

A woman with short black hair, wearing a red blazer with gold buttons and a pearl earring, is pointing her right index finger directly at the viewer. The background is white with vertical stripes of varying shades of red and orange. The text is overlaid on the bottom left of the image.

**Workplace  
Harassment  
and Violence**

# Workplace Harassment and Violence Report

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Names are listed in alphabetical order and reflect varied, but equal contributions to the overall project and report. We are grateful to Status of Women Canada for funding this project and for the continued sponsorship of the Ontario Coalition of Rape Crisis Centres. We also thank the members of our Advisory Committee for pushing and challenging us throughout this project. We thank the women who facilitated focus groups and helped us contact the women in this study. Finally, this report would not be possible without the contributions of the women who told us about their experiences.

*“To understand violence, we have to examine both the personal experience and the terrain of that experience.”*

*Dr. Yasmin Jiawani*

This report is built on the personal experiences of women who have experienced workplace harassment, but their stories are also about the “terrain” or the context of those experiences. In drawing out the commonalities of their experiences, we have begun to shed light on the terrain. We must transform the terrain if women are to have equality and safety in their workplaces.

We dedicate this report to Theresa Vince whose death in 1996 changed the views of many people in Ontario about sexual and workplace harassment. Her tragic and untimely death showed us that workplace harassment can no longer be easily dismissed as a trivial problem. Fundamentally, the goal of this report is to prevent any other woman from losing her life and to stop the daily harm being done to women through workplace harassment. This is a call for swift and meaningful preventative measures and remedies.

Theresa Vince was a twenty-five year employee for Sears Canada Inc. At the time of her death she was the Human Resources Training Administrator. On June 2, 1996, Theresa Vince was murdered at her place of work, by her boss, the store manager, who also shot and killed himself. Sixteen months earlier she had made a complaint of sexual harassment and a poisoned work environment.

For the majority of her time as an employee with Sears, Theresa loved her work, her co-workers and the atmosphere in which she worked. She excelled in her role and was described by many as 'highly competent' and 'the one who runs the store.' But things began to change slowly when the new store manager arrived. "He treated her differently from the very beginning," stated one co-worker.

Almost everything we know about Theresa's experience was gathered from witness testimonies at a coroner's inquest into the workplace deaths. Like so many who experience workplace sexual harassment, she told very few people. Of the more than twenty co-worker testimonies, only two women freely acknowledged the combination of ongoing and escalating sexual harassment and the 'mean and surly' reprisal that Theresa endured for several years. These two individuals did not regurgitate a primed response that characterized the manager's harassment as "infatuated in a business sense" or as "puppy-love" as others did.

We know that Theresa's boss complimented her on her appearance. He stared at her. He phoned her on her extension "twenty to twenty five times a day" (in a eight hour work day that's every twenty minutes) and called her into his office "at least that many times." He would follow her with his eyes when she walked by, even if he was engaged in conversation with employees and managers. He would follow her to coffee break and stare at her. He would take an extra long route to the bathroom to pass by her desk. He told her "if he were married to her he would buy her a dishwasher." He gave her expensive perfume and tried to kiss her. He frequently brought her up in conversation. He lifted his pant leg to show her his tan. He offered to rub suntan lotion on her back. He piled work on her. He would be mean and surly to her. She confided to her sister that she "never saw the top of her desk anymore" and told a co-worker that she didn't know if she could make it to her retirement day.

Some co-workers would tease her about him. They would tell her, "Go in there and put him in a good mood, Theresa." They teased her about how she got a hole in her pantyhose. It hurt her feelings. They were her friends.

Theresa can't tell us in her own words how this experience felt or how it affected her; for that we must rely upon the observations and comments of the people around her. The same co-worker who said, "He treated her differently from the very beginning" also went on to say that Theresa was having difficulty making decisions, was becoming negative and that, "It was better she was leaving" (referring to Theresa's planned early retirement). Theresa's early retirement was her final strategy to escape the harassment. Nearing her retirement date she commented to one of her daughters that her income compared to her expenses would put her in the red fifty to one hundred dollars every month.

Theresa's family watched as this experience changed her. Her daughters' observations reveal the magnitude of the harm of workplace harassment:

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*“Here’s a person that was always my strength and I looked at her and she was consumed with self doubt.”  
(Catherine Kedziora)*

*“Two months before she died I watched my mother curl into a ball as she sat on the sofa – tears - one by one – rolled down her cheeks - all she could say was that she was under a lot of stress. It had been months since I had seen her smile. She couldn’t sleep, she couldn’t eat, she couldn’t talk anymore - all she could do was curl up into her self protective ball and wish for her hell to be over. She never made it to retirement day.”  
(Jacquie Carr)*

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## EXECUTIVE SUMMARY

This report documents the range of harassment behaviours women experience when they enter the workplace. For some women, the harassment is sexual in nature. Other women experience abusive workplace situations that are based on their race, class, disability, sexual orientation, language or lack of citizenship in Canada. And many women experience harassment and violence in the workplace based on multiple grounds. The goal of this report is to identify the range of workplace harassment and violence that women experience and to examine the effects of their experiences. Finally, we make recommendations for reducing the risk of harassment and for providing women with support and legal remedies if they are harassed.

The death of Theresa Vince in 1996 changed the views of many people in Ontario about sexual and workplace harassment. Her tragic and untimely death showed us that workplace harassment can no longer be easily dismissed as a trivial problem. For readers unfamiliar with the story of Theresa Vince, we commence our report with her experiences.

Fundamentally, the goal of this report is to prevent any other woman from losing her life and to stop the daily harm being done to women through workplace harassment. This is a call for swift and meaningful preventative measures and remedies.

### **Description of Research Methodology**

The research for this Status of Women Canada funded project was conducted under the direction of the Ontario Coalition of Rape Crisis Centres (phase I & II) and The Workers Information and Action Centre of Toronto (phase I only, this agency lost funding support and is no longer in existence). The project was designed as a participatory action research project with specific policy outcomes. It set out to

understand how women define workplace harassment and violence, the effect of these experiences, whether or not they reported their experiences and, if they did report, what facilitated and what hindered their efforts to secure remedies and resolutions. A community advisory committee consisting of 6 women from various community agencies that work on harassment and other diversity issues monitored the research. The data for this analysis are based on 17 interviews and 12 focus groups of women in Ontario, Canada.

In August 2003, we completed the first draft of the report. We then contacted as many women as possible from the focus groups and interviews. We asked women to give us their feedback about the report. We incorporated this feedback into the report in December 2003.

Throughout the four years of this project, there were serious discussions and conflicts regarding the focus of the research, the definition of workplace harassment and issues of racism. The conflicts included members of the research team and the Advisory Committee. These conflicts focused on the assumptions that the researchers brought to the project, including how to incorporate issues of intersectionality when examining workplace harassment. This is a critically important discussion and we hope that these voices can contribute to it. Throughout the report, we call attention to the ways in which women's race, ethnicity, immigration status, disability and other aspects of their lives and their identities intersect with their experiences.

### **The Range of Workplace Harassment**

To demonstrate the range of workplace harassment and violence, we begin by outlining the stories of four women. The experiences of these four women reflect the range of harassment experiences of women in our study. The women who shared their experiences, either through focus groups or individual interviews, reported experiencing

a wide range of sexual and non-sexual harassment and violence in the workplace. Some women in our study experienced religious discrimination. Racialized women and immigrant women reported overt racism and mental abuse. Some women, such as Native women, disabled women and women whose first language was not English described how limited their access to employment is, sometimes leaving them virtually excluded from the workforce and sometimes trapping them in situations where they were being harassed. It is the way these multiple forms of oppression intersect or come together that determines a woman's experience of harassment and violence in the workplace.

Before asking women to relay their stories, we asked interviewees and focus group participants to define harassment. While many struggled to find words for the various actions perpetrated against them, all agreed that the behaviour was unwanted and unwelcome. When speaking about the meaning of the abuse, harassment and violence, many women understood it to be a misuse of power. Women spoke of their ambivalence towards describing some types of behaviour as harassment, particularly when the actions were subtle and when they considered the possible costs of reporting. They also explained how cultural differences could cloud their understanding of what was happening to them. Native women, for example, spoke about the broader context of violence experienced by their community and by First Nations' women in particular. The experience of colonization and dislocation, the residual effects of forced Christianization, the residential school experience and internalized racism, all affected women's ability to respond to harassment from within their community.

## **What are the Effects for Women Experiencing Workplace Harassment and Violence**

No matter the degree of severity of the harassment experienced, there was consensus from women in all of their diversity that workplace harassment is costly for women. Women, who experienced racial harassment, harassment due to their disability, sexual harassment and workplace harassment where multiple forms of oppression intersected, experienced similar types of negative effects.

Women reported losing their jobs or careers, experiencing damaged relationships with co-workers, being labeled as troublemakers, losing friends and undergoing stress with family members. Partners, children and other family members were affected by workplace harassment. For many, the emotional exhaustion and stress in their lives diminished their interest in and ability to be intimate with a partner. Loss of sleep, nervousness, loss of financial security, loss of self-esteem, guilt, fear, self-blame were all named as health related and personal consequences of workplace harassment. The effect of harassment can occur immediately following the experience or the effect can occur (and linger on) well after the harassment is over.

## **How Women Cope with Harassment**

Women cope or react to their harassment experiences in a variety of ways. Some women leave their jobs. Some women silently endure for years. While we hold the expectation that women will report their experiences of non-sexual and sexual workplace harassment, data on the reporting of sexual harassment complaints indicates that very few experiences are reported. Instead of reporting, women cope with the harassment in whatever way possible.

One of the difficulties concerning coping with harassment is that "common sense" understandings of the problem



of harassment tend to conceptualize women's responses in a one-dimensional continuum of non-assertive to assertive; from ignoring the harassment to reporting it. Being non-assertive is equated with "bad" responses that don't solve the problem, while assertive responses, such as telling the person to stop and reporting, are seen as good responses that solve the problem. Overall, current research on sexual harassment moves away from categorizing victims' responses as effective or not effective. Categorizing responses to sexual harassment as either effective or not effective fails to recognize women's day to day need to cope and the complex psychological processes associated with coping. Ultimately, labeling a response as effective or ineffective blames the complainant for her own victimization.

There are two primary ways that women cope; through behavioural and psychological responses. First, there are externally focused behavioural strategies such as avoidance, "I moved my desk to the far corner of the office, so I wouldn't run into him anymore;" assertion, "I told my co-workers to leave me alone;" seeking social support, "I finally told my family what was going on," and seeking organizational relief, "I reported him to my supervisor." Internally-focused strategies include denial, "I just tried to forget about it;" detachment, "I told myself he didn't mean to upset me;" endurance, "I thought if I just laughed at his jokes, he would eventually get bored and go away;" reattribution or defining the situation in a way that it is not seen as sexual harassment, "My male co-workers were just telling me that they liked the way I looked;" and self-blame or illusory control, "It must have been something I said that made him act that way."

Sociological and psychological research shows that coping with harassment is a *process*, not a singular event. Most victims do not have only one reaction to their harassment experience. What we know about coping with harassment is that an individual's coping strategies will have a variety of outcomes, some practical, some psychological, some good and some bad.

Coping with harassment is not about mastery, whereby the victim successfully deals with the harassing situation. Rather, coping should be equated with all efforts by the victim to deal with the actual harassment situation and the stress caused by the harassment. Women often engage in different types of coping methods as the harassment goes on or changes.

### **To Report or Not To Report: Women's Experiences with Reporting and Filing Formal Complaints**

Women do not report for a variety of reasons. To report may mean retaliation, the loss of one's job or the loss of a needed reference for a promotion. Others fail to file a complaint due to a lack of information about their options or the impression that their complaint is not "serious" enough to warrant an outside investigation. Women also do not report the harassment due to fear that they will not be believed.

Women in our study cited two primary reasons for not reporting. Some did not report because they did not think it was worth it. Others did not report because race and/or language issues hindered their ability to report. Some women stated they did not report for both of these reasons. All women who did not report shared a sense of vulnerability that stemmed not just from their harassment experience, but from other aspects of their lives as well.

We also examine the reasons women gave for reporting their harassment experiences. In this section, we use the term reporting broadly to include making a verbal or written complaint to the perpetrator, making a formal complaint to the company and making a formal complaint to an external legal forum such as a Human Rights Commission.

Many women found it easier to report if they did not have to confront their harasser. Another category of women who reported includes those who came to believe the harasser needed to be stopped and those

who felt the need to protect others from harassment. Several women decided to report in an effort to keep their job. A few respondents discussed the role of family in their decision to report, with some reporting because of family support and some not reporting because of a lack of family support.

Women's experiences with reporting can be categorized in three ways; those where reporting made some difference, those where nothing happened, and those where reporting made the situation worse by leading to retaliation or other negative outcomes. Some women, of course, fall into multiple categories.

Several women discussed how policies and procedures either hindered or helped their reporting experiences. Many women encountered a problem with complaint or grievance policies and procedures that either did not exist or were not clear. For some women, policies and procedures worked. Clear procedures and an organizational culture that takes harassment seriously create an environment that helps women to believe they can report their harassment and it will be addressed.

Women who used both internal and external complaint procedures often felt that they were pushed from one forum to another. They described getting the legal runaround; the way to a resolution was far from straightforward. The barriers to reporting are further complicated by the difficulties women face in (1) finding any lawyer, (2) finding a lawyer who understands workplace harassment, (3) finding a lawyer who will consult with them and (4) paying that lawyer.

For many women, the experience of reporting the harassment was as bad as, or worse than, experiencing the initial harassment. Our investigation shows the negative and sometimes devastating effect reporting harassment can have on women's lives. In terms of their personal lives, women spoke of the following effects: "guilt because you were now bringing it

[the sexual harassment] into your home;" "loss of health;" "I lost friends that couldn't understand;" and "I lost family because they felt I should keep my job. They blamed me for the harassment." Turning to the work-related costs of reporting, women mentioned they had lost their jobs, had their careers ruined and had become unemployable. For those women who stay in their jobs, the cost of reporting can mean the loss of support from trusted colleagues or a change or an escalation in the harassment.

The difficulties women encountered with reporting, as well as the effect of reporting, underscore the need to rethink the services and support we offer women who experience sexual and non-sexual workplace harassment and violence.

## **What Do Women Want? Recommendations from the Heart**

Many of the women, especially those who reported, discussed what they wish had happened when their harassment started. The most common theme discussed was the need for support. The issue of support came up in two ways. First, women discussed how the support of others was central to their ability to get through the experience. Second, when asked what advice they would give someone who was experiencing harassment, women overwhelmingly mentioned support.

While women universally agreed that support was necessary to getting through their experiences, some experienced difficulty in finding good support and information. Many of the women who reported their sexual and non-sexual workplace harassment recounted not knowing where to get information about workplace, union and legal policies and procedures, being frustrated with slow-moving legal and human rights processes, being shocked at the cost of legal and human rights proceedings and not knowing who they could trust. Women need a

place and/or people where they can turn to get answers for their questions and help with their grievance and human rights procedures. Women pointed to the need for an advocate to help them work their way through their complaint of workplace harassment. Others mentioned the importance of union support.

Women often questioned whether they could receive help for their workplace harassment and violence experiences at Rape Crisis/Sexual Assault Centres. When asked if she would go to a Rape Crisis Centre, one of the Black women stated, "They only deal with rape, don't they?" Echoing this sentiment, one white woman in another focus group said, "Women don't go because it is not rape." In this document we examine women's views as to what services, if any, Rape Crisis/Sexual Assault Centres should provide for women experiencing sexual and workplace harassment. The first issue to consider is the lack of awareness that some Rape Crisis/Sexual Assault Centres will help women experiencing sexual harassment. The second issue concerns the lack of funding and/or time these Centres have to devote to sexual and workplace harassment. A third issue mentioned by only one white woman concerns whether Rape Crisis/Sexual Assault Centres understand the problem of sexual and workplace harassment. This women stated, "Sexual harassment involves specific issues, that if you haven't been through, then you don't understand. Sexual Assault Centres don't understand the workplace piece." Regardless of the issues that remain to be addressed, Sexual Assault Centres are one place that women mentioned receiving support from when they began addressing their harassment.

Women had much to say about what they wish had happened when they first reported their harassment. Many women note that it would have made a difference if they had been treated with respect when first reporting their harassment experiences.

Women also raised the need for education around sexual and workplace harassment. They believe that education could help

women "name" the problem, as well as make it possible for women to bring the problem out into the open. Some women linked a lack of education to difficulties in understanding what sexual harassment is. Women discussed the need to raise awareness about the different forms of workplace harassment and violence. Educational forums could take the shape of workshops for women to help them define and name sexual and workplace harassment, workshops that give information about resources for women who want to report harassment and workshops for employees, employers and/or harassers that educate about harassment and its effect on women. It is clear from the comments of the women facing multiple oppressions that some educational workshops need to be specific to certain communities. What is helpful and appropriate for white women, may not be for women of colour, women with disabilities, Francophone women and others.

Part of the need for increased awareness about workplace harassment revolves around women's need to understand the law. This involves understanding human rights law, workplace standards, occupational health and safety and other forms of labour law. Women also expressed a need for information about what legal avenues they could pursue with their complaints of workplace harassment.

Women wished that management had talked to the harasser soon after a complaint was made. Women state that what they wanted was for the harassment to stop and to feel safe in the workplace. Many of the women are not asking for the perpetrator to be "punished." They simply want the behaviour stopped.

Women discussed two general types of remedies they either wished they had received or hoped to receive. The first relates to money or compensation for lost wages and the harm suffered as a result of the harassment. The second concerns remedies directed at the perpetrator of the harassment. These included wanting to receive a letter of apology or if the harasser

was in a position of authority, a reference letter, requiring the perpetrator to receive education about harassment and/or wanting him to be reprimanded in some way.

Women also discussed the need for lawyers in the complaint process, especially when filing complaints with the Human Rights Commission or other external forums. Some women found good lawyers. Others found it difficult to find any lawyer. When they did find a lawyer who would talk to them, the lawyer did not always listen or understand workplace harassment issues. Important to our analysis is the fact that, with the exception of a Latina woman, only the white women experiencing sexual harassment appear to have engaged lawyers in the complaint process. Several factors may be at play here, such as white women's experiences most easily being identified as "legally-actionable" forms of sexual harassment, as well as the increased ability of white women (or whites in general) to access lawyers and the law.

The women who reported their harassment were asked if, given what they know now, they would report again. With the exception of one woman, all said they would report again. They all added that, with the experience and the learning behind them, they would do some things differently from the beginning.

Based on our analysis of the data collected and our conversations with women involved in interviews and focus groups, we present a variety of expanded recommendations directed towards:

- Women who experience workplace harassment;
- Front-line supporters and advocates;
- Sexual Assault Centres;
- Community agencies providing culturally specific support and advocacy;
- Professionals, particularly lawyers and the police,
- Employers and Human Rights Managers;

- Unions;
- Policymakers.

We invite you to view these extensive recommendations at the conclusion of this report.

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## INTRODUCTION

Women experience a range of harassment behaviours when they enter the workplace. For some women, the harassment is sexual in nature. Other women experience abusive workplace situations that are based on their race, class, disability, sexual orientation, language or lack of citizenship in Canada. And many women experience harassment and violence in the workplace based on multiple grounds. The goal of this report is to identify the range of workplace harassment and violence that women experience and to examine the effect of their experiences. We also provide recommendations and suggestions for the way forward to reduce the risk of harassment and to provide women with support and legal remedies they need if it does occur.

The path that led to this project is like a web, an intricate weaving of interconnected strands related to a central point. In this case the central issue is workplace harassment and violence, and the point where violence against women and workplace harassment intersect. This project takes its place as a point of connection between efforts to understand workplace harassment and the needs of women who experience it. This project flows from a series of actions that connected people and ideas. From the *Purple Ribbon Campaign*; aimed at raising awareness and advocating for Sexual Harassment Awareness Week, to *The Way Forward: A Conference to Address the Problem of Workplace Sexual Harassment*, these were events that brought together some of the leading thinkers and activists on the subject. This report is also indebted to the work of the Workers Information and Action Centre in Toronto, which initiated and provided support for the Toronto Harassment support group and other community coalition work. People from these various paths met and a team interested in developing concrete and viable solutions to workplace harassment grew.

This report presents the information collected, compiled and analyzed from women experiencing workplace harassment and violence and community agencies that attempt to provide support. It is the express intent of the team that this action-research project highlight and address some of the many gaps in understanding and responding to the problem. It is our hope and our belief that the resulting analysis and recommendations will benefit women who experience workplace harassment and violence, women who are at risk of experiencing it, the institutions and organizations whose mandate it is to address workplace harassment through remedies, prevention and/or support, companies that want to maintain harassment free workplaces, other groups offering services to women and all working people.

### Why This Study?

The goal of this report is not to hold any single employer or individual responsible for harassment. Rather, it is to illustrate what workplace harassment looks like, to explain how it affects women and their loved ones and to make recommendations about what support and intervention women need to survive harassment. It details what employers, policy makers and activists can do to reduce the chances of women experiencing harassment. As we stated earlier, we must not allow any other woman to lose her life to workplace harassment.

We now present a description of the data we use in our study. Then we turn to an in-depth discussion of our results.

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## DESCRIPTION OF RESEARCH METHODOLOGY AND DATA

The research for this Status of Women Canada funded project was conducted under the direction of the Ontario Coalition of Rape Crisis Centres and The Workers Information and Action Centre of Toronto (this agency is no longer in existence). The project was designed as a participatory action research project with specific policy outcomes. It set out to understand how women define workplace harassment and violence, the effect of these experiences, whether or not they reported their experiences and, if they did report, what facilitated and what hindered their efforts to secure remedies and resolutions. A community advisory committee consisting of 6 women from various community agencies that work on harassment and other diversity issues monitored the research.

The data for this analysis are based on 17 interviews and 12 focus groups of women in Ontario, Canada. Women were selected through contacts with Sexual Assault Centres, community support agencies and lawyers to gain a sample of women who had experienced a range of sexual and other forms of harassment and violence in the workplace. We also selected women from different backgrounds and communities, such as Native women, Black women, Filipinas, women with disabilities, Francophone women, young women and women living in rural areas. As the purpose of this study was to gain an understanding of the diversity of harassment and reporting experiences for women, we selected groups that would allow us to understand how issues of race, class, citizenship and disability intersected with these experiences. Focus groups were conducted in two phases. Six focus groups were conducted in the summer and fall of 2000. A preliminary report was prepared based on the findings from these focus groups.

Information from these focus groups played a central role in forming the questions and selection of participants in the second phase. We continued to select focus groups that represented diverse communities of women to push forward our understanding of the range of workplace harassment experiences. We also decided to interview women who had reported their workplace harassment. Some of our focus groups in the first phase were with women who had reported. We discovered that the format of focus groups did not allow us to explore the complicated reporting procedures women went through in the detail we required. As one of our goals of the study was to make recommendations concerning reporting mechanisms, we decided it was necessary to interview women about these experiences to give us time to talk with them about the mechanisms that worked and the barriers they experienced. During the second phase, September 2001 to May 2002, we conducted 5 more focus groups and 14 interviews with women across Ontario.

Focus groups and interviews were conducted by members of the research team and were audiotaped and transcribed. In order to capture the depth and detail of the women's experiences, we analysed their responses using qualitative methods (Morse 1992). We engaged in group coding of the transcripts at the beginning of the data analysis. The coding process started with the four researchers each reading and coding independently four interviews and three focus group transcripts. We then met to debate and reach consensus about the key themes and concepts in these interviews and focus groups. Two of the researchers then analyzed the remaining focus groups and interviews, coding them based on the key themes, and building on these themes as new issues emerged. All transcripts were entered into a qualitative software program (Nvivo) for coding and analysis. This facilitated the identification and refinement of underlying themes and categories to organize the data. As well, it facilitated the comparison between the focus groups and interviews (Denzin and Lincoln 1994, Bernard 2000). Through

a process of comparing and contrasting, we refined the underlying themes. These are the themes that form the basis for this report.

In August 2003, we completed the first draft of the report. We then contacted as many women as possible from the focus groups and interviews. We asked women to give us their feedback about the report. We incorporated this feedback into the report in December 2003. Some women wanted to add to or change their quotes. Other women made comments about places in the report that were unclear to them. And many women wrote personal responses throughout their copy of the report, noting the places where the report reflected their experiences. Women commented that reading the report made them feel less alone, but that it also saddened them that so many women had to experience similar things. Women were also asked if they would like to include a statement or reaction to the report in an appendix. We have included their words in poem, song and statements in Appendix A.

After incorporating the comments of women who participated in the study, the report was circulated to the Advisory Committee for the project. This group of women read the report and some provided feedback.

Finally, we do not want to leave the impression that the process for this research project was smooth and seamless. Throughout the four years of this project, there were serious discussions and conflicts regarding the focus of the research, the definition of workplace harassment and issues of racism. The conflicts included members of the research team and the Advisory Committee. These conflicts focused on the assumptions that the researchers brought to the project, including how to incorporate issues of intersectionality when examining workplace harassment. Some of these issues were not resolved. As a result, we made a decision not to include one of the focus groups, as some of the women on the Advisory Committee were not comfortable with members of the research team analyzing

that focus group. On the whole, we believe the conflicts resulted in a richer analysis and deepened our understanding of the issues women face when experiencing workplace harassment.

The report is divided into six major sections. We start with a discussion of the range of workplace harassment behaviours women experience. We address issues of intersectionality and how this analysis resonates with women's definitions of harassment. We then turn to the physical, emotional, financial and other effects of workplace harassment. The third section discusses how women cope with their workplace harassment. In the fourth section, we analyze women's decisions to report or not to report their harassment. We also discuss their experiences with the reporting process, including the "legal runaround" many encounter as they are pushed from one legal forum to another. In the fifth section, we let women express their ideas for policy recommendations and give advice to other women who may experience workplace harassment. Finally, in the sixth section, we provide a comprehensive list of recommendations based on our research. Throughout the report, we call attention to the ways in which women's race, ethnicity, immigration status, disability and other aspects of their lives and their identities intersect with their experiences.

We now turn to the focus of this report; the experiences with workplace harassment and violence of the women we interviewed.

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# THE RANGE OF WORKPLACE HARASSMENT

## Four Women's Experiences

We start with the experiences of four women to demonstrate the range of workplace harassment and violence. *M* is a white woman working in a male-dominated workplace who successfully filed a suit against her employer. *A* is a Filipina domestic worker who originally came to Canada as part of the Live-in Caregiver Programme. *U* is a Francophone woman. And *S* is a Vietnamese woman who filed a complaint against her employer.

### M's Experience:

The harassment started when I first started working at [company]. ... The first thing that happened was seeing pornographic pictures displayed everywhere in the department and the supervision and co-workers telling me as a woman I was unwanted. The harassment started with the men that I worked with ignoring, belittling me, giving me no instructions and yelling at me. The men would come right out and tell me that I wasn't wanted and they would make sure I didn't stay. This included supervision. ... There were lots of people around who witnessed this behaviour and did nothing, and sometimes they just joined in and made matters worse.

Most of the men (not all) would only do this behaviour when there were others around to watch or join in. Only a few would do the harassment and assault on their own. It seemed they liked an audience or else they didn't have the nerve to do this bad behaviour on their own.

I was told not to stand beside [the men in my section] or sit beside them when I was working. I was to stand or sit at the other side of the machine, so they didn't have to see me. I was

given little or no instructions on jobs, which could have been very dangerous because I worked with heavy, fast moving machinery and harmful chemicals. I was constantly called into the supervisor's office and told that my job performance was bad.

My supervisors would yell at me, and then tell me later privately that they had to do that because the men didn't want me there. ... The men gave me wrong instructions on jobs and watched as I did them the wrong way and would laugh, which caused me to break my foot and hand in the department.

One man that I first worked with would throw things at me when he was angry, for example a 45-gallon drum, knives etc. If I bent over the machinery to work, the men would come behind me imitating sexual acts. The men would grab my breasts and in between my legs when I was working. I was made to do a lot of the clean up jobs in the department because that was women's work. A supervisor walked into the shower when I was showering to ask if I wanted to work overtime. I wasn't allowed to leave a shift when it was slow like everyone else in the department because the supervisor said I had to stay in case he got horny and if I left I would be disciplined. Sexist jokes were always told to me or about me. The men would call my name and show their penises to me or bend over and moon me. Most of the men I worked with have exposed themselves to me. A few of the men have come from behind me and laid their penises on my shoulder and tried to force oral sex on me after they duct taped me to a chair. The men would urinate in the department in steam holes, outside doorways and at the outside break area. One man defecated in his pants and shook his pant leg and it dropped on the floor. The supervisor told me to finish my work with him before I was to leave the area. [I was told] they all weren't like



him, he had a drinking problem. I was duct taped to a chair and hoisted up on a lift truck and left there without being able to use the washroom for the remainder of a shift, with everyone laughing because I am fearful of heights. The harassment occurred every day. The harassment occurred for the 20 years I was employed, but increased drastically the last 14 years when I worked only with men.

### **A's Experience:**

The woman ... if I don't finish my job tells me I have to go back to the Philippines. I work more than what a caregiver is doing to finish my two years [in the Live-in Caregiver Programme before being eligible to apply for landed immigrant status]. I was as a nanny. A nanny/caregiver is just looking after children, but I did everything. I did the driving job, [grocery] marketing, mowing, shoveling [snow in winter]. ... That's not our job. After I landed I still stayed with them because I know they need me, but I work too much (laughs). I'm not lucky finding an employer. When I moved I found an employer. Again I got high pay, but it's the same, I need to do everything [for the family] ... and when I disagree with some of it, they said they don't need me anymore.

[O]ne time I'm freezing on the street [in winter] and they don't want to pick me up, but there is no bus going to our place. But they don't want to pick me up. Nobody would pick me up. I just hung up the phone and I just stayed there. I don't know what to do and later my employer came. And then I saw the car just sitting there in the garage. I work even until 12:00 midnight, later than 12:00 midnight. It's o.k. with me. Everything is o.k., but they still don't appreciate me, so I think about myself, so I move [on to another employer].

[T]he first year of my contract, I didn't have a day off. It's an agreement

before I came here. It's o.k. with me because it's a verbal agreement because most of the time they are not home, so it's o.k. with me.

### **U's Experience:**

My employer couldn't stand Francophones. ... He refused to recognize the professional training I received in Québec at the college level rather than at a university. When I made suggestions, [my boss] would comment that, "That's probably what you do in Québec, but not here." My colleague had warned me that I would never be accepted here because I was Francophone. In addition to my [regular] duties, I was used and felt used to translate when there were [clients] who did not speak English.

### **S's Experience:**

The harassment started immediately when I started working. In the [job] interview the supervisor who continued the harassment made me hold his hand when he was interviewing me. I was told from a friend that if I didn't let him hold my hand I wouldn't get hired. The harassment first started with my supervisor touching me. The harassment was done by my supervisor who was also Vietnamese, but spoke English. I didn't like him touching me, but I felt that I had to put up with it at first, and I didn't say anything because I was a new employee.

The whole time I worked there, my supervisor would touch me and verbally threaten to fire me constantly. I was always told to do my work and not talk any Vietnamese at work. This meant that I couldn't talk at all when I was working because I couldn't speak English very good. The supervisor would get me to do real heavy jobs by myself when I was pregnant with my little boy. He would tell me that I couldn't get any help and if I did I would be fired. He would touch

my breasts, bum and body parts all the time, and when I would tell him not to he would do it anyway. This behaviour continued everyday for the whole time I worked there. He would have me sign written warnings that were in English so that I didn't know what they said, and if I didn't he would fire me. I had no choice but to sign them. In July of 2001 I was laid off along with the others, but I never received a call back and less senior men were called back to do my job. They also hired a new employee.

The harasser would act like he had the right to do this to me, and he sometimes would apologize but then do it again. He also told me that if I complained to anyone he would fire me. He would yell and tell me that he was the boss and I couldn't do anything but obey him. The harassment went on daily the whole time I worked there until I was fired.

### Summary

The experiences of these four women reflect some of the range of harassment experiences of women in our study. Women experience behaviours that are identified as sexual harassment including sexual touching, comments, requests for sex and sexual assault. Women also experience harassment based on their language, status, race, citizenship, disability and sexual orientation, to name a few. Some women, such as S, the Vietnamese woman, experience harassment that is based on multiple forms of oppression. Her experience is not just about sexual harassment or having English as a second language or being Vietnamese. Rather, it is the way these multiple forms of oppression intersect or come together that determines her experience of harassment and violence in the workplace. Other women, such as A, the Filipina domestic worker, experience non-sexual and abusive behaviour based on multiple forms of oppression. And, as reflected in A's words that not having a day off is "o.k. with me," some women's experiences reflect an ambivalence to

labeling their experiences as harassment that is related to their positions in the workplace and lack of citizenship rights.

In the next section we build on the experiences of these four women by outlining the range of harassment and violence that women experience in the workplace.

## Sexual and Non-Sexual Harassment and Violence in the Workplace

The women who participated in this study by sharing their experiences, either through focus groups or individual interviews, reported experiencing a wide range of sexual and non-sexual harassment and violence in the workplace. They described experiencing unwanted sexualized behaviour ranging from subtle and seemingly accidental touching to more overt groping, propositions to engage in sex and sexual assault or physical abuse and assaults. Further, women experienced the devaluation of their work and their personality;

I had a woman who came to me regularly for her haircut. She liked the way I cut her hair. Then she found out I had low vision and from that moment she said my cuts were bad and she never came back to me. That would happen. People would get a hair cut from me and like it and say so, but once they found out I have low vision they wouldn't let me cut their hair. (white woman with disability, #13)

Some women in our study experienced religious discrimination. Racialized women and immigrant women reported overt racism and mental abuse;

Yes like they will say, "Oh where did you learn how to speak English?" The way they talk to you, it's like you're only supposed to... it sounds like you're only a caregiver, how do you know how to speak fluent English? It's like they expect you to be less educated. (Filipina domestic worker, #1)

It's, like, because you are a nanny you cannot be more educated like the stereotype. (Filipina domestic worker, #1)

In particular racialized women and women without citizenship rights were forced to work under highly exploitive conditions. The very private nature of the workplace for domestic caregivers allowed employers to ignore statutory holidays and force their employees to work longer hours and carry out tasks that were not part of their job description. Because these women's very existence in Canada was at stake, many did not complain.

And even if you don't like your situation, you just wait for the time. (Filipina domestic worker, #1)

Some women, such as Native women, disabled women and women whose first language was not English described how limited their access to employment is, sometimes leaving them virtually excluded from the workforce and sometimes trapping them in situations where they were being harassed.

A white woman who experienced years of both disability-related and sexual harassment remembered;

At a job interview I got 99 out of 100 in the written exam portion, but when I went for the practical, the woman there told me the government would take care of me and to leave the paying jobs for others. ... I always wonder what I could have done or become in my life if people didn't put barriers in front of me. I've always been limited in the work I can do by others' perception of me. "What might have been..." (#3)

A Vietnamese woman stated;

I needed my job and I knew it would be hard to find other work when I couldn't speak English very well. (#22)

Women with physical disabilities who did manage to find work were often in a situation where the disability was exploited and used to humiliate them. A focus group

participant with a hearing and a visual impairment, living in a rural community and working in the service industry explained how a supervisor harassed one of her co-workers;

He went after her about being loud or would come up behind her and yell in her ear. (white woman with disability, #9)

Another interviewee describes how physical disabilities are exploited, in this case, to sexually harass;

People will set you up to see porn pictures. They are laughing because it takes a while to see the picture and figure it out. You become the brunt of their joke.... I have to think twice about the white cane. When I use it, I get groped wherever I am. If I don't use it, I probably don't get groped, but then I have to deal with reduced mobility. I can't get around as easily. (white woman with disability, #13)

Women experienced gender harassment where policies were applied in a discriminatory way, excluding those being harassed and denying them the safety and security intended for all. Women also reported experiencing abuse and discrimination based on their age and body size.

All the women who shared their stories of workplace violence experienced it at the hands of someone who had more power than they did, conferred either through workplace rank or societal status. The harassers were always in a position of power vis-a-vis the targets of their abuse. With a few exceptions, the women relayed experiencing harassment perpetrated by male co-workers, supervisors or employers. Our study supports the supposition that the power relations of the dominant society, which accord men more power than women, are reflected in the workplace.

Women in our study noted that workplaces that isolate women allow harassers more freedom to operate. Domestic caregivers, working in the private setting of their employer's home, were vulnerable because of this isolation. Women working in all-male

workplaces also found themselves isolated and vulnerable to intense harassment.

Our study includes only a few cases where women experienced harassment by other women. Yet these are important to acknowledge, for women cannot be reduced to a victim role. They can be both oppressed and oppressor at the same time. In the words of Patricia Hill Collins, "All groups possess varying amounts of penalty and privilege in one historically created system" and "depending on the context, an individual may be an oppressor, a member of an oppressed group, or simultaneously oppressor and oppressed." (Collins 1990, p. 225; see also Razak 1998).

Women often shared the experience of the abuse being common knowledge;

There were always witnesses around to what was being said. Whether it was directly to me or behind my back, there were always witnesses. It seemed that every body was involved. (Lesbian, #14)

And many women described a process of escalating abuse, harassment and violence;

And he would use any opportunity. ... it seemed to get worse over time. ... When he first started it, it wasn't... the longer he was here, he was using more opportunities to touch women, to hug them, and it got to the point where I was calling him the groping elder. ... It seemed to progress worse to me, I think, because he knew he got away with some behaviours, so it gradually built up from that. (#8)

## Defining Harassment

One of the frequently discussed conundrums in the research on sexual harassment is that women will report experiencing unwanted sexual attention, but will not label those experiences as sexual harassment. This phenomenon has led some to focus on the gap between objective and subjective perceptions of harassment or the likelihood respondents will label their experiences as sexual

harassment (e.g. Vaux 1993, Folgero & Fjeldstad 1995, Williams 1997). Complicating this issue is the reality that most research on the definition of sexual harassment has been conducted on white women (who are predominately heterosexual with full citizenship rights and a variety of class backgrounds). Although there are recent attempts to study the experiences of non-white women (e.g. Giuffre and Williams, 1994; Rospenda et al. 1998; Cortina 2001; Kalof et al. 2001), there is a need for more attention to how the intersection of race, class, sexual orientation, disability and citizenship create understandings of and reactions to sexual harassment. In this section we discuss some of the ambiguities women expressed when talking about their experiences with workplace harassment and violence. How fast women resolve the ambiguities surrounding their experiences appears to depend on both the kind of harassment they experience and what impact the harassment has on various aspects of their lives.

Before asking women to relay their stories, we asked interviewees and focus group participants to define harassment. While many struggled to find words for the various actions perpetrated against them, all agreed that the behaviour was unwanted and unwelcome. When speaking about the meaning of the abuse, harassment and violence, many women understood it to be a misuse of power;

To me sexual harassment is a power – they use it as a dominance over you – to belittle you and also invasion of your personal space. (Native woman, #8)

When women speak about harassment in the workplace, they often have difficulty finding the words that most accurately define their experience. This is particularly true when the abuse does not involve physical touching or when more than one form of oppression is at play;

[W]ith this elder, he didn't touch my body or anything like that, but with the other guy he was very brave but

maybe it would have grown into that if he (the elder) started feeling he could get away with it, but it didn't get to that point so it was hard for me to define it like that. (Native women, #8)

It's like a mix. It's a mix action. You don't know if it is if that person is doing it to you because of the color of your skin and the type of the job that you have, you're doing the dirty job in the house so you don't know if it is harassment or sexual harassment. (Filipina domestic worker, #1)

Women spoke of their ambivalence towards describing some types of behaviour as harassment, particularly when the actions were subtle and when they considered the possible costs of reporting;

I think that's the problem. It's difficult to define in a lot of situations. That's why a lot of women, I mean people in general, don't act on issues because they're not sure whether it's harassment or whether you can call it harassment or they're over-exaggerating a situation. Or if they're over-sensitive. If it's going to cause you more harm in the long run to say anything about it, then... (young women, #15)

They also explained how cultural differences could cloud their understanding of what was happening to them;

So I just, I don't know the way to take it in Canada because in the Philippines if somebody says that to you and they don't touch you, nothing happens, it's just a word, but here in Canada it's something. (Filipina domestic worker, #1)

As reflected in the examples above, we found that women who are differently situated by virtue of their race, sexual orientation, disability and class were more likely to experience violence. This is not to say that white women did not experience violence, as a number did. Rather it is to acknowledge that the marginalization of women due to race, sexual orientation,

disability and class, within the dominant, white, heterosexual world, increased their vulnerability. Our study shows that this marginalization can make women vulnerable to certain forms of violence and harassment in the workplace and/or create a higher tolerance for it in these same women. Native women, for example, spoke about the broader context of violence experienced by their community and by First Nations' women in particular. The experience of colonization and dislocation, the residual effects of forced Christianization, the residential school experience and internalized racism affected women's ability to respond to harassment from within their community. Perpetrators facilitated their ability to harass by abusing the power of tradition and status. This made it difficult for women to hold them accountable;

And the youth being really hungry to learn the knowledge and having that respect automatically putting somebody (an elder) on a pedestal like that and then with the Christianity that a lot of people have been raised with maybe experiencing abuse there. (Native woman, #1)

I think too it was the whole perception of him being an elder that she didn't want to believe it herself. There's a lot of self-appointed elders here in the city and you know you have to be very careful. Because even though they may come to you and say they are an elder, [you may think], "Yeah, but I saw you in a bar last month. What are you talking about?" You know or you're doing this and you're calling yourself an elder. (Native woman, #1)

They discussed how their experiences of childhood sexual abuse resounded with their experiences of harassment;

It took me a really long time to achieve the level that I'm at now just due to my history as a child and all the dominance that was placed on me as a kid, and for him to come along and try to shatter that whole thing

---

made me doubt myself and made me uncomfortable and just angry as well because I didn't like having to feel that way again. So I didn't like it all.  
(Native woman, #1)

The isolation of Francophone women in Ontario and their limited access to employment greatly affected their ability to defend themselves against harassment. This was also true for women in rural communities.

As a Francophone woman explained;

There was no question of leaving. There weren't 10 places where I could do that kind of work. I had no choice. If I wanted to do that work, there were no other options.

## WHAT ARE THE EFFECTS FOR WOMEN EXPERIENCING WORKPLACE HARASSMENT AND VIOLENCE?

No matter the degree of severity of the harassment experienced, there was consensus from women in all of their diversity, who participated in focus groups, that workplace harassment is costly for women. Women who experienced racial harassment, harassment due to their disability, sexual harassment and workplace harassment where multiple forms of oppression intersected experienced similar types of negative effects. Women reported losing their jobs or careers, experiencing damaged relationships with co-workers, being labeled as troublemakers, losing friends and feeling stress with family members. For those who stayed in their jobs because they believed they could not leave, the comments of a white woman experiencing sexual harassment are telling;

I felt helpless and hopeless, as I was held economic hostage. During that time I was only holding on by my fingernails in desperation. (white woman, #18)

When asked if she left work due to her workplace sexual harassment, a Francophone woman stated;

Yes, because of the panic attacks. Lack of sleep. I didn't feel strong enough. The boss at my first job took away my job because I wouldn't sleep with him.

The effect of losing ones' job due to harassment has long-term financial effects, as the conversation of a white woman experiencing sexual harassment with the interviewer conveys;

Right now, it is about money but it's not about the actual bills. It's about the fact that I can't get [daughter's

name] stuff and that makes me feel like a bad parent. You know when [daughter] looks at me and says, "Mommy, can I have this?" and I have to say, "No." Like, I mean, you do have to say no when you're a parent, but not as much as I have to say no. My child does not go without pizza days, donut days, hot dog days - I do not let her miss - but sometimes it's really hard for me to come up with that money - and it's only a couple of dollars. And before I always had money set aside for the month knowing that we were going to have so many pizza days, hot dog days - whatever. You know, and then the field trips - now, sometimes I can't afford to and the school pays for it, or my mom. I didn't make a whole lot of money at [former workplace], but I made enough. I did my job and I made my money do. And when I lost that job, everything changed.

The effect of harassment can occur immediately following the experience or the effect can occur (and linger on) well after the harassment is over. The following examples show how women were affected by their harassment. The first woman is a Filipina live-in care-giver speaking about the harassment she experienced from her female employer and its effect on her;

When I was a few months there, she said she will come and pick up the daughter for her Hebrew class in like 30 minutes. The child was home from 3:45, so I have her dinner ready after school so that she will be ready with her extra snacks for her later. And then she said she will come earlier and do her stuff. She had an office in her room, so I know she has to leave within the 30 minutes because she has to drive all the way to (name of place). And then when she saw that it was already five minutes to five o'clock and that's when the daughter has to be at her Hebrew: "How come you didn't tell me earlier?" Before I just turn my back I feel so bad. I'll just cry and then maybe she will realize and

then she will call me and say sorry. So I say o.k. Then after a few times she did the same thing. Like she's on her computer and then it's like 15 minutes left to drive, so I will tell her, "It's 4:45 already, you have to leave."

I: So now you have to be her memory.

Or else she will blame me. ... I feel so *bad that she will blame and then I learn from her o.k. you have to be tough and everything like that.* (#1)

A white woman experiencing sexual harassment mentions the variety of ways her harassment affected her;

Physically, the energy drained out of me. I'm still that way. He still drives past my house two times a day. My walks have stopped. I'm afraid he will drive by when I'm outside. That makes me feel totally - the anxiety will totally overwhelm me. I'm trying to get my energy back but there's only so much I can do that works. I gained weight. I can't sleep even though I'm tired all the time. Emotionally I feel anxiety. I have a panicky feeling like I can't handle this even though it's just a normal day. I feel like I have to run. I felt ashamed, guilty and fearful. I fell into depression. I had a feeling of overwhelming sadness. You kind of fall inward. You become introverted. You don't even want to answer the phone. Don't want to talk to anybody. It swings up and down - some days I cry all day at the littlest things. It's hard for me to focus on things and get things done. When I went to my counsellor, she had me fill out a questionnaire. She diagnosed me with moderate depression. ... I haven't worked since October. Financially it has been a big struggle. It's been a big strain on my family. My husband felt angry and powerless. He was angry because he couldn't do anything to protect me. ... It made me feel even more depressed. I felt more in the wrong. I felt like I should have done more to stop it. It made me feel guilty

about what happened. He didn't mean to make me feel that way but that's how I felt. He was overwhelmed by not being able to control what's happening to his family. ...[My kids] saw a difference in me. I was more irritable with them. I became more and more withdrawn from them. I also have this thing, my counsellor says it has to do with post traumatic stress - but I have a seven year old son, and when he wants a hug and gets too close to my breasts - I didn't want him close. I felt silly about it. I felt guilty. My counsellor says it's a self-protective body reaction. It's getting a little better. My husband is supportive. He drives a truck and is away a lot, but calls everyday. Sometimes six times a day. It gets to be a little too much - he knows by my voice on the phone when he's called too many times.

Another white woman experiencing sexual harassment described the physical and emotional problems in the following way;

The workplace sexual harassment was so stressful, that it contributed greatly with me getting diabetes. Please note that there is absolutely no history of any diabetes in my entire family, and that I had no problem with it at all prior to the sexual harassment. This is a lifetime problem. I also developed sleeping problems that I never had before. Under my doctors advice I had to take sick leave from work. At that time I not only suffered from the above mentioned illnesses, but was getting bad chest pains, bad headaches and nausea ... It made me an emotional wreck for a period of time. I cried all the time. I was depressed. I was fearful. I could not sleep right. I had terrible nightmares whenever I did manage to sleep, and would wake up shaking and in a sweat. (white woman, #18)

A Francophone woman experiencing sexual harassment at first claimed not to remember whether her health was affected because she "put it aside." A little later, however, she remembered that she



suffered frequently from laryngitis, and that she even had to be treated by specialists because, “I couldn’t speak.”

Another Francophone woman said that her harassment caused the following physical and emotional effects;

My body was tense. I didn’t want to go to work. I passed out. The others thought I was nervous.

A third Francophone woman described how she felt after meetings with her boss;

When I got out of there, I felt upside down, I felt like someone who had done something wrong, like I was on trial.

Three white woman, two dealing with harassment due to their physical disabilities and one due to her size, discuss how their experiences made them feel;

I: Let’s talk about how this has affected all of you. How are you coping?

D.1: I’m okay on the outside, but when I come back here ... I’m afraid to open that door. Yep. When I talk to my customers I’m just nervous.

D.2: I don’t know about you, but I come in with anxiety all the time.

D.1: Yeah.

D.3: Yes, I think that’s what this has left us with.

D.2: I try not to.

D.1: You try not to but you can’t help it. ... I think we’re more emotional

D.2 & D.3: Yes.

D.1: I get the shakes and I start crying for nothing, and I’ll be there (muffled)

D.2: I try not to think about it when I go home but...

D.3: It’s constantly.

D.1: Yeah.

D.3: When I’m working - it’s only five hours a day - and it’s steady. You

have to always be looking over your shoulder; you have to always be on guard. (#9)

One white woman, who was sexually assaulted by her co-worker outside of the workplace, recalls the devastating effect of this on her life;

The assault turned my life inside out. In the beginning, I showered constantly; I wanted to wash the pain away. I felt dirty and unworthy. After two weeks, I had to leave work. The perpetrator returned and I could no longer concentrate on work. All I could think about was how petrified I was. He was back and I feared for my life. I was very depressed, like a zombie, and the only reason I would get out of bed was because I had a child. I had to pretend I was okay. I tried to keep busy in my son’s activities, but I was only there in body. I was completely dissociated from life. I was petrified in my own house because he knew where I lived. I feared for our lives and never felt safe to go outside of my house. I barely ate. I barely functioned. I did what I needed to for my child. I began having constant pain - my body ached so badly. Tests from my doctor all came back okay. I constantly had nightmares and rarely could sleep. I began having a nighttime drink to calm my nerves. I lost a lot of weight, and felt the only reason I didn’t commit suicide was because I just couldn’t make my child suffer to that extent - my child was my life-line.

I hated the system. He could work. I was the victim, but I was a prisoner in my own home. He had all the rights.(#6)

A Latina public sector worker spoke of the long-term effects of experiencing racial workplace harassment from her boss and co-workers, some of whom were women. She noticed that she was getting migraines every day. She went [on vacation] for one week and then she came back. She was relaxed. After 3 months she ended up in

bed as the headaches were coming back. At her agency there were no benefits, so if she needed to be on sick leave she had to apply for government benefits. She took 2 months off and went to a homeopath and recovered. (#5)

A white woman who experienced harassment due to her religion recounted how things affected her;

[The harassment I experienced led to] some severe problems for me health-wise. One of the reasons I was late everyday was that I just couldn't sleep ... that's the main reason why it's so easy for me to get into drugs and alcohol, because I had an excuse, you know, I'll smoke a little pot and that will help me go to bed or I'll go out and get drunk and that'll make me really tired. The sleeping problems. I never had any nightmares but I was totally stressed out ... Depression - it worsened over time. Every day I just got worse, worse, worse, worse to the point that in the end the crying bit was inevitable. When I quit I was in tears. It was awful. Headaches daily. I wasn't really fearful of anything. More so about how much my self-esteem was deteriorating and how my health was deteriorating. That was the main fear for me. Why was this happening? Loss of confidence - definitely. (#14)

For many women, the experience of workplace harassment brings up feelings of self-blame. A Francophone woman relays that her experience with harassment brought up these types of feelings;

The fear and knowing that I can't do anything. Lots of blame. I questioned myself a lot: "Am I doing it on purpose?" I go over every possible detail to not attract the bosses.

A white woman experiencing both sexual and disability-related harassment also discusses the issue of self-blame;

I feel like a failure. Sometimes I feel like there is something wrong with me and that it isn't just about the

oppression and the unequal playing field - that it's me. (#13)

A lack of support from family and friends can intensify feelings of self blame and self doubt as one white woman recounted;

Because that's the worst, when you see your family and friends with doubt. Because you know that's what happened to you, but when they doubt you, you start doubting yourself. I start feeling, maybe I took it too far. Maybe I'm feeling things I shouldn't be feeling.

A Francophone woman recalled;

My mother said it wasn't that big a deal, and as a result of her comments, I felt like a big baby, that I was a whiner. (Francophone woman, #4)

A Francophone woman who experienced gender harassment and harassment due to a work-related injury, sustained while working in a male-dominated field, relayed that she contemplated suicide. This woman stated that she reached a point where she thought that she preferred to die if she did not regain her health.

Women in one of the union member focus groups discussed "loss of sleep, nervousness, impact on home, loss of financial security, loss of self-esteem, guilt, fear, self-blame" as health related and personal consequences of workplace harassment. Many of the women reported experiencing migraines for the first time in their life after their workplace harassment started.

The physical effects of workplace harassment can be devastating. A white woman stated;

The harassment has affected me terribly. I suffer from sleepless nights, weight gain, headaches, depression, afraid, self blaming, angry, anxious, feeling a total failure in life and a feeling that I will never be back to feeling normal again. I have to be on medication and I am seeing a psychiatrist regularly.

The Latina public sector worker stated;

My health was affected. I have migraines from time to time and I have stomach problems. I have ulcers and I developed a skin allergy in my face that is a respiratory problem. I have to use a cortisone cream. My eyes are swollen. This is stress related.

I was more affected by the racism than the sexual harassment. The racism was very pervasive and left very deep scars. The incidents of sexual harassment were isolated.

This statement should not be interpreted to diminish the negative impacts of sexual harassment. Rather it speaks to the fact that multiple oppressions affect women. How these oppressive behaviours will affect a woman, and to what degree, is influenced by personal factors and will differ from situation to situation. Overall, the women we spoke to echo what previous research has found (e.g. Gutek and Koss 1993). Harassment negatively affects women's work, family and health.

## **The Cost to Family Relationships**

The negative impact of workplace harassment carries over into women's family lives. Here we provide examples of how women believed their partners, children and other family members were affected by workplace harassment.

When asked whether the harassment she experienced due to her Francophone status affected her family relationships, a Francophone woman stated;

Yes, I'm more scattered. I'm often in outer space. My husband and son have noticed that I repeat myself. ... I realize that I'm more impatient with my husband, more discouraged. I react more to little things than I used to.

A white woman, sexually assaulted by her co-worker stated;

My personal life was completely destroyed. My son was upset all the time, I was barely coping and became a lifeless mom overnight. He couldn't possibly understand; his life also changed forever. He became violent and temperamental towards me. I became afraid of him and compared him to the perpetrator.

My parents were never the hugging type; we were never a close family emotionally. They blamed me for the assault. Somehow it was my fault. They became supportive for my child but could never understand how I felt. They were scared and always wanted it to go away. I tried to always act like nothing happened in front of them, but who was I kidding?

My sisters tried, but were never there for me. They didn't know how, nor did they try to find out. It was too painful. (#6)

A white woman who experienced sexual harassment stated;

This experience carried over into my personal/family life. I am still a single parent not wanting to be around men. My mother and sister are very sick of hearing about my problems and just want me to be better and working. They don't understand how drastic this has affected my life. I am afraid to get a job because I don't know how I will react to another situation. I am financially very poor and my even my daughter wants me to work, so that we can have things that other families have.

One white woman discussed the effect of her harassment due to disability this way;

And when you go home, you tend to take the silliest little things out on your family, not only your husband but your kids as well. My children suffered big time because when I'm miserable just don't anybody look at me, and they would send us home 95% of the time miserable.

She goes on to discuss with another member of the focus group;

3: I think for not only myself but [other focus group participant] probably stood a good chance of losing her spouse. I know I did. Like how it destroyed our situation. Now he understands a little bit more - I'm getting tougher as the days go on, but I'm telling you, it almost cost me my relationship.

2: It didn't cost me my relationship but it hurt. It hurt [husband] because it was hurting me.

A Black woman who was sexually harassed in her job placement with Ontario Works recalled how this experience affected her relationship with her children;

When stuff like that happens- you know how when someone is talking to you - and certain things are happening and people are talking to you and I'm saying, "Yeah, yeah," and they say, "Mom, you're not even listening." And I go, "I know."

I: You're there but you're not there.

Right.

I: What are you doing besides listening then?

Thinking.

I: And what do you think about?

Those days when that was happening I would say to myself, "Just go to work. I'll do my job and I'll pay not attention to him." (#11)

This woman then goes on to discuss how the harassment affected her relationship with her boyfriend and brought up thoughts of self-blame;

I was dating at the time that that happened and now it's like, now I don't date no more. I just rather be alone.

I: What's that about?

I think the relationship I was in at that

time- (muffled) "Well you must have said something." Or whatever. You know what I mean.

I: No man could act that way unless you provoked it?

Exactly. I was like, "You stopped by here and brought me coffee before I left for work, you seen what I had on." So I'm like, "Was it something that I was wearing then?" you know. And I go, "You know how I am." And then he'll try to say sorry then, but after I start to think, "Sorry don't cut it. I don't need you either and I don't want you either." I don't know. Today I would rather be alone than be with someone like that. It's okay. (#11)

A white woman experiencing sexual harassment also mentions the effect on her children;

This definitely carried over in my personal life. I wasn't able to forget the things that went on at work and I carried that with me silently in my head at all times. My children seen me stressed, constantly crying over minor things at home, and even crying when I was getting ready for work.

A lesbian who experienced harassment due to her sexual orientation saw her ability to work complicated by her brother's lack of support;

My brother [was affected by this] big time. He's a foreman now - and everything - and he doesn't want to hire me. I had every grudge over him. Cause I am a female and he doesn't like me to be gay. We haven't talked to each other and he's ashamed that - maybe I'm a better worker than him and he doesn't like my type of work. And all his friends work with him and he's very - like - if I do better they might tease him about it. I'm not there to prove anybody better - it's what I do. ... It's my own brother - flesh and blood. He can't give me a job to support my son, and it really bothers me of that. I have to struggle

and look for something out there. I feel there will be better things out there - and to help it - and to know today what I went through - and know what to do. Now it's ... there will be people out there that will help it and stop it because we shouldn't be treated this way. (#14)

Another lesbian also conveyed how the lack of support from family combined with harassment on the job adversely affected her;

Even though I spoke about this to my friends in the beginning because I ended up getting into drinking and drugs quite a bit, I found that the effect it had on my personal life is I started to close myself off from people. Family members had no, even though they had a bit of an idea of what was going on, I really never talked to them about it. There was no support there. ... The reason I didn't talk to them is because I knew there wouldn't be any support anyway. (#14)

Women also reported a reduction in their ability to be intimate sexually following their experiences with workplace harassment. It was not only women who defined their experiences as sexual harassment who experienced this negative impact. For many, the emotional exhaustion and stress in their lives diminished their interest in and ability to be intimate with a partner.

Yes, this experience carried over into my personal/family life. I was depressed all the time at home and not able to sleep. I would cry over things that wouldn't have bothered me before, and I was unable to have an intimate relationship with my partner. Sex was out of the question.

A Francophone woman who experienced sexual harassment stated, when asked if her harassment experience carried over into her family life;

Yes, combined with childhood experiences, it had an impact on me sexually. Two years after I lost my job, my husband left.

Another Francophone woman stated that due to her harassment;

I have no interest in sexual intimacy. I just realized that I haven't been interested since [date harassment started].

A woman who experienced workplace harassment due to being a lesbian stated;

Reduced sexual intimacy? I had actually the opposite effect. Because I was doing drugs and drinking a lot, I would sleep around a hell of a lot more. Just a lot of self-destructive behaviour, mainly. (#14)

This was the only woman we spoke to who noted an increase in her sexual behaviour, though it is not necessarily an increase in her ability to be emotionally intimate with people. Her behaviour is linked to other self-destructive behaviours that inhibit intimacy.

## Relationships with Friends

The effect of harassment on women's friendships was mixed. Women reported that some friends were supportive and helpful while others were not;

Some friends outside work were supportive and helped me understand I did nothing wrong. Most of my friends I lost. They didn't know what to do and I was no longer the person I was prior to the assault. They couldn't deal with my ongoing struggle and pain. I was never happy, I was depressing. The friends that did stay by my side, I know will always be by my side. They stuck it out. (#6)

Others, like this white woman, had friends, even long-time friends, who could not understand the harassment or its effects.

I haven't talked too much with my friends because they can't understand why I just don't get on with my life and get out and get a job. A lifelong friend of mine asked me what was bothering me and thought that maybe

I was a lesbian and just didn't want to come out to her about it. They just don't seem to understand what the harassment has done to me.

And some women explained how one of the effects of harassment was to isolate themselves from friends;

My roommate and I would pretty much stay in and get stoned or drunk. That was the only contact I would have with non-family members. (#14)

Friendships were further complicated when friends were part of the same workplace where the harassment had occurred. A white woman explained;

A lot of my friends came from [former workplace]. I was working with a lot of my friends. I was working with my sister there. And then my sister left and then my friend left and then I left and my other friend stayed. They all knew what was going on because they saw it happen, but I knew my friend that stayed was saying things behind my back, like I just did it because of this reason. So, I just don't want to explain myself anymore to anybody. I don't want to prove myself to anybody.

## **Different People After the Experience: The Overall Effect of Workplace Harassment and Violence**

Many women provided assessments of how their harassment and workplace violence experiences affected them. We use their words to convey the profound impact workplace harassment and violence has had on their lives.

When asked, "What was the final outcome of your harassment experience?" one Francophone woman stated;

I'm sicker, isolated. I felt as if the teachers [whom she worked with] were now ignoring me. ... I don't want to go back to that school. I'm more scattered. I'm less confident. It

affects me a lot because I wonder why I used to fit the bill and now I don't.

A Francophone woman experiencing sexual harassment commented:

I'm warier of others. When it comes to [job] interviews, I check those things out. There's a feeling sometimes of being in danger. ... It [harassment] kills a person. You get quiet, confused, you don't trust what people around you do. It takes away your ability to discern what acts or gestures mean. I freeze. It's as though something has me trapped.

A white woman sexually assaulted by her co-worker states;

This experience has changed me drastically. I definitely don't have the zest for life that I had previous to this. I also don't have the want or energy for my job right now. I am angry at everything that has happened and this shows in my personality. I have a hard time doing daily things and being the mother that I was before. I have to fake my being in front of everyone because people think that time has gone by and I should be over it. I am not and it shows on everything that I do and say. I fear being in my house and I also fear going out. In some ways, I am getting better but I don't think I will ever get over this whole ordeal. (#2)

A white woman experiencing sexual harassment stated;

I question myself as a worker now and I am afraid to go out into the work world again. I know that I will not follow up with the career that I went to school for now that this has occurred. The dental community is very small and tight and I know that I would never get another job anywhere because of the complaint process that I went through.

When asked by the interviewer how this experience changed her, this woman commented;

I was a very carefree, easygoing, happy, fun loving person. I am very different now. I am full of anxiety and depression now. I am no longer the out-going person that I was. I feel tired and I doubt my capabilities now. I feel sad that this has all happened.

Another white woman explained the effect of the harassment on her in the following way;

I was emotionally stronger before all of this and more trusting of the system. I was also a stronger, happier person then. I get depressed from time to time about everything that has happened and try my hardest to forget it.

Describing how her sexual harassment experience made her feel, a Black woman says;

I have to think about it. I say I wouldn't want to work with another bunch of men. I question myself a lot. You know what I mean? Like am I right, am I wrong? (muffled)... I'm scared somebody won't believe me - stuff like that... (#11)

The words of a white woman experiencing sexual harassment show how everything in ones life can change due to sexual harassment;

And now I don't want to be touched - just the thought of a man touching me just grosses me out. I'm crabby a lot more now. Just because of the way my life is, right. And I've kind of kept to myself. I won't allow him to come in and I think maybe if that hadn't happened to me, I might have been more open with him, if I became pregnant.

And maybe - maybe I don't need to be in a relationship right now. I haven't been in a serious relationship since that happened. ... If a guy says something to me, he reminds me of [harasser]. Or if he says something like, open the cupboard and get me something to eat - that reminds me of [harasser]. A man thinking that's something I have to do. And that's

something I won't do. If a man thinks I have to do something, then I won't do it. That's what [harasser] taught me - he taught me to not want to do anything for a man - if they think that's what I should do or it's my job or it's something I deserve - and it goes back to that...

I compare [my partner] a lot to the harasser. I can't help it. So in that way I'm very much different. I'm very emotional now. I used to be happy go lucky and easy to get along with. And now I just keep to myself. I don't really talk too much to my friends. Moving here, having my headaches back, being pregnant, not feeling good, having to feel what I feel when I can't get [my daughter] what she wants. Pretty much everything about my life has changed. Everything about me has changed. And as much as I know all of it is happening, I know I want to change it, but I can't. It's not working.

...I don't want to have to explain myself over and over and over again. I don't want to have anybody doubt me.

A white woman who experienced years of both disability-related and sexual harassment reflects on the devastating and haunting effect of this harassment on her life;

To a certain degree it did destroy me. (#13)

A lesbian discusses how her experiences with harassment due to her religion altered the type of work she believed she could do;

I regret the decision I made about never working in a [specific professional job] again because the whole reason for taking that course was to see if I would like working in [this job] and go back and get a degree. After this incident, while I was in school, I had a chance to work in [this job] and make a decent wage, but I chose to work at the time [at fast food restaurant] and make a crappy wage because I didn't want to take the chance. It totally ruined it. (#14)

A white woman also explains how harassment changed her career plans;

It didn't change my view as a worker, but it did change what I wanted to do again in my career. I knew I never wanted to work in the same type of environment again and I knew I didn't want to work in a male dominated environment of any kind again... (#17)

When asked to describe herself before and after, she stated that before the harassment she was more trusting, emotionally healthy and happy, stronger and liked men better. Now she says she is more easily stressed, less trusting of people, emotionally weaker, more easily hurt and has developed a radar for bad behaviour in people. She concludes by stating that the harassment she experienced;

has made me aware of the daily violence that women experience in all walks of life. I have surrounded myself with good and kind people to accompany me. It has taken the silence that I carried for so long and enabled me to speak out about it now everywhere. (#17)

A white woman experiencing sexual harassment relays both despair and hope when reflecting on the overall effect of her harassment;

I know how common this [harassment] is. It has made me sad and angry. I thought women were actually getting ahead in the world, but that's not true. I feel I have to do this. I would not be able to complain about what happened to me if I don't follow this through. This is my right and responsibility to make sure my story and anybody else this happened to gets heard. Women have to fight back.

A Francophone woman relays similar thoughts about the overall effect of experiencing sexual harassment;

Now that my eyes are open, I accept my vulnerability and my strength in that vulnerability. I have a great desire to understand others, I draw

people to me, I have like a magnet that draws sexually wounded people ... I'm more conscious of unhealthy dynamics, of boundaries and limits. I'm slower to trust, more engaged with power, speaking out, occupying my rightful place and being conscious of others' place. Before they were all my friends and they liked me...

The participant indicated that if she were true to herself, she would be "touchy-feely," affectionate, and that she no longer allows herself to be that way.

A white woman experiencing sexual harassment stated;

However, years later, I am now a person who is less of an optimist than I used to be. I also have an underlying anger against unfairness or anything that is not right. This anger response will come out quite firmly and quickly if I feel it necessary. I also have no remorse for this kind of anger response, should I give it.

... One time my husband innocently used a phrase that the [harasser] would say contemptuously. My wild furious yelling response, to my husband, held all the anger emotions that had been suppressed for years. He was stunned, in fact I even surprised myself; but even in my surprise I just very firmly yelled, "Don't you ever, ever, say that to me again." It was not until the next day that I brought it up again, and in a more civil conversational voice explained why I became so instantly upset. But even at this time I still asked him to never use that phrase to me again ... This experience touched on every aspect of my life. I totally lost some previous friends ... It has affected new friendships, as I am less trusting now and in some ways less willing to be openly friendly ... I now am semi-retired and still running my own little company doing the office work for a couple of other small companies in the construction



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trade. If the sexual harassment had not happened, I would be presently retired. However, I must now continue to work because of the financial losses I incurred when I lost my job because I would not play sex games with the boss.

I would wish that I could have worked at my job until retirement without ever being sexually harassed ... I was generally more optimistic. Now I am not so optimistic. I was more trusting, now I am less trusting. I was healthier than I am now. I used to think that mankind was basically good, except for a few \_\_\_\_\_, however, now I think that mankind is basically selfish and eager to be corrupted, except for a wonderful precious few. (#18)

A Vietnamese woman found that her experience with sexual harassment changed her in the following way;

I trusted people more especially when they are from the same country as me. I thought that they would understand how hard it is to work when you don't know the language very well. I was wrong. I enjoyed my job and the people except the harasser. I wasn't as angry as I am now. I also wasn't stressed and upset all the time. (#22)

## HOW WOMEN COPE WITH HARASSMENT

Women cope or react to their harassment experiences in a variety of ways. Some women leave their jobs. Some women silently endure for years. In this section we explore the many ways women cope with harassment. Before we provide their experiences, we start with a discussion about coping and how it should be considered in the context of workplace harassment and violence.

While we hold the expectation that women will report their experiences of non-sexual and sexual workplace harassment, data on reporting of sexual harassment complaints indicates that very few experiences are reported. Women do not report for a variety of reasons. To report may mean retaliation, the loss of one's job or the loss of a needed reference for a promotion. Others fail to file a complaint due to a lack of information about their options or the impression that their complaint is not "serious" enough to warrant an outside investigation. Women also do not report the harassment due to fear that they will not be believed.

Instead of reporting, women cope with the harassment in whatever way possible. Social science research on how victims respond shows that women experiencing sexual harassment are more likely to ignore the harassment, by walking away or not saying anything (Benson & Thomson 1982, Cochran et al 1997, Gruber & Bjorn 1982, Loy & Stewart 1984), deflect the harassment by joking or going along with it (Gutek 1985, USMSPB 1981, 1987) or avoid the harasser, by moving their desk to another part of the office or coming to work early or late when they know the perpetrator won't be in (Cochran et al 1997, Culbertson et al 1992, Gutek 1985, Schneider 1991, see Yoder & Aniakudo 1995 for exception).

One of the difficulties concerning coping with harassment is that "common sense" understandings tend to conceptualise women's responses in a one-dimensional

continuum of non-assertive to assertive responses; from ignoring the harassment to reporting it. Non-assertive is equated with "bad" responses that don't solve the problem. While assertive responses, such as telling the person to stop and reporting, are seen as good responses that solve the problem. In framing women's responses to harassment as assertive (good) versus non-assertive (bad), one risks "buying into" a widespread and partially false assumption that "assertive responding is always both appropriate and effective." Where does this false assumption come from? If you ask someone who has not been harassed how he or she will respond, they are likely to say, "Oh, of course, I'd tell the person to stop or I'd report it." But research on real victims finds that women are not likely to report.

The coping behaviour framework developed by Louise Fitzgerald and her colleagues discusses how those targeted by harassment mentally appraise and respond to sexual harassment. When faced with a sexually harassing situation, targets first appraise whether or not the situation is stressful or threatening. Second, based on this appraisal, they decide how to cope with their harassment. There are two primary ways that women cope; through behavioural and psychological responses. First, there are externally focused behavioural strategies such as avoidance, "I moved my desk to the far corner of the office, so I wouldn't run into him anymore;" assertion, "I told my co-workers to leave me alone;" seeking social support, "I finally told my family what was going on," and seeking organizational relief, "I reported him to my supervisor."

Significantly, the internally focused dimension of cognitive or emotion-management strategies are often overlooked by a one-dimensional focus on assertive versus non-assertive behaviours. These internally-focused strategies include denial, "I just tried to forget about it;" detachment, "I told myself he didn't mean to upset me;" endurance, "I thought if I just laughed at his jokes, he would eventually get bored and go away;" reattribution or defining the

situation in a way that it is not seen as sexual harassment, “My male co-workers were just telling me that they liked the way I looked;” and self-blame or illusory control, “It must have been something I said that made him act that way.” What this framework highlights is the variety of ways that women respond. In doing so, the question shifts from “Why do victims not respond assertively?” to “What are the multiple ways women respond to sexual harassment?” “Internally-focused strategies,” as well as the “non-assertive” behaviour strategies, are sometimes seen as inconsistent with a “good” victim who complains. Using Fitzgerald’s framework helps us to understand these types of responses for what they are - *part of the typical behaviours women use to cope with sexual harassment*.

Sociological and psychological research shows that coping with harassment is a *process*, not a singular event. Most victims do not have only one reaction to their harassment experience. What we know about coping with harassment is that an individual’s coping strategies will have a variety of outcomes, some practical, some psychological, some good and some bad. Coping with harassment is not about mastery, whereby the victim successfully deals with the harassing situation. Rather, coping should be equated with all efforts by the victim to deal with the actual harassment situation and the stress caused by the harassment. Some coping strategies attempt to manage or end the harassment problem, while other strategies deal with managing emotional reactions to the harassment, such as emotionally detaching from the situation. Overall, current research on sexual harassment moves away from categorizing victims’ responses as effective or not effective. Categorizing responses to sexual harassment as either effective or not effective fails to recognize the complex psychological process of coping with sexual harassment and ultimately blames the complainant for her own victimization. In the following section we describe the various ways women in our

study coped with workplace harassment and violence.

### **“I was trying everything that I could do to make it easier:” Women’s Coping Mechanisms**

Women cope by using multiple strategies to deal with harassment. Coping is not a single change in behaviour or a single action. It is a process whereby women may have several adaptive responses to help them get through the day, “manage the trouble” and, sometimes, even get the harassment to stop. At the same time that they may avoid the harasser, they may also be telling themselves that the harassment is not really happening. We start with examples of the various ways women coped with their experiences.

A Black woman discusses her situation and coping with the interviewer;

Those days when that was happening I would say to myself, ‘just go to work. I’ll do my job and I’ll pay not attention to him’ ... and other days I would go to work and it would be like - I would try the same things - I would try to, okay - I’ll try talking to him and da, da da. So I’d try talking to him and he would still do more. He would help me and touch me. You know what I mean. That’s when I came to the conclusion - why don’t we just say that he likes me or something - instead of doing what he’s doing. Cause the things that he was doing it was like - well why aren’t you over there, checking on them guys. They would even ask me - have you seen the boss. And I would go, like, “Yes, he’s been in my row all damn morning. Tomorrow will you guys do me a favour? Will you come and get him for me? I can’t do this much longer. It’s bothering me too much.” I don’t know. I just kept going like that. I’m starting to think now - was it one week or two weeks. I think it was two weeks. ... Well, I was trying everything that I could do to make it easier. I even tried to avoid it. Ignore it. Then I tried talking to him. (Black

woman, #11)

A Vietnamese woman discusses how she coped with the sexual harassment she experienced:

I didn't like him touching me, but I felt that I had to put up with it at first, and I didn't say anything because I was a new employee. He was my boss and the only one in management that could understand Vietnamese, so if I complained I would have to complain to him. I would tell him to stop and he would ignore me and do it again. It would upset me, but I needed my job, so I put up with it for a long time. I would complain to him over and over and he just continued this behaviour. ... I went to work each day even though this man was doing this to me constantly. I complained to him and I talked with co-workers who were also experiencing this behaviour and just made myself go to work all the time. I was upset, stressed and depressed all the time. It was hard for me to concentrate on my job. While I was at work I would try and ignore the harassment and I hoped it would stop but it didn't. (#22)

We now turn to specific types of coping that women used. We point out again, though, that when women cope, they often engage in different types of coping methods as the harassment goes on or changes.

*Endurance:* One common strategy is to endure the harassment. Often this involves ignoring the harassment as it is occurring.

I mainly got through the day by trying to ignore this behaviour and just do my job. It made me feel terrible and angry that this was happening and I also felt very degraded. (white woman, #7)

I threw myself into my work. I had trouble [doing specific task] because of stress. I had a lot of friends, I could work with anyone. I talked with the others and I laughed about him. I liked my job, but I didn't like the situation. (Francophone woman, #2)

I hope that tomorrow will be better. I told myself that after my work day... (Francophone woman, #3)

I told myself I had to take it because I needed the money. I didn't know what else to do after I had talked about my discomfort ... I say to myself, "It's just one day," it will end tonight, it's a sacrifice. I talked to myself. I tried to convince myself to continue and not to keep it to myself. (Francophone woman, #4)

Endurance also involves women thinking that if they put up with it, eventually it will stop or someone will notice and put a stop to the harassment:

I would just try and think that the company was going to do something once they received my complaint about his behaviour, and then I would be able to work in my usual way. (white woman, #10)

I also thought that maybe they would finally give the harassment up when they got used to a woman to work with. I used to think I would try and handle it because the money and benefits were good, and where else could I work for the same. I thought after years of this that if I ignored them that maybe they would stop, but it didn't happen. I didn't laugh at the jokes, but I also didn't tell them to quit because they would do it more. I just used to walk away. (white woman, #17)

For a few women, endurance was the first step in coping with harassment. Women reported that although initially they were able to endure, after a while found they had to speak up or do something else to get through the work day:

At the beginning, I ignored it, I started to become like him, playing along with what was happening, thinking that he would stop. (Francophone woman, #4)

She also says that after a while she could no longer take it and had to do more than ignore it.

A white woman relayed a similar experience;

When I worked in the administrative position in [city], I was afraid to say or do anything in the beginning but just try and ignore it. Eventually I went to my boss and talked with him privately on how I didn't like his comments and gestures. He just stared at me when I told him and didn't say anything. (#7)

She goes on to say;

Within about a year, I started experiencing some harassing behaviours from my boss. He started by calling me in one of the rooms where he was with a patient to talk to me and would pause to stare at me up and down. He would also make sexual comments to me even when he was working on a patient. These comments made me feel degraded and embarrassed. Two years into my employment with the doctor, I had a baby. I was off on maternity leave and by myself at home. My daughter was 3 weeks old and the doctor knowing I didn't have a partner paid me a visit to my house. He brought over a gift for my daughter and myself. His first visit to me was very kind and thoughtful. He then started to come over frequently, knowing that I was lonesome, and started to sexually come on to me. I was feeling very alone and vulnerable and let my defenses down with him and began to have sexual contact with him. He told me how much he cared for me and wanted to have sex with me. I was at a very emotional spot at this time and gave in to him. He wanted to have oral sex and I went along with this. I knew that it wasn't right, but I continued anyway. When I returned to work after maternity leave this behaviour continued, only it was in a back office after each day was done. I knew I shouldn't be doing this, but it made me feel wanted by someone. ... I mainly got through the day by trying to ignore this behaviour and just do my job. It made me feel terrible and

angry that this was happening, and I also felt very degraded. (#7)

Another white woman states she stopped enduring once the person harassing her started;

literally asking me to go to bed and have sex with him - and once it started to come out and I started to voice my opinion and started to fight back - that's when I paid for it. But it went on for 3 months and I just kept taking it and taking it. (white woman, #12)

I looked for other employment, but jobs were scarce, so I focused on how much longer I had to work before I could retire and counted the time until my children were done with their educations and I could get ... I tried to tell myself that I could hold him off, and for a period of time I did. But he just would not take NO for an answer to his sexual advances. At first I [ignored it], but ignoring it and walking away did not do any good. (white woman, #18)

One woman comments how she would no longer put up with harassment as she did when she was a teenager;

I guess to be truly honest, I was learning naïve sixteen year old versus a twenty three year old woman now. I wasn't really paying attention to the atmosphere and really what was going on. I knew I was getting inappropriate comments and things like that. It did make me uncomfortable, but, like, I would never want to work that way now. And I would have a lot more confidence in telling guys to shove it or whatever. I was just too young to deal with the situation. It was a lot, but it was only for the summer-so... (#15)

**Denial:** Three Francophone women mentioned that they coped by trying to deny that they were being harassed. Women would try to forget that they had been harassed. These are examples of what these women said;

I put it in the back of my mind. I had

a husband and children. I had to carry on, and I couldn't speak to my husband about it. I've known how to put on masks since I was 18 years old. I just shoved it way down inside myself. (Francophone woman, #2)

Yes, I tried not to think about it ... particularly in the beginning. When he talked to me about my breasts, about sleeping with him, about my body, it was clear. When he kept to the kind of talking he was going at the beginning, it was hard to believe it. I told myself that [it wasn't so bad.] (Francophone woman #4)

The coping response of denial is also present when the perpetrator appears to be acting out of character because women think of him as a nice guy or when he is someone who holds the trust and respect of a community. Native women who experienced sexual harassment by an elder, who was respected as a cultural healer and teacher, commented that;

N.1: It was easy to brush off because you don't want to think of it like that because he was an elder.

N.2: Yeah, I agree with that.

N.1: Because he was an elder. Maybe that's the way he was raised - to be touchy feely but it was too often... (#8)

**Detachment:** Women reported that they would detach themselves from the situation in order to get through the work day. This was different from endurance, for it involves women trying to act disinterested or impartial about the harassment they were experiencing.

I joked, I laughed, I fooled around, I was friendly. (Francophone woman, #2)

I turned it off. I kept kind of - you know - it's my job, I just have to take it. It's either I take it or I lose my job. I did stick up for myself but obviously that didn't matter. (white woman, #12)

I went into myself to protect myself. (woman with disability, #13)

It still amazes me sometimes to think that I did cope with it, if that is what you call it? I look back now and realize that I worked like a robot. I was there in body but not in mind. I would try and focus my thoughts on my children and how I had to stay strong and healthy for them. I would often sit at work and wonder what happened in these men's childhoods that made them so mean and angry. I would go into the women's washroom on break and cry, and then clean myself up and go back to work. I would work hard and keep busy the best I could to keep my mind off everything else. I had no one to even talk to on breaks, so I read a lot of books. It was very long and lonely ... I worked like a robot. The best way for me was being there physically, but emotionally having my thoughts somewhere else. It was dangerous to work like that because I needed to concentrate at work for safety reasons, but it helped me be able to cope for so long. Also having breaks by myself helped to let out my emotions and cry to be able to cope with the remainder of the day. (white woman, #17)

I put the switch on "off" and I left at the end of my contract for "medical reasons." I tried to be invisible, to make them forget about me. (Francophone woman, #19)

[I got through the day] by dissociating, by adopting multiple personalities. I wasn't there. (Francophone woman, #20)

**Reattribution:** A few women initially coped with the harassment by telling themselves the perpetrator did not mean to do what he was doing. This is the process of reattribution, whereby the person experiencing the harassment defines the situation in a way that it is no longer harassment.

I couldn't say anything to anyone. "I made the biggest mistake anyone

could make.” I felt loved, I felt fine about it because I was doing it to keep my job ... I didn’t think it was harassment, I thought he loved me, except after the first time I slept with him, when he dropped me and replaced me with another woman, then I thought that it was maybe harassment. It’s hard for a person who’s looking for love to understand. When someone’s paying attention to you, you don’t ask questions, you just accept it. It’s difficult to respond. I didn’t want it to stop because I got benefits. I had no way to say anything because he would have thrown me out. (Francophone woman, #2)

I’d say to myself, “She must be having a bad day, she’s just not herself. This isn’t happening to me, it’s not possible. I must be making this up.” (Francophone woman, #3)

I never thought of - the way they were talking to me - I thought it was a joke. They do talk very dirty, and I kind of got out of the closet and told my family and co-workers that I was gay. And there was a big change out of the co-workers. And I was seeing a partner and told her about it and how they were talking to me and kind of touching. And the touching I did not like because it felt very uncomfortable and very not respectful because I was a female. The talking and everything, I just thought it was a joke but my partner says that’s very harassing. It’s not right for them to treat you that way, and the way they talk to you. So after a while it kind of got to me. It really did bother me, so I was lost and very scared. (lesbian.2, #14)

I would try and tell myself that these men had to have been treated so badly as children to make them this way and that maybe if things had of been different for them they would not harass me. (white woman, #17)

I said to myself, “I mustn’t have seen properly, I must have heard wrongly’

or ‘It won’t happen again, it’s the last time.” (Francophone woman, #20)

One Francophone woman mentioned that she wasn’t even aware at first that she was being harassed. She believed that her male co-workers found her attractive and that they were being flirtatious;

I welcomed, contributed to and responded to the flirting. ... It wasn’t possible to say anything, to do anything because I was so naïve, unaware that it was possible to do something, that it was harassment. It didn’t happen! I was appealing to the guys. Afterward, I told myself that the guys were mean, rather than believing that it was harassment. I minimized the situation, though I warned a new employee to be aware of the two men, so I had some kind of awareness. After the physical confrontation, I experienced a great deal of stress and understood that the situation was serious.

She concludes by mentioning;

I minimized. I talked about it to my girlfriends, but as if it was flirtation, and that allowed me to vent. [This was] my way of rationalizing and of minimizing because if I’d seen the situation clearly, I wouldn’t have been able to go in to work. (Francophone woman, #21)

Another Francophone woman who experienced an abusive work situation from her boss also did not initially describe the situation as harassment:

I didn’t know it was harassment. A man who works at the hospital is going through what I went through. He sent me the questionnaire. After I answered it, I realized that it was harassment. (#3)

*Illusory Control or Self-blame:* A final internally-focused strategy used by women was to blame themselves for the harassment. The other way to look at self-blame is as a form of “illusory control” (Fitzgerald, Swan and Fischer

1995). Women may think they can control the harassment or get it to stop if they do something such as changing their appearance or dressing differently.

I blamed myself for having been sucked in, for not having been intelligent enough to see what was coming. (Francophone woman, #2)

I blamed myself for a while because I was a woman. I resented myself for being a woman, for being a female. (Francophone woman, #4)

I used to blame myself for the harassment and ask myself constantly what I was doing to make them want to treat me this way. (white woman, #17)

I blamed myself, maybe I deserved it, I did date him before and he was married. I should have known better. (white woman, #6)

I blamed myself for the ignorance, the naiveté, for having been trapped in confusion. (Francophone woman, #21)

I did blame myself sometimes for the harassment, asking what it was that made them do this and also I would think that it was because I was young and the clothes that I wore that caused this. I also tried to dress differently, so that I wouldn't be attractive at work. (white woman, #7)

I told myself that there had to be something that I could do or say, just to make it all end, so I would just be left alone to do my work, but I could never get it right as to what that thing was. I did not blame myself for being harassed. But I did feel inadequate for not being able to settle this situation in an adult manner, with simple communication, etc. (white woman, #18)

I asked myself whether the clothes I was wearing were too sexy, even though every day I wore a smock over my clothes, since I worked in a hospital setting. (Francophone woman, #20)

I sometimes asked myself what I was

doing to have this behaviour happen to me. I then would dress down when I was getting ready for work by wearing unattractive, big clothing, so that my body wouldn't show. (white woman, #10)

I worked at a bar and I always kept my looks up - you know - that's where your tips come from. I always thought it was because maybe I was wearing the wrong kind of clothes. I was never trashy looking or anything, but I thought maybe that was what it was. Or it thought maybe I was flirting a little bit with him, like when I was being nice to him when he first came in, but then I kept thinking to myself, "There's no way." I know I wasn't and especially I got to see [support worker] from the Sexual Assault Centre - she really helped me. I realized it was about that. (white woman, #12)

When I first complained I was told not to talk about it with anyone. I blamed myself and kept it quiet. I blamed myself. Maybe I smiled too much, was too friendly. Maybe I dressed up too much, looked too good. Maybe I provoked it and I don't have a right to complain. That's how I felt at the time. But since I read that report [preliminary workplace harassment report], I realize that what I felt is normal and it happens to other women. Now I don't feel that way anymore. ... I had to isolate myself at work. It was in my throat to talk about it. Once I was aware of what he was doing, I didn't want to talk to anyone. I felt like it was my fault. I tried to hide. Normally I was chatty. I became very serious. I felt very guilty. I felt since I didn't do anything to stop it that I was condoning it. I didn't know how to complain. I didn't know what the consequences would be. I can see how somebody might think I went along with it, but I just didn't know what to do. (white woman, #16)

A Black woman had the following conversation with the interviewer;



How did I cope with it? I started going to [support worker] to talk a lot. But I ... you know how you question yourself. I started thinking it was something that I wore or I had too much makeup on or, what was it? You know, I don't know why he started off that way. And I said to her, "You know I had my hair down." Sometimes I wore my hair in a bandana. I wore a scarf. I wore a t-shirt to cover my body like - you know what I mean - and I didn't wear short, short shorts, and I was like, why was he doing that to me?

I: So, did you get an answer to that question?

Well she [support worker] told me that it was nothing that I was wearing or anything, that it didn't have anything to do with that, that it was the person himself.

I: Do you believe that? Do you believe that it had nothing to do with you?

Not at the moment because, you know, you question yourself. I guess I questioned myself for awhile.

I: Now how do you look at it?

Now how do I look at it? That he was just an ignorant pervert. Stuff like that. He's got some issues he needs to deal with. He's got some problems. (#11)

Self-blame is reinforced when the perpetrator is speaking with the voice of authority, as with an elder in the Native community for example, who is a respected community member. Women talked about their experience with sexual harassment by an elder and how it made them think it might be their fault:

I felt uncomfortable. I don't like doubting myself. I was questioning: maybe that's just the way he is as an elder, but it didn't feel right. Sometimes it's just knowing that something doesn't feel right. (Native woman, #8)

Also in this focus group;

I: We were just talking about how isolating it is and how you must have felt being a youth participant and not knowing whether anyone else feels the way you do, but feeling like you come in there with the attitude everyone else respects him...

N.1: Yeah. It bothered me. I wanted to say this isn't right, but then I thought. maybe it's my own fucked up head, coming from my own personal experiences. (Native women, #8)

In our research, the women who engaged in blaming themselves had experienced sexual harassment rather than other forms of harassment. For some of these women, the self-blame intersected with other dynamics in their lives, such as the role of elders.

**Avoidance:** Some women actively avoided the person (or people) carrying out the harassment. Avoidance includes taking days off of work as well as moving one's work station to a different part of the office. The following are examples of the way women avoided and restructured their work situation.

The big boss took me to task for taking too many vacation days. I didn't think he'd support me if I had told him. Afterward, I was off on long-term sick leave. (Francophone woman, #2)

I often told them that I was sick. I got more depressed. Yes, I avoided him. When there were meetings or he wanted to meet me, I didn't show up. When he asked me to be there in the evening, I made a point of arriving in the afternoon. (Francophone woman, #4)

After the assault occurred, I returned to work. The perpetrator was off work for approximately two weeks. I tried in every possibly way to concentrate and try to focus on my work. I shortly learned that within two weeks he was allowed to return to work. I immediately panicked. I could no longer focus on work. I was so frightened I would run into him, so

I stayed in at work, in my little hole. It just got too hard. Even trying to avoid him wasn't enough, he was too near and I feared for my life. (white woman, #6)

It made me feel very uncomfortable. I became very silent and had a hard time working. I would come to work with clothes on that would hide my body and I would try and to avoid him when I could ... I would try and avoid [boss/harasser] as much as possible. After I complained to him, he was aware of my complaint. He did most of his work away from the office and he would call in and leave messages for me. His office had a separate entrance from mine, so I didn't even know most of the time if he was there or not. He didn't come into my office very much and when he did he never acknowledged my presence. (white woman, #10)

With the first situation [harassment based on religion], I didn't cope very well with the harassment at all. Basically, I would be late. I was late every single day. Showing up an hour or two late. Making excuses as to why I was late all the time. I would call in sick. Near the end, I would call in sick at least once every two weeks. Usually near the end of the week when I just couldn't take it anymore. (lesbian.1, #14)

I would try and do my job best so, that I didn't have to listen to him complain to me. I kept to myself while I was working and tried to stay away from him as much as possible. (Vietnamese woman, #22)

For some women, avoidance was not a possibility due to the jobs that they did:

I usually showed up for work on time. I tried to avoid the harasser in situations where I could. I couldn't get out of meetings, though, because it was my boss. I couldn't avoid certain parts of the workplace because of the jobs that I did. I would try and stay

away from them when I could. (white woman, #7)

I tried [to avoid harasser], but there was no way. He was always there, invading my space. Even when I was bartending and I didn't have to go to the kitchen because there was a waitress to do that, he would come out from the kitchen to be behind the bar. (white woman, #12)

I would try, but he would ask me to come to his office all the time. It would be a couple times each week. Since he was the manager, I felt I had an obligation to go. Once I was there, he would make it sound very business-like. He would talk about work I might be doing someday. He would sit across the desk from me and make sure his feet touched mine. When he passed papers to me, he would touch my hands. It was a big ploy. It was never going to happen. (white woman, #16)

For two women, the only way to avoid was not to go to work. When they were at work, it was not possible to avoid the men doing the harassment.

I missed time from work. Sometimes I was already at work and had to keep driving because I couldn't talk myself into going in. I have always been an on time person in most cases. I was only late once in 20 years and I was disciplined for that. I really tried my best not to do anything to be called in for. I couldn't avoid getting out of meetings, but when the supervisor walked in and watched me shower, I never showered again at work. I took my breaks and my lunch in the washroom, so I didn't have to be around the men. It was hard to avoid areas at work because I had to do certain jobs even if the areas were unsafe for me. (white woman, #17)

I had more sick days from work than I ever had in my previous working career. This [avoiding meetings with harasser] I could not do, but I wish I

could have. I tried to avoid him, but he was a better stalker than I could handle. (white woman, #18)

**Appeasement:** Some women went along with the harassment or appeased the harasser to get through the situation;

I joked around with him a lot. We visited each other as couples. I saved money to buy him a gift at Christmas. He was always the one making the moves, putting his hand on my knee, for example, but I didn't respond. (Francophone woman, #2)

I tried to do everything she asked of me. I was good for 14 years, and then suddenly I wasn't anymore. (Francophone woman, #3)

One woman mentioned that while she didn't go along with it, she also did not speak up about the harassment. This is also a way that women endure and blame themselves, for they neither encouraged nor discouraged the harassment.

I didn't go along with this behaviour, but it didn't always say anything to stop it. (white woman, #7)

Some women made a point of mentioning that they did not go along with the harassment;

I didn't go along with the harassment. (white woman, #10)

I never went along with anything from the [harasser]. The consequences were too scary for me. However, I did participate in the jokes and banter that other employees did that poked fun at his behaviour. For example, he was called that "pompous ass" by one of the guys and we would laugh. (white woman, #18)

**Medication, Alcohol and Drug Use:** Many women did not use any type of medicine, alcohol or drugs to help them cope:

I never used alcohol, drugs or medication. Probably because I was well aware of the dangers of all of this working with addictions of others all

day. (white woman, #10)

Some women mentioned the use of medicines, such as anti-depressants, that helped them get through the harassment situation;

I was given anti-depressants in April 2002 and medication last year when I left hospital. (Francophone woman, #2)

I don't like most alcoholic drinks or else maybe that would have happened. I took many aspirins to try and get rid of the constant headaches I had. (white woman, #17)

I only had medication to help me through it, after I was out of the workplace harassment, and in the Ontario Human Rights Commission "Harassment System," where the meaning of the word "justice" is unknown. (white woman, #18)

One woman relied on caffeine;

[I drank] large quantities of coffee and tea, I was pretty addicted. (Francophone woman, #20)

Other women discussed using alcohol and other non-prescription drugs to help them cope;

I started drinking after work because I had reached the point that I was depressed, frustrated, I had trouble sleeping. I wasn't the same. (Francophone woman, #4)

I could only continue to go to work for 2 weeks after the assault, and then he returned to work ... and then I had to go off on short-term disability. I went to the doctors for medication. I began having a drink each day in the evening to help me get to sleep. My mood was extremely up and down. I needed to level out. (white woman, #6)

I got into drugs pretty heavy, drinking a lot, almost every night. At least drugs or alcohol every single night. I was just in a downward spiral. (lesbian #1, religious harassment, #14)

There was alcohol, and it helped with

respect to the stress and the anxiety ...  
[I] drank to reduce the stress and the anxiety. (Francophone woman, #21)

I would, during my construction work, [I'd] be drinking a lot. Taking drugs to cope with it. Even on job sites. To a point - when they talked to me and stuff like that - I just kind of let it go because I was lost and everything. Ignoring it and hoping it would stop. For joking around - for honest and true - I hated to be a female because the field that I did. I found that because I was a female I wouldn't get a job, but if I was a male I would be hired straight out, and I wouldn't be treated this way. So it really made me down and lost esteem and made me very mad and very bitter towards men. Who I am, I always was gay, but kind of hid it because the field that I am in. But now I'm out and I'm proud of who I am today. I put myself in NA to clean myself right out and now I'm close to about six months, and I realized now, to who I am, that nobody is going to put me down. Because I had to leave town to not to be in counselling with men because I had so much bitterness towards men because of my past, that I would hit them with one little touching of me. There was a situation in my group of NA. My sponsor kind of licked my ear and I punched him. But after a while, I explained to him and he respected what I was going through and he told me, thank you to put that through me. So after a while I was getting cleaner and my brains and my thought and my feeling was very stern, so when I went to the centre in [city], they taught me lots how to cope with my reading. To ask people. To stand my grounds where a woman should do. We don't have the right to be treated this way. We don't have the right to be touched and that. Who we are. And it got me strong and I really listened to people and telling them how I felt and getting the feedback, it really opened my eyes. Today, I won't take anything of

it. That's where I have lots of violence, in it. I am still taking help of it. I am doing counselling of it because I have to cope with everything. And I have to still because of my field. They won't hire me because I'm a woman. But one of these days I will get it because I'm not a quitter. (lesbian #2, #14)

**Other ways of coping:** Women also gave other examples of what helped them cope or get through the workday.

Women talked about activities that they did outside of their work that helped them feel better about themselves and forget about the harassment:

I wrote songs, I did aerobics, tae-bo. Sleeping helped when I wasn't working. (Francophone woman, #4)

[I] went to massage therapy for many years. I went to a chiropractor and did reiki. I started doing aerobics. I did relaxation techniques. In the last 20 years I found Buddhism and that has helped with the pain and given the support to get through this. Also going on vacation, like to Cuba and the States. In the last three years, it has been very difficult to get away for financial reasons. (Latina, #5)

I also went for a lot of walks at home. That helped me a bit. (white woman, #16)

Whether it be prayers or tears, women found ways to express their emotions and get through the workday;

I prayed a lot to get through each day. I always felt butterflies and was very emotional throughout the whole process. (white woman, #10)

I decided that "if you don't like me - heck with you." (woman with disability, #13)

I cried a lot. (white woman, #17)

I always kept an empty chair between myself and the [harasser] whenever he called me into his office. [Also] holding my little poodle comforted me,

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but I cried a lot whenever there was no people around. There was nothing I could do to avoid the [harasser], but I did pray a lot both through the workplace harassment/ assault, and the OHRC harassment, intimidations, threats and refusal of justice. (white woman, #18)

I studied the situation, I tried not to be alone when I worked on my files, I went into public rooms, so as not to be alone in my office. (Francophone woman, #20)

Not all women were able to find an escape in activities outside the workplace. When asked what helped her to feel better about herself, helped her to avoid the harassment or helped her to get through her day, one woman simply replied, "Not much helped me." (Francophone woman, #3)

And finally, for one woman, the best way to cope was to leave the job;

The best thing that I did that was the most helpful to me was to quit work and get away from the situation altogether. (white woman, #7)

## TO REPORT OR NOT REPORT: WOMEN'S EXPERIENCES WITH REPORTING AND FILING FORMAL COMPLAINTS

Any discussion of women's reporting experience is framed by the decision to report or not report the harassment. This section presents reasons women gave for not reporting or for reporting their workplace sexual harassment.

### Why Women Don't Report

Women in our study cited two primary reasons for not reporting. Some did not report because they did not think it was worth it. Others did not report because race and/or language issues hindered their ability to report. Some women stated they did not report for both of these reasons. We start with the first category of women that did not report.

A Black woman participating in a welfare-to-work programme who didn't think it was worth it to report had the following discussion with the interviewer;

I: What is going on now? Have you filed a human rights complaint against him or the employers?

B: No. It was more or less - nothing was going to be done. The company they run for is a big company and they just got caught doing something [illegal]...

I: You've made complaints to him and then, there's no union, you didn't go to the Human Rights Commission, you've been to your doctor. Did you go to a lawyer?

B: No. What I heard a lot from people, and stuff like that, I was like, I'll be a laughing stock. ... They're going to get me up there and all laugh at me. And I thought, never mind all that. ...

I'm not going to get up there and be a laughing stock. (Black woman, #11)

The other category of women who did not report (or did not report initially) is women who explicitly mentioned how their race, ethnicity or language intersected with their ability to report.

One Francophone woman in the study pointed out that because she is a Francophone and was living in a rural area, the employment opportunities in her field were limited, given that in her city there was only one office where she could do the kind of work she was qualified to do in French. When she was asked, "Did you complain?" the woman responded that the fact that she was a Francophone made it impossible for her to leave the job. "I couldn't say, 'Transfer me somewhere else!'"

In one of the focus groups with Filipina domestic workers, the following conversation took place about why one woman did not say anything about her harassment. She is a live-in caregiver for an elderly man. This man would ask her to sleep with him and engage in other forms of inappropriate and harassing behaviour. She first mentioned that fear of losing her job was one reason she did not report or say anything to his family:

F.1 Before that is the reason I kept silent. Because of my contract. The job was very easy. There is no hard job in the house, and I said it's o.k. you're an old man [her employer].

Soon after this, the conversation reveals it was difficult for her to leave the job because of her upbringing:

I.1: Do you live there?

F.1: Yes. I live there.

F.3" Did you tell the family?

F.1: No.

F.3: You are supposed to tell them.

F.1: I know, I know but hmm...

I.2: Who else lives there?

F.1: Myself and him.

I.1: Just the two of you? Last night when you said that you didn't like that: do you think that he'll start ... he'll just keep walking around [naked]...

F.1: It's like I'm putting myself in a situation, like I'm the one who has the problem.

F.2: And I think that's how we grow up. We are a big Catholic country. In our mind, it's like you cannot talk about sex really until you have been married. It's like you feel uncomfortable.

F.1: And maybe because of my background, too. I am a Bible teacher. I worked as a missionary. If it is about sexual things, I avoid talking about it. So it's not good for myself.

Later in the conversation, the Filipina domestic workers also linked their lack of reporting to their citizenship status and the constraints of their current visas;

I: If you already had your landed immigrant status would you have stayed?

F.1: No. No.

I: You would have left when he started that?

F.1: Uh-huh [yes]. Being a caregiver it is not easy because it is like a tie.

F.2: You are tied?

F.1: And even if you don't like your situation you just wait for the time.

F.2: You're scared that you might jeopardize your status because you have to finish the 24 month time in a three year period. If you stop or quit and then you look for another employer, there is a span of how many months? And then you stop and you don't know. It's not guaranteed how many months before you can get a new one.

F.1: A second thing, if you leave your employer and you resign. The next

employer will contact this person, and if you leave with a bad report, it jeopardizes your [ability to get another job.]

I: Has anybody ever had that happen to them?

F.1: [No], I stayed.

F.2: From some of our friends. It happens to some, but it is not my personal experience. (#1)

Foreign domestic workers, such as these women, who come to Canada through the Live-in Caregiver Programme must spend two years living in the home of their employer. These women are in Canada on a temporary work visa, with limited citizenship rights and limited access to legal redress. Any examination of their experiences of workplace harassment and violence must take into consideration the fact that they do not have the same citizenship status as other women in Canada. By explicitly incorporating citizenship into our analysis, we hope to challenge assumptions of past research that operated within a framework of equal citizenship and equal access to redress mechanisms. As the example of the Filipina domestic workers illustrates, barriers to reporting are multi-faceted and layered.

A Vietnamese woman also experienced difficulty reporting because English was her second language. Although she eventually received outside support and filed a complaint, initially she did not believe reporting was an option;

I didn't like him touching me but I felt that I had to put up with it at first and I didn't say anything because I was a new employee. He was my boss and the only one in management that could understand Vietnamese, so, if I complained, I would have to complain to him. I witnessed other females who complained get fired from their jobs and this also scared me. The harasser would act like he had the right to do this to me and he sometimes would apologize but then do it again. He

also told me that if I complained to anyone, he would fire me. He would yell and tell me that he was the boss and I couldn't do anything but obey him. He was my supervisor and I did complain to him. I couldn't complain to anyone higher up than him because I couldn't speak English well enough. If I were to want to set up a meeting to complain with upper management, then they would use my supervisor as an interpreter. I know he would lie and not interpret properly, especially when it was about himself that I was complaining. Other employees complained higher up and told me that he would twist what they said around and not tell the company the truth of their complaint. By the time they left the meeting they would come out with a verbal warning themselves. ... I filed a complaint to my supervisor and I also talked with upper management. Again they used my supervisor for interpretation and I know that he didn't tell them what my complaint was really about. He wouldn't tell them that my complaint was about himself. There was not an investigation and I wasn't taken seriously. The outcome of all of this was that I was laid off permanently. (#22)

Although the barriers to reporting were quite high for this woman, she eventually decided to file an external complaint to the provincial Human Rights Commission. Like other women who will be discussed below, this woman decided to report because she believed the harasser should be stopped;

The whole time that I worked at [company name], I was being sexually harassed and discriminated against from one individual who was my supervisor. I didn't like what he was doing and when I told him to stop he would for a day and then do it all over again. I was tired of putting up with his behaviour and knew that I had to do something. (#22)

All women who did not report shared a sense of vulnerability that stemmed not just

from their harassment experience, but from other aspects of their lives as well. The examples discussed above, a woman in a work-to-welfare programme, a Francophone woman, the Filipina domestic workers and a Vietnamese woman, demonstrate the need to examine how women's identities and the circumstances of their lives intersect with their decisions to report. In our study, language stands out in a variety of ways as a factor that contextualizes women's reporting decisions. Lack of access to jobs in one's language, lack of someone to report to in one's own language (that is not the harasser) and a general sense of being marginalized because of one's language are key components of why women did not report. The Vietnamese woman discussed above decided to report after she gained access to a support person who understood harassment issues and interpretation services.

Ambiguity and the historical oppression of groups of people can influence how harassers are perceived and how behaviour is interpreted. Ambiguity and intersectionality can merge to influence women's decisions to report.

This example arose in the context of a discussion in the Native women's focus group about ambiguity and understanding what sexual harassment is, the role of elders in organizations, and other issues specific to being a Native woman in Canada. We provide some of the conversation that took place in this focus group. The discussion starts with an example of a relatively current harassment situation involving an elder;

N.1: I guess he was an elder, so it was like he was always – every single opportunity even if he didn't know someone and they said hello to him. As soon as I hadn't seen him for a couple of weeks because I was in the programme, and I saw him at a solstice ceremony here, and I was with my daughter, and he took the opportunity right away to put his arm around me and touch my leg and it was really creepy. .... It happened



a lot, though, every single - it was obvious.

N.2: I think it was really brought home when there was [ceremony] here and he was here. He did the [specific] ceremony and everything, but there were pictures that people were taking of the solstice and he was behind this one girl and he was hugging her and he had his arms right underneath her breasts and he had his face right up on her neck. Two of them were like that. Two pictures of girls were like that.

N.1: With that situation it was hard to define it as sexual harassment because it was more like invading personal space...

I: So there is some self-doubt going on?

N.1/N.2: Yes.

I: [I]t's a hard thing to let go of. You are brought up to trust your elders and it kind of shatters your whole perception about what's good about our culture.

N.1: ... It was the same thing with the girl who made the comment, "I don't know, maybe it was just me, maybe that's just the way he was raised." The exact same thing S. said and they started doubting themselves. And I was just, ugh, no, no...

I: So how do you think, if some thing like that were to happen again, would you have a different approach? What do you think it would be, so that it wouldn't take 3 years [to report]?

N.1: [W]henver he came around, I started getting uncomfortable and find reasons to leave the office or be occupied with something else, and with me being in a supervisor position now, I wouldn't want any of my staff to feel that way. So I would definitely say something right away.

At another point in the Native women's focus group, the role of elders was discussed again;

I: That's really awful because youth are so vulnerable. Anyone seeking help is vulnerable and is going to just come in good faith and assume that the people here are good people.

N.1: And how do you define an elder? Who defines that? Who labels these people?

N.2: Yeah, and if I call him an elder does that automatically mean you should be calling this person an elder as well or you?

N.1 Well, everybody is calling that young guy an elder and he's not an elder, he's in his 20s.

I: And he accepts...

N.1 Yes, he accepts that. I would be like you're calling me an elder because I have the teachings. No I'm not an elder. I'm just learning. This elder is in his 20s and somebody goes in to see him and he asks her out on a date.

I: That's not right.

N.2 It's the same thing right there. (#8)

This is just one example that shows that the decision to report cannot be removed from the overall context of women's lives. Situations are nuanced and reflective of the communities in which women live their lives. A number of factors, including cultural values, internalized oppression and a desire to protect the integrity of one's community can feed ambiguity and self-doubt.

### **Those Who Report – For Justice, For Jobs, For Themselves**

We now look at the reasons women gave for reporting their harassment experiences. In this section, we use the term reporting broadly to include making a verbal or written complaint to the perpetrator, making a formal complaint to the company and making a formal complaint to an external legal forum such as a Human Rights Commission.

**Reporting if you don't have to confront the harasser:** Although many policies still direct employees to confront the harasser as a first step in making a complaint, many women find this difficult to do. Increasingly people with an understanding of the dynamics of harassment are recognizing that this can put a woman at risk or can serve as a deterrent to reporting.

In our study, one young woman's decision to report the harassment she experienced at a summer job was based partially on the perpetrator not being at work:

I: Were you aware if the man who you made the complaint against knew that you made the complaint?

E: He was not there the day I made the complaint. He had gone on vacation, which is partially why I had the confidence to do it. If he had been working there for the rest of my time there I don't know if I would do it.

I: What are you thinking might have happened?

E: You know, looks, snide remarks behind my back, talking about me behind my back. To prove I was the one being ridiculous in the situation. I knew the way he was going to react.

I: Are you going back next year?

E: I will never go back there. Not if you paid me three times the amount. (#15)

**Reporting because person had to be stopped/need to protect others:** The next category of women who reported includes those who came to believe the harasser needed to be stopped. Some of these women were pushed to report when they saw other women in their workplace experiencing the same type of harassment. Although many of the women in this category were reporting to protect themselves, this group of women also discussed the decision to report in terms of a broader need to "stop the harasser" or to "protect others" from his behaviour.

One white woman who had endured sexual harassment for several years in a male-dominated workplace stated;

I decided to report because there finally was another woman in the department where I was always the only one and I witnessed the men harassing this woman like they began with me. I knew at this point that enough was enough and I had to do something to make it stop. I then went and lodged a formal complaint with the company and the union. (#17)

Another white woman said;

I decided to report the assault because I knew that this man had to be stopped and also because I feared for my life. My girlfriends encouraged me to report the harassment so that is what I did.

One woman who went through years of internal and external complaint procedures said;

I did this all because my focus was that I didn't want to be harassed and I figured I would do everything within my power to make sure these guys don't harass me or to minimize the amount of harassment. (white woman, #23)

A Native woman noted that she decided to report when she noticed that co-workers and clients were going to be affected;

N.2: Yeah, and when I coordinated the third programme, I went up to [the executive director] and said he's not having anything to do with the programme, the majority of the participants are female and I don't want him around those girls at all.

**Report because want to keep job:** While some women decided not to report because they feared losing their job, three women decided to report in order to keep their job. The first woman reported directly to the person engaging in the harassment. This Francophone woman stated that she put an end to her boss' harassment when she threatened to call his wife. She considered

this to be a very “efficient” method to ending the harassment.

Similar to this, a white woman finally told the girlfriend of the person harassing her about the harassment;

So finally, I had enough of keeping it a big secret and so I said, alright, this is what’s going on. These are the problems I’ve been having with your boyfriend, and if he doesn’t stop something is going to be done about it because this is my livelihood. I can’t take my chance of losing my job. It might just be a waitressing job to you, but to me, it’s my job. And, it went from there.

Another white woman said;

I decided to report because I couldn’t work and do my job properly with the sexual harassment going on. It made it very uncomfortable for me to continue to do my job properly.

**Family:** A few respondents discussed the role of family ties in their decision to report. As Morgan (1999) notes, the decision to go ahead with a formal complaint is often couched in the context of risking relationships. Only one woman stated that family did not matter in her decision to report. The majority of women stated that family mattered. Some women chose to report because of support and some chose not to report because of a lack of support. Two women also stated that while familial support was important, they may have reported regardless.

The following woman’s comments shows how support from families may not matter for the decision to report, but a lack of support from family can make it more difficult to get through the complaint process;

I reported this because it is just the person that I am ... I didn’t discuss this with my co-worker or my family and friends when it was going on. It was afterwards that I spoke with my family. They also got sick of hearing about it and have kind of turned their back on me now because they feel I

should just get over it and get on with my life.

My mother and sister have in the past helped me by listening to me. My mother has assisted me by lending me money for household things and therapy because I was out of a job when I finally had enough and complained.

At first I thought it was helpful to discuss it with them and then I eventually realized that it wasn’t because they got sick of it quickly and they just wanted me to get over it and get on with my life. (white woman, #7)

For women where family support mattered, it could mean the difference between reporting or not reporting. One Francophone woman who did not report had this to say;

I wanted to complain but my mother didn’t want me to. She didn’t want the whole village to know... (#4)

A white woman who reported said;

The support of my family was very important for me to be able to have the courage to come forward and go through the process of the complaint. (#10)

Another white woman echoed this sentiment;

The support of my family was very important for my decision to report because no one person would be able to go through the process afterwards because it is very traumatic also. (#17)

A Vietnamese woman stated;

I also spoke to my husband about [the perpetrator’s] behaviour and he [my husband] was upset about it and wanted me to do something about it. He is supporting me filing this complaint to the Ontario Human Rights Commission. ... The support of my husband was important in my decision to report the harassment. (#22).

One woman's husband was instrumental in her complaint;

My husband started the complaint. He called (the harasser's) boss. (white woman, #16)

The following two women mention that family support is crucial, but reporting was a personal decision that they made. Yet, it is possible they might not have made the decision to report if support was not there.

It was a personal decision. My husband told me there had to be something I could do. (Francophone woman, #3)

A white woman stated;

The support of my family was extremely important to me and to my well-being. However, nothing they would have said and done could have stopped me in my decision to protest against the injustice of sexual harassment. (#18)

This same woman went on to state that her decision to report was focused on what she perceived as the injustice of her harassment. Her discussion of her decision to report is similar to the group of women in Marshall's (2003) study who discuss harassment in terms of an "injustice frame" whereby women develop a power analysis that holds the harasser responsible for the injuries experienced due to the harassment.

What the [harasser] did was wrong and against the laws of both God and man. I felt compelled to seek justice. For me, if I did not ask for justice, it would feel like I would be saying that "it is o.k. what he did to me" and that I accept that I am not worthy enough to expect the justice that the Ontario Human Rights Code promises to all its citizens. This I will never do. I am NOT a second class citizen, and until my dying day I will still feel the same. It can never be honestly said that I have ever given up on the truth, or that I have not done everything I could, to see that justice was upheld. Therefore, if truth and justice are not upheld, it is

not my shame, but rather the shame of those who are in power. So I can look at myself in the mirror and know that by my actions I have been a good example to my children... (#18)

## The Experience of Reporting

We begin this discussion with an account of one woman's experience when she filed an internal complaint with her employer. We provide this example to demonstrate how quickly reporting can get complicated, and to begin to examine the effect of reporting on the person filing the complaint.

### D's Story:

D experienced harassment from her supervisor. He told her that she was "hot" and he kissed her on more than one occasion. In her own words this is some of what happened to her;

He would say... "I miss you when you're not at work." "You don't need to do that," about the walking I used to do to keep in shape. He kissed me that same day that he said, "You're hot." ... He started the behaviour one and half years after he started there. He made it known to me, "Anyone who wanted a career change could just voice that to him." I did and he had me start coming into his office right away. He was Mr. Nice Guy. He told me he had an open door policy, that I could come see him anytime and talk. ... He never actually came out and voiced wanting sex, but I know he would want that if I let him. He would do other things like lean in close to me ear to tell me things. ... I blamed myself. Maybe I smiled too much, was too friendly. Maybe I dressed up too much, looked too good. Maybe I provoked it and I don't have a right to complain. That's how I felt at the time.

D eventually decided to report to the company. As the following interaction with the interviewer demonstrates, this was a difficult process;

D: At first, the person [to whom the complaint was made] was a woman. I asked her why he [the perpetrator] couldn't be moved to somewhere where there weren't any women, a different post. She said that he had too much potential and that he had a family to support and that [the company] has already put a lot of time and money into him and that there wasn't much that could be done.

I: Going back to complaining to his supervisor - how was your complaint received?

D: At the time I thought he was helpful. Later I found out that he and Q [harasser] were fishing buddies and planning on buying property together. It was a big joke. [Workplace name] is notorious for this kind of thing. They sweep it under the rug because it's a male dominated [industry].

I: Did the supervisor talk to the harasser?

D: Yes, supposedly. Q was reprimanded. They concluded that I was getting special treatment, that nobody else was given the "open door policy." They told Q not to show favouritism to an employee and it was put on his record that he showed favouritism to an employee. I refused to go back to work. I went on stress leave. I dropped the complaint. I was too emotional at this time. I couldn't think it through. My doctor put me on anti-depressants. I see my counsellor once every two weeks or one week depending on how I feel. I'm not getting paid for my leave because I am a part-time contract worker.

I: Could you tell me about dropping the first complaint?

D: With the first complaint, I withdrew the complaint because I couldn't handle it. I didn't think I was doing anything good. I didn't think anything was going to come of it. I just wanted to hide. I didn't want to talk to

anybody. And I didn't feel like I was getting any support.

I: When did you file your second complaint?

D: Two weeks later. I went to my union. I talked to a union rep at the [union location]. We started the grievance process. The nature of the grievance was sexual harassment in the workplace. ... We went to a [specific grievance level] meeting arranged by my steward. My steward and me sat with Q [the harasser], G, the HR person. We met for a discussion.

I: How did you feel about this set up?

D: I felt very uncomfortable. All three [union rep, harasser, H.R. person] would go out to the hall and whisper and come back in. I can't remember what all the questions were. I guess I was so upset. I can't remember all of what was said. My rep asked me if I wanted a refreshment. I said, "Yes." He went to a store across the street from where we were meeting. He left me alone with them. They [harasser and H.R. person] sat and stared at me the whole time. When my rep got back I said, "I don't want to do this anymore." And he said, "You want me to tear this up, then?" I was so upset at the time. I couldn't handle anymore. I just wanted to go home and get out of there. I said, "Yes, I don't care anymore. I just want to go home. I quit." Everybody left. I stayed home for three more weeks and I wrote a letter of resignation and handed it in to the receptionist. Then [my supervisor] called me at home and said, "I'm going to hang on to this for a while and give you a month to think about it. You should not have to quit over this. Take some time to think about it." So that's what I did.

I: What happened next?

D: I stayed home awhile. This is when I called W [client's name, also

sexually harassed]. I had some time to think about things. I started to feel resentful that I was taking the brunt of the whole thing. I started thinking from an objective point of view instead of my emotional wreck point of view. I thought he's still at work and getting a paycheck and I'm out of work and an emotional wreck. He's going along as if nothing ever happened. When I talked to W, and started to think about it more, my head cleared. That's when I started to think, "I gotta go through with this. He's just going to keep doing this to more women and keep getting away with it." That's when I started the third complaint process. That's what I'm in right now.

I: Can you tell me about your third complaint?

D: I filed a complaint with the union and the [company grievance board] in [date]. The [company grievance] process is over. There was no investigation done even though the woman who made the decision told me she was going to hire an outside investigator and get an objective ruling. I never heard back from her, but [union rep] and [H.R. person] told me no policies were violated, that it just got too personal.

D's experience illustrates that once the decision to report is made, the next steps are fraught with difficulty. Many of the women in our study faced difficulties similar to those that D encountered. The perpetrator may, at first, appear to be a "Mr. Nice Guy," making it difficult for women to define their experiences as harassment and to want to invoke procedures for dealing with harassment. This example also illustrates that women are often confronted with inadequate procedures or even non-existent procedures, supervisors who do not listen and bureaucratic complications. We now turn to a discussion of what happened to the other women in our study who reported.

## **The Outcome of Reporting: When Reporting Makes a Difference, Makes No Difference or Makes Things Worse**

Women's experiences with reporting can be categorized in three ways; those where reporting made some difference, those where nothing happened, and those where reporting made the situation worse by leading to retaliation or other negative outcomes. Some women fall into multiple categories. For example, a woman's report to her company may lead to nothing happening, but her report to the Human Rights Commission may make a difference.

Women also formally report in different ways. The three main ways are 1) verbally telling a supervisor (often the harasser himself) to stop the behaviour; 2) formally filing a complaint with the company/ employer and/or union; and 3) formally filing a complaint with an outside agency, such as the Ontario Human Rights Commission or another external legal avenue available to complainants. We divide the formal complaints into internal and external categories because these often happen at different times in the reporting process and entail unique sets of procedures. Later in this paper, we address how women who file complaints in multiple forums often experience a "legal runaround," being bounced from one forum to the next.

We first focus on women's experiences with internal complaints. These involve both verbally reporting harassment and filing a written complaint. Both types of complaints are considered "formal" in that someone in a position to do something about the harassment was informed of what is happening.

**No Results from Internal Complaint:** A Francophone woman found that her verbal reporting did not make any difference;

[I] went to see the harassment counsellor, who didn't help. He said it wasn't harassment, but, rather, a personnel management problem. I

got no support from him. ... There were witnesses, but they were not supportive. They did not want to be involved.

A woman with a low-vision disability discussed what happened in a former job when she complained about harassment:

In hairdressing school, older women clients tried to molest me. They would reach back while I was cutting their hair and try to put their hands between my legs or try to grab my breasts. I complained to the director of the school, but was told, "These people pay good money for their cut." (#13)

A Native woman discussed her experiences when she tried to complain to her supervisor about being harassed by a Native male volunteer working in her agency.

I have had experiences in other agencies. When I was working over at (name of another agency), there was this guy there and I was really young. I was a young mom and I was working as a cook over at (name of agency), and there was this guy who was a volunteer there and he actually did touch me, but he did it so I couldn't, when I wasn't looking, so that he could ... so it was like I didn't know at first whether it was, but it happened too many times to be a coincidence, like touching my butt when putting things away. It was like that, so I didn't know, but finally it happened too many times for it to be a coincidence and I complained to the supervisor, to the executive director. I told my partner and he told the E.D. and they didn't even, they gave him a warning, but he stayed. He's still working there, so I felt really uncomfortable that he knew that I had said something and he was still in my presence. I didn't think they dealt with it very effectively. It made me really uncomfortable. I was only 17 at that time. (#8)

Looking at these examples, there are two common features to these women's experiences. First, all complaints were verbal with the woman telling a supervisor or harassment support person about the experience. Second, these experiences involve a Native woman, a Francophone woman, and a woman with a disability. Although some work has started to examine how race, class, disability and citizenship intersect with women's understanding of and experience with sexual harassment (Texeira 2002; Welsh et al. 2001), less is known about how issues of intersectionality affect the reporting of harassment. These women's stories, along with the example of the Native women cited above who did not report, illustrate that the decision to report, as well as the "success" of reporting is affected by these issues.

**Things got worse after making internal complaint:** Several women experienced an escalation of the harassment or retaliation when they reported.

As one white woman recounted;

When I had to go into [harasser's] office, he asked me if there was something that I had to say to him. I said there was but it was not the right time to talk with him. He then insisted that I say it to him right away. I proceeded to tell him about his behaviour and then he instantly got defensive and said that he was a happily married man and wouldn't do any of the behaviour that I spoke to him about. He apologized to me even though he said he didn't do anything wrong. He also said that he didn't know where to look when he had to talk with me, that I made it very uncomfortable for him. He was angry and upset. After that meeting with him, he began to get more abusive when he had to come into my office by throwing papers and raising his voice, yelling when he wanted me to do something for him.

When this woman filed a formal written complaint, the following happened;

The company hired a lawyer to deal with it. After speaking with [harasser] about my complaint, he worked out of the office until [specific date]. The Board, with one hour's notice to me, called a meeting about the complaint. I called in [support person from Sexual Assault Centre] to the meeting, and a female co-worker offered to come in also. The meeting was not good and they wanted to rationalize all of this to a work overload and not sexual harassment. The board members were all men (4) and golfing buddies of [harasser] except one. I was very upset at this meeting and didn't feel it accomplished anything. I was glad to have support because of the whole dynamics of the meeting. They didn't have any paperwork on the complaint and only one of the men jotted a few things down from the meeting. I received a reply to this meeting [on specific date]. The results of the meeting were not good. They concluded that sexual harassment didn't happen.

Similarly, other women who reported to an authority that did not intervene to stop the harassment experienced an escalation in the behaviour and/or retaliation. One white woman working in a male-dominated, unionized workplace described what happened when she attempted to report internally;

I reacted by complaining constantly to upper management and the union. No one listened to my complaints and made it worse by telling the men that I complained about them, which made the abuse increase and me a squealer in their eyes. ... I didn't receive any assistance from the supervisor. The supervisor would go out and speak with the men and tell them that I complained about them and then I was labeled the squealer and the abuse increased. It was not helpful [to discuss with the supervisor] at all and made matters worse. The supervisor talked with the harasser, but not in a disciplinary fashion, so the harasser

was not fearful of doing it again and sometimes worse. The supervisor was aware of the behaviour anyway because he usually witnessed it and did nothing. The supervisor also was very fearful if he gave out any warnings for this behaviour that the men would slow or stop production. (#17)

This woman eventually filed complaints in multiple forums, including with her union, the Human Rights Commission and the Labour Relations Board. Her experiences with external complaint procedures are discussed later.

One white woman who worked in a bar and restaurant was harassed by the owner's son. Her reporting was complicated by the familial relationship between the owner and the perpetrator and the fact that the business was a small company without clear procedures for handling complaints;

He [perpetrator] cooked in the kitchen. He didn't bar tend. He didn't do anything. He just cooked in the kitchen. So, to me he was another employee [and not in a position of authority]. And then he started getting demanding. I mean, he wanted things done his way and it didn't matter what his father said. I would get in trouble because he wanted me to do it differently. So it ended up being that I had to call [boss/father of perpetrator] quite a bit and say, 'I'm having a problem. Your son is telling me it's wrong. What am I supposed to do?' And it wasn't only going on with me. It was going on with the other girls too. Like, I don't know if the sexual harassment was, but that was going on the same for the others. And then it just kind of got worse for me, as it did for everybody else.

I: What did his dad do?

Well, it only happened a couple of times before his father went in the hospital and that's when I lost all control. ... So, then [perpetrator] took over. And when [perpetrator] was doing it, as far as I



know he [the father] was taking care of things, but I'm not too sure because I wasn't there when it happened. I mean I would call him and tell him what was going on and he would say, "Put [perpetrator] on the phone." And then I would walk out of the room. And then [perpetrator] would come back out at me and be mad at me for calling his dad. I don't know if his dad told him to do it the right way and he didn't or if his dad just told him to do it his way.

I: So you don't know what was said between the two of them. You would complain and then it was between the two of them. ... So who did you talk to about the harassment, just the father?

[W]hen the actual - when it started getting that bad, [the father] was in the hospital. And I went and visited [the father] up in the hospital, but I didn't - I just couldn't...

I: I know what you're saying.

I did, however, talk to [boss/the father] after I was fired. I called [the father] at the hospital. I knew he was getting out. So I asked him if he could phone me when he got home, and when he was feeling a bit better I could sit down and talk with him. And he said, "Yes, that would be fine." We talked for a couple minutes and he said I'll phone you in, this was a Thursday I think, he said I'll phone you on Monday and we'll have coffee, whatever. And I said okay. And he ended up calling me right back, probably about twenty five minutes later, and he said I'm feeling great. I want to talk about this right now. I'm kind of positive I know what this is about. So I said alright and I went in and I told him what had been happening and what was happening in the restaurant since he had been gone. But things didn't go my way, though.

I: What happened?

He got very mad. He said he thought I

was a slut, I was a tramp, that he was going to prove all this in court, that he was going to have me charged, with what I'm not sure. But, he was going to have me charged before I could have anybody else charged. You know, his son would never do that. But this has been going on for years.

Soon after the conversation with her boss and the father of the perpetrator, this woman received confirmation that she was fired from her job.

**Semi-effective or "more than nothing" happened:** Not all the women had negative experiences with reporting. One young white woman had good things to say about her reporting process. Those positive feelings are distinct from those she had about the outcome of the process. She was less pleased with the potential outcome of reporting;

The way things work at [company name], they have a team oriented workplace. So, because they work 12 hours shifts, there are four teams that work the same line and at different shifts. I was on team C and our team, we had a team leader and assistant team leader, and so if you had a complaint to make, you had to make it to one of those. I felt more comfortable talking to the assistant team leader because he was a bit smarter, just a nicer guy, more understanding. A little less of a grease monkey than our team leader. So I asked him first what the complaint procedure entailed because I wasn't sure. I mean I was going back to school in a couple of weeks and I really didn't want to have to come back a bunch of times to deal with it. So he told me basically what the procedure was and basically it involved filling a form saying what he had said. ... I finished work shortly after that, so I never knew what came of it. From what the assistant team leader told me, it would go through the appropriate channels and whatever the committee convened to discuss the problem would decide what his

punishment would be. Yes, what he told me was that, yes - it would go in his file, but he already had a very extensive file and he had been working there for a very long time. He might get a day off of work, maybe just a slap on the wrist. But that was the worse case scenario, a day without pay. ... The complaint was filed and it would be dealt with by the people in charge of, I forget how the whole system works, but there's a team at [company name] whose specific task is to deal with things like this. The way that the system was designed, it seemed like it was a good system, but the ends were really not going to justify any change in the future behaviour of people. It was basically just a slap on the wrist. (#15)

Part of what made this reporting experience work was that the company informed workers about the complaint process. When asked whether her initial training informed her of the complaint process, the young woman goes on to say;

[T]hey told us how this would work if there was a problem ... so this office housed our four persons, and they all approached each of the students during our first week of working there and told us if there was a problem, any of the guys made us feel uncomfortable in any way, that we should feel more than comfortable in coming forward and telling them or anyone else and they would make sure it was dealt with.

I: And when you did approach that person, what was the response? How were you treated?

He wasn't surprised that the person I was making the complaint against had done something. I think he [person she approached] felt badly that he [perpetrator] had done something and it got to the point where I got to the point I wasn't prepared to not say something about. But he was very helpful and willing to bend over backward to do what I needed him to

do, what I wanted him to do. (#15)

Another young woman from this focus group also had an immediate and positive experience when she verbally told someone about the harassment she experienced;

Well, it was, it still is, a big drinking place here in [city name]. It's a sports bar so the guys are going to get wild and crazy and they drink too much. And you hear the comments because they drink too much. I had one incident in the years that I was working there. I had a guy reach up under my skirt. It was very frightening. I said to the bartender, "That guy just grabbed my ass. I want him out of here," and he went over and said you're out of here and you're not coming back in here again. And, I mean, the bartender didn't even hesitate. It was just not tolerated. That was the only bad experience I had. Guys joked and said stupid things, but never to point that I felt uncomfortable and if I felt uncomfortable, then there was always someone there to help me with it. (#15)

Both of these women appreciated the fact that their complaints were taken seriously and that there was an immediate response.

**External Complaints:** As with internal complaints, women had varying experiences and degrees of satisfaction when complaining to the Human Rights Commission. Women who were still in the early stages of their complaint were the most positive about the Human Rights Commission.

One woman who lost her job was in the middle of the OHRC complaint process. She had filed a complaint, her employers had responded by asking that the complaint be dropped. She was encouraged that the OHRC was going to continue with the complaint and do an investigation;

We had our response from them [the OHRC] and it was being investigated as of January 24th, 26th. So all that had been accomplished. And they

had actually asked, [the harassers] had actually asked that it be dropped under section number 4 of the act ... which is they wanted it dropped on the basis that it is not true and they didn't even want it investigated. They asked for it to just be completely dropped ... and the Commission said, "No." So it's being investigated.

The Vietnamese woman who experienced difficulty reporting internally had this to say about her external complaint;

I am filing a complaint with the Ontario Human Rights Commission right now. I filed my complaint in [date] and right now I am waiting for a mediation date. I have been receiving help from [support person] working with an interpreter from [agency name]. I am happy to be doing this. (#22)

Women who had gone further into the process, including some who had entered mediation, gave less favourable reviews of the legal proceedings;

I had to relay my story over the phone to them [human rights investigator], which felt very uncomfortable talking to a stranger. One good thing was that she was a woman. After I talked with them on the phone, they sent out papers to me to fill out about my complaint. I met with [support person from community organization] and she helped me fill the papers out to send back to them. I sent them out on [date]. A couple of weeks later, I received another set of papers to fill out and spoke with [support person] on how to do this. I sent this set of paperwork out to them on [date one month after first sent papers out]. I had to include in this paperwork that I was terminated from my job with [harasser] on [date]. I wasn't given a reason for my termination and [harasser] immediately hired someone from the Ontario Works Program [welfare-to-work program]. On [date three months after filed

complaint], I went to mediation at the Ontario Human Rights Commission and settled with the company and [harasser].

She went on to say that while her complaint was resolved faster than she expected, she was not fully satisfied with the experience. She found it particularly intimidating to go through mediation with the perpetrator in the same room.

I was allowed to have a supportive person from [community organization] accompany me. [Harasser] was present at this meeting along with my employer. A settlement was reached after one day in mediation. I had to agree to a gag order along with this. I am not allowed to talk about the outcome of the settlement, the name of the company I worked for and also the name of the perpetrator [harasser].

I am not really satisfied with the settlement because of the following reasons:

gag order; I can't repeat the name of the perpetrator or the company that I worked for or what the settlement consisted of. [Harasser] still has his position with the company and is counselling young women, who are very vulnerable, with their [health] problems.

A Francophone woman with her complaint still in progress with the OHRC became more negative about the process as it progressed. When asked if she had filed an external complaint, she stated;

Yes, to the Human Rights Commission. The file was reopened recently. I filed an initial complaint, but was unable to follow through because of [my] physical health. It was difficult to re-establish contact, since I had not followed through the first time: "You have to have good reasons to explain why you dropped it the first time." Though I explained several times that I had serious health problems, the person at the

Commission still insisted that I have “good reasons.” I obtained services in French.

This woman went on to say that short deadlines were her main problem with the OHRC. They threatened several times to close the file. She also raised concern about being pushed in the direction of mediation: “I was also strongly encouraged to consider mediation, but I wanted an investigation first. I didn’t want only mediation. We’ll see about that after the investigation.”

Other women filed complaints with the police, especially when touching and/or assault was part of the harassment. As with other complaint experiences, some women had positive experiences and others negative. Below are two examples indicative of the mixed reactions women received when taking a sexual harassment complaint to the police;

It was ten days after it happened that I went to the police. They just reported it to the manager and I got time off. Once the lawyer was involved, it made a big difference. I had five lawyers at one time. They [the company] was pretty well hoping I wouldn’t sue them.

One young officer [took my complaint seriously], but he was overruled by an older sergeant, who felt that because there was no “actual penetration or semen” evidence, all the other physical assaults or stalking incidents were too minor. ... They did not want to bother [with a workplace issue]. What the sergeant said to me was, “You victims should take the blame for what happens to you and stop trying to blame every body else. I have four children and a big house and mortgage and a wife who works at [company name], but she would have quit at the first forced kiss.” (white woman, #18)

These few examples help to illustrate women’s awareness of sexual harassment law and legal procedures and how their

reporting experiences affect their attitudes towards them. Women appear to view the Commission as legitimate and have some faith in the process early in the procedures, but as things proceed, this faith begins to wane.

In our study, some women found police organizations to be unresponsive to workplace harassment, even when it had escalated into criminal behaviour. Although individual officers may have been sympathetic to complainants, police forces appear to consider the workplace beyond their legal jurisdiction and were reluctant to respond to incidents with a criminal investigation or charges.

## **Policies and Procedures in the Reporting Process**

Several women discussed how policies and procedures either hindered or helped their reporting experiences.

Many women encountered a problem with complaint or grievance policies and procedures that either did not exist or were not clear;

There was no complaint recourse available in the company. (white woman, #18)

Since the workplace operated according to a very strict hierarchy, it was very difficult to complain of an abuse of power by immediate supervisors: “There is no recourse within the hierarchy.” It really was not done to go over your supervisor’s head, to go above him in the chain of authority. When I, nonetheless, complained at a higher level, I received a verbal warning from my immediate supervisor. When he was confronted, the harasser denied that he had been serious and claimed that his comments were meant in jest. I continued to have trouble. The problems increased with other supervisors, in other departments. Another female supervisor claimed that, “It couldn’t happen with those

guys.” (Francophone woman, #19)

After six weeks the supervisor did a new report [about my job performance]. It was almost the same, bad behaviour, just a slight improvement in punctuality. It was a defamation of my personality. It said that I would shout at clients. I asked to see my personnel file and they refused. The director asked me what I wanted. I asked for mediation, but there was no policy for the procedure. They decided to use a board member for the mediator. I said I would not accept that. I wanted someone neutral. They found someone and interviewed the supervisor and then interviewed the two [of us] together. (Latina, #5)

In the first situation, he was my supervisor. There were only two employees in [city name]. And I tried to get information on how to contact the head person in [another city name]. But I couldn't get that information, so I went to somebody else and like I said in that joint organization. And nothing was ever said about it or done about it, so I quit. There was no assistance whatsoever. It was not even helpful to even talk to that joint organization because people were even more distant after I talked to somebody, even though it was supposed to be confidential. People seemed to keep their distance even more, even though it was supposed to be kept confidential between myself and the person I spoke with. And they never did speak to him. So I quit. (lesbian, #14)

One woman explained that because of the complicated structure of her workplace, her co-workers and she were potentially covered by three different policies, two from different companies and one from her union;

D.3: I have three copies of the harassment policy. This is [company A's]. This is [Company B's]. This is the union's.

I: So you are working under three policies then?

D.3: Right, and we can't get anywhere with them. They all basically say the same thing, but our employer doesn't care. This is the bottom line and you can ask the girls. The bottom line answer of his to everything is, "I don't care. I'm the boss. I'll do what I want." ... You've got people all over the place. You've got [division A] people in behind [division B's counter] and you're telling us it's [division B's] policy. Well, show the girls the policy. We've never been allowed to see the policy. We've never seen our own company policy. [Company B] bought the franchise from [companies' names]. Well they all have to follow a policy because they pay royalties to use their franchise and they all come with company policies. Well, why, if [co-worker] has worked at [Division B] for ten years, why is she not entitled to see what the company policy consists of? (white woman, disability, #9)

One woman could not make contact with the human resource person she needed to report to;

He is located in [another city than she works in]. He would come on-site once every month, but I wouldn't see him every time. He would be at the administration office and I would be in the kitchen.

I: while you were working there, and during this, were you given information on how to contact him?

No, never. (white woman, #16)

Her reporting was further complicated by inadequate complaint procedures;

[The harasser] and [the H.R. person] are buddies, but I didn't know it right away. All confidentiality was broken. [The H.R. person] and [another staff member] from Human Resources interviewed me in a public restaurant. They didn't let my husband stay. They took him outside the restaurant. I

found out later, they couldn't do that. They didn't tell me my rights. ... [There were] no eyewitnesses who could say what he did or said. There were no eyewitnesses. That's why the workplace discrimination and harassment policy people said the policy wasn't violated. They concluded that nothing happened and that I should go back to work.

For women in unionized workplaces, sometimes the policies and procedures of both the union and the company presented barriers to effective reporting;

It was not helpful to discuss this with them [the union] because they didn't understand or they didn't want to understand the dynamics of harassment and how it was such a poisoned work environment. The union tried to stay neutral (they informed me that they had to represent all union dues members which included the harassers), so I felt very abandoned on this issue. ... I put in a sexual harassment complaint with the company. The company did not follow their joint policy with the union and follow through. They didn't even do an investigation until Workers Compensation was going to do one. When they did do an investigation, they did it without the union in areas of the plant that I didn't work in and had the head of personnel do it instead of a third party coming in and doing an investigation properly. The company offered me a buyout to just leave and not talk about anything that happened to me while I was employed. When I filed a civil suit against them, they represented and paid for the men's legal fees against me. [Note: She later won this civil law suit.] (white woman, #17)

In the focus group of Native women, the women discuss how elders fall outside the existing policies in a particular Native agency (this is not true of all Native organizations). This complicates further the issues around the power of elders in

the community and the ability of women to report;

N.2: I think it's really unclear in the policy and procedures as well. There is something about it in house standards while the person is in the agency, but they say it's up to the agency to define what is appropriate after that.

N.1: Maybe elders should sign the same policies and procedures.

N.2: That should be in (name of agency) policies and procedures. I even have a problem with people maintaining friends. O.K. some of the people already know some of the other staff when they come in here, so that friendship is already maintained, but if somebody new comes in here and they leave and then a staff member starts up a friendship with them, o.k., let's go play pool or let's go do this. I find that totally inappropriate as well. If you want to be friends with this person and you want to have contact with them go work somewhere else. I find that very unprofessional.

I: And it is a standard isn't it, an accepted criteria? In terms of this elder ... I just think it's really obvious that you don't ask someone out who comes to you for help.

N.1: Yeah! Me too. So I'm not being [unreasonable] ... (unintelligible) There's nothing in the policy and procedures.

N.2: No.

I: So one thing that has come out of what both of you are saying is that you want policies.

N.1: We should talk to [supervisor] about getting them to sign the same sort of thing that we have to sign when we begin to work here.

I: You all signed something like that?

N.2: The policy and procedures

manual. You have to read it when you start here, but there are some things in there I want to change as well, like the whole thing with starting a friendship with residents when they leave here. No. Or even dating a resident once they leave here. No.

I: I think it reflects on the way you do your work.

N.1: If you are working here and you're in the position of knowing everything about that person...

I: You've got a power dynamic established with that person that doesn't just change. It's such...

N.1: It's a touchy topic.

I: Because we are a small community.

For some women, policies and procedures worked. The following woman, who reported her harassment, told the interviewer this about her workplace procedures;

I: When you started there, did they give you information about their harassment policy?

Y.1: Absolutely. Over 50% of the students they hired last summer were women, and being a young person in the workplace is difficult, especially for the women. We had a two-day of training before we started.

I: What was included in that training?

Y.1: A lot of safety training. We work with a lot of machinery. Ah, information about the way the team works. There were all sorts of acronyms about the way we were supposed to work, but basically you were supposed to be able work in a place where you didn't feel harassed. We spent a lot of time talking about it and all the literature was readily available and it was part of our certification test.

I: I was going to ask you how you were ... aware to ask about the complaint process. Was that a result of the

twelve-hour training sessions?

Y.1: Partially. Partially because they told us how this would work if there was a problem. (#15)

It was also helpful to this woman that the reporting procedures clearly laid out the options that employees had if they wanted to report harassment;

Y.1: I know at [company name], where I worked, it wasn't a matter of your immediate supervisor could make the complaint for you, if you made a complaint to your supervisor, or you could make it yourself. Any number of people could make the complaint, but that complaint is not acted upon by anyone in your department, but the human resources department themselves and deals with each individual. So it's not like you're disciplining your co-workers. It would be the human resources ability to say that. But I think if the employer wants a productive workplace. They want the hire the best people for the job, and in order for those people to function in the best way possible, you want them to have the feeling that their ideas and abilities are going to be respected. So you want to set up not only a code of behaviour, but you also need to enforce it. I think that's where a lot of programmes fall short in this area. Instead of saying, "You should behave in this way." Instead of saying, "Nothing else is acceptable except that you behave as educated, mature adults." (#15)

Clear procedures and an organizational culture that took harassment seriously created an environment that led this woman to believe she could report her harassment, and that it would be addressed.

## The Legal Runaround

Women who used both internal and external complaint procedures discussed how they often felt pushed from one forum to another. One woman filed a complaint in

five different forums;

I put in a sexual harassment complaint with the union. The union reps and members were part of my complaint, so they felt they had to stay neutral because they had to represent all union dues paying members. They, in turn, were more of a hindrance to me. It made me feel very isolated.

I put in a compensation claim for my time off work [with the health and safety board] because my absenteeism and illness was caused at work. They denied my claim because it wasn't one physical injury to myself and they didn't cover emotional illness. I was advised by them to obtain a lawyer.

I filed a complaint with the Human Rights Commission a few months after I put in my formal complaint at work. They did not investigate my complaint because they said under section 34 it was untimely and it would cost them too much money to investigate a complaint of my size. They never dropped my complaint, because of the publicity they told me, but they also did nothing except let my lawyers mediate with the company lawyers in their office twice.

I filed a complaint with the Labour Relations board because I felt that the union and company should have supplied me with a safe and healthy work environment. My complaint was dropped as long as the union did a good job for me in arbitration. (white woman, #17)

For this woman, it wasn't until she hired a lawyer that she believed someone was interested in helping her;

I retained a lawyer who contacted the company and told them of my complaint and then also lodged a 30 million dollar lawsuit against the company and 24 men. When I retained my lawyer, it seemed to be the first time I felt someone was working on my behalf since I started

this process. (white woman, #17)

D, the woman discussed at the beginning of the section on reporting, relayed a similar kind of legal runaround. While she was in the midst of several levels of arbitration with the union and her employer to resolve the harassment complaint, she proceeded to contact other legal forums;

I called the Ontario Human Rights Commission around [date]. They told me they could not do anything to help me until I exhausted all internal complaint processes with the employer. They didn't take a complaint from me at the time. They told me I could come back later.

I pressed sexual assault charges. The detective called me two months after complaint. They are very busy in rural areas. Our area has the highest rate of sexual assault in the province because we're so isolated. People know they can get away with it. The detective told me he didn't think much would come of my complaint because I didn't have any witnesses. He talked to [the harasser] and said some very interesting things came about. He told me [the harasser] is not cooperating, will not answer questions and that he got a lawyer. The detective said, "Innocent people don't get lawyers." Now, the detective wants to talk to the crown attorney to find out what he can do about my case. ... I'm waiting to hear back. Usually I hear from him once a month. It's been two months, so I think I will hear from him anytime.

I talked to a labour relations lawyer. He said he couldn't get involved until I had exhausted all other avenues.

A woman attempting to file complaints for her workplace harassment due to her size experienced the following;

When we first started this, my union kept saying we can't do nothing, there's no collective agreement. My union told me to go to a lawyer or call



Human Rights. I did both of them. Human Rights I phoned first. They said, "Well, do you have a union?" I said, "Yes, but we don't have a collective agreement." "Well then it's a civil law suit." But my union kept saying they can't deal with it because of the collective agreement, there's nothing there. But my lawyer called my union rep and said listen, and he read from this big thick law book and he said, "If you had quit that job, I could fight this for you, but because you're still employed I can't do anything for you." He says, "Your union is bound. They have to support you." So my lawyer called my union rep and told him, more or less, "Get off your asses and start looking at this problem." So we met with head office and the report we got back was that letter I read to you and it just ended that way. So I went to see my union rep now. We were in the middle of switching union reps. One didn't keep the notes he should have kept and the second one is having a hell of a time trying to figure this out. So I said to S (national union rep), "What are we going to do?" And he said, "What do you want me to do?" ... We did get into a meeting with head office because I didn't have a grievance procedure to go through like [other focus group participant] does. Like, hers is just going through the proper steps. (#9)

One white woman who worked in a unionized environment summed up her experiences with reporting in the following way;

Everybody seemed to be passing the buck. The Human Rights Commission sent you forms and you had to remember names and dates. I didn't understand. It would be in the company's best interest to deal with it swiftly and permanently.

Passing the buck, exhausting all other avenues, getting the legal runaround – women who attempt to resolve their sexual

harassment complaints find the way to a resolution far from straightforward. Many women report initially trusting the reporting mechanisms available to them. But as time passes with either no acknowledgement of the complaint or with women believing that nothing has been done, they begin to lose faith in the reporting process.

As one white woman, whose complaint was ultimately settled by a Human Rights Commission, stated;

At first when I made my complaint, I believed there were policies and procedures to govern the workplace. So when I made my initial complaint, which I formalized into a letter and gave to my supervisor, I did it with such a trusting belief that the employer would take care of it. I also complained to the union. It was part of the initial process. They played a very active and important role in this initial process. From that initial complaint, they (employer and union) made an investigation. From that investigation, they found that this guy was guilty of harassment and guilty of misconduct. After that, nothing happened, because the same people who are governing the workplace are the same people who are the managers [that harass] and they tell you what is going to happen with this complaint. Nothing happened to him. He kept his job. In fact he got a promotion. It blew my mind. He had been found guilty of harassment and misconduct and he got a promotion. He continued the harassment, of course, because nobody did anything. (#23)

Women also report that the "legal runaround" is not just about reporting. Very often, loss of employment income is one of the harmful effects of workplace harassment. As these women's stories illustrate, the harassment can continue even after the employment relationship has ended, with harassers refusing to cooperate with agencies that provide financial benefits. The focus group of women with physical disabilities discussed this situation;

I: So right now you are in limbo. You are off work on sick leave without pay. You're dependent on your employer to send in your file, which they have not at this point, and on April 2nd they (WSIB) sent...

1: He (WSIB) said that he sent them forms saying that WSIB would disqualify me. That form my boss denied getting.

2: Denied it.

1: My boss said that's the form needed in order to pay me.

I: Okay, so WSIB sent the form to your employer saying you don't qualify for their benefits, so the employer needs to pay for you, and they sent this on [date] to your employer and your employer is maintaining at this point that they have not received that notice and are withholding benefits.

1: Yes.

Agencies providing benefits contribute to the difficulties facing women who have been harassed, both through a general lack of understanding of the dynamics of workplace harassment and the absence of mechanisms to deal with these cases. A white woman experiencing sexual harassment explained how she experienced the "benefits runaround";

I: So you're still gathering information. Are there any other avenues you are going through, like the Labour Board, Worker's Compensation...

I tried to get unemployment, but I couldn't because it was put down on my papers that I quit. [Harasser/boss] won't admit that he fired me. He's telling everybody that I quit. So I couldn't get maternity leave. I couldn't get unemployment. I actually had a problem getting on welfare, like, getting back on the full benefits.

Another white woman experiencing sexual harassment had a similar story to tell;

I: Did you file for Worker's

Compensation?

I did file a claim. The person on the phone told me it would be very difficult if not impossible for me to get anything. That it's very hard to prove these kinds of things happen and that my present condition is because of it. She was warning me I might not get anything. I never heard back from them.

This is echoed by a third white woman experiencing sexual harassment;

When my doctor first said I had to take sick leave I contacted the Workers Comp, but they told me that my problem is not covered by them. They said I should go to the OHRC.

These women's experiences clearly indicate how women's economic independence is undermined by workplace harassment.

## **A Good Lawyer is Hard to Find: Women's Experiences with Lawyers**

As this woman's experience illustrates, finding a good lawyer who is affordable represents a barrier to women's ability to report;

After [I] was called to a meeting with [my] boss a co-worker told [me] she thought [I] was going to be fired and that [I] had a right to call and find out what the purpose of the meeting was and to say that [I] didn't want to go to her house, but wanted a public meeting with [my] lawyer present. [I] called her and asked her what the meeting was about. [My] boss said [I] must come to her home and that they had a list of complaints from the residents. She said the residents are complaining about [me], that [I] am doing inappropriate things to them. [I] was doing training for cultural interpretation at that time and asked a woman there for advice. This woman also said not to go to [my] boss's house and told [me] to speak to a lawyer. The lawyer wanted \$600 before she

would do anything so [I] went to the meeting alone. ... Then [I] was called to a third meeting. They said that they had done a performance evaluation for the whole year. There were horrible things in the report that said [I] should not be working as a [specific job]. [I] refused to sign the document. They said [I] had to. [I] said [I] had a lawyer. Unfortunately, [I] never saw my lawyer. I would only see her student assistant. (Latina, #5)

It was hard to find a lawyer that understood this issue and, in addition, who was affordable. I talked with a few lawyers before I hired one. I didn't feel comfortable with some of them, and with the others, there was always an issue of conflict with the perpetrator. I finally did find a civil lawyer through a referral from the lawyer who was taking on my problems with work. I had some money for the retainer, but that's it. Eventually, this was dropped. I couldn't afford the expense any longer. I ended up losing my retainer and emotionally wasn't ready for a civil case as well as a criminal case. (white woman, #6)

The problems that I had with this experience was the cost to me financially and emotionally. It was very costly to retain a lawyer. It was very difficult to find a lawyer that was cheap and that understood sexual harassment. I retained a lawyer that didn't charge me too much and waited until the settlement was reached to be paid, but he didn't understand the issue, so he wasn't sensitive to me or the issue at the time. I talked with a few lawyers, but you had to pay them as you were using them, which was not what I could do. I couldn't afford a lawyer, but the one I retained waited until the end to collect. The lawyer I retained was not sensitive to the issue. He didn't accompany me to meetings all the time, but I couldn't say anything because I had no money to

pay him until it was all settled. (white woman, #7)

I couldn't afford anything. I looked around [hometown] for so many. The ones that I saw, what they were saying is, like, they were with that person and they didn't want to help and everything. If I had the money, they would have. So I finally found one that was going through it. ... Me and my lawyer finally went to court with him. I had a witness. He was supposed to go to jail, but I left. My friend took me out and all I heard was he got anger management. That wasn't right, how it was. Because it wasn't the first time he did this. It's hard for me to talk about it because it really brings me...

I: How many lawyers did you talk to before you found the one you who helped you?

I'd say about six, seven. I found from a friend, that the secretary that seen it all, the lawyer's secretary and this lawyer couldn't help. So it was like, they brought me to somebody that...

I: Had some experience?  
Yes

I: In your opinion, what's good about your lawyer? Did you get the support you thought you would get? Did they usually keep you informed and ask your opinion along the way?

I found I had to chase after him to do more things. It was more for me to go and look for things and everything... (lesbian.2, #14)

I absolutely had to get my own lawyer, because of the intimidating, harassing, threatening, bullying, discriminatory, judgmentally biased, and victim blaming tactics of the OHRC. (white woman, #18)

This woman talked to several lawyers before she found one whom she wanted to hire. She found the names of lawyers by contacting the Ontario Women's

Directorate. But in the end, after paying the lawyer with her charge card over several months;

I replaced my lawyer with myself because I could not afford him any longer. I tried to get another lawyer and contacted a couple of others but they were too busy.

Overall, her experiences with her lawyer were mixed;

He interviewed people and wrote up a good first complaint with witness statements. He was a very young lawyer and did not have a passion for justice. At times he seemed more concerned about if he would tick off the [harasser's] lawyer than he was with fighting for me. (white woman, #18)

From these women, the barriers to reporting were complicated by the ability to (1) find any lawyer, (2) find a lawyer who understood workplace harassment, (3) find a lawyer who would consult with them and (4) pay that lawyer.

A few women had positive experiences finding a good lawyer, even though it may have taken time;

I retained a lawyer who contacted the company and told them of my complaint and then also lodged a [specific] lawsuit against the company and [identifier removed] men. ... I hired a lawyer for my complaint after months of getting nowhere with my complaint. I had already gone to the Company, the Union, Workers Safety and Accident Board, London Employee Assistance Consortium and the Ontario Human Rights Commission. ... It was very hard to speak to a lawyer before even obtaining one because of the issue of sexual harassment and sexual assault and also because it involved a large company, a large union and [specific number of] men. Most lawyers wanted to know everyone's names, in case there was a conflict before I even

talked about the issue. This was hard to do because I feared reprisal from these men. Also when there is such a large company involved and union it is like David and Goliath for any lawyer to take on because they have endless finances to go up against me. ... I talked to at least 5 woman lawyers before I hired one to work on my behalf. I replaced my lawyer after about 15 months because she was very expensive and I knew to be able to continue I had to find someone that would be more reasonable. ... I was able to pay quite a bit in the beginning for a lawyer, but then when I obtained my second lawyer, we had an arrangement for payment, so that I could keep going. She understood the issue of sexual harassment and didn't charge me where I couldn't afford to keep going as long as I did. When I first retained a lawyer, it was the first time in my complaint process that I felt that someone was on my side. (white woman, #17)

Another white woman relayed a positive experience with her lawyer;

I: Was it easy to find a lawyer?

Yeah, because it was handed to me. [Support worker] had told me about the clinic that was happening at the crisis centre with [lawyer's name]. And she scheduled me an appointment to go see [lawyer] and I went in and I saw [lawyer] and [lawyer] looked over all my notes and [lawyer] kind of took me on. And that was that.

I: Were you able to afford to hire a lawyer?

No.

I: So how did she make arrangements for payment?

She's taking it from them [employer]...

I: So you're not paying up front.

No. Even what she was going to do in the beginning was she was going to make a threat to get punitive

damages, lost wages, and that way the government was going to do their thing with the lost wages and she could take her money out of the lost wages and then the damages would be mine. Now she's suing everything under general damages with punitive damages and she's going to sue for her own money. She doesn't want me to give her a penny out of my own money. She wants them to pay. So she's going to make them pay. (white woman, #12)

### **The Role of Co-Workers: Disappearing Support**

Co-worker support is important in two ways. Women may receive emotional support to help them get through their experiences. Women also need witnesses to strengthen any formal complaint they make. Without witnesses, women face barriers in making successful complaints about their workplace harassment. In this section we show how women perceive the support of their co-workers. Women talk about the role of their co-workers in terms of whether or not they discussed their experiences with co-workers and whether or not their co-workers were supportive, including agreeing to be a formal witness in a complaint procedure.

When women discussed their harassment with co-workers, three possible outcomes occurred: 1) Co-workers were supportive and backed-up the woman's experiences; 2) co-workers were not supportive; and 3) co-workers started out as supportive, but once a formal complaint was filed and witnesses were needed, co-workers were no longer supportive and/or changed their stories about the harassment.

One woman found a supportive co-worker after this woman was also harassed;

I didn't discuss this with co-workers except when the woman I worked with was fired. She called me up and talked with me and told me that she had confronted her boss because of the sexual comments and come-

ons and jokes and told him that this behaviour was unacceptable. That is when she was fired. I told her that I was experiencing the same thing and that I had complained to my boss and he became bitter towards me afterwards. I didn't talk about this behaviour with family members at this time and thought I could handle it on my own. It wasn't until afterwards that I talked with them. My friends don't want to listen and they don't want to understand, so I don't talk this over with them. (white woman, #7)

Another woman had the following conversation with the interviewer;

My co-workers were not privy to all that went on. They were all nice to me, but I wasn't allowed to talk to them about this subject at all. One female co-worker accompanied me to the meeting to support me and to also say that it had happened to her.

I: Were co-workers supportive?

Yes but not a lot of them knew the circumstances of my complaint.

I: Did they try to avoid you?

No but they were not all aware of the complaint.

I: Did any of them do/say anything to help your situation?

Two co-workers approached me about their circumstances of dealing with [boss'] bad behaviour towards them also. (white woman, #10)

Women also talked about how even though they did not talk with their co-workers, they knew that their co-workers were not supportive of them.

Even though I didn't talk with them, I felt they knew about the situation and they tried to avoid me. (white woman, #7)

I never shared the complete story with any co-workers, only my counsellor and husband. My co-workers knew something serious was happening.

They tried to be supportive at first. Now many are talking behind my back. You find out who your friends are. (white woman, #16)

There were witnesses, but they were not supportive. They did not want to be involved. (Francophone woman, #19)

Since the perpetrator was at work and I was off on disability, he had more freedom to spread his so-called side to the story. I would often hear degrading, heartbreaking comments that workers said to my friends or that my friends heard. It felt like my heart was being ripped out every time. Most of them never heard the truth and sided with the perpetrator. The others wouldn't speak up, fearing to lose their jobs. (white woman, #6)

One woman noted that she did not talk about the harassment with her co-workers because she did not initially define it as harassment. It was only after another woman reported her experience that this woman realized she was being harassed;

[I did not talk about this with co-workers] because I wasn't aware it was harassment. When a colleague reported the men, they (the women) realized that the men were "betting" on more than one woman employee. (Francophone woman, #21)

The following comments describe situations of women who found their co-workers not to be supportive;

In terms of the pharmacy, we were a pharmacy in a grocery store. And it's an independent pharmacy. The workers in the store knew what was happening because they would see us [boss and her] argue day in and day out. I actually spoke with one person about the problem with the break and cigarettes and so on. And like I said, people are scared about their own jobs and they just don't want to get involved. (lesbian, harassment due to religion, #14)

The same woman, who was experiencing harassment due to being a lesbian, stated;

There were a whole bunch of people around. One incident there was shift change. I was coming in on afternoon shift. Everybody stopped talking. Everybody was looking at the ceiling and I overheard as I was walking through the door and they were talking about my partner and me and then they stopped. There were always witnesses around to what was being said. Whether it was directly to me or behind my back, there were always witnesses. It seemed that every body was involved. And the problem was that when I would say to somebody, "Look, can you come with me? Can you say what you've heard? Can you say what you've witnessed?" Nobody wanted to do anything. When I asked them why, the response was, 'What's the point? They're not going to do anything anyway. I'm just going to be blackballed.' So for a lot of people there was fear in terms of reporting. Based on what's going to happen to them after because management sure is going to protect them. Management isn't going to do anything about it.

In many situations, co-workers are reluctant to be supportive because they fear losing their jobs if they are called in as witnesses.

Some women found that support was mixed. Some co-workers were not supportive, while one or two might be supportive;

There were lots of people around who witnessed this behaviour and did nothing and sometimes they just joined in and made matters worse. My co-workers (except two) were not supportive. I had no contact with them after I lodged my formal complaint. They tried to avoid me. Only two women that I had known for a long time were supportive and offered assistance to me if I was going to trial. (white woman, #17)

The following conversation about the mixed support from co-workers occurred during the focus group of women with disabilities;

I.1: What about other co-workers?  
How do they respond to this situation?

D.3: It depends. Some of them just want to come to work and do their job and take what comes to them. They're afraid of him.

D.2: Well that's what I basically do now. Just come in and do my job and get out.

D.3 There's the teachers pets and the non- teachers pets, you know what I mean?

I.2: Is it fifty-fifty [of co-workers that support you]?

D.3: More like 70-30. They're afraid of him, so they don't retaliate against him.

D.1: Well, they know if we retaliate against him, and no one likes to work the summer, that's the big thing, so if anyone wants to retaliate they know they are going to work for the summer. So everyone tries to suck up to the boss and make up stories.

I.1: Do your co-workers know about your complaints?

D.2: Oh yeah, everybody knows.

D.3: The staff knows. Everybody gets a little of the treatment, but some get more than others. Because the three of us represent our union, it's harder on us.

D.1: Yep.

D.3: Because of our positions, mine especially. I have to deal most with him and I think he...[did not finish sentence]

I: Are you relying on witness statements from co-workers?

D.1: I'm going to have to. Yes. But I haven't really done that yet. (white women with disabilities, #9)

The last comment in this conversation highlights the turning point for co-worker support. In most cases co-workers stop being supportive when they are asked to go beyond providing general social and emotional support and to be a witness. Several women reported that co-workers were initially supportive of them, but this support disappeared after formal complaints were made and/or witnesses were needed. Some women saw witnesses change their stories.

The following example shows how co-workers may initially provide support by saying they wouldn't put up with the harassment, but how this support fails to translate into being a witness.

Even other people, they said that [they would be a witness]. The one girl that I worked with, who worked around the corner, she said she would stick up for me and this and that, and when it came time to, like ahh. They didn't. But there was, like, other guys there that you know they said they wouldn't be able to put up with that either.  
(Black woman, #11)

Later in the interview, this woman returns to the issue of co-worker support;

Everybody that worked out there, none of them wanted to get involved when they knew what I was doing. Like if it goes to complaints and stuff like that.  
(Black woman, #11)

A white woman also describes how formerly supportive co-workers abandoned her when she asked them to formally witness what had happened:

There were three of them that were supportive at the very beginning. And the one had told me ... he was afraid it was happening to his girlfriend too. His girlfriend happened to be my best friend. We both worked there. And she assured him it was not happening to her. And they would give me a ride home sometimes and he would beg me, "Go to [the father of the harasser and owner of the business]." Or, "Do

something about this. It's time he was stopped. He's been doing this for quite some time and he treats everybody like crap." And he actually saw it. He would come into the kitchen and see [the son] and I fighting. He walked in just as [the son] was telling me one night that he was going to hire another waitress that had better tits, nicer ass and a prettier face than I did. And he heard all this ... and so did my girlfriend. As soon as it came down to me actually being fired, I said, "Okay, if I was to ask you, would you write a sworn affidavit or letter?" then, "Oh, no, no, I don't want to get involved." And then all of a sudden I started hearing all these stories. "The only reason [she] is doing it is because she didn't get the attention she wanted." And these were words coming out of people's mouths that actually saw it happen, and they're still working there. So it was almost as if they got involved they were going to lose their jobs too, which I understand. I understand and I've forgiven them for that. But...

I: ...You were on your own.

Definitely. I have one girl. One girl. And that's it.

I: What happened with her? Did she sign an affidavit?

No, but she's going to.

I: Is she still working there?

No.

I: Does her not working there have anything to do with you?

No, she got screwed around too, but in a different way. (white woman, #12)

Another white woman experienced an even more dramatic turnaround from her co-workers;

At the time someone told me to take a little pocket tape recorder with me. I said that I did not think that it was necessary because everyone

knew about the actions of the boss. THIS IS THE ONE THING I DID WRONG. These people were my friends of four years and I thought that they would not out and out lie. However, I should have listened and got the little pocket tape recorder, because everybody (except one lady) changed their story after I went on sick leave.

Later in the interview she states;

All the co-workers, (except one) eventually turned on me. When interviewed by the OHRC, like puppets, they each repeated that they were previously my friend, but that now they can see that I am evil. All but one, under the direction of the [boss/harasser], got amnesia about the things that the [boss/harasser] did, while they twisted events that happened. One other female was supportive. Thank God for her. All the rest, both male and female, eventually joined in with the poisoned environment. In the end, like a pack of wolves, they joined in on the personal verbal attacks. One male said that something should be done and that the boss should not be allowed to treat the women the way that he does. On a couple occasions, he even tried to act as a bit of a peacemaker when I was being harassed. Until, near the end, he just made himself scarce. However, after I had left work, when interviewed by the OHRC, he also said that he was previously my friend, but that now he can see that I am evil and that the boss was a perfect gentleman. Only one woman, who had left the company, told the truth. (white woman, #18)

Although the support of co-workers, especially as witnesses, appears to be hard to find, some women do find co-workers willing to come forward. Often they were willing to take this risk because they had a shared experience of harassment and/or they had already lost their jobs;



I did discuss this with co-workers and they said they seen him do this to me, but they were also experiencing his behaviour and they were afraid to lose their jobs. It is hard to find a job around when you can't speak the English language very well and most of my co-workers also only spoke Vietnamese. Three co-workers have agreed to witness for me. Other co-workers are filing complaints. Some of my co-workers have either been fired or quit because of this man's behaviour. (Vietnamese woman, #22)

### **Not Taking It Anymore, But Paying A Price: The Cost of Reporting Workplace Harassment**

For those of us who work with women experiencing workplace harassment and violence, it is not surprising that many of these women feel the experience of reporting the harassment was as bad as, or worse than, experiencing the initial harassment. Based on a study of predominately white Canadian women who either filed internal workplace complaints or external sexual harassment complaints to the Canadian Human Rights Commission, we know that women who report experience a negative effect on their work and personal lives independent of their experience of sexual harassment (Welsh and Gruber 1999). Our analysis goes beyond this to show, in women's own words, the negative and sometimes devastating effect reporting harassment can have on women's lives. For many women, the harm of reporting follows too quickly the problems of the initial harassment. As a white union woman stated;

It's hard to say whether the costs came from the harassment or my reporting the harassment, but by that time [when reported] my nerves were so shot that everything got worse in a certain way. Everyone was warning everyone. Strangers were coming up to me and asking how I got myself into this mess.

Many women in our focus groups tell stories of personal and work-related losses after filing complaints of sexual harassment. In terms of their personal lives, women told of the following effects: "Lost sex life and then guilt because you were now bringing it [the sexual harassment] into your home;" "loss of health;" "I lost friends that couldn't understand;" and "I lost family because they felt I should keep my job. They blamed me for the harassment."

Many women experienced similar health effects or an exacerbation of these effects when reporting;

[It was] stressful, lack of sleep, eating improperly, crying a lot, irritable, nervousness, lack of sexual intimacy, lack of concentration and disliking going to work even though I loved my job. (white woman, #10)

Reporting the harassment was only a continuance of the effects that the actual sexual harassment/assault had on me. (white woman, #18)

A woman who reported harassment due to being a lesbian found that the experience was difficult, especially because her partner and she stayed in this same workplace;

There was a lot of stress at home. Because it affected both my partner and I, so we were both really involved and we were both really stressed out about the outcome, but we were also really stressed out about how this was affecting us on the job. So how other co-workers were treating us, and how other people stopped talking to us, were weird. Some people didn't know what to say or they were just rude, so that was a problem. I wouldn't say there were health problems, just related to stress, you know, having a hard time sleeping, that type of thing. It's very difficult now, because I find I have to really watch what comes out of my mouth, where as we are totally downplaying our relationship, that we totally do not talk about it whatsoever. We don't talk about our personal life at work in any way, shape or form. So

even though people know that we're together, we're not giving anyone any confirmation, so that there is no reason for them to continue. And that's really hard when you feel you have to go to work and not be yourself, with all these things you have to watch you don't talk about. (#14)

The following comment by a white woman also demonstrates the personal cost of reporting:

The major cost in the beginning was loss of self-esteem, loss of time from my children, ostracization in the workplace, and the struggle not to commit suicide.

Turning to the work-related costs of reporting, women mentioned they had lost their jobs, had their careers ruined and had become unemployable. For those women who stay in their jobs, the cost of reporting can mean the loss of support from trusted colleagues or that the harassment may escalate or change. Indicative of this are the comments of a white women union member:

It was stressful at first [after reporting]. At first it was a sore knee, then it was a cold. It cost money, time from work, mental health. I was afraid of being at work, afraid of being followed home. At work, the face of harassment changed. [It now was] coming at you sideways instead of head on. I would have guys come up and burp really loud and tell each other they would be hassled if they talked to me.

A white woman who reported her sexual harassment experience said the following about the effect of reporting;

The experience of reporting the harassment affected me greatly. I suffered with a lot of anxiety and stress. I had many sleepless nights worrying what was going to happen and fearful of the outcome. I also worried a lot about how, financially, I was going to do it. My daughter had

to put up with my emotional turmoil throughout all of this also. Most of my friends didn't know a lot of my experiences, but enough that they didn't want to be around me. It has been very lonely. (#7)

Another woman stated that the effect of reporting brings up the past as well as carries into the future as you worry about getting another job:

The experience of reporting the harassment is very stressful and opens everything that has happened in the past up all the time. Until it ends there is no closure and it feels the harassment is still going on when it is in your face all the time through the system. It is very hard to get back into the working world after complaining of harassment because of the fear of it happening again and also getting over what has happened already. You also wonder who will hire you after you have lodged a complaint of harassment. Other places probably think of you as a problem and are afraid to hire you. Your past employer might not give you a good reference for a job. They might label you as a troublemaker. (white woman, #17)

A white woman who reported her workplace harassment due to her size comments;

I'm exhausted with it [reporting]. I've gone everywhere. I went to my boss before I did anything and tried to settle this with him. It didn't work. So I went out on stress leave. I went to the doctors. I went to therapy. I came back to the college. I went to my union. I went to Human Rights. I've gone back to the lawyer. I've gone back to the union. Well, I'm exhausted. And once I got back to work, they lied. It says right there in that letter that they promised me no more harassment, and it didn't stop. So what do you do now? Do you go back? (laugh) That's not going to be a pleasant road. I feel I went through all of this for nothing. That's my attitude.

(National union rep) knows that. When I got that letter I looked at him and I couldn't believe it.

She adds later in the focus group

It's exhausting, when you've been fighting for three years. And we've been fighting for months and months for her and it goes on and on. And he [the harasser] mocks you. He mocks you. (D.3, #13)

In this same focus group of women experiencing disability-related harassment, the women also mention a positive outcome of their reporting experience;

He [boss/harasser] caused a lot of animosity. Most of us are like a little family now. There's [three names]. She's no longer with us. We've all been through the same thing, so we try to hold each other up, and we've become bonded, good friends. So out of this, we've gained a relationship. (D.3, #13)

Women also lose their jobs due to reporting. This adds to the stress because it may be difficult to find another job. A Vietnamese woman discusses how losing her job due to harassment and finding a new job intersects with her difficulty speaking English.

Reporting the sexual harassment and discrimination has caused me to lose my job and have no financial security now. I never felt safe at work and I was always stressed out and angry at this man. I had headaches and felt tired most of the time when I was working. I was short tempered at home with my family and this caused arguments sometimes. ... I am not working now because it is hard to find a job when you can't speak English very well. I would go back to my old job if the harasser wasn't there because I liked my work. (#22)

Women who report sexual and workplace harassment pay a cost in terms of their health, their personal relationships and their work. At the same time, as we discuss in a section below, the majority of

the women who reported state they would do it again, even knowing what it might cost them to report. The difficulty with reporting, as well as the effect of reporting, underscore the need to rethink the services and support we offer women who experience sexual and non-sexual workplace harassment and violence. We want to avoid more women feeling like the following white woman:

*"So what did I lose? Well - everything. My life is completely upside down."*

## WHAT DO WOMEN WANT? POLICY RECOMMENDATIONS FROM THE HEART

Many of the women, especially those who reported, discussed what they wish had happened when their harassment started. They also provide insight into what women need to survive the experience of harassment and the complaint process. Finally, women discuss what is needed in general to bring an end to workplace harassment and violence.

### The Need for Support

The most common theme that women discussed is the need for support. The issue of support came up in two ways. First, women discussed how the support of others was central to their ability to get through the experience. Second, when asked what advice they would give someone who was experiencing harassment, women overwhelmingly mentioned support. We first provide examples of women's experiences with support and then their general advice about the need for support. Women wove the hope that they would be believed when they told others about their experiences into the need for support.

Women discussed how talking to others who had experienced sexual and non-sexual workplace harassment helped them feel less isolated;

What helped the most, being able to go talk to [name]. You know, that it wasn't just me... (Black woman, #11)

As one white woman stated;

We need tougher penalties, but we also need support groups to get support in the meantime, to deal with the now...

Emotional support is critical, for as a white union woman stated, 'Sometimes it is just nice to know that someone believes you.'

Another white woman talked about the how

it helped to share her experiences with a co-worker;

I called her and started to talk to her about the atmosphere. I told her everything. I was crying on the phone, but it felt good to tell somebody and to talk to a woman. She listened to everything I said. She sounded so astonished. She encouraged me to keep going forward. She encouraged me to complain. A month later she called me back and told me [harasser] had done the exact same thing to her. The same open door policy, the same promising a promotion. The same compliments and staring. Everything exactly the same. Later we found out about another woman. ... The most helpful thing I think would have been to talk to somebody but I never did that. I think if I had stuck around people more, I could have talked more and that would have helped me more. But I didn't. I isolated myself and things snowballed. I tried to figure it out myself.

When asked what she would have done differently if she reported again, this woman, who stopped and started her complaint three times, said

I would not have stopped the complaint process the first time. But I would have needed more support. I was too emotional. I couldn't think straight. I needed more support to do this. (#7)

Time and again, women mention that support is critical to their ability to feel like they are not alone and to follow through with a formal complaint about their experience.

Under the advice of my family doctor, I was in [name of agency] for counselling for two years, after I lost my job for refusing to play sex games with the boss. And I regularly attended support groups for the next six years. I only wish that there had been an ongoing support group while I was still at work. ... In the support

groups I attended, I made a few new friends that will be friends for life.  
(white woman, #18)

A white woman sexually assaulted by her boss reflected on what she would do if she was harassed again;

I would also like to be in contact with others that have gone through a similar experience, so that I don't feel so isolated and lonely.

This same woman did receive support part way through her harassment complaint. She had this to say about the importance of support:

I called [three centres dealing with sexual assault and battered women]. I have an ongoing Social Worker from [first centre], who is very supportive and helpful and has gotten me through many crises. I have also received group therapy from [second centre], which also was very helpful. I have been in contact throughout with [name of support person] from [second centre] by phone and email to also help me get through some tough times. All of the above has been helpful and kept me going throughout this whole process. I was given lots of support and information along the way. They were knowledgeable and provided me with the assistance I needed. (white woman, #6)

Talking to others is important for overcoming the tendency to blame oneself for the harassment. When asked if she blamed herself, one woman responded;

Just in the very beginning. Just until I got to see [support worker] and then that stopped. She put a stop to that real fast. She wouldn't let me take anything else. She would say, 'It doesn't have anything to do with you. This is [harasser's name]. This is his behaviour.' ... Seriously, between [lawyer] and [support worker], they are the reason I have pulled through the way I have. (white woman, #12)

Sexual Assault Centres are the one place that women mention receiving support for their harassment;

When I first contacted the [name of agency], they didn't have any programmes available for women who had experienced sexual harassment in the workplace. After I talked with them, they soon started counselling and groups for survivors of harassment. They were very supportive also emotionally, financially and also accompanying me to different avenues I had to take. (white woman, #17)

I discussed the harassment after I had complained to a female co-worker and my partner at home. ... I also received lots of support from my church. ... My co-worker supported me and also told me that she had experienced harassment also from [name]. She also attended a meeting with me, and the Board of Directors about the sexual harassment. My partner gave me lots of emotional support. In February of [year], I contacted the [agency name] because of the sexual harassment that I was experiencing. I first talked on the phone with [support worker] and she suggested I speak with a counsellor at the centre. I spoke with a counsellor, who in turn suggested that I should get some advice from [support worker]. [Support worker] took me through the process of the complaint procedure one step at a time and explained to me what I probably could expect. She gave me advance warning that I will probably lose my job, which at the time I was shocked, but then when it happened I handled it much better because I was a little prepared. She accompanied me in meetings and helped me fill out paperwork. She also would help me over the telephone when I was experiencing stress throughout this process. I was very glad that I had contacted the centre because it made the process much more emotionally bearable and I was informed of what I could do about my experiences. ... I

found it very helpful because it gave me extra knowledge and strength to be able to continue with my complaint. (white woman, #10)

I contacted the [agency name] when I wanted to complain outside the company. The [agency] had previously done sexual harassment training and I met [name], so I wanted to speak to her about my experiences and get some help. I am happy with what the centre has done for me. If they do training in a company and an interpreter is needed they need to bring one along, so that what happened at our place doesn't happen again and the harasser isn't used as the interpreter. They didn't know this and it was wrong for the company to do this to them. (Vietnamese woman, #22)

This quote points to the need to be sensitive to providing an interpreter with experience and understanding of sexual harassment issues. It is also important to make support available in the language women are most comfortable expressing themselves in;

I was referred to services in English; I'm waitlisted for services in French. ... When I'm tense or nervous, I have trouble understanding English. (Francophone woman, #3)

I used services in the community. After I moved to [name of town], I went over to the Québec side to get help because services in French are not easy to find in Ontario. (Francophone woman, #19)

Another Francophone woman had this to say;

[I] first went to a community agency offering support groups, but the groups were only in English. [I] participated, but if I didn't express myself well in English, the facilitator corrected me. When I talked this over with my support worker, she said she was being controlling. ... I quit going. Later, thanks to a friend, [I] went to a

Francophone Rape Crisis Centre: Part of me, the child, doesn't understand English. When I was able to begin to express myself in my language, the scales fell from my eyes... (#20)

The experience of both the Vietnamese woman and the Francophone women speak to the need for interpreter services and sensitivity to language issues when providing support services to women for workplace harassment. These comments and those of the following women demonstrate that support services need to take into account issues of intersectionality and multiple oppressions. A Latina public sector worker stated;

The only support in the community [I have] had has come from other Latina women with similar backgrounds. They share their experiences and validate each other's feelings. Otherwise, people will dismiss your claims and not take them seriously. There has been no attempt to raise these issues of abuse in a broader way. Getting funding is the priority, but not improving the work. There is no place for critical thinking. [I] was just told to stop thinking. A major problem is there is no place for women to go if they experience this type of harassment or lateral oppression. Women are very isolated and don't know what to do if this happens to them. Organizations hide their own problems. The community in [my] city is very small and it would be very easy to identify [me]. (#5)

Women in one of the Filipina focus groups also mentioned the importance of having support groups. When asked about whether support groups would help, one Filipina woman said:

Oh yes, it will. For me, while I am speaking I feel things are getting clearer. When you are alone, you feel it is your fault and that you are the only one in this kind of situation.

Support groups need to take into account the differences among women. For

example, the Filipina women primarily discussed their experiences with racial harassment, not sexual harassment. In the words of one of the Filipina women;

In a sense, it would help if there is a group like this [focus group] where we understand each other. We have one language and we have commonalities culturally, and when we say something like our perpetrator is also Asian, we all understand. When you say, I am the only person of colour, all of them are white, we all understand what that means.

In the other focus group of Filipina domestic workers, the women mentioned getting legal advice from an organization that serves their community:

I: What kind of help do you get from Intercede?

F.2: Legal advice. Like if you have certain problems, they will tell you what to do. They will support you, like some that need legal aid, so they will give a referral to see somebody.

One woman also had positive experiences with her local Status of Women office;

I phoned the [local] Status of Women and made an appointment to speak with them so that I could get some advice. They were very supportive. (#17)

To maintain confidentiality of the women we spoke with, we have taken care to not identify agencies and names of workers in agencies. Several of the women mention the Sexual Assault Centre London, Ontario (SACL) as providing outstanding services. With no funding to support the work, individual women have provided leadership and expertise to this agency. They have contributed and continue to contribute countless volunteer hours to support women. Sharon Chapman pioneered this work. She was among the first women in the province to provide training, support and advocacy for women undergoing sexual harassment experiences and complaints. Unfortunately SACL has provided very

limited institutional support for this work and the outstanding services they have become known for cannot be sustained. With such limited support options available for women, it is important for all Sexual Assault Centres to define the harassment services they can provide. One woman's experience reinforces this point;

[My first experience with a Sexual Assault Centre] was not good. I was told that they could not help me because they had to deal with women who had real problems. This was in 1994. Even a year later, when, in the area where I lived, I volunteered to work on the crisis line, I was turned down because they said they did not have experience with sexual harassment and would rather hire someone who knew about it before they would let anyone volunteer who was dealing with it because they thought I would have ulterior motives. So the next year I volunteered again, and this time they let me in and I worked on the crisis line for two and one half years before we moved out of the area. (white woman, #18)

We also note that in Toronto, women have been hurt by the closure of the Workers Information and Action Centre Toronto. WIACT housed the only support group in the Toronto area for women experiencing sexual harassment. As one woman said;

When WIACT was in existence, there was a much needed, ongoing workplace harassment support group. When WIACT was cancelled, the support group went over to meet at [agency name] for a year. However, this was ended in June 2001, with the promise that [another agency] will be taking up the workplace harassment, and that we would be told who was the contact person there. To my knowledge nothing has happened. I left a couple of phone messages with [agency name], but have not been able to find out anything. (white woman, #18)

In terms of other forms of support, a few

women mentioned talking to their family doctor or a counsellor/therapist about their harassment. Comments about doctors and counsellors were mixed, with some women finding them helpful and others finding them to be problematic. Women had the following things to say about their family doctors;

He's [family doctor] been pretty good. He understands and stuff like...

I: So when you talk to him about the fears and physical effects, he responds properly?

Yeah, I'd say he does. I say that because before I've talked to him about my family and stuff and he would let me, like he'd make appointments for me in the evening. There'd be a nurse there, too. For, like, counselling and stuff like that. To me, that's what my boss should have been like, you know what I mean, or at least the other boss. (Black woman, #11)

Another woman found her doctor to be understanding and supportive when she needed to take days off work.

He didn't say anything to me right away, even though he knew about the harassment. It was when I told him my migraines are bad and he said, "Talk to me. Your migraines are coming back for a reason." So I told him and he said, "Yes, I already knew."

I: And you were still working at the time? That happened during the first time you went off?

Yes, but I didn't see my family doctor for a little bit after that. And then I started seeing him once a month because he started giving me Percasets for my migraines.

I: When you did tell him what was going on, what did he say?

He said that it was wrong and that I should do something about it.

I: Did he give you any suggestions?

No, not really. No. No. He just told me that I deserved better than that, that I should get out of there. I tried to explain to him when he said that to me, that's easy enough to say, but I need a job. I can't just up and leave because I don't like somebody.

I: So did he ever offer to write a note so that you could go on sick leave?

No. Because it was only discussed once, and it was actually just after getting discussed that I ended up getting fired anyway. He did give me a couple notes for my migraines because he knew I needed notes whenever I missed work for my migraines, nobody else did, but I did, so he gave me notes to use. I would call him on the phone and he would say come on in and grab a note. (white woman, #12)

In terms of finding a therapist or counsellor, women advise making sure the counsellor or therapist understands workplace harassment and violence against women issues.

I contacted a counsellor outside of work. I got the name and number from the phone book. I didn't realize at that time that anyone could list themselves as a counsellor in the phone book without having a degree in it. I retained a counsellor who also sexually assaulted me. (white woman, #7)

Emotionally, I was very lucky to get the woman psychiatrist that I did. She understood this issue and has helped me immensely throughout all of this. (white woman, #17)

[W]e tend to use the same psychiatrist to get her [co-worker] through what I went through. He was pretty good. He really supported me for the actual first steps back to work. And he'll tell her, the same as he told me, those first few steps, if it doesn't happen and you go in there, you don't go any further than you can go. And he will treat her even further. We are hoping to use the same doctor with anybody that needs



to be treated because, when we go in to her arbitration case, they're hoping to kind of tie mine into this. (white woman with disability, #13)

## Finding Support, Information and Advocates

While women universally agreed that support was necessary to getting through their experiences, some experienced difficulty in finding good support and information. Many of the women who reported their sexual and non-sexual workplace harassment recounted not knowing where to get information about workplace, union and legal policies and procedures, being frustrated with slow-moving legal and human rights processes, being shocked at the cost of legal and human rights proceedings and not knowing who they could trust. Women need a place and/or people where they can turn to get answers for their questions and help with their grievance and human rights procedures. What this help might look like is captured by the thoughts of a white union woman;

It would be good if there was an agency that could tell you if you have a chance, an agency that has a lot of experience that could tell you the best strategy for you, who to phone so you won't be strung along by a lot of people (lawyers, unions) who say they'll do stuff for you but then nothing happens.

Some women also mention the need for an advocate to help them work their way through their complaint of workplace harassment. One Filipina woman suggested that she wants "to see a very courageous advocate. One who will have no fear in taking up these cases. That's the only way we can be strong." (#24))

In a focus group of women with disabilities, one of them mentioned the importance of a union leader who stood up for them;

And we have a good fighter there, [union leader] with us. In local [#],

there is seven individual groups, like custodians, health care, whatever, and we fit in as all one local, but we're all our own unions. So we talked to the head local man, to have somebody come in and help us get organized and get this stuff settled. Because as a group of women, I mean, we're sitting at the table with some intimidating men. (#13.3)

Women also questioned whether they could receive help for their workplace harassment and violence experiences at Rape Crisis/Sexual Assault Centres. In Ontario, Rape Crisis/Sexual Assault Centres have done some of the early work on providing support for women dealing with sexual harassment. For example, the Sexual Assault Crisis Centre Chatham-Kent, along with the battered women's shelter, played a pivotal role in ensuring women's interests were not overlooked at the Inquest into the death of Theresa Vince, a Sears manager killed by her boss and sexual harasser. As well, in 1998, the London Sexual Assault Centre sponsored and organized the first cross-sectoral conference on sexual harassment in Canada (*The Way Forward: A Conference to Address the Problem of Workplace Sexual Harassment*.) At the same time these agencies have been dealing with funding cuts and zero increase budgets. Their resources are often stretched to the limits dealing with the needs of their primary clientele – those who have been sexually assaulted. A lack of funding support for sexual and workplace harassment work has hindered the ability of Rape Crisis/Sexual Assault Centres to train their staff to assist women who experience these problems. It is very specialized work and Centres have only been able to take it up when staff members have taken the personal initiative to learn about it and have added it to already full workloads. Because of this tension, we believe it is important to examine women's views as to what services, if any, Rape Crisis/Sexual Assault Centres should provide for women experiencing sexual and workplace harassment.

The first issue to consider is the lack

of awareness that some Rape Crisis/ Sexual Assault Centres will help women experiencing sexual harassment. When asked if she would go to a Rape Crisis Centre, one of the Black women stated, "They only deal with rape, don't they?" Echoing this sentiment, one white woman in another focus group said, "Women don't go because it is not rape." Another white woman stated;

I did not go [to the Sexual Assault Centre] for sexual harassment. I knew about the [name of town] Crisis Centre. It's a one and a half hour drive from me. I took my step daughter there when she was raped. My counsellor also told me about the Rape Crisis Hotline, but I never called. I didn't think I could call about my stuff. It's not the same. (#16)

Another white woman in the same focus group stated, "There is no information out there saying you can go to a Rape Crisis Centre." As discussed in the one of the groups of union women, it would help if these Centres would advertise that women who have been sexually harassed can go there for services. It appears that women who are familiar with Rape Crisis/Sexual Assault Centres would consider going to them for help. A Black woman's comments are indicative of this, "Personally I would because I've worked at the Rape Crisis Centre, so I know about the kind of help."

The second issue concerns the lack of funding and/or time these Centres have to devote to sexual and workplace harassment. One white woman stated, "Rape Crisis Centres are so strapped for cash. They have no time for workplace harassment." Another woman in the same focus group stated, "Some [Rape Crisis Centres] have helped immensely, but they need more funding."

A third issue mentioned by only one white woman concerns whether Rape Crisis/Sexual Assault Centres understand the problem of sexual and workplace harassment. This woman stated, "Sexual harassment involves specific issues, that if

you haven't been through, then you don't understand. Sexual Assault Centres don't understand the workplace piece.";

I phoned the [Sexual Assault Centre name] for counselling and group. They had no services at that time for women who had experienced sexual harassment, but said they would contact me for another group that I could attend. They didn't get back to me for one year after I called. When I finally received a call from them, they were very helpful and supportive to me. (white woman, #17)

Based on the focus groups, some women find Rape Crisis/Sexual Assault Centres to be helpful;

I did mention it to the workers at the Sexual Assault Centre here. And I got a lot of positive feedback in terms of what we should do, what our rights are and how to go about doing it. (lesbian, #14)

But many of the women in the focus groups are not aware that they can turn to these Centres for support. If these Centres wish to help women, they need to increase their visibility around this issue.

These comments point to the need to address how women would find out about an agency or advocate that can help them with their workplace experiences. One woman said she found out that she could go to a local Crisis Centre for help because;

My aunt works there. And when I called them, they gave me the number to the Crisis Centre. And then I phoned them and got in there right away. Thank God. [Support worker] has definitely been my saviour. She helped me get through it. (white woman, #12)

One woman had a concrete suggestion for how women can find the support and information they need;

We need a place that has harassment in the name, that starts with the word harassment in the blue pages.

Everybody deals with the phone book.  
(white women, union member, #25)

## Equality and Respect

Women had much to say about what they wish had happened when they first reported their harassment as well as what remedies were available. The following section discusses first what women wish had happened, and what they wish they had received (or those with complaints in progress would receive.)

Several women mentioned that they wanted to be treated with respect.

A Filipina domestic worker stated;

Working is not the problem with me, but I want to be treated like an equal because if you treat me good I can work more (laughs). (#1)

Several women note that it would have made a difference if they had been treated with respect when first reporting their harassment experiences;

I would have liked them to respect me and to hear what I was telling them.

... I think if I were given the respect I'm entitled to, I'd be capable of giving 100%, instead of being stressed.  
(Francophone woman, #4)

It's not true, ... we're not asking them to fire him. We're not asking them to get rid of him, just give us a little bit of respect, which I don't think he knows how. And it's like, I said to our union rep., 'If he speaks to you, as a union national rep, like that, you know how he's got to be speaking to us. If they are talking to you (muffled), what makes you think he is talking to us that way?' And I think our union is finally opened their eyes to the situation. Like when I went through mine and I had the national rep. say, 'P, if you think they are going to fire him, you're crazy.' This is my union rep. telling me. Now that hurt my feelings. You can ask these girls. I haven't dealt with him in three weeks because that's the last

thing I wanted to hear coming out of a union reps mouth. (white woman with disability, #9)

The following woman dealing with harassment due to her sexual orientation had this to say about the importance of being respected and believed by supervisors;

In the second situation, we did go to our supervisor immediately. She provided us with some emotional support right off the bat. Pretty much confirming that our complaint was valid and what they were doing was unacceptable. And took it a step further and took it to the Executive Director, who pretty much repeated what the supervisor said and also sat there and listened to what we wanted as a result to rectify the situation. And she was willing to do everything that we had asked. (lesbian, #14)

Women emphasize the importance of managers and/or others whom they report their experiences to listening and treating women with respect.

## Policies and Procedures

The focus group of young women was the only group to speak of workplace policies as doing what they should do. This may be partially due to the fact that some had not reported but "knew" they could and/or assumed things would work if they had to report. It could also be that these women are newer to the workplace and have not yet experienced the range of ways that policies can fail. Here is what these women said about workplace policies and procedures that worked;

A: There was always somebody higher up. If I had a problem with this person, there was always somebody you could talk to. You could always go to your store manager and if there's not an answer there, then there's, they call it a pal letter. And there's a (muffled) in the lunch room, and you could write a letter and there's a box

right there, locked up, and you could put the letter right in the box and the store manager didn't have a key. Because I mean, really, once you get to your store manager, if you have a problem, this is really safe.

B [Y]ou said she had to be comfortable and I agree with that, but the first step has to be the employer making it a comfortable situation for her. ... It always has to at some point fall on the woman's shoulder, or the person who is being discriminated against, their shoulders, in terms of talking about it, but I do think there should be something in place in terms of watching for it. I think if I saw a co-worker being harassed ... it should also be up to me to say, hey, I don't think you are in a very good situation. Do you need some help? But I think it all starts with the employer creating a comfortable environment and educating everyone in that environment about what needs to happen.

C: I know at [company name], where I worked ... your immediate supervisor could make the complaint for you ... or you could make it yourself. Any number of people could make the complaint, but that complaint is not acted upon by anyone in your department, but the human resources department ... So it's not like you're disciplining your co-workers, it would be the human resources ability to say that. But I think if the employer wants a productive workplace, they want to hire the best people for the job, and in order for those people to function in the best way possible, you want them to have the feeling that their ideas and abilities are going to be respected. So you want to set up, not only a code of behaviour, but you also need to enforce it. I think that's where a lot of programmes fall short in this area. Instead of saying, 'You should behave in this way,' instead of saying, 'Nothing else is acceptable except that you behave as educated,

mature adults.' I think the employer needs to act as a third party, almost, in that situation. They need to take a step in. What you were saying, having someone outside your department deal with it. I mean it would depend on how large the company is, I mean if it's just a small company, the employer can act as the third party by stepping in, instead of throwing it back to the employee and saying, 'O.k., well, you've made your complaint, now deal with it.' There's various ways an employer can deal with it or have someone in place in the company to deal with those situations.

Two white women who labeled their experiences as sexual harassment discussed ways in which policies and procedures were not adequate. The first woman was not given sufficient notification of what would happen. The second found that the policy was not followed;

My supervisor should have told me when they were going to speak with him. (#10)

The company and the union gave me no assistance. The policy they had on paper proved to be lip service. (#17)

### **The Need to Talk About It: The Need to Raise Awareness**

Women raised the need for education around sexual and workplace harassment in many of the focus groups. They believed that education could help women "name" the problem, as well as make it possible for women to bring the problem out into the open. Some women linked a lack of education to difficulties in understanding what sexual harassment was. Women discussed the need to raise awareness about the different forms of workplace harassment and violence. Some discussion about the need for education was related specifically to the need for support groups, but some comments speak more generally about the need to educate about harassment.

One woman who read a preliminary report from this project demonstrates how education about harassment can help individual women make sense of their experiences and move forward.

I found out about [the research report] through my counsellor. She went to the Status of Women general meeting and got the Phase I document and passed it along to me. I read it from front to back. Now I know its normal to blame myself and I don't do it anymore. (#16?)

Across the focus groups, women also stated that they are not the only ones who need education. Education is needed in the workplace to educate co-workers and the perpetrators of harassment. Other women spoke more generally about why managers and the general public need information about the various forms of harassment and its effect on those experiencing it.

As one Filipina woman stated;

We need education both for us and, well, for everyone. I did know my rights, but when you're in distress... On the other hand, I also did not want to just take the blame. The perpetrators should be educated and made conscious of the fact that this is how their actions impact on people and that they should avoid it. (#24)

They just need to realize that sexual harassment is just another form of violence against women and not to trivialize it. (white woman, #17)

The main thing I wish they would have done would have been to go into each [workplace site], like I had asked for in the beginning. And say, this is what happened. You know you don't have to give specifics or go into names or anything. But just say, there was a harassment complaint brought forward, this was the type of behaviour, this is what we did about it, this is what happens to people who do this. So that everybody knows. Maybe they don't have an in-depth

understanding of what harassment is, but maybe they will get an understanding of what harassment is and this is what management will do if there is a complaint that is brought forward. And this is what is going to happen to people who are harassing others. That would have been, as far as I'm concerned, extremely beneficial. Because people would not have had the excuse, well, I didn't know or just plain ignorance about not knowing what harassment is. You know they would have that information and the training. For management as well. There was a CPR course and you wouldn't believe the stuff that was going on in there. And that was being taught by one of our management team. So, I mean, even management doesn't even have an understanding of what harassment is and that's scary because they are so liable. So I think that the education to go into the [workplace sites] and have training on what harassment is, why it's important to speak out about harassment and why it's important for management to follow up on all claims. I think that would be very beneficial. ... The only thing that I want to stress is the education that is required. I worked in many different places and I've seen the harassment and discrimination take different forms, and although a lot of different people know what harassment is, there are a lot of people don't realize what they are doing is harassment. I think there has to be a major push for people to get educated and for employers to take it seriously and not to make a joke out of it. When I was in that CPR training, we were talking about how somebody made a joke, it's so funny how everybody in the world has to have this damn harassment training, but not everybody has to have CPR training. Everybody laughed about it, thinking it was a big joke. But they don't realize that half the people in that room were causing this harassment complaint, so there is

definitely a big need for the education. (white woman, harassment due to sexual orientation, #14)

[I] also think that managers should be made to take a mandatory course on how a woman feels and why they act the way they do when this happens. There needs to be more support in the rural areas. They need harassment education and awareness. A lot of people around here don't know what it is and how serious it is. They just minimize it. We don't have anybody talking about this. (white woman, sexual harassment, #16)

[I] would like young people to be educated, to be given a real sexual education that does not deal only with STDs or pregnancy and how to protect oneself. This education should deal with respect, with spirituality within sexuality, with the creative energy of sexuality. And if the person doesn't feel respected: awareness, look! (Francophone woman, #20)

Educational forums could take the shape of workshops for women to help them define and name sexual and workplace harassment, workshops that give information about resources for women who want to report harassment and workshops for employees and/or harassers that educate them about harassment and its effect on women. It is clear from the comments of the women facing multiple oppressions that some educational workshops need to be specific to certain communities. What is helpful and appropriate for white women, may not be for women of colour, women with disabilities, Francophone women and others.

### **The Need to Know the Law**

Part of the need for increased awareness about workplace harassment revolves around women's need to understand the law. This involves understanding human rights law, workplace standards, occupational health and safety and other

forms of labour law. Women also expressed a need for information about what legal avenues they could pursue with their complaints of workplace harassment.

One white woman said her experience with reporting her sexual harassment gave her knowledge of the law that would be an advantage if she ever went through something again;

I now know of all the avenues that I could have tried to help get a resolution. (#6)

The Filipina domestic workers talked about the need to understand the law in terms of working standards including hours of work;

I am aware of my rights. I know I have to work 45 - 60 hours. I can work a little more than that, but I know my rights. I just have to work just what it is. (F.2, #1)

Women also mentioned that, now that they knew the law, they wished some things about it were different. A Francophone woman experiencing sexual harassment said;

The laws should be tougher. Someone should take care of that. Sexual harassment in the workplace is a big deal and should be stopped. I find it very frustrating that it is still going on. Women should have more information, because I didn't know where to go. There's very little information on the subject and on what to do.

### **The Need for Management to Do More (or at least something)**

Women wished that management had talked to the harasser soon after a complaint was made. Women state that what they wanted was for the harassment to stop and to feel safe in the workplace. Without active involvement of management, this will not happen. It is important to note that many of the women are not asking for the perpetrator to be "punished." They simply want the behaviour stopped.

I wish that when I talked to them about this behaviour that they would have stopped it and that we could have just worked together without this bad behaviour. (white woman, #17)

When I told them about this guy when he grabbed me, they should have talked to him on the side, the supervisor. And the supervisor should have talked to the top headhunter and took him outside and let him go. Because it kept on going. And for me, I had to stand my ground. And for me to deal with it, it almost made me to lose me job and everything. (white woman, harassment due to sexual orientation, #14).

I wish the supervisor stopped the harassment in the beginning. It then would not have escalated. (white woman, sexual harassment, #17).

One woman, who mentioned her desire to have the perpetrator removed, had experienced a violent sexual assault.

I wished so badly that immediately my work would have taken him out of the workplace, so I could have at least had a chance to continue working. The assault affected me being able to do my job effectively, I could no longer concentrate. I was so angry that they (employers) allowed him back to work. They knew how violent he was. They were told so by the police. They didn't care about my safety or the safety of others. ... I loved my job and worked so hard to get to that position, but I still don't feel the place is a safe place to work. (white woman, #6)

## What Women Want for Remedies

Women discussed two general types of remedies they either wished they had received or hoped to receive. The first relates to money or compensation for lost wages and the hurt suffered by the harassment. The second concerns remedies directed at the perpetrator of the harassment.

I want compensation for other moneys. I stand to be compensated for the thirty weeks, and the harassment hasn't stopped, so they haven't fulfilled anything. (white woman, disability.3, #9)

I: What are you asking for?

Redress - any money I've lost and something done about the harassment. But that's been denied... (white woman, disability.1, #9)

I don't really want to sue. I want to charge. I want him to pay for what he did to me. ... He doesn't realize that when I lost my job, I lost my money, I lost my livelihood. I had to move out of my house. I got pregnant. (white woman, sexual harassment, #12)

Other women asked for remedies that involved the harasser. These included wanting to receive a letter of apology or a reference letter, requiring the perpetrator to receive education about harassment and/or wanting him to be reprimanded in some way;

So that's what I wanted to come out of this. I want him either to go to jail or either have to do some probation where he would have to talk about sexual harassment and how wrong it is. That's what I really want. I want him to almost feel what he makes me feel, and I know that can never happen because he doesn't think he did anything wrong. If he could just feel for one day what I felt for the last year, he wouldn't like it. ... I want a letter, because they gave me a bad reference to one job after, and I have proof of that. ... So, I want a letter of reference, a good one. I want money. Now. Before it had nothing to do with that. But now, just because, believe it or not, money does change people. Money has obviously changed me. I don't have a job, I'm living in public housing. I can't afford to get my baby stuff. I can't afford to get S new stuff. You know, so ... if at all possible, I do want money. I want a formal, written even, if I could, I would love a public

apology. I would love to hear him admit that he did wrong, and that he has to apologize to me. That's the stuff that I want. I don't know if I'll get it, but that's the stuff I want.

She goes on to conclude;

If I had to choose. If they told me it's between money and what you want, I would take what I wanted and it would be a public apology and him having to go in front of people and talk about sexual harassment and how wrong it is. That's what it would be. I wouldn't even touch the money. (white woman, sexual harassment, #12)

I want back pay for myself for what I've lost and also for my husband for all of the time he had to take off work for me. We've lost thousands of dollars. I also want training in the workplace. I want pain and suffering and financial compensation for the medication and counselling I've had to pay for. I want him removed from that place, and what he did put on his record, and put somewhere where there aren't any women.(white woman, sexual harassment, #16)

I am feeling good about taking him to mediation at the Ontario Human Rights Commission, so that I can tell him how I feel and what he has done to me and my family. I also want him to know that what he has done is wrong. (Vietnamese woman, sexual harassment, #22)

## The Role of Lawyers

Women also discussed the need for lawyers in the complaint process, especially when filing complaints with the Human Rights Commission or other external forums. As discussed in the section on reporting, some women found good lawyers. Others found it difficult even to find a lawyer. And when they did get a lawyer who would talk to them, the lawyer did not always listen or understand workplace harassment issues. Regardless of the experience, women

provide helpful information for dealing with lawyers and for what lawyers need to know about workplace harassment.

It was very difficult to find a lawyer who was cheap and who understood sexual harassment. I retained a lawyer who didn't charge me too much and waited until the settlement was reached to be paid, but he didn't understand the issue, so he wasn't sensitive to me or the issue at the time. (white woman, #7)

At first I found my lawyer to be excellent. She was aggressive and ready to fight. She seemed to understand and have a passion to make things right. That ended fairly soon. I felt I was alone in the fight. She would not return phone calls, emails. I had so many questions, but they were never answered. I felt in the dark all the time. I don't feel all my options were laid out for me, so I could make informed decisions. I don't expect my lawyer to be my therapist, but you need to be able to trust her (lawyer) and completely feel she cares about your case. It would have helped to establish contact on a more regular basis. It didn't have to be a lot, but enough to prevent me from feeling isolated. (white woman, #6)

Emotionally lawyers are not there to help you and therefore you need to have emotional support through counselling or groups. ... My lawyer kept me informed about what was going on through a long slow process. She asked my opinion on most things who came up along the way. ...

Lawyers need to make sure the client has a good support network around her so she can stand the abuse of the system when filing a complaint of sexual harassment. (white woman, #17)

They [lawyers] first have to have a certain amount of persistence and caring for justice to be really effective. We should have lawyers like in the USA, who take cases and get paid by



a percentage of the winnings. (white woman, #18)

What makes a good lawyer? This is what one white woman had to say about her lawyer;

She's real. She keeps things real with me. ... She talks real. She doesn't talk down to me. She talks straight up. She says, this is what I think. Sometimes she swears, too (laughter), ... like when she's mad. She got those papers back, the response from [employer]. She out and out phoned me and said, 'This pisses me off.' And it just makes me feel as if she's a real person. She has feelings too. She's not just a lawyer doing her job. She's a lawyer who's involved with me and going through it with me and she's feeling it with me. That's what makes you feel good. It's not just about the job and money for her. It's about me and my feelings and us together working as a team. ... She keeps me informed of everything who goes on. Everything. And I keep her informed, too.

I: Okay. And as its happening, you don't find out days or weeks later, you don't find out, oh by the way?

No.

I: And does she ask for your opinion right away and takes you into account?

Yes.

I: Do you ever feel like she's already decided and your opinion is just a formality?

No. She consults with me about everything. She lets me know what she thinks. She asks me what my opinion is and then we go from there. We either work together or, you know, she tells me what she thinks is best and then she asks me what I think is best. ... [What makes her a good lawyer is] it's not just for the money. Like with [my lawyer], it's

not just about the job. It's about accomplishing something real and helping someone. And you have to take the extra steps. Like, she phones me just to see how I'm doing. And if I phone and don't leave a message about what's going on or why I'm calling, she phones right back worried, saying, 'Are you okay?' It's not just about the case. She cares. And that makes the difference. I know she cares.

I: So it's not just about her legal work?

Exactly, I know she's doing it because she wants to do it and that makes a big difference. (white woman, #12)

Important to our analysis is the fact that, with the exception of a Latina, only the white women experiencing sexual harassment appear to have engaged lawyers in the complaint process. Several factors may be at play here, such as white women's experiences most easily being identified as "legally-actionable" forms of sexual harassment, as well as the increased ability of white women (or whites in general) to access lawyers and the law.

## Would You Report All Over Again?

The women who reported their harassment were asked if, given what they know now, they would report all over again? With the exception of one woman, all said they would report again. They all added though that they would do some things differently from the beginning. Here is an example of some of the comments women made;

Now that I have finished with my reporting of sexual harassment and sexual assault, I view what I did and realize I wouldn't have any other alternative than to do it again. This behaviour is wrong and has to stop. The more complaints and the farther women take these complaints, the easier it will get for women in the future. We all deserve safe and healthy work environments. I would have lodged my complaint sooner and

I think I would call the police. ... I wish I had've known the system better then and realized that there really isn't any great help for women that are sexually harassed in the workplace. The best help for women is the support of others surrounding them when they lodge a complaint. (white woman, #17)

Yes I would [report again]. ... Going back to the thing that I regret in the workplace harassment; I would get a pocket tape recorder and tape the actual sexual harassment. This would have prevented some of the lies and story changing that was done by the [harasser] and the people that he influenced. I would never, ever, under any circumstances go to a meeting with the police, OHRC, etc. without a support person, preferable one who can not be intimidated by such persons of authority. (white woman, #18)

I would complain all over again if it happened, except now I know where I can go to get some help, so it wouldn't go on for so long, and maybe I would still have my job. (Vietnamese woman, #22)

I think that I would do it all over again, even though it was quite stressful, because I couldn't imagine just walking away from it all. ... [I would do something different] only if I knew of a better or faster solution. I was fortunate that I had contacted the [agency name] to help me get through this and realize how bad the outcome could be.

Yes [I would report again] because today it's a law, no harassment on the job. I know the law and I follow everything that talks about bosses. (Francophone woman, #2)

Yes [I would report] if I lived alone. (Note: the participant explained that because she was living with her parents, she could not make her own decision about it.) It's inhuman. It should stop. If it's not talked about, it continues. If one woman opens up, it's easier for others. (Francophone

woman, #4)

I would do it all over again in a second. I would want to be more informed of all my options, so I can feel more in control of any decisions. I was so fortunate to have all the support I did have. Nothing was easy, but I feel so much more powerful for the justice I did accomplish, to put the man behind bars. I also believe fighting helped me through my recovery. I still will fight for what's right for me. People need to be accountable for their actions. The legal system is in need of desperate changes. The court system in Canada lacks severe penalties for such severe crimes. That's when I wish he was sentenced in the States. (white woman, #6)

I would have taken it seriously right from the very beginning. If I had taken it seriously, I probably would have went and looked for another job. Even though it shouldn't have had to be me that left. But I would have definitely not passed it off in the beginning as a man being a pig or, you know, just walk away because you get that when you work in a bar. ... I would have definitely taken it seriously right away, and I would have done something about it right away. [I would walk away], but I would have done something about it first, to make sure other women didn't have to go through what I just went through. (white woman, #12)

## What Advice Would You Give to Someone Experiencing Workplace Harassment and Violence?

Women offered important advice to those who might go through harassment in the workplace. Here is what they would tell someone experiencing sexual harassment;

I'd tell her to file a complaint and to see if there's an opening, not to give an inch, and if it doesn't work, there are other employers, not to stay in an unhealthy place. (Francophone woman, #19)

It's not an easy thing to go through. I'd listen. I'd have trouble giving advice because I need it myself. I'd talk to her about how to look after herself. (Francophone woman, #3)

I would probably tell them to try and get all the support they can around them. I would also tell them to contact the Sexual Assault Centre for assistance. It is something that is hard to go through on your own and the more help the better. (white woman, #10)

I would probably tell them to take [the] steps and call the Crisis Centre, and stuff like that. And, if they were still keeping that job, to look into everything that they could do. But to do what's right for you, if you can or you can't. You know what I mean, because I couldn't keep sticking it out. (Black woman, #11)

[I would tell them] to go to the Crisis Centre right away. And there, they would get the best, because I got the best advice there. I wouldn't give them my advice. I would just say, 'You need to go because this is where you will get your support and this is where they can give you the best advice for you.' (white woman, #12)

I'd say definitely find somebody that you trust that you can talk about the issue with. Get informed and don't be

afraid to create some waves, but be sure you have a support system that regardless of what happens, because we all know it can go either way, make sure you have somebody to help you through whatever happens. (lesbian, #1, #14)

I would tell them to go somewhere to report it. And I would tell them how I went through it and if you don't do this, then this will happen to you. I'm going through lots and I don't want anyone to go through what I am going through today. And if they want feedback and know how it is to be there, I am one of the persons. (lesbian, #14)

I would advise them to surround themselves with supportive people and try and get the best counselling they can to help them. I would advise them if they are emotionally able to lodge a formal complaint to do it. If it isn't possible emotionally to complain, but financially they can leave the situation, I would also advise them to do that. (white woman, #17)

Express it, say it, try to steer her toward Centres that can help her. Give her information and let her decide. (Francophone woman, #20)

Get a tape recorder.

It is not you who has to change, it is the harasser.

Get a tape recorder.

Be careful. Don't ultimately trust anyone at work. Most people will become more afraid for their job than they will care about justice for you. Only a very few will stay honest.

Get a tape recorder.

Let your sexual harasser know you are not interested in what he has to offer.

Get a tape recorder.

Make contact with an outside work support group who understands workplace harassment.

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And don't forget to get a tape recorder.

Don't listen to any one who would intimidate you to not use your tape recorder. (white woman, #18)

The first thing is to find someone trustworthy and objective, preferably in a supporting relationship, even before asking yourself if it's harassment when there's an intimate relationship in the workplace. Secondly, to be sure to be accompanied by someone who knows the issue, who can name it and inform you of your choices. And thirdly, to work on the possibility of taking back power in the workplace, to 'devictimize' yourself if you speak out about what's happening to you, what would happen if you yelled... (Francophone woman, #21)

Talk to the boss. If he doesn't understand and it continues, say it, don't keep it to herself. (Francophone woman, #4)

[J]ust what to look out for in terms of sincerity. What's sincere and what's not sincere. And really paying attention to people saying the thing they know they have to say and really saying something from the heart. You know, showing this is sincere and saying that we do know your complaint is a valid complaint and a serious problem. (lesbian, #14)

I'd ask if I could give her a hug and then I'd take her to the Rape Crisis Centre. I wouldn't want to frighten her. I would definitely believe her and I would congratulate her for speaking out. (Francophone woman, #2)

# RECOMMENDATIONS

The following are our recommendations concerning workplace harassment. We divide our recommendations into six areas:

1. Women experiencing workplace harassment;
2. Family and friends;
3. Employers and Human Resource managers;
4. Unions
5. Bystanders and Coworkers
6. Mediators and Investigators
7. Frontline Supporters and Advocates;
8. Sexual Assault and Rape Crisis Centres;
9. Health Care Professionals, Employee Assistance Providers, Counselors and Lawyers;
10. Police;
11. Policymakers and Government Representatives: Workers Safety and Insurance Board, Ministry of Labour, Human Rights Commissions

These are not text book recommendations. These recommendations have been built from the experiences and suggestions of the women who shared their stories in this report and from women who have supported them. Women told us of many unanticipated problems and barriers in reporting harassment, in finding their way through systems and in seeking remedies. They have told us, very clearly, that many existing approaches and methods for dealing with workplace harassment do not work. They have asked us to listen carefully and to learn from their experiences.

## Women Experiencing Workplace Harassment

- **Name your experience for what it is and take it seriously.** Do not allow others to minimize your experience or to convince you that it is not really harassment.
- **Do not blame yourself.** Any kind of harassment and discrimination is an

abuse of power and authority. You are not to blame for being targeted for this misuse of power.

- **Remember that ignoring harassment will not make it go away.** In fact, it will likely get worse if you try to ignore it.
- **Take care of yourself.** Go for long walks, journal, talk to trusted friends, take a bath, do something that makes you feel good.
- **Document your experiences,** including a list of events with times and dates. Keep a written record of:
  - what happened
  - when it happened
  - where it happened
  - what was said or done and who said or did it
  - who saw what happened; and
  - what you did at the time
  - record the same kind of information about reprisal related conduct after a complaint is launched

This is what we refer to as a “Log.”

- **Ask for a Performance Evaluation of your work as soon as possible after the harassment starts.** If the harasser is in a position of power over you, this can make it more difficult for them to explain why they suddenly find you incompetent or your work not up to standard.
- **Gather information and resources that you can consult.** The following is a list to help you get started:
  - Ontario Human Rights Commission (OHRC) or Canadian Human Rights Commission (CHRC) web pages for further information: <http://www.ohrc.on.ca/english/guides/complainant-guide.shtml> and <http://www.chrc-ccdpc.ca>.
  - Ontario Women’s Justice Network (OWJN) Access a

document entitled: Workplace Harassment: An Action Guide for Women, <http://www.owjn.org/issues/s-harass.htm>

- Local Sexual Assault Centres and/or the Assaulted Women's Helpline 1-866-863-0511 or TTY 1-866-863-7868 may be able to provide some guidance and assistance.
- Metropolitan Action Committee on Violence Against Women and Children (METRAC) have resource materials that may be useful to you: <http://www.metrac.org/programs/info/prevent.htm>
- **Separate your Log from your journal.** Journaling can be a beneficial way to work through your feelings. However, journals are sometimes subpoenaed as evidence for investigations or civil cases.
- **Talk to others in your work place and/or former employees.** Find out if anything like this has happened to anyone else. Similar fact evidence demonstrates a pattern of harassment and can serve to support your complaint. This can help support your complaint even if there are not any witnesses to your own claims.
- **Reporting is the beginning of a long process.** Is there an opportunity in your workplace for a *group complaint*?
- **Realize that you have to do a lot of the legwork,** even though this may be emotionally difficult at times.
- **Don't try to go it alone.** Get support from trusted friends. Increasingly support persons are permitted to accompany complainants to meetings. It is important to have a support person with you *every time* you are to participate in an action that affects your complaint process. Even if your support person is refused attendance in meetings, s/he can provide valuable 'before and after' support.
- **Find a resource person.** A resource person will be more involved in the

technicalities of your complaint. S/he can help to provide guidance on your options for complaint processes and remedies. This could be your HR representative, an advocate from a local women's centre, a union representative and/or women's committee representative from your union.

- **Build other supports.** You can get supplemental advice and support from family, physicians, Employee Assistance Programs, counsellors, lawyers and legal aid clinics.
  - You may want to speak to more than one counsellor before deciding who will be best for you. Here are some questions you may want to ask:
    - How much experience do you have working with gendered violence against women and specifically workplace harassment?
    - Do you look for and take into consideration, gender based violence? In what ways does your client work take into consideration women's social and political inequality?
    - How much do you charge? (If the fee is not within your budget, ask if there is a sliding scale).
  - Ask other questions that are most important to you.
  - When choosing a lawyer you can ask the same kind of questions about their experience with gendered harassment cases and the approach they usually take. You may also want to ask the following questions:
    - How long do you think my case might take?
    - What is the estimated total cost?
    - Will you charge by the hour, or a fixed fee? Will it be possible to make payments over time?

- What are my options? Are there any alternatives to litigation?
- How do you prefer to communicate? E-mail? Phone?
- Questions you can ask yourself after screening for counsellors and lawyers (adapted from How to Shop for a Counsellor, from the Hamilton Sexual Assault Centre):
  - Does this person take the time to answer my questions thoroughly and politely?
  - Am I at ease with this person?
  - Would this person continue to respect me if I disagreed with her/him?
  - Will this person communicate well with me? Will they return my phone calls and/or e-mails?
  - Is this person likely to blame individuals for acts of oppression carried out against them?
- **Check all your avenues for reporting.** These can include supervisors, union representatives, women’s committee representatives, managers, Human Resource personnel, directors, owners, police (if stalking or physical or sexual assault has occurred), or the OHRC/CHRC.
- **Find out the procedures that need to be followed for your complaint,** whether you choose an internal workplace avenue or a process external to your workplace.
- **Find out if you have the right to lodge parallel complaints in separate places** or if you must exhaust some avenues before proceeding to the next. Always check into time deadlines for making complaints. For example the OHRC deadline for lodging a complaint is 6 months from the time the last incident occurred.
- Complaints are confidential, but not anonymous. Information about your complaints will be released on a “need to

know basis.” This means that when you file a formal complaint the perpetrator will be notified. Other coworkers may also be notified if necessary for an investigation.

- **Exercise caution if/when confiding in coworkers.** Many women describe experiences of formerly supportive coworkers turning away or even actively opposing them once they bring a complaint forward. This has happened even in circumstances where there are congenial coworker relationships or when coworkers have witnessed the harassment. Carefully assess which coworkers you can trust with your confidence.
- **Check your options for taking time away from the workplace.** Some possibilities to consider are: Internal options including, sick leave, short or long-term disability, leave of absence, vacation time.
- Employment Insurance Sick Leave may be an external option. This provides up to 15 weeks of sick leave, conditional upon a doctor’s medical report.

**Please note:** doctors can write a note supporting the need for a leave from work based on stress. However the standard of eligibility for internal workplace insurance benefits are stringent and you may have to provide more than your doctor’s medical note in order to access these insurance benefits. A doctor’s note supporting the need for a leave based on stress will be enough to qualify for 15 weeks of EI sick leave.

### **Family and Friends**

- Understand that sexual harassment is not about sex but that it is about abuse of power and control: economic, physical and emotional. All forms of gendered harassment are similarly based in a desire for power and control.
- Understand that a complaint process can be long and difficult.

- Let your family member or friend know that you are willing to help. Allow the person you are helping to tell you what they need. This will help her to feel more in control of a situation which has done a lot to take control away from her.
- It is difficult to witness someone you care about go through a painful process. Understand that although a complaint process can be long and difficult, it is part of what this woman you care about can do to reclaim her rights, dignity and voice. Respect her choices.
- It may be helpful to learn more about workplace harassment by accessing the OHRC and OWJN web pages (as noted above) or by contacting your local sexual assault centre for more information.

### **Employers and Human Resource Managers**

When a woman experiences gendered workplace harassment, her chances of successfully dealing with it are greatly enhanced by a supportive organizational culture. There are consequences for employers when gendered workplace harassment occurs, including; lowered morale, absenteeism, decreased job satisfaction, decreased perception of equal opportunity, damage to interpersonal relationships, lowered productivity, job turnover, increased insurance costs due to medical claims, legal costs and damage to your corporate image. *Harassment affects your financial bottom-line and your corporate image.*

- Research your options for preventing and stopping gendered workplace harassment. Consider providing confidential sources of assistance such as Employee Assistance Programs. Once implemented, ensure that employees are aware of the existence and availability of these programs. Ensure that they are strictly confidential and free of charge.
- Promote respect of all members of the workplace at all times.
- Create a positive workplace environment. Formalize measures that

recognize and reward respectful conduct and practices within the workplace.

- Nurture diversity through policies and practices that are inclusive and that show appreciation for the variety of experiences and perspectives that diverse employees bring to the workplace.
- Small businesses are neither immune to workplace harassment nor exempt from obligations under the law. Refer to the Ontario Human Rights Commission for assistance with policies and procedures for small business ([www.ohrc.on.ca](http://www.ohrc.on.ca)).
- Understand the legal obligations of employers and their agents. Human Rights Legislation states that employers and their agents are vicariously responsible for the acts of all employees, whether those acts are known or not.
- Have effective workplace harassment and discrimination policies and procedures that clearly set out to all employees at all levels of the company or organization:
  - The company's commitment to maintain a workplace free from harassment and discrimination,
  - The responsibilities of management to ensure that employees' right to freedom from discrimination and harassment in the workplace is protected,
  - A clear definition of harassment and discrimination that includes an understanding of power relations and how these can be exploited,
  - A clear definition of harassing behaviours, including sexual harassment as well as other forms of harassment,
  - An explanation of the effects of the harassment on victims,
  - The process of making a complaint, including timelines for investigations and outcomes if harassment is substantiated,



- The protections available to complainants when a complaint is filed and remedies that will be made available when harassment is substantiated,
  - Protection from reprisals for having made a complaint,
  - Information about external avenues i.e. Human Rights Commissions, Workers Safety and Insurance Board, Employment Insurance sick leave etc.,
  - An ongoing commitment to company wide education for all employees about the behaviours that constitute sexual and other forms of workplace harassment, the impact this behaviour has on victims and the workplace environment and consequences for harassing behaviour.
- Intervene early. It's the best prevention. Conduct periodic confidential audits to monitor the effectiveness of your policies and procedures, the quality of your work environment and the effectiveness of early interventions when no formal complaint is made.
  - Ensure all employees receive a copy of relevant policies.
  - Provide regular and ongoing harassment prevention training and education for staff **and** management. Trainings should include a review of all relevant company policies.
  - Provide training and education for staff and management to recognize and respond to indicators of excessive stress and/or depression exhibited by an employee.
  - When you receive a complaint:
    - Take complaints seriously. Do not ignore the complaint, blame the person filing the complaint or hope the situation will go away or improve without your intervention. Treat employees with respect when they come to you with a complaint.

- Investigate complaints!
  - Recognize that the complaint process, if not handled appropriately and sensitively can be as difficult, or even more difficult than the harassment experience.
  - Follow your own policy and procedures.
  - Refrain from reprisal related conduct toward the complainant.
  - Stick to timelines laid out in your policy and complaints procedure.
  - Ensure that information about outside sources of support is readily available and accessible.
  - Allow women to bring an outside support person to complaint processes.
  - Avoid *Conflict of Interest*. A conflict of interest occurs when those involved in dealing with a complaint (i.e. trainers, mediators, investigators and/or interpreters) have an opportunity to further their private interests or the interests of the employer and/or respondent in carrying out their responsibilities for responding to the complaint. Ensure that trainers, mediators, interpreters and investigators are from outside of the company or organization and are neutral.
- When there is reason to believe a person's safety or security is at risk, or where a pattern of persistent harassment exists, intervention by experts outside of the workplace may be required in addition to internal complaint processes. In these instances consider which options for action can best ensure the safety and security of the woman being harassed.
  - Clarify Limits to Confidentiality with the Complainant:
    - Confidential does not mean anonymous. Investigations require

that the respondent and sometimes coworkers be questioned.

- Third party individuals involved in the complaint and resolution process also need to adhere to a confidentiality agreement E.g. when an interpreter is brought in he/she is bound by confidentiality agreements.
- Insist upon competence and credibility when engaging trainers, mediators, investigators and interpreters. Hire professionals who are certified by a credible source. Untrained individuals compromise and damage investigations and remedy processes.
- When Constructing a Remedy:
  - Wait until the complainant has a clear idea of all she has lost due to experiencing sexual and/or gender based harassment and the challenges of pursuing complaint before constructing remedies.
  - Involve the complainant in the construction of the remedy. Invite the complainant to consult with others about options for remedies.
  - Construct remedies that take into consideration the individual health and work related consequences for the individual harmed.
  - Remember that people close to the complainant may also have been harmed by the harassment.
  - When there is a finding of harassment, be prepared to include a statement of recognition of harm as part of a broader remedy agreement.
  - Restore the complainant to her original work duties and responsibilities if that is her preference.
  - Be willing to offer non-monetary as well as monetary compensations. Respond creatively.
  - Offer an apology

- Adopt an *intersectional* approach to understanding harassment, recognizing that:

- each individual's unique experiences are based on a complex identity that can be linked to more than one ground of discrimination. (e.g. race, religion, disability, sexuality),
- the presence of multiple grounds for discrimination compounds a persons experience of harm.
- you acknowledge and seek remedy for the particular experience of discrimination, based on the convergence of the multiple identities belonging to an individual.
- For further reading on taking an intersectional approach link to: <http://www.ohrc.on.ca/english/consultations/intersectionality-discussion-paper.shtml>

Managers, Supervisors and Team Leaders set the example and shape the culture of the workplace. Promote respect of all members of the workplace at all times.

### **Unions**

- Get training on these issues
- You have an obligation to provide fair representation to all members. Devise informed policies and procedures to ensure fair representation in harassment complaints, particularly when both the complainant and the respondent are union members.
- Get involved in the construction and implementation of workplace policies and remedies.
- Never let the respondent's rights take precedence over those of the complainant.
- Continue to liaise with community partners with appropriate expertise to resolve complaints involving co-workers in fair ways.
- Allow women to bring their own personal support person into the meetings with

union representatives during a complaint procedure.

- Understand your legal responsibilities and institutional roles.
- Evaluate whether it would be in the complainant's best interest to address harassment complaints through a grievance, an employer designed process or a joint union-employer process.

### **Bystanders and Coworkers**

- If you are witnessing workplace harassment, you are involved. Bystanders and coworkers can stop and prevent harassment. This is our responsibility to each other.
- Bystanders and coworkers who look away or join in, are supporting the harasser and the harassing behaviour.
- Bystanders and coworkers can practice supportive, non-judgmental and non-punitive conduct in the workplace, refusing to be swayed by the harasser's behaviour.

Barbara Coloroso, an educator and an anti-bullying advocate urges bystanders to "Stand Up and Speak Out" in ***The Bully, the Bullied, and the Bystander***, © 2002):

Bullying is challenged when the majority stands up against the cruel acts of the minority. Establishing new norms, enforcing rules, and increasing supervision are policy decisions that can help reduce the incidents of bullying. Since much of the bullying goes on 'under the radar of supervisors/managers,' a potent force is coworkers themselves showing bullies that cruel behavior is not condoned or tolerated.

[Coworkers] need not be bystanders. You can become active witnesses, standing up for your peers, speaking out against injustices, and taking responsibility for what happens in your [workplace].

### **Recommendations for Conducting Investigations**

- Determine the appropriateness of an internal v. external investigator.
- Employers should ensure that investigators possess the necessary qualifications (especially for internal investigations)
- Ensure that the Complainant feels comfortable with the investigator.
- Keep the process confidential.
- Take interim action during the investigation, if necessary, e.g. recommend counselling, separate parties in the workplace, provide paid leave to victim.
- Ensure an impartial investigation.

### **Recommendations for Investigators**

- Act in a professional and ethical manner.
- Prepare for interviews.
- Do not divulge names of witnesses or relevant information prematurely.
- Select appropriate interview sites.
- Respect the right to representation.
- Set the scene and listen carefully.
- Avoid leading questions.
- Be respectful at all times.
- Document the allegations and witness statements.
- Remember that non-employees can be effective witnesses too.
- Ensure that statements are taken accurately.
- Get signed statements.
- Determine credibility of witnesses.
- Do employment and history check if necessary.
- Determine how to deal with he said/she said situations.
- Examine documentary, electronic, physical, statistical, circumstantial, similar fact and testimonial evidence.

- Analyse and evaluate the evidence, reach a conclusion and write your report.
- Remember the appropriate Standard of Proof.
- Remember that “on the balance of probabilities” does not mean “beyond a reasonable doubt.”
- Comply with your mandate.

### **Recommendations for Mediators**

- Hold meetings in a neutral environment.
- Explain the advantages and disadvantages of mediation.
- Explain that mediation is less adversarial, less expensive and less time-consuming than other options for resolving complaints.
- Explain the process and empower the parties to resolve the conflict.
- Ensure that parties clearly understand the purpose of the meeting, their role, their responsibilities and their obligations under law.
- Clarify the mediator’s role, explain the value of the process and describe the structure and ground rules of the meeting.
- Ensure that parties respect one another and do not interrupt.
- Assist the parties to check facts, share feelings, exchange perceptions and ideas, and work towards mutually agreeable settlements.
- Facilitate the process without being biased.
- Address power imbalances.
- Maintain order and keep the discussion focused on the issues.
- Recognize that interests may be different.
- Discuss alternatives that address each other’s interests.
- Address the public interest and the mandate of the Code (if it is an Human

Rights issue.)

- Focus on both the interests and the rights of the parties.
- Help parties to move from conflict into a process of collaborative negotiation and settlement.
- Generate solutions to the conflict.
- Remain neutral throughout the process.
- Maintain your credibility and professionalism.
- Allow representation but no cross examination.
- Separate parties if necessary.
- Provide guidance, precedents and case law.
- Listen attentively and take notes.
- Refrain from providing personal opinion.
- Put the agreement in writing and obtain the parties’ signatures.

### **Front-line Supporters and Advocates**

- Do your research, become familiar with the pros and cons of various avenues for complaints:
  - Early Resolution (autonomous action or problem-solving with employer)
    - Complainants directly deal with the matter themselves,
    - Informal problem-solving and resolution involving a “person with authority” representing the employer.
  - Formal Complaint with Employer
    - Investigation of a formal complaint,
    - Alternative Dispute Resolution (ADR), including mediation.
  - Other Avenues of Complaint (as applicable)
    - A grievance under the applicable collective agreement, if the

complainant has grievance rights,

- A complaint to the Ontario Human Right Commission,
- Consulting a Lawyer,
- Notifying Professional Associations ( as applicable),
- Notifying the Police.
- When there is reason to believe a person's safety or security is at risk, or where a pattern of persistent harassment exists, internal complaint options may not be sufficient or appropriate. In these instances consider other options for reporting.
- Adopt an *intersectional* approach to understanding harassment, recognizing that:
  - each individual's unique experiences are based on a multi-faceted identity that can be linked to more than one ground of discrimination (e.g. race, religion, disability, sexuality),
  - the presence of a multi-faceted identity compounds a persons experience of harm,
  - you acknowledge and seek remedy for the particular experience of discrimination, based on the convergence of the multiple identities belonging to this individual.
  - For further reading on taking an intersectional approach link to: <http://www.ohrc.on.ca/english/consultations/intersectionality-discussion-paper.shtml>
  - Provide support that is appropriate and comfortable for the complainant. Be aware that we all have cultural values and offer culturally sensitive support.
  - Develop community partnerships and learn how to make helpful referrals. Places like Sexual Assault Centres, INTERCEDE, Canadian Coalition for In-Home Care, Garment and Textile Workers

Union, Native Family Healing Centres, Cross Cultural Learner Centres, Interpreter Services etc, each have a specific area of expertise to offer

- Develop good takeaway resources.
  - Maintain referral lists for doctors, therapists and lawyers.
  - Screen your referral list and make sure the professionals listed are compassionate human beings with an understanding of violence against women and a respect for human rights.
  - Provide hard copy materials that define sexual and other forms of workplace harassment and that outline options for accessing and constructing remedies.

### **Sexual Assault and Rape Crisis Centres**

- Decide if you're going to support women who experience gendered violence in the workplace.
  - If are going to do the work, let women know through public campaigns.
  - Pursue funding to provide support and advocacy.
  - Work together with other community agencies to develop prevention and intervention strategies.
  - Realize the women accessing your other services may also be experiencing harassment in the workplace.
  - Ensure counsellors respond to sexual harassment as an experience of sexual/gender violence.

### **Health Care Professionals, Employee Assistance Providers, Counsellors and Lawyers**

- Adopt a gender based violence analysis of workplace sexual harassment and discrimination.
- Adopt an intersectional analysis to

understanding women's experience of workplace harassment.

- Read the research that demonstrates the effects and harm of harassment.
- Recommended reading:
  - Fitzgerald, Louise F., Suzanne Swan, and Karla Fischer. 1995. Why didn't she just report him? The psychological and legal implications of women's responses to sexual harassment. *Journal of Social Issues* 51(1):117-38.
  - Gruber, James E. and Michael Smith. 1995. Women's responses to sexual harassment: A multivariate analysis. *Basic and Applied Social Psychology* 17:543-62.
  - Welsh, Sandy 1999. Gender and sexual harassment. *Annual Review of Sociology* 25: 169-90.
  - Welsh, Sandy and James Gruber. 1999. Not taking it anymore: Women who report or file complaints of sexual harassment. *Canadian Review of Sociology and Anthropology* 36(4):559-83.
- Know where to refer women for the assistance you cannot provide

### **Lawyers**

- Be clear to women about what they can expect from you. Explain how much time you can give them and why.
- Talk with a woman about how much her legal fees will be, how they are determined and the terms of payment.
- Make it clear to women that you are not their therapist *but* provide them with referral sources for emotional support.
- Explain all options.
- Explain the legal process each option entails.
- Remember to communicate with your client. She needs as much information as possible about her case.

### **Police**

- When a physical or sexual assault occurs in a workplace, it is assault. Follow the same criminal procedures you would in the case of assaults outside of the workplace.
- Treat criminal harassment in the context of workplace relationships as seriously as criminal harassment outside of the workplace.
- Assess the risk involved in situations where you receive complaints of workplace harassment. Consult with risk assessment professionals in policing institutions if necessary.
- Work with community partners to develop your understanding and enhance the effectiveness of your response to workplace harassment.

### **Policymakers and Government Representatives**

- Set up a 1-800 harassment hotline, for information and local referrals.
- Declare the first week of June, Sexual Harassment Awareness week across the province of Ontario.
- Reinstate funding for Workers' Information and Action Centres across the province.
- Fund community resource centres to provide support, information and referrals to women who experience workplace harassment.
- Fund legal clinics to provide legal support to those experiencing workplace harassment.
- Each avenue responsible for receiving complaints must receive a complaint even when the complainant has appealed to another forum. Do not continue to push women from one complaint forum to the next. Stop requiring them to wait until their complaint has been fully processed in one forum before launching a complaint in an alternative forum. This limits women's options as timelines often

expire while they are waiting for a process to be completed. Allow complaints to proceed simultaneously in more than one forum.

### **Workers Safety and Insurance Board**

- Recognize the cumulative harm of harassment. Allow claims based on injury due to experiencing the stress of workplace harassment and protect the right of re-employment for injured workers.
- Translate and adapt information about workplace harassment into other languages as part of the effort to provide culturally appropriate services wherever a woman goes for information or support.
- According to The French Services Act, the government of Ontario has an obligation to provide services in French. Translation is not enough. A full range of service must be made available to Francophone women.

### **Ministry of Labour**

- Adopt a bill to amend the Occupational Health and Safety Act to protect workers from sexual harassment in the workplace. This amendment requires employers to protect workers from workplace-related sexual harassment, gives workers the right to refuse to work in certain circumstances after a sexual harassment has occurred, requires an investigation of allegations of workplace-related sexual harassment, and requires employers to take steps to prevent further occurrences of workplace-related sexual harassment.
- Provide appropriate training for Health and Safety Committees to assist them in acquiring the expertise needed to address prevention, policies and investigations.

### **Human Rights Commissions**

- Ensure that representatives at all levels of the Commission have current knowledge and understanding of the issue. As one representative of a Human

Rights Commission has noted, “Women who bring their complaints to Commissions find that the same myths and stereotypes they faced in their workplaces pervade the very government agency that is responsible for dealing with their concerns.”

- Don’t push women into mediation. Investigate, investigate, investigate. The Commission should not attempt to settle complaints without adequate investigations to uncover the scope of the discrimination, the impact on the victim and the remedies needed to make them whole.
- Encourage efforts to understand harassment through an intersectional lens and translate this into legal discourses so that women who have complaints on multiple grounds have an easier time filing complaints without having to exclude any part of their experience.
- Have the Ontario and Canadian Human Rights Commission align themselves so that they have the same deadline for reporting. Extend all Commission deadlines to 12 months from the date of the last incident.
- Implement a statutory change to increase the maximum amount payable for personal injury and damages.
- Periodically conduct an audit, with an outside facilitator, to review and assess the Commissions’ services with past complainants. The results should be used to review, improve and expedite the complaint process.
- Use statistics and data from complaints to trace the possibility of links between complaints and to identify a problem work environment.

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## CONCLUSION

After reading the report, one of the women interviewed in this project commented that we need to hear more from women who have succeeded in their harassment complaints. We do not mean to give the impression that there are no success stories for women experiencing workplace harassment. In fact, this report is filled with narratives from women who have succeeded in various ways. Some women filed complaints and won. One woman saw her perpetrator sentenced to time in jail. Other women were able to move on with their lives and to find joy in some aspect of their lives again. And many women commented that if they had to do it all over again, they would report and fight their harassment, no matter what the cost. So there are success stories in this report. At the same time, these successes are complicated by the emotional, physical and financial costs of harassment. If there is a common theme amongst the women we spoke with it is that, even if they were successful to some extent, the harassment they experienced took a toll upon their lives.

Our report is one of the first to look at workplace harassment across diverse groups of women. Workplace harassment is not a problem that only some women face, it is a potential problem for all women in the workplace. Our report demonstrates that the type of harassment women experience intersects with other aspects of women's lives, such as race, citizenship status, disability and sexual orientation. What harassment looks like and whether women believe they can pursue legal remedies is affected by the multiple oppressions they experience in their lives. Some of our policy recommendations target the needs of women with intersecting oppressions. Women in our study recommend support groups that are culturally relevant, sensitive and appropriate for different groups of women. Translation of information about harassment, including legal options, is needed to cover the needs of the diverse communities of women living in Ontario.

The Ontario Human Rights Commission (OHRC) acknowledges the need to take an intersectional approach to discrimination. In their policy paper, they note that the complexity with which people experience discrimination needs to be recognized (2002, p. 1, [http://www.ohrc.on.ca/english/consultations/intersectionality-discussion-paper\\_1.shtml](http://www.ohrc.on.ca/english/consultations/intersectionality-discussion-paper_1.shtml))

It is not enough, though, to recognize only the complexity of the experience. We agree with the OHRC that an understanding of intersectionality must also be applied to how complaints are handled, as well as in the development of policies for workplace harassment.

Women experience a range of physical, emotional and financial costs due to their harassment. Families also are affected by a woman's harassment experience. Women attempt to cope with their experiences in whatever ways they can. Some coping mechanisms may help end the problem of harassment, and others may focus on getting through the day at work. While some women confront their harasser, the majority of women cope in other ways, such as avoiding the harasser, denying the experience is happening and blaming themselves. The coping strategies reported by women in our study are similar to those found in other studies, including surveys of women experiencing sexual harassment (e.g. Fitzgerald et al. 1995).

There are a number of barriers to women reporting their harassment experiences. These barriers include a lack of knowledge about appropriate reporting forums, lack of access to lawyers with knowledge about harassment and the inability to assume the financial costs of reporting. Women also report experiencing a "legal runaround" as their complaint is shuffled from forum to forum. Women often end up reporting in multiple forums, including with their employer, the Human Rights Commission and, if covered by a union, through their grievance procedures. Often one forum will not deal with the complaint until the process in another forum is completed. Or one forum may determine



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that another is more appropriate for handling the complaint. Women end up being shuttled back and forth between forums. The Ontario Court of Appeals decision in *Thomas v. Ontario Human Rights Commission, Midas Canada, Inc.* (Oct. 29, 2001) overturned the OHRC's decision not to deal with Ms. Thomas' case as it was being handled by a labour arbitration hearing. The Appeals court states it is not enough that another forum was available. Rather the OHRC must take into consideration whether the other forum is more appropriate for handling this complaint based on discrimination. While this decision does not end the legal runaround women experience when trying to file complaints of harassment, it does provide some direction to Human Rights forums concerning the constraints on their ability to move human rights related complaints out of their agency. In addition to the legal runaround, women also noted that they often experienced a runaround when attempting to gain access to disability payments for the physical and emotional health problems caused by their workplace harassment experiences.

This report is only a beginning. We need to continue to ask women about the types of services they need to help them deal with workplace harassment and violence. Women in our study provide direction for the type of policy and support needed for those experiencing workplace harassment. Education, emotional support and advocacy services are only the beginning of what women need. As women in our study reported, women also need services that help them work their way through the legal system. And, women need financial support, such as legal aid, to help cover the costs of human rights processes and court cases.

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## APPENDIX A: WOMEN'S FEEDBACK TO THE REPORT

Women who were interviewed or participated in a focus group were asked if they would like to submit anything to the report to be included in an appendix. Here are women's responses to the report.

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As I said earlier, we must celebrate our victories. I don't recall seeing anything about the 1987 Supreme Court decision for *Robichaud v. Canada*. This is an important decision. Not just because it was my case, but because this was a groundbreaking decision, which had an impact on other legislation and attitudes and policies in the workplace. There are probably decisions that can assist. I know this research is of what women felt, but there must be some kind of measurement as to where improvement might have come. Maybe I just don't want to believe that no progress has been made.

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Little accomplishments like that get me so incited, like answering the phone just shows how much a traumatic experience affects you. That is how far down it goes, to your soul.

I watch as I slowly get out into the world, four and a half years later, really feeling more okay about testing out the world and the people outside, taking the risk to more happiness in my life. As I reach out into the world, I see my son doing the same, testing waters with new friends, but very careful in taking any risks. One of his most comfortable places to be is at my parents' playing with his best friend from before anything happened. There are lots of kids around our new place, but he's not ready and I completely understand. I believe what I feel, he acts out. If I'm okay, he's okay. If I'm even a little distant, so is he. The way I look at this traumatic event is that it not only takes huge parts of your life, but every step of the way, your child goes through

what you do. That is one of my biggest reasons for fighting, is for my child; what it did to him, through me.

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Workplace harassment changes you. Sometimes it, like other adversity, ignites an inner flame. You become determined to survive and maybe thrive. Once you have left the workplace and you have the occasion to see the harasser again - in my case when I see a religious uniform the same as the one my tormentor wore. This incident takes you back to that place of shame, hurt, embarrassment, ostracism and loneliness. It has been twelve years since the incident, but on occasion, it still feels fresh.

As a woman with a disability, it is difficult to articulate: Do things happen because of my gender or because of my disability? My disability and sense of difference have shaped every aspect of my life.

\*\*\*\*\*

You tried to bring me down,  
You tried to make me leave town,  
The days of torment, teasing and pain,  
Just made me want to look past the rain,  
What is it about me that makes you feel fear,  
That is why bullies like you find pleasure in someone's pain and tears,  
Well it is a New World order and things will slowly start to change,  
Bullies like you will have no range,  
What will you do, bully, when you have to face your own fears?  
And not hide it in your victims' tears?

\*\*\*\*\*

I have chosen to isolate myself in the country, in my home, away from people and not to work. Although I feel safe now, I find the need to be with other women. So I am gradually stepping out and participating

in activities to rekindle my spirit. They are small steps, searching for inner peace and understanding – looking for self-nurturing.

I recently attended a Wise Women's Weekend, sort of a look at the healing arts and women's spirituality. I participated in the workshop, but I stood outside the circle of women. It was a realization of how far I had come and an invitation to venture ahead and one day join the circle, and perhaps even enter the circle. Perhaps once I feel comfortable with women, I will eventually be strong enough to venture back out into the world.

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I feel understood.

\*\*\*\*\*

Everything was covered. It [the report] gave me confidence. I felt I was not alone. I felt supported in what I had gone through. It gives me courage.

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The beauty of a woman;  
Is not always outer soft velvet skin,  
The sparkling motherly eyes,  
The continuous graceful smile.

But the beauty of a woman is in her heart,  
It allows her freedom to explore the unknown,  
The question the uncertainty,  
To love with the only the kindness a woman can.

The beauty of a woman is in her soul,  
It allow her the richness of heavenly blessings,  
To follow her hidden dreams,  
To have peace and tranquility in which only a woman can.  
The beauty of a woman is in her being,

Nothing can break it,  
Nothing can destroy it,  
For it is who she is "the beauty of woman"

*Brenda Johnson*

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**CŒUR MEURTRI, ÂME MORTE**  
Paroles et musique : PAL

Au-jour-d'hui frappe à ta por-te Un cœur triste une â-me mor-te.

**Refrain**  
Aujourd'hui le vent t'em-por-te tou-jours plus loin en-core plus loin.

2- Les éclairs, la foudre, l'orage racle tout sur son passage. (Refrain)  
3- Aujourd'hui la fleur s'éveille, le roseau salue la terre. (Refrain)  
4- Aujourd'hui l'oiseau t'appelle, te protège sous son aile. (Refrain)  
5- Aujourd'hui la source coule, sable fin aux pieds qui foulent. (Refrain)

P.S. A toi qui te reconnait dans cette complainte et cris d'espoir n'hésites pas d'y ajouter tes propres paroles et d'aller encore plus loin... Paix, Amour, Lumière.

Translation of the song:

*Today there is a knock on your door  
It's a sad heart, a dead soul.*

Chorus

*Today the wind takes you away, further and further away.*

*Thunder and lightning, the storm rips up everything in its way.*

*Today the flower awakens, the weed salutes the earth.*

*The bird is calling you, protecting you under its wing.*

*The stream flows, with fine sand under the feet that step on it.*

*P.S. To you who identifies with this ballad and cries with hope, feel free to add in your own words and take it further along.*

Peace, Love, Light

\*\*\*\*\*

Joy  
 Being Quiet  
 Rainbows  
 These Are The Things That Make Me Feel Good. (laughter)  
 My Dog  
 Healing So I can Do My Housework (good music)  
 WAVES  
 Being In Touch WITH MY CENTRE  
 creativity  
 The Ocean  
 Art  
 Reading  
 Making Angels In the Snow  
 PEACE  
 Painting  
 Gardens  
 cats & kittens (heart)  
 sea shore  
 Believing In THE GODDESS  
 Believing In Angels  
 (multiple spiral symbols)

## **APPENDIX B: REFLECTIONS ON THE PROCESS OF CONDUCT- ING THIS RESEARCH FROM THE COMMITTEE AND RESEARCH TEAM MEMBERS**

Members of the Advisory Committee and the research team agreed that the process of conducting this research is integral to both our findings and our recommendations. It was not always an easy process and problems did arise. We felt that pretending these problems did not exist would be dishonest and dishonouring of those who sought to have their voices heard and their positions considered.

We agreed to write a process paper to accompany the research document. The two teams were not able to agree on a collaborative process for writing that report. In lieu of a collaborative submission, we offered two pages to all women who were part of the Advisory Committee and the Research Team to provide unedited feedback about their involvement with this project.

### **Submissions from the Advisory Committee**

*Marianne M. Park MA*

I am a member of the advisory committee for the Workplace Harassment and Violence Research paper. I was also interviewed as a participant. I provided suggestions on locating participants. I have the distinction of being a woman with a disAbility (albinism and low vision). The following is my opinion only.

The last two years have been a journey and at times a very arduous one. I will say the members of the research team at all times treated me with respect. They each showed a genuine interest

in understanding the unique issue facing women with disAbilities, myself in particular. I think their diligence in seeking out accurate information is apparent in the final product.

In regards to the advisory committee I feel the other members of the committee did not fully grasp the issue of marginalization as it pertains to disAbility. I was made to feel that I should just be grateful to be included, as I really did not understand the issue of workplace harassment. It felt like other members wanted to indulge in the nonproductive game of pitting marginalities

When at one point the process had gone off the rails a facilitator was engaged, this woman had no sensitivity regarding the issue of disAbility. I attempted to raise the issue of ablism as it pertained to the committee and was told that was not important. When I asked for large print material for that facilitated session I was made feel an inconvenience by another committee member.

In summary the paper is a grand testimony to the endurance and perseverance of the research team. Its eloquence and thoroughness is in no way due to the members of the advisory committee, as it seemed the committee was more of a hindrance than a help to this very important project.

I think that the issue of intersectionality needs more study especially as it relates to disability.

*Morella Yopez-Millon, M.Ed., RSW*

As a member of the Advisory Committee for this project and a counsellor who has worked with sexually harassed women, I have found this paper quite comprehensive providing useful information. Hopefully this knowledge will assist

sexually harassed victims in their struggles; ideally, this paper's recommendations will facilitate the difficult process harassed women have to go through.

From my perspective some questions still remain for further research. How do previous abuse experiences affect women in dealing with sexual harassment? Would responses to sexual harassment be different depending on previous experiences such as childhood abuse? Would the harassment have an accumulative effect that might determine a specific perception of the problem? Would this accumulative effect have an influence in how women deal with sexual harassment? With regards to mental health issues such as suicide would the experience of sexual harassment be enough to develop a suicidal response? Were there any other previous or current circumstances that contributed in this type of response? Was there an additional issue for the victim such as an abusive relationship to complicate matters? Most of these questions have been apparent to me in the counselling of women and hopefully may be addressed in future research. Other area that I would like to see explored relates to the investigation of sexual harassment cases. In working at a Sexual Assault Centre I have frequently heard about the importance of an investigation as early as possible. More information on this area would have nicely complemented this study.

The goal of this project was multi layered to gain a better understanding of sexual harassment as a complex matter but also, as stated in the introduction to this paper, to expand understanding of the 'diversity of harassment' intending to view how issues of race, class, citizenship, sexual orientation, and disability intersected with these experiences. Maybe this goal was too ambitious or was too narrowly perceived initially. It

is clear that more research is needed into the second objective regarding intersectional issues, which were briefly mentioned in this project but not at all explored.

As mentioned initially during the introduction to this paper, the request to the researchers not to analyze a black women's group was the end result of issues related to racial matters. Throughout these projects, we all learned that harassment, in spite of being of a sexual nature, might be perceived as related to diverse oppressive circumstances, one of them racial origin. This comment is mentioned a few times in this paper by the Latino participant (p. 21) and by one of the women with a disability. Is sexual harassment exclusive to white women when race in particular, maybe other intersectional issues, generates difference? Is a woman targeted because of being of colour or because of being a woman? This is a question that was not explored at all.

One of my learning experiences as part of the Advisory Committee for this project was that women would perceive harassment through the type of disadvantage they most readily identify with themselves. Sadly it seemed that we are inclined to deny others' experiences with which we might not be as familiar. I also got reminded of how easily we, women, can distance ourselves from 'sisters' based on perceived privileges (advantages or disadvantages related to intersectional matters) and how much weight we can put on these differences in accordance to each woman's experiences. This is not totally surprising as it is well known how just talking about racism can make people uncomfortable and defensive depending on their experiences with intersectional advantages or disadvantages.

This research project which initially concentrated on sexual harassment



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eventually became part of a training package related to 'Gendered Harassment'. This name change might obscure intersectional concerns but it also better engages power and control issues of any kind that affect women.

*Audrey Huntley*

all my relations

I came to the research project team as a result of conflicts experienced in prior stages of the work. As I understood it, my hiring as an Indigenous woman with lived experience of racism and colonization was intended to address shortcomings pointed out by project/community members who had since left the project dissatisfied with the white-woman-dominated structure of the project. In addition to my hiring, an advisory committee representing diverse communities of women was intended to help the research team broaden its perspective to include an intersectional analysis in its review of violence in the workplace.

But not all members of the research team were willing to fully accept the importance of an intersectional approach. Coming from a background of participatory action research informed by Indigenous ways of thinking and being, it was a struggle for me to navigate the fragmented approach that continued to prevail as a theme i.e. sexual violence or harassment vs. other types of violence including colonizer state violence, racism, ablesim etc. throughout the work. This eventually exploded in a painful confrontation between Sharon and myself and resulted in her departure. It seems my assertion of the need to include experiences of racism and Native women's colonized experience as unique and equally important was perceived as diminishing or denying the importance or centrality of sexualised violence. As if recognition of the one meant the

erasure of the other. The personal threat that this struggle represented to us both was of an existential nature and could not be overcome.

But the privileging of one form of oppression over others was repeated by advisory committee members as well. I was reminded of the destructivity of essentialized identity politics or the competition of oppressions and The Race to Innocence as Sherene Razack\* has called it. Or as a good friend has described it - the process in which we fight over the scraps - clinging to monolithic, homogenized identity constructs based on what hurts us - the 'wounded attachments' Wendy Brown talks about that give us some semblance of power and authority over our oppressions - but at what price? In our project, an important critique of racism evolved into an oppressive process, a pitting against each other of marginalities and a denial of the concurrency of oppressions women experience that are fluid and determined both by the dominant forces of settler colonialism, racism, patriarchy, heterosexism, ableism etc. and our own reproduction and internalization of those very forces in our heads and our relating with each other.

I feel strongly that it was wrong to respond to the issues of race and racism in the project by racializing how the report was written - in other words deciding not to include a focus group from the first phase of the research because the research team was not deemed fit to analyse black women's experience but allowing us to write about Vietnamese and domestic workers or disAbleD women etc. Although I was unable to defend this position at the time feeling much too unsafe in the facilitated (sic) meeting where this was decided I regret not having included all the material shared with us. I would have hoped for feedback and input from advisory

committee members representing that community much in the way that Marianne helped me understand how we had marginalized her experience as a disabled woman in our process and provided a sounding board for our analysis of interviews done with disabled women.

At the end of the day, we all bring a multitude of experiences to the table and our ability to work together must be based not on some reactionary measuring of these but rather on a basic foundation of trust in each others' analysis and politics - without that there just isn't the basis for a collaborative effort. I do think that as a structural framework the research team came up with a good concept. It didn't work in practice but this was not only due to the shortcomings of research team members. The advisory committee members who made up the caucus of Indigenous women and women of color also played their role. And when it comes right down to it there has to be a basic relationship of trust and good faith in order for the best concept to work.

I want to acknowledge the hard work, time and effort of all the women who contributed to the project including those who left, members of the advisory committee and especially the women who shared their stories.

theory does not express, translate, or serve to apply practice: it is practice. but it is local and regional... not totalizing... it is not to awaken consciousness that we struggle but to sap power... it is an activity conducted alongside those who struggle for power and not their illumination from a safe distance.

*Michel Foucault*

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Wendy Brown: *Wounded Attachments: Late Modern Oppositional Formations*

*Barb MacQuarrie*

This research on workplace harassment grew out of work that I began with Sharon Chapman and Jacquie Carr some 9 or 10 years ago. Sharon won an 8 year civil suit against 3M after being sexually harassed and sexually assaulted in her workplace on a daily basis for 13 years. Jacquie is the daughter of Theresa Vince, the woman that was murdered by her boss at SEARS in Chatham after he sexually harassed her for years. We did not start by doing research. We learned from Sharon and Jacquie's often challenging experiences of trying to navigate complaint processes and legal systems. During the inquest into the death of Theresa Vince, we met Dr. Sandy Welsh, who became a friend and a collaborator.

We offered advocacy and support to other women who needed it and organized public education forums. Everything we did was supported by volunteered time from Sharon and Jacquie. At the time I was working from the Sexual Assault Centre London, and outside of my time, this organization had few resources to commit. We soon recognized a need to look for funding.

It was through our ongoing efforts to secure additional funding to continue public education, support and advocacy work that we entered into communication with Arlene Timmins,

our local Status of Women Canada rep, who suggested that research was needed to clearly document the needs and gaps that exist in responding to women who experience workplace sexual harassment.

When we put together a research proposal for the first Phase of our research, the Workers Information and Action Centre (WIACT) in Toronto was working with women who were experiencing workplace sexual harassment and they became a partner, along with the Ontario Coalition of Rape Crisis Centres in Phase I of this research initiative.

In planning the first Phase of the initiative we divided the work. WIACT agreed to organize 2 focus groups with women of colour in Toronto. In London, we organized 4 additional focus groups of women from a variety of workplace settings with participants who were primarily, though not exclusively white women. Problems first arose when facilitators of focus groups in Toronto told participants the research was about racial harassment, not sexual harassment.

This research grew out of the lived experience of women and that experience was sexual harassment. We struggled with how to integrate data from a focus group about racial harassment with our findings on sexual harassment. It was not obvious to us in the beginning. The insistence that we shift our focus to racial harassment was confusing and by times, hurtful. We perceived that there was a minimization and a denial of the real harm done to women through sexual harassment.

We questioned whether we should look at the problem of racial harassment separately from sexual harassment or try to integrate it within one research initiative. Outside of the research team, I began to discuss the linkages between racial and sexual harassment

with academics and activists. The unanimous response was that we should integrate it.

As we worked our way through these tensions, we came to see that our initial framework was too narrow and that we hadn't given enough consideration to the importance of being a woman of colour, or for that matter, a woman with disabilities or a lesbian or a poor woman or a poorly educated woman. It was perhaps the women of colour from the focus groups who helped most with this as they started out talking about only racial harassment but came to recognize that some of what they experienced was also sexual harassment. Through their stories we began to draw the links between sexual and racial harassment.

The facilitators of the first women of colour focus groups remained very dissatisfied with the structure and focus of the project. They left, declining any further involvement

The Research Team attempted to apply our broadened perspective to the work of the second phase. We knew that women who encounter both racism and sexism in the workplace are sometimes unwilling and sometimes unable to separate the experiences. Although no debate emerged around issues of disability, class or sexual orientation, we assumed that they too were intersecting sites of oppression. We wrote a paper entitled, "I wasn't thinking of it as sexual harassment," that reflects the growth in our understanding of the dynamics of sexual harassment when it intersects with other forms of oppression.

Although the process had been difficult, we felt that we had emerged with important new insights, an expanded vision of the work and a clear direction of where we had to go in the future. We agreed to form an advisory committee that would include

women of colour, aboriginal women and women with disabilities. We hired a 3<sup>rd</sup> coordinator who could bring her personal experience of racism to the work, just the original coordinators had brought personal experiences of sexual harassment to the work.

The shine was soon to wear off of our brilliant beginning. Tension erupted on various fronts. Audrey, who we hired as a 3<sup>rd</sup> coordinator to bring her own experiences of racism to the project, is of mixed First Nations and German heritage. Some women of colour on the Advisory Committee, although involved in the hiring process, stated that we had not fulfilled our mandate to hire a woman of colour. Audrey entered into a conflict with Sharon over the interpretation of how women in a First Nations focus group reacted to a video about workplace sexual harassment. Sharon felt the women gained insight into the fact that what they had experienced was in fact sexual harassment and Audrey felt that Sharon was minimizing and even denying their experiences of racism in the workplace. While these tensions played themselves out in a series of confrontational and difficult meetings, the sole woman with a disability voiced her concern that we were overlooking the oppression that women with disabilities encounter with our intense focus on racism.

Throughout both phases of this research, questions involving the research team's understanding and handling of racism arose. Despite my inclination to feel defensive about this, I acknowledge that there were real problems and that we did not find a satisfactory way of dealing with them. Audrey felt that I had set up the tension she experienced with women of colour by not facilitating a frank discussion about her situation earlier. She was right. Our inability to resolve these tensions and conflicts left women feeling that their experiences were both less visible and

taken less seriously than other forms of oppression and violence in the workplace.

Out of this admittedly flawed process, we have been able to salvage some learning and some opportunities to continue working. The research has informed the development of a training program to address intersecting forms of violence and harassment and discrimination in the workplace. Some members of the Advisory Committee and the Research Team are still working together. As we work, we try to be conscious of the ways in which the hierarchical structuring of our society affects us, for as Sherene Razak, reminds us,

“As long as we see ourselves not implicated in relations of power, as innocent, we cannot begin to walk the path of social justice and to thread our way through the complexities of power relations.” (Razak 1998, p. 22).

