



RHONDA ROFFEY: WOMEN'S HABITAT



Every day across Canada, in every public and private sector workplace, women are building this country's economy. For both men and women, the demands of work are often difficult and stressful. But when women go to work, we face additional pressures **because** we are women.

The Canadian Human Rights Act and the Canada Labour Code, both of which cover federal employees, as well as the

Ontario Human Rights Code all contain prohibitions against sexual harassment.

KIM BERNHARDT, LAWYER

There are many places a woman could go to assert a claim of harassment, whether its sexual harassment in and of itself or



with many of the intersected grounds such as race or disability. For example, outside of the human rights commissions and the statutory prohibitions, many women find it much more comfortable to go to their union and file a grievance or to approach their union's women's committee to get the support that is very necessary for asserting these claims. Women might get sexually assaulted and if so, they should be considering legal action.

ADELE STROUD, STUDENT

A problem for youth in the workplace is sexual harassment. I was working in a large grocery store as a cashier with an employee who was quite a bit older than me. He continually made comments to me and rude gestures and was kind of looking at me inappropriately and I really felt a little bit uncomfortable but I wasn't certain that this was sexual harassment. One day he told me that I should



unbutton a couple more buttons on the blouse of my uniform. When he said that to me all of a sudden it just clicked. This is totally inappropriate. This shouldn't be happening, especially in a workplace. I shouldn't be scared or nervous to come to work because of this individual and I felt like I needed to do something about it.

MADELEINE LEBRUN, HOMECARE WORKER



For homecare workers - most of us are women - and sexual harassment is the biggest thing we have to deal with. Of all the years I've been with that agency I didn't see any responsibility. For example, one time a man was grabbing me all over and I reported it. Did my supervisor back me up? NO. She says go back, maybe he was just on drugs or didn't know - just forgive him this time. The next time I went in it was

different. He waited until I was in the room - the bedroom.

In 2005, the public was horrified to read news of the murder of Lori Dupont at Windsor's Hotel-Dieu Grace Hospital. The 36-year Registered Nurse was stabbed to death at work by a physician. Testimony at a subsequent Coroner's Inquest revealed that the hospital FAILED to understand its obligation to keep its staff safe from harassment and harm and to ensure a safe workplace. The doctor who killed Laurie had more than a decade-long history of aggression and of sexually harassing nurses at work. But his behaviour was allowed to continue, not just toward Lori Dupont but aimed at others as well.

BARB PORTER, REGISTERED NURSE



I pushed my chair back to push him back and I got up and I ran to my manager's office and I said 'I'm not working with him anymore. I'm afraid of him. I'm afraid of what he's going to do to me, do to others up here. I refuse. I will not work with him anymore.' She agreed. She couldn't accommodate me on afternoon shift - just on the day shift, she could accommodate that. The first

time I went back to work, what room am I scheduled to work with? Marc Daniel. She hadn't passed the message on to the Charge Nurse. So I went to the Charge Nurse: 'I'm not working with him - there's no way I'm working with him.' So they changed me to the next room. The next day I go back, different Charge Nurse. What room am I scheduled in? Marc Daniel's room. . . . The phone rang

about 9 a.m. One of my past co-workers had called and said 'what's happening at your hospital? Something's happened. I heard a doctor stabbed a nurse.' So I called over and the ward clerk answered the phone. The ward clerk said that Marc had stabbed Lori. And then very quietly she said, 'and she's gone.'

BONNIE ROBICHAUD, FORMER DEFENCE DEPT. WORKER

This may sound kind of odd, but the harasser did such a number on



my psyche that if I didn't fight back I would be either in a bottle, which means alcohol or drugs, or I'd be dead. I wrote up 10 grievances. One stated that I had been discriminated against on the basis of sex by my foreman for having sexually harassed me. It took eight years for the Supreme Court to say I'd won, but that was the day I won because I fought back. I

fought back in a much more public way, in a written way. It wasn't just talk. When I got the Supreme Court decision it was just an amazing, amazing feeling. There's nothing that gives self-esteem back than seven Supreme Court judges giving a unanimous decision saying the employer was liable.

DENISE HAMMOND, UNIVERSITY SECTOR WORKER



I approached my union because I didn't feel that within my workplace there were other people that would speak out and it was merely just writing down all of the incidents that had happened to me that made me step back and say 'No way am I going to allow this to happen. I know that my work is good enough. I know that after working in an organization for six years I had the right to be there and I should

continue.' And there was something inside me that just said, 'I'm not going to give up.'

It was hard, but I continued. After a successful arbitration when the arbitrator said 'Yes. You're right: this is sexual harassment and you do not have to work with this. You do not have to put up with it. You don't have to work in a toxic workplace – you are right,' I felt that this was the best victory that I could have

had. I didn't want a letter of apology, I just wanted someone else to say 'You are right, you don't have to tolerate it, and you did the right thing.'

Gwenda Ashby-Desouza's 14-month ordeal started with verbal attacks from a customer and quickly escalated to physical violence when he came after her, first with a walking stick and then with a knife.

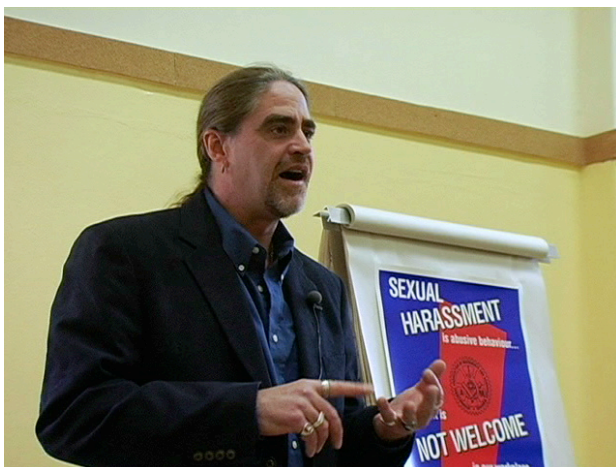


**GWENDA ASHBY-DESOUZA,
GROCERY STORE WORKER**

I was able to go to counseling. They called and were talking to me and the woman said to me, 'You know what? You're not ready to go to work' because I was still crying and reeking over the whole incident. And they offered me this program and I decided that I would go and see what it was all about. And I did benefit greatly, greatly from that 7 months of

therapy. Today I can attest that it was because of that therapy that I was able to get up and go back out to work, go out on the street, do my grocery shopping alone, get on the bus alone, because I never used to go anywhere without somebody accompanying me after this thing happened.

PAUL MITCHELL, UNION REPRESENTATIVE



This is no longer acceptable in our workplaces and things have to change. None of these things are acceptable – the jokes that are told in the workplace, posters put up on walls, writing on walls – none of these things are acceptable.

We really need to get to the core of what the problem is. We've come some ways when they talk about things that have happened – cases out in the other world outside of the labour world – that women and the sisters out there aren't going to be judged by what they are

wearing in a sexual assault case. Hopefully we've come past some of that. But you know contrary to the cigarette ad, we haven't come that far baby.

MARY CORNISH, LAWYER



Sexual harassment is fundamentally an issue of discrimination. To treat it and eradicate it you need to understand that. That means not just focusing on complaints by individuals, leaving them with the problem of having to address it, but also implementing three measures.

The first one is to take what I could call employment equity measures. These are mea-

sures that actually start to restructure workplaces so they are more equitable for women - so that women have equal pay, access to jobs in the workplace on the same basis as men, childcare - a whole series of ways in which they will become less vulnerable and therefore less exposed to sexual harassment and attacks like that.

The second part is to ensure that there is appropriate education and training. At various points employers and co-workers don't understand well enough the dynamics of sexual harassment, the really strong and negative impacts it has on women and it has on their equality. That's why training and education have to be there.

And then the third part of it is having an effective complaint mechanism for women and one that allows them to do it without reprisals and ensures that they can continue to work in that workplace, but to do so in a discrimination-free way.

Final Words . . .

GWENDA ASHBY-DESOUZA: What I'll say to women is DON'T MINIMIZE. Don't minimize the situation when it happens. From the get-go do something about it. Throw the responsibility on who's supposed to be responsible and it is management.

DENISE HAMMOND: I really want to send a message to encourage people to label sexual harassment as it is. Because one of the things that I find is that identification and labeling is a first step in order to be able to create change in our workplaces.

BARB PORTER: For nurses, especially the young ones, if something like that happens and they feel they're being touched inappropriately or inappropriate comments are being made, don't be afraid to speak up. Make sure that you talk to somebody about it – your union person, somebody, because you are probably not alone. Even though at that moment you feel like you are alone, more than likely if somebody has said something inappropriate to you or is touching you inappropriately it's probably happened to somebody else.

And remember . . . "solidarity" isn't just a word. It makes all the difference.

BONNIE ROBICHAUD:

The various big unions gave a lot of support. The Ontario Federation of Labour will always have a good spot in my heart because they gave that support – the women there gave that support. I was crushed and it made all the difference.

For every woman there are numerous courses of action. Each person will come to her own decision about which one is right for her. But for all working people, women and men, it's time to climb the hill again to ensure that we don't have to encounter sexual harassment in the first place.

CLIMB THE HILL: SEXUAL HARASSMENT IN THE WORKPLACE



Executive Producer: The Ontario Federation of Labour, © OFL, Dec. 2009

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This video is a companion piece to the OFL's information kit, available in January 2010. If you wish to receive a copy, please contact our Director of Women's Issues: Carrol Anne Sceviour: csceviour@ofl.ca.