



Respectful Workplace and Harassment

The employer is legally responsible for ensuring a respectful workplace. So harassment complaints should first be processed through the employer's harassment policy, not through the grievance procedure. (A grievance can be filed later if the employer fails to handle the complaint in keeping with their policy or the law.)

As a steward, your role is to:

1. Provide advice and support to the complainant making the complaint (the "complainant") and the complainant being complained about (the "respondent")
2. Know your workplace harassment policy
3. Ensure that the employer is complying with their own policy and the collective agreement
4. Know what harassment is
5. Set a good example

(For more detailed information on your role, see your Steward Manual and the booklet "The Role of the Steward.")

What to do when a complainant approaches you about an incident:

- Listen carefully. Ask questions to clarify your understanding of events, including any steps the complainant may have already taken to stop the harassment. Be sure to identify what the basis for the harassment is (e.g., gender, race, age, personal, etc.).
- Give them a copy of the workplace harassment policy and go over it with them.
- Encourage the complainant to:
 - **Tell the respondent to stop the disrespectful behaviour.** The complainant should be direct and firm in naming the specific offensive behaviour. OR
 - **Use the workplace harassment policy.** The complainant should report the alleged behaviour/action to the manager or other person named in the policy. Encourage the complainant to be open to trying alternate dispute resolution methods available under the policy before filing a formal complaint.



Explain the benefit of early resolution, to avoid ongoing conflict of unresolved or repeated issues. Encourage the complainant to be open to trying alternate dispute-resolution methods.

- **Offer to go with the complainant**, either to speak to the respondent or to report the incident to the employer. You would be there to provide moral support; you are not expected to act as a mediator.
- **Encourage the complainant to document** what has taken place, including any steps they have taken to ask the respondent to stop.

What not to do:

- Don't offer to file a complaint on behalf of someone else, because you can't. The employer won't accept it; it would have no legal weight.
 - If the complainant does not wish to take action, encourage them to document what has happened. Advise them to sign and date their notes.
- Don't provide counseling to the complainant, unless you are professionally qualified to do so.
 - **Remain objective and show compassion and respect.**
 - **Know what resources** are available in the community and refer the complainant to them (e.g., Employee and Family Assistance Plan, other counselors, elders, ministers of religion, family doctor, etc.).



Stewards can even provide advice and support if they learn about a complaint after it has been filed:

- **Approach all members involved** (complainant and respondent).
 - Remain objective and offer to explain the workplace harassment procedure.
 - Explain that they may ask a steward to accompany them to any interview to provide moral support.
 - If you cannot support them, because of a conflict of interest for example, help them identify an alternate steward. Even though you are the Steward of the Collective Agreement, not just the individual, different stewards may work with the complainant and the respondent.

- **Make sure the employer is following their workplace harassment procedure properly and in a timely fashion.**
 - If not, upon advice of a Labour Relations Officer the members involved may file a grievance. (All SGEU collective agreements include the provisions of the Saskatchewan Human Rights Code and Occupational Health & Safety Act, whether expressly (for example, Article 26 of the PS/GE agreement) or upon court rulings which "read in" these laws.)
- **Put a stop to any workplace gossip.** Gossip can discourage the complainant making the complaint from continuing the process. It can discourage other complainants from reporting harassment in the future. It can taint people's evidence, and it can heighten the tension in the workplace.
- You may first hear about a harassment complaint only when a member has been disciplined and comes to you to file a grievance. Handle this in the same way you would any request to file a grievance. If you feel you are in a conflict situation, perceived or real, defer your assistance to another Steward or to the Labour Relations Officer.

SGEU wants stewards to take harassment seriously. If you have any questions about how to handle a harassment issue or complaint, please contact your chief steward or Labour Relations Officer.



[Remember: Harassment is behaviour which belittles, undermines, or intimidates. It can include jokes, statements, gossiping and spreading rumours, swearing, displaying offensive materials, or making threats or promises (especially about access to employment, benefits, or opportunities) in return for sexual activity. There are specific legal grounds for harassment set out in the Saskatchewan Human Rights Code, the Occupational Health and Safety Act or its successor, and your collective agreement.]