

Working: Not at All costs!

Labour standards and
harassment: Do you know
your rights?



e-educaloi



The law changes. This guide is up to date to December 2021. Visit Éducaloi's website at educaloi.qc.ca to see if there is a more recent version of this guide.

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As an employee, you're protected against workplace harassment.

You're protected even if you work

- part-time,
- for minimum wage,
- only during the summer, or
- as a team leader.



CNESST

This workshop was made possible thanks to the financial support of the CNESST's Program to prevent psychological or sexual harassment in the workplace.

What is workplace harassment?



Workplace harassment generally means repeated or serious disagreeable behaviour that affects someone at work.

For example, workplace harassment may occur if you're prevented from expressing yourself or if someone destabilizes, isolates, humiliates, discredits, threatens or abuses you.

There are five things to consider when determining whether you're being harassed at work.

Behaviours, actions or comments that are:

1. Abusive, humiliating or harmful



Ask yourself: Is your situation at work humiliating or harmful? Is it more than what an average person would tolerate?

It's important to consider how *you* feel about the actions or comments. The intentions of a person don't matter in determining whether they are harassing you.

Behaviours, actions or comments that are:

2. Hostile or unwanted

Hostile behaviour is aggressive, threatening or disagreeable.

Some behaviours, though not hostile, may still be considered harassment if they're unwanted, undesired or uninvited.

Even if you don't actively protest, a gesture may still be considered unwanted.



Behaviours, actions or comments that are:

3. Repeated (or a single incident that is serious)

An accumulation of several gestures may be considered harassment. However, if a co-worker is in a bad mood one day and says something foolish, this isn't harassment.

Sometimes a single gesture is considered harassment, but it must be serious. For example, your boss insults you in front of other employees, or somebody touches you inappropriately.



Behaviours, actions or comments that:

4. Affect your dignity or your physical/psychological integrity

The behaviour harms you.

For example, you feel humiliated or devalued. Your physical or psychological health may also be affected.



Behaviours, actions or comments that:

5. Create an unhealthy work environment

The harassment isolates you and makes you feel anxious at work. It might even make you want to quit your job.



Harassment can take many forms. All of them are prohibited in the workplace.

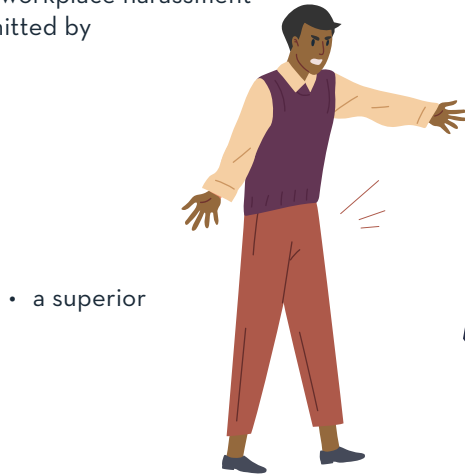
Workplace harassment may also involve discrimination and sexual harassment.

- **Discrimination.** The harassment is based on a personal characteristic such as your ethnic background or religion.
- **Sexual harassment.** The harassment is sexual in nature, for example, sexual touching or inappropriate comments about your sexual orientation or physical appearance.

Some serious actions are considered crimes, including hitting a person and sexual assault.

You're protected against harassment at work no matter who is committing the harassment!

For example, workplace harassment may be committed by



Your employer has a duty to prevent and stop harassment.

You have the right to a healthy work environment, one that is free from harassment.

Your employer has the following responsibilities:

- Preventing harassment, for example, by educating employees or providing a resource person.
- Adopting a policy for preventing harassment and processing complaints.
- Taking appropriate measures to stop the harassment once informed of the situation.

Have you read your employer's policy to prevent harassment in the workplace?

You must have access to the policy in order to consult it.

The policy should describe what is considered harassment and explain how to file a complaint.



Do you have any questions?

Have you witnessed harassment?

Have you experienced it?

A few tips:

Read the harassment prevention and complaints policy so you know to whom you can turn.

Speak to the person in charge, such as a supervisor, if you feel you're being harassed.

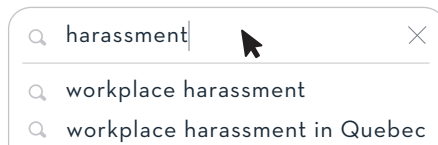
You can contact the CNESST if you have questions or want to file a complaint.

If you're unionized, you can talk to your union representative.

Learn more!

The definition of harassment and your recourses may differ depending on your type of job and your workplace.

You can look up more information!



Test your knowledge!

