



HARASSMENT: AVENUES OF RECOURSE

If you or one of your members believes you are being harassed at work, what are your avenues of recourse?

1. Discussion:

- The member should try to address the issue with the "alleged harasser" to discuss their concern as quickly as possible;
- If the problem continues, the members should talk to management, explain the situation and tell them that they feel harassed;
- Management is required to act when informed of alleged harassment. Please refer to departmental/agency policy on harassment.

2. Complaint:

- If management do not act on it, then the member files a harassment **complaint**. The complaint will be directed at management (rather than against the harasser) for not providing a harassment free workplace.

Informal conflict resolution may be offered and must be agreed upon by both parties.

- If no resolution is achieved through the informal process, and an investigation is initiated, we must ensure that it is conducted by an independent third party.

3. Grievance Process:

The grievance process should be used only:

- When the complaint, investigation or result are not satisfactory, eg.:
 - Management refuses to conduct an investigation even though one may be warranted;
 - The member has a problem with the investigation (lack of due process);
 - No action taken as a result of a founded complaint.

Points to keep in mind:

- Only a grievance on sexual harassment and other human rights violation can proceed to adjudication.
- Mediation is always the best route to resolve harassment situation.
- Negative comments on performance do not necessarily constitute harassment.
- Filing a harassment complaint is to stop the harassment not to seek revenge.
- The impact of a harassment grievance or complaint is going to release many emotions. Those involved, including co-workers and union representative, may want to contact EAP for their advice and guidance.

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