent has been obtained:

- Where agreement is expressed by the words or conduct of a person other than the complainant (i.e., a person cannot consent on behalf of someone else)
- Where the complainant is unconscious
- Where the complainant is incapable of consenting for any other reason
- Where the accused induces the complainant to engage in the activity by abusing a position of trust, power or authority
- Where the complainant expresses, by words or conduct, a lack of agreement to engage in the activity (e.g., the person has not said “yes” or has said “no”)
- Where the complainant, having consented to engage in sexual activity, expresses, by words or conduct, unwillingness to continue to engage in the activity (i.e., the person changes their mind)

Deadnaming

Calling someone by their birth name after they have changed their name. This term is often associated with trans people who have changed their name as part of their transition.

Discrimination

Actions that stem from prejudiced attitudes by individuals or institutions, resulting in unequal outcomes for persons perceived as different. Legally, it refers to the unfair treatment due to a **“prohibited ground” under the *Human Rights Act***. These include race, sex, sexual orientation, gender orientation and gender expression, colour, ancestry, place of origin, ethnic origin, marital status, age, disability, citizenship, family status and religion.

Discrimination may include the denial of equal treatment, civil liberties and opportunities to individuals or groups with respect to education, accommodation, health care, employment, and access to services, goods and facilities.

Discriminatory behaviour

Behaviours related to gender-based harassment that are discriminatory in nature.

Gender-based discrimination may include:

- Suggestions that someone is not acting how a man or woman is supposed to act
- Insults, mistreatment, ignoring or exclusion because of gender
- Comments that someone is not good at a particular job or should be prevented from having a particular job because of their gender

Discrimination on the basis of sexual orientation, gender expression or gender identity may include:

- Insults, mistreatment, ignoring or exclusion because of sexual orientation or assumed sexual orientation
- Insults, mistreatment, ignoring or exclusion because someone is (or is believed to be) transgender or because their gender expression does not conform to traditional gender rules and norms

Diversity

Variations within a group such as race, ethnicity, religion, sexual orientation, age or gender, as well as differences in natural abilities, personalities and physical characteristics. Managing and valuing diversity is about active inclusion, access to opportunity and maximum contribution regardless of any differences.

Drug-facilitated sexual assault

A sexual assault where the perpetrator uses alcohol or other drugs to intentionally sedate or incapacitate a person to facilitate the assault. Consent cannot be obtained if a person is drunk, stoned or unconscious.

Duty to accommodate

The legal obligation that employers, organizations, service providers and public institutions have under human rights legislation to ensure fair and equal access to services in a way that respects the dignity of every person, if to do so does not create undue hardship.

Equality

Treating everyone the same using the principle of impartiality. Under equality, the same level of opportunity and assistance is provided to all segments of society. Equality does not address the specific needs or circumstances of specific groups or individuals.

Equity

The acknowledgement that different populations face different barriers to success and the use of active strategies to mitigate or eliminate these barriers. Social or historical factors can cause sameness of treatment (equality) to be inconsistent with equitable treatment. For example, in cases where legacies of social inequality or systemic oppression have placed groups in dominant or subordinate statuses relative to one another. Under such circumstances, treating all individuals in exactly the same way will not result in equal access to services, supports and opportunities or in economic, political and social fairness. Equity honours and accommodates the specific needs of individuals and groups.

Family violence/domestic violence

The result of an abuse of power within a relationship of family, trust or dependency. It may take many forms, including emotional abuse, psychological abuse, neglect, financial exploitation, destruction of property, injury to pets, physical assault, sexual assault and homicide.

Family or domestic violence can have serious and sometimes fatal consequences for victims and for those who see or hear the violence. Although the Criminal Code does not refer to specific “family violence offences,” many Criminal Code offences can be used to charge someone with acts of family violence.

Gender

The socially constructed concepts of masculinity and femininity. These concepts are based on expectations and stereotypes about behaviours, actions and roles linked with being a “man” or “woman” within a particular culture or society.

Gender expression

The external appearance of a person’s gender identity, usually expressed through behaviour, clothing, haircut and voice. Gender expression may or may not conform to socially defined behaviours and characteristics typically associated with being either masculine or feminine.

Gender identity

A person’s innate concept of self as male, female, a blend of both or neither. In other words, how individuals perceive themselves and what they call themselves. A person’s gender identity can be the same or different from their sex assigned at birth. Gender identity is fundamentally separate from sexual orientation.

Gender norms

The social norms related to gender. These can vary among cultures and can change over time. The gender binary influences what society considers “normal” or acceptable behaviour, including dress, appearance and roles, for women and men.

Gender norms are a prevailing force in our everyday lives. Strength, action and dominance

are stereotypically seen as “masculine” traits, while vulnerability, passivity and receptiveness are stereotypically seen as “feminine” traits. A woman expressing “masculine” traits may be chastised for being “aggressive,” while a man expressing “feminine” traits may be labelled as “weak.”

Gender norms can contribute to power imbalances and inequality at home, at work and in communities.

Harassment

Section 122(1) of the *Canada Labour Code* defines harassment and violence as “any action, conduct or comment, including of a sexual nature, that can reasonably be expected to cause offence, humiliation, or other physical or psychological injury or illness to an employee, including any prescribed action, conduct or comment.”

Harassment may be:

- Physical
- Psychological
- Cyber
- Stalking

Hostile work environment

A poisoned, intimidating or offensive work environment that is the result of severe and pervasive conduct of a sexual nature or based on a person’s or group’s gender identity. This type of behaviour and environment can unreasonably interfere with an individual’s job performance.

Impact

The effect or consequence of an action. The impact of behaviour of a sexual nature is more important than the intent behind the behaviour.

Implicit bias

Associations expressed automatically that people unknowingly hold. It may also be known as unconscious or hidden bias. Many studies have shown that implicit biases affect individuals’ attitudes and actions, even when they are not aware that they hold those biases. Implicit biases have also been shown to take precedence over an individual’s stated commitments to equality and fairness, producing behaviour that diverges from the explicit attitudes that people profess.

Inclusion

The act of authentically bringing traditionally excluded individuals and/or groups into processes, activities and decision/policy making in a way that shares power. It is an approach that aims to reach out to and include all people, honouring the diversity and uniqueness, talents, beliefs, backgrounds, capabilities, and ways of living of individuals and groups.

Intent

The purpose or intention of an action, from the actor’s point of view. A person’s good intent is not relevant in determining whether behaviour may be sexual harassment. While the intent of an action may not be malicious, the impact on an individual or group may still be harmful.

Intersectionality

The complex, cumulative way in which the effects of multiple forms of discrimination (such as racism, sexism and classism) combine, overlap or intersect, especially in the experiences of marginalized individuals and groups.

Intimidation

Sexual harassment can take the form of intimidation (e.g., repeated requests for a date, or offering or asking for sexual favours). It can also

take the form of an employer making an employee wear revealing or suggestive clothing.

Intimate partner violence

Behaviour within an intimate relationship that causes physical, sexual or psychological harm, including acts of physical aggression, sexual coercion, psychological abuse and controlling behaviours. This definition covers violence by both current and former spouses and partners. It may also be referred to as domestic violence.

2SLGBTQI+

One of a number of acronyms used to encompass a wide spectrum of gender and **sexuality**. People who ascribe to this umbrella grouping may identify as lesbian, gay, bisexual, pansexual, trans, gender independent, **queer**, two-spirit and/or **questioning**. The plus sign acknowledges the many people who are part of sexual and gender minorities who may not see themselves in the umbrella acronym and may prefer other identity terms.

Microaggression

Commonplace daily verbal, behavioural or environmental indignities, whether intentional or unintentional, that communicate hostile, biased or derogatory slights.

Misogyny

Hatred of, contempt for or prejudice against women. It is a form of sexism that keeps women at a lower social status than men, maintaining societal roles. It is manifested in various ways, including physical intimidation and abuse, sexual harassment and rape, and social shunning and ostracism.

Misogynoir is misogyny specially directed toward women who identify as Black or of African heritage.

Non-binary

A gender identity used by people who do not identify as a man or a woman. They may consider themselves to be both male and female, somewhere in the middle, or outside this binary entirely. Other terms under the non-binary umbrella include genderqueer, gender-fluid and agender.

Obligation to produce and assist

The requirement for a person requested to produce a document or thing to produce it and provide any reasonably necessary assistance to the person conducting an inquiry. This may include assistance in using any data storage, processing or retrieval device or system to produce a document in readable form.

Ostracism

Retaliation in a form that typically involves exclusion from social acceptance and may include acts such as bullying, “unfriending” someone on social media sites, or deliberately not inviting someone to a group or team activity they normally would have been a part of. It threatens psychological needs (belonging, self-esteem and comradery).

Positive spaces

Locations and environments where members of the LGBT2SQ+ community can access inclusive services with dignity and respect. Positive, or safe, places contribute not only to safety and physical integrity, but also to psychological and social well-being.

Post-traumatic stress disorder (PTSD)

A mental health condition that can develop in people who have experienced a shocking, scary or dangerous event. Symptoms may include:

- **Flashbacks**
- **Nightmares**
- **Severe anxiety**
- **Uncontrollable thoughts about the event**
- **Avoidance of places, events or objects that are reminders of the traumatic experience**
- **Avoidance of thoughts or feelings related to the traumatic event**

Symptoms may start from a person's own thoughts and feelings. Words, objects, smells, sounds or other situations that are reminders of the event may trigger re-experiencing symptoms.

Privilege

Unearned social power accorded by the formal and informal institutions of society to ALL members of a dominant group. Privilege is usually invisible to those who have it because they are taught not to see it, but it puts them at an advantage over those who do not have it.

Questioning

The process of exploring one's own sexual orientation and/or gender identity.

Queer

An umbrella term that some people may use to describe their sexual orientation or gender identity. Formerly a derogatory slang term, some LGBT2SQ+ individuals have embraced and reinvented this term as a positive and proud identifier when speaking among and about themselves.

Quid pro quo

A Latin phrase that means "something for something" or "this for that." It is a form of sexual harassment in which an employee must submit to some form of unwelcome sexual conduct

in exchange for an employment benefit, such as a promotion, or the job itself.

Reasonable accommodation

Actions to account for a person's circumstances that can be taken without undue hardship to an organization. Organizations are responsible for accommodating those circumstances, considering the cost and health and safety requirements.

Reasonable person

A component of the standard used by courts to assess whether a particular conduct is illegal or harmful by determining whether a reasonable person would find it severely or pervasively offensive under similar circumstances.

Responding party (respondent)

The person who is alleged to have been responsible for the occurrence.

Resolution process

All avenues of resolution, including negotiated resolution, conciliation and investigation.

Retaliation

Taking or threatening to take an unfavourable action against an individual, or withholding or threatening to withhold a favourable action that could discourage a reasonable employee from making or supporting a charge of harassment or discrimination.

Prohibition on retaliation

A policy prohibiting any person from taking negative actions against an employee or member who has in good faith made an allegation or reported to a proper authority any infringement of the statutes, regulations, rules, orders or instructions governing workplace conduct.

Safety plan

A personalized and proactive tool used to reduce the risk of further harm following an incident. Safety planning is the process of supporting or empowering survivors to develop strategies to increase their safety.

Safety planning should always be done in collaboration with the survivor, who is often the most knowledgeable about the dangers they face. Organizations whose main focus is working with survivors have expertise and tools that can help assess safety and support survivors in developing safety plans.

Sex

The biological classification of male or female (based on genetic or physiological features), as opposed to gender. A person's sex is most often designated by a medical assessment at the moment of birth. This is also referred to as birth-assigned sex.

Sexism

Attitudes and beliefs that one gender is superior to another.

Sexual assault

There is no universal definition of sexual assault. In fact, definitions vary depending on the perspective from which this type of assault is viewed (e.g., political, legal, clinical or scientific).

The Criminal Code of Canada defines sexual assault as any unwanted sexual act done by one person to another or sexual activity without one person's consent or voluntary agreement. More specific forms of sexual offenses are set out in Section 272 of the Criminal Code (e.g., aggravated sexual assault, sexual assault with a weapon, etc.).

Sexual harassment (workplace)

Disagreeable comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the comment or conduct is known or ought reasonably to be known to be unwelcome. Workplace sexual harassment may also involve 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 the worker and they know or ought reasonably to know that the solicitation or advance is unwelcomed.

This definition suggests that more than one event must take place for there to be a violation of the Criminal Code. However, depending on the circumstances, one incident could be significant or substantial enough to be considered sexual harassment.

Sexual orientation

A person's identity in relation to the gender or genders to which they are sexually/romantically attracted, or the fact of being heterosexual, homosexual, etc.

Sexual violence

Any act that undermines a person's sexual or gender integrity. It may include forced prostitution, forced marriage (especially of minors), forced cohabitation, forced adoption of a gender role that does not conform to an individual's identity, sexual exploitation, etc. Some hate crimes and the more loosely defined "hate incidents," such as those directed at women and LGBT2SQ+ individuals, are also sexual violence.

Sexuality

The quality of being sexual, or the way people experience and express themselves as sexual beings. This may involve biological, erotic, physical, emotional, social or spiritual feelings and behaviours. Because sexuality is a broad term, which has varied over time, it lacks a precise definition.

Stalking

A pattern of unwanted contact or behaviour that is unlawful and/or leads someone to feel upset, anxious, scared or in fear for their safety. In Canada, such action is criminal and known as criminal harassment. Stalking should be taken seriously, as it is often a precursor to much more serious and lethal acts. The Domestic Violence Death Review Committee of Ontario identified stalking as one of 10 risk factors for domestic homicide.

Transgender (Trans)

A broad term referring to people with diverse gender identities and expressions that differ from their sex-assigned at birth, including those presenting as, wishing to be considered as or having undergone surgery to become members of the opposite sex. Transgender people may include transsexuals, cross-dressers, drag kings/queens, masculine women, feminine men and those who defy what society tells them is appropriate for their gender. Being transgender does not imply any specific sexual orientation, and transgender people may identify as straight, gay, lesbian, bisexual, etc.

Transitioning

The steps a trans person may take to live in the gender with which they identify, which may not be the same for all people. For some, it involves

medical intervention, such as hormone therapy and surgeries, but not all trans people want or are able to have this. Transitioning may also involve social transitioning such as telling friends and family, dressing differently, and changing official documents.

Trauma

Exposure to an incident or series of events that are emotionally disturbing or life-threatening with lasting adverse effects on a person's functioning and mental, physical, social, emotional, and/or spiritual well-being.

Secondary/vicarious trauma may be experienced as a result of being indirectly exposed to or witnessing a traumatic event. Those affected may develop trauma symptoms similar to those of the survivor(s).

Trauma-informed/-specific interventions

Intervention that recognize the following:

- Survivors' needs to be respected, informed, connected and hopeful regarding interventions and processes
- The interrelation between trauma and the impact of trauma
- The need to work collaboratively with survivors, family and friends, and service agencies in a manner that will empower survivors
- The added layer of potential trauma complexity among those with intersectional identities (e.g., a person who is a member of the LGBT2SQ+ community and of a racialized group might have a significant accumulation of historical trauma, which may lead to differences in how they experience and respond to GBHV)

Undue hardship

An action requiring significant difficulty or expense when considered in light of factors including:

- The nature and cost of the needed accommodation
- The overall financial resources of the district or facility providing the accommodation

- The size of the district with respect to the number of employees
- The effect on expenses and resources or other impacts of the accommodation on the operation of the facilities
- The type/location of facilities

Workplace

Any place where an employee is engaged in work for their employer.

Sources:

Crenshaw, K. (2019). *On Intersectionality: The Essential Writings of Kimberlé Crenshaw*

Government of Canada. *Criminal Code of Canada*. laws-lois.justice.gc.ca/eng/acts/c-46/page-1.html

Government of Canada. *Glossary of sexual misconduct*. www.canada.ca/en/department-national-defence/services/benefits-military/conflict-misconduct/sexual-misconduct/training-educational-materials/glossary-on-sexual-misconduct.html

Law Insider. *Legal Definitions Dictionary*. www.lawinsider.com/dictionary

MentalHealth.org. www.mentalhealth.org

Ontario Human Rights Commission. www.ohrc.on.ca/en

Stonewall: *List of LGBTQ+ terms*. www.stonewall.org.uk/list-lgbtq-terms

United Way Canada. *Equity vs. equality: What's the difference - Examples and definitions*. unitedwaynca.org/blog/equity-vs-equality

Resource 7: IPV and Criminal Law

The following is a list of criminal offences that may be applicable in cases of IPV.

Assault

An assault is when a person intentionally uses force against another person without their consent. Threats to harm somebody may also be considered assault if the victim believes the person can carry out the threat. The **Criminal Code** does not distinguish between assault on a spouse, a common-law partner, a stranger or anyone else.

Sexual assault

Sexual contact without consent, including by a spouse or partner, is a crime. This includes cases where a person participates in a sexual activity because of threats or fear of refusing.

Criminal harassment

Criminal harassment is also sometimes called “stalking.” The Criminal Code prohibits anyone from repeatedly following, communicating with, watching or threatening a person or any family member in a way that causes the person to fear for their safety or the safety of someone else.

Uttering threats

It is illegal to threaten a person, directly or indirectly, with death or bodily harm, or with damage or destruction of property.

Intimidation

Intimidation occurs when a person tries to frighten or coerce another person by using violence or threats of violence against them, their spouse or their children. Intimidation may also

involve damaging the victim’s property, persistently following them around, or watching their home or work.

Human trafficking

Human trafficking is the recruitment, transportation, harbouring, and/or exercising control, direction or influence over the movements of a person in order to exploit that person, typically through sexual exploitation or forced labour.

Publication of intimate images without consent

It is an offence for someone to knowingly post, distribute, sell or make available an intimate image, film or recording of another person without that person’s consent.

Kidnapping/forceable confinement

It is a criminal offence to unlawfully seize, imprison or forcibly confine a person. Kidnapping and forceable confinement may also include sending or transporting a person within Canada or out of Canada against their will.

Resource 8: Summary of Relevant Legislation

The following list summarizes legislation that includes protections related to GBHV in the workplace. It is organized by region and includes codes, acts and regulations that outline the duties and responsibilities of employers and the rights of employees in the prevention and response to GBHV in workplace environments.

Canada

Canadian Labour Code

SECTION 122 (1)

Defines harassment and violence as “any action, conduct or comment, including of a sexual nature, that can reasonably be expected to cause offence, humiliation or other physical or psychological injury or illness to an employee ...”

SECTION 125 (1-4)

Duties of employers:

- Investigate, record and report all occurrences of harassment and violence
- Take prescribed measures to prevent/protect against harassment and violence in the workplace
- Ensure employer and employees receive training in harassment and violence prevention

The above duties also apply to former employees (within three months of leaving).

SECTION 127.1 (1-12)

Making complaints:

- Complaints may be made to the employee’s supervisor or the party outlined in the workplace harassment and violence prevention policy.

- Former employees may make complaints within the prescribed time, which may be extended by the employer in exceptional circumstances.

SECTION 134.1 (1-4.1)

Policy health and safety committees are mandatory for workplaces with 300 or more employees.

SECTION 135.11 (1)

Employers cannot provide workplace committees with any information likely to reveal the identity of a person who was involved in an occurrence of harassment and violence in the workplace without the consent of the party in question.

SECTION 206.7 (1-6)

Leave for victims of family violence:

- Employees are entitled to 10 days leave of absence per calendar year.
 - For workers employed for at least three consecutive months, five of those days must be paid.
- Employers may request documentation.

These provisions also apply to any parent of a child victim of family violence.

Canadian Human Rights Act

SECTION 14 (1C)

Defines harassment as “a discriminatory practice in matters related to employment to harass an individual on a prohibited ground of discrimination.”

Prohibited grounds of discrimination include age, sex, sexual orientation, gender identity or expression, marital status and family status.

Workplace Harassment and Violence Prevention Regulations

SECTION 11 (1-4)

Emergency procedures and training:

- Employers must develop emergency procedures to be implemented in the case of immediate danger to the health and safety of employees.
- Employers must ensure applicable training on these procedures is provided within three months of employment or within one year of new regulations.

British Columbia

Occupational Health and Safety Regulation

PART 4 (27-30)

Violence in the workplace:

- Employers must perform a risk assessment where a risk of violence may be present.
- Employers must establish procedures to minimize risk to workers.

Workers Compensation Act

POLICY ITEM P2-21-2, SECTION 3 (2)

Defines bullying and harassment as “inappropriate conduct or comment by a person towards a co-worker that the person knew or reasonably ought to have known would cause that worker to be humiliated or intimidated ...”

POLICY ITEM P2-21-2, SECTION 3 (2A-1)

Employer duties regarding workplace bullying and harassment:

- Develop a policy statement and develop and implement procedures for workers to report incidents and complaints.

- Develop and implement procedures for dealing with incidents or complaints.
 - Separate procedures must be in place in the case of the employer being the alleged bully or harasser.

Workers Compensation Amendment Act, 2011

An employee may be entitled to compensation for a mental disorder that is a reaction to bullying and harassment in the workplace.

Employee Standards Act

SECTION 52.5 (1-4)

Leave respecting domestic violence or sexual violence:

- Employees are entitled to five days paid, five days unpaid, and an additional 15 weeks of unpaid leave per calendar year.
- Leave may also be applied if the affected party is the child of an employee.
- Leave may also apply to any case of domestic, family or sexual violence.

Human Rights Code

SECTION 1 (12–14)

Employees may not be discriminated against with regards to wages, employment opportunities or union membership on the basis of Indigenous identity, sex, sexual orientation or gender identity.

Alberta

Occupational Health and Safety Act

SECTION 3.0–2.2 P1

Obligations of employers:

- Every employer shall ensure, so far as it is reasonably practicable to do so, that none of their workers are subjected to or participate in harassment and violence at work sites.
- The same provision applies to supervisors.

Occupational Health and Safety Code

SECTION 390 (1–2)

Harassment and violence prevention plans and policies must be in place that outline procedures for documenting and investigating complaints.

SECTION 392

Employees are entitled to pay during any treatment by a health professional related to an incident if the session(s) occur during regular work hours.

Saskatchewan

Employment Act

SECTION 2013, C.S–15.1, S.3–1

Definition of harassment: “Any inappropriate conduct, comment, display, action or gesture by a person that is based on ... sex, sexual orientation, marital status, family status or ... affects the worker’s psychological or physical well-being and constitutes a threat to the health or safety of the worker.”

SECTION 2013, C.S–15.1, S.3 (8–9)

Employers must ensure, insofar as is reasonably practicable, that workers are not exposed to harassment with respect to any matter or circumstance arising out of the workers’ employment.

Victims of Interpersonal Violence Act (French)

SECTION 12.4 (4)

Eligibility of interpersonal violence leave: Employee must be a victim, parent of a child who is a victim, or the primary caregiver of a victim.

Manitoba

Workplace Health and Safety Amendment Act

SECTION 1.1

Definition of harassment: “Objectionable conduct that creates a risk to the health of a worker” on the basis of “sex, sexual orientation, gender-determined characteristics, marital status, family status ...”

Definition of violence: “The attempted or actual exercise of physical force against a person and any threatening statement or behaviour that gives a person reasonable cause to believe that physical force will be used against the person”

SECTION 10 (1-3)

Obligations of employers with regards to harassment:

- Develop and implement a written policy to prevent harassment
- Train workers in the policy
- Ensure workers comply with the policy

SECTION 11 (1-8)

Obligations of employers with regards to workplace violence:

- Same as above, with the addition of the requirement to assess risk of violence in consultation with committee, representatives or the workers themselves if neither a committee nor a representative is available

Employee Standards Code

SECTION 59.11

Eligibility requirements for interpersonal family leave:

- Employee or a dependent is a victim of interpersonal violence
- Employee has been employed at the workplace for 90 days

Ontario

Human Rights Code (French)

PART I: 5 (2), 7 (2)

Describes freedom from non-sexual or sexual harassment in the workplace on the basis of sex, sexual orientation, gender identity or gender expression.

Occupational Health and Safety Act (French)

SECTION 32.0

Employers must prepare policies and programs to prevent workplace harassment and violence, as well as complete risk assessment of violence.

SECTION 43.3 (B.1)

“A worker may refuse to work or do particular work where he or she has reason to believe that workplace violence is likely to endanger himself or herself.”

Quebec

Act Respecting Labour Standards (French)

SECTION 79.1

“An employee may be absent from work for a period of not more than 26 weeks over a period of 12 months owing to ... domestic violence or sexual violence of which the employee has been a victim.”

SECTION 81.18

Defines psychological harassment as “any vexatious behaviour in the form of repeated and hostile unwanted conduct, verbal comments, actions or gestures, that affects an employee’s dignity or psychological and physical integrity ... For greater certainty, psychological harassment includes such behaviour in the form of

such verbal comments, actions, or gestures of a sexual nature.”

“A single serious incidence of such behaviour that has a lasting harmful effect may also constitute psychological harassment”

SECTION 81.19

Explains employers must take reasonable action to prevent psychological harassment and stop it when they become aware of it. They must institute policies with specific provisions for psychological harassment of a sexual nature.

SECTION 123.6

“Any complaint concerning psychological harassment must be filed within two years of the last incidence of the offending behaviour.”

New Brunswick

Human Rights Act (French)

SECTION 10 (1-6)

Definition of sexual harassment: to engage in vexatious comment or conduct of a sexual nature that is known or ought reasonably to be known to be unwelcome.

“No employer, representative of the employer or person employed by the employer shall sexually harass a person employed by the employer or a person seeking employment with the employer.”

Occupational Health and Safety Act (French)

SECTION 374.1-8

Outlines standards for codes of practice for violence and harassment in the workplace, including assessment of risk, implementation, training, etc. Codes of practice must consider sexual violence and intimate partner violence occurring at the place of employment.

Nova Scotia

Human Rights Act

SECTION 5 (1-3)

Prohibition of discrimination on the basis of sex, sexual orientation, gender identity, gender expression, family status, marital status, etc.

- “No person shall sexually harass an individual”
- “No person shall harass an individual or group with respect to a prohibited ground of discrimination”

Occupational Health and Safety Act

There are no specific regulations under the **Occupational Health and Safety Act** regarding harassment in the workplace.

SECTION 82

Sets out regulations regarding physical violence in the workplace, including regulations for risk assessment, implementation of a violence prevention plan and statement, and training.

Labour Standards Code

REVISED STATUTES, CHAPTER 246 (60Z)

Eligibility requirements for leave for victims of domestic violence:

- Employee or a dependant is a victim of domestic violence
- Employee has been employed at the workplace for at least three months

Prince Edward Island

Human Rights Act

PREAMBLE

Lists characteristics for which discrimination is prohibited, including gender expression, gender identity, marital status, sex and sexual orientation.

Occupational Health and Safety Act

SECTION 46, CHAPTER O-1.01

Definition of harassment: “Any inappropriate conduct, comment, display, action or gesture or any bullying that the person responsible ... knows, or ought reasonably to know, could have a harmful effect on a worker’s psychological or physical health or safety; and includes:

- Conduct based on sex, sexual orientation, marital status, family status, gender identity or pregnancy

- Inappropriate sexual conduct including sexual solicitations or advances; sexually suggestive remarks, jokes, or gestures; circulating or sharing inappropriate images; or unwanted physical contact”

Also outlines responsibility of workers and employers, development of policies (which must be accessible to all workers) and investigation procedures.

Employment Standards Act

SECTIONS 24-28

Further legislation defining sexual harassment and outlining responsibility of employers to mitigate sexual harassment and develop policy statements (which must be accessible to all workers).

Newfoundland and Labrador

Human Rights Act

SECTIONS 14–18

Outlines discrimination in employment laws, including wage attachment, equal pay, harassment in establishment and sexual solicitation.

Occupational Health and Safety Act

SECTION 23.1–3

Employers must establish procedures to mitigate risk of violence, and take precautions to protect workers if family violence puts them at risk of injury in the workplace.

SECTION 24.1–2

Employers must develop a harassment prevention plan and participate in and provide training related to harassment prevention for all employees.

Labour Standards Act

SECTION 43.33–37

Information related to family violence leave, including entitlement (e.g., legal definition of “parent” and the necessary relationship of the perpetrator to the victim to constitute “family violence”), notice, employee protection and regulations.

Yukon

Human Rights Act

SECTION 7

Lists prohibited grounds of discrimination, including sex (as well as pregnancy and pregnancy-related conditions), sexual orientation, and marital or family status.

SECTION 2

Amendment to the above, adding rights protection on the basis of gender identity and gender expression.

Amendment to the Occupational Health and Safety Act

SECTION 1.02

Amends the Occupational Health and Safety Act to include definitions for harassment and violence as workplace hazards:

- **Violence:** “the threatened, attempted or actual exercise of physical force by a person that causes, or is likely to cause, an injury to

a worker; or a threatening statement ... that gives a worker reasonable cause to believe the worker is at risk of injury”

- **Harassment:** “Bullying, or any other objectionable conduct or inappropriate comment, by the person that the person knows, or reasonably ought to know, is likely to be unwelcome, and that adversely affects the worker’s physical or psychological well-being ...”

SECTION 19

Outlines employer obligation to develop written a policy, give necessary training and provide adequate supervision to mitigate workplace harassment and violence.

Employment Standards Act

SECTION 44

Information on equal pay on the basis of sex discrimination:

- “No employer or person acting on behalf of an employer shall discriminate between male and female employees by paying a female employee ... less than the rate of pay paid to a male employee, or vice versa...”
- Unless pay is determined on the basis of seniority or merit

SECTION 60.03.01

Information on domestic/sexualized violence leave, including employee eligibility requirements, what constitutes domestic/sexualized violence, and the rate employers are required to pay an employee on leave.

Northwest Territories

Human Rights Act

SECTION 5.1

Lists prohibited grounds of discrimination, including sex, pregnancy, sexual orientation, gender identity, gender expression, and marital or family status.

SECTION 14

Defines harassment as vexatious comments or conduct that is known or ought reasonably to be known to be unwelcome, and outlines that harassment related to matters of employment on the basis of prohibited grounds of discrimination is illegal.

Occupational Health and Safety Regulations

SECTION 34.3-5

Outlines employer obligation to develop a written policy mitigating workplace harassment and make this policy readily available to all employees.

SECTION 35.(1)

Defines violence as “attempted, threatened or actual conduct of an individual that causes or is likely to cause injury, such as a threatening statement or behaviour that gives a worker a reasonable belief that he or she is at risk of injury.”

SECTION 35.3-7

Outlines employer obligation to assess risk, develop and implement a written policy mitigating workplace violence, and make this policy readily available to employees.

Employment Standards Act

SECTION 30.2

Defines and outlines standards for family violence leave: “An employee is entitled to take, in each calendar year, up to 10 days of family leave, the first five of which are paid and the balance of which are unpaid; and up to 15 weeks of unpaid family leave.”

Human Rights Act

SECTION 7.1

Lists prohibited grounds of discrimination, including sex, pregnancy, sexual orientation, gender identity, gender expression, and marital or family status.

Safety Act

SECTIONS 34.1–2, 35.1–2

Defines harassment and violence:

- **Harassment:** “a course of vexatious comment or conduct at a work site that is known or ought reasonably to be known to be unwelcome; and constitutes a threat at the work site to the health and safety of the worker”
- **Violence:** “attempted, threatened or actual conduct of an individual that causes or is likely to cause injury, such as a threatening statement or behaviour that gives a worker a reasonable belief that he or she is at risk of injury”

SECTION 34.3–5

Outlines employer obligation to develop a written policy mitigating workplace harassment and make this policy readily available to all employees.

SECTION 35.3–7

Outlines employer obligation to assess risk, develop and implement a written policy mitigating workplace violence, and make this policy readily available to employees. This section also ensures time spent receiving treatment or counselling counts as time worked.

Amendment to the Labour Standards Act

Provides regulations for entitlement to family abuse leave, including eligibility requirements; duration entitlement; notice to the employer; employer’s right to verify family abuse claims; and protection from dismissal, suspension or demotion for taking or intending to take family abuse leave.

Resource 9: Other resources

National

- [Canada Labour Code: Domestic violence in the workplace](#)
- [CUPE: A trauma-informed response to sexual violence and harassment](#)
- [CUPE: Domestic violence and the workplace: A bargaining guide](#)

British Columbia

- [SHARP \(Sexual Harassment Advice, Response and Prevention\) for Workplaces: Multilingual brochures and posters](#)
- [Work Safe BC: Domestic violence in the workplace](#)

Alberta

- [Workers' Compensation Board of Alberta: Critical incidents: Management and stress debriefing](#)