Understanding Harassment

Definition

**Harassment** is any vexatious behaviour that affects the dignity, psychological or physical integrity of a person and that results in a harmful environment for such an individual. It may take the form of repeated hostile or unwanted conduct, verbal comments, actions or gestures directed toward an individual. Harassment exceeds what the person considers to be appropriate and reasonable. It demeans, belittles, and causes personal humiliation and embarrassment to targeted individuals; it is threatening and intimidating, and creates a state of domination, fear, and insecurity.

While the majority of harassment cases are repetitive in nature, it is important to note that in the employment context, even a single serious incident of such behaviour may constitute harassment.

Forms of Harassment

**Psychological harassment** is any vexatious behaviour that manifests itself in the form of conduct, verbal comments, actions or gestures which are repetitive, hostile or unwanted, affect the person’s dignity or psychological integrity, and result in a harmful work environment. Psychological harassment is prohibited under the Quebec Labour Standards Act.

**Discriminatory harassment** is any harassment based on one or more of the prohibited grounds of discrimination enumerated in s. 10 of the Quebec Charter of Human Rights and Freedoms. The prohibited grounds of discrimination include age, social condition, civil status, pregnancy, disability (or means to palliate a disability), language, sexual orientation, race, colour, ethnic or national origin, political convictions, religion and gender.

**Sexual harassment** is uninvited and unwanted sexual attention, including physical touching, sexual innuendos, and suggestive staring, where it is known or ought reasonably to be known that the conduct is unwelcome. Sexual harassment also includes any conduct of a sexual nature that makes sexual activity an explicit or implicit term or condition of:

- An individual’s employment or their status in a course, program, or activity, or;
- Educational or hiring decisions affecting an individual.

**Criminal harassment** violates human rights legislation and criminal law and includes stalking as well as physical and sexual assault. These forms of harassment are prohibited under sections 264-278 of the Criminal Code of Canada.
McGill University is committed to creating a respectful and healthy environment for work and study.

What to do…

1) IF YOU ARE BEING HARASSED  
TAKE ACTION  
Do not ignore it—address it directly and immediately. If it is safe to do so, approach the person that is harassing you and let them know that their behaviour is unacceptable and hurtful, and ask them to stop it immediately.

KEEP RECORDS  
Record all the details and dates of the alleged harassment as well as your attempts to tell the person that the behaviour is unwelcome. Keep all letters, gifts, e-mails or anything else that you may receive.

SEEK SUPPORT AND ADVICE  
Confide in people who will offer support, such as your boss, Chair, union rep, or a trusted professor or colleague. You may also choose to speak to a McGill Assessor who has been trained to investigate complaints under the Policy on Harassment, Sexual Harassment, and Discrimination Prohibited by Law. You may meet with an Assessor to seek advice as to how your concerns may be addressed without submitting a complaint. If you decide to make a formal complaint under the Policy, please note that it will be handled by different Assessor. If you believe that you or others are in physical danger, contact McGill Security at (514) 398-3000 (downtown) or (514) 398-7777 (Macdonald campus). Call 9-1-1 in the case of an emergency.

2) IF YOU WITNESS HARASSMENT  
DO NOT IGNORE IT!  
Ignoring harassment implies tacit consent. Inform the victim that you have witnessed the incident and that they do not have to endure such behaviour. Refer the victim to the McGill Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law and suggest that they speak to a McGill Assessor. If you are the person in authority, you have an obligation to address the harassment issue.

SUPPORT THE VICTIM  
Do not try to play down what has occurred or blame the victim. Offer the victim your support and do not let them become isolated. Bring the matter to the attention of a person in a position of authority.

3) IF YOU ARE ACCUSED OF HARASSMENT  
TAKE IT SERiously  
Listen attentively when someone tells you that your actions or comments are unwanted, offensive or harassing. Remember that people with different values or backgrounds may perceive your behavior as humiliating, threatening or insulting regardless of your intentions. Apologize for any discomfort or offense that you may have caused.

LEARN YOUR RIGHTS  
Read the McGill Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law to learn about the rights and responsibilities of complainants and respondents.

AVOID RETALIATION  
Don’t act in a way that could be seen as confronting or “getting back” at the victim. Avoid any behaviour that could be embarrassing or intimidating to the person that your actions have negatively affected.

Examples of Harassment

- A tenured professor who doesn’t agree with the research interests of a new professor and systematically ridicules, interrupts, and harshly criticizes the new professor during departmental meetings
- A female student who makes unwelcome sexual advances toward a male student in her residence
- An employee who routinely insults his colleague’s ability and withholds information needed to do his job
- A visibly annoyed professor who makes comments about "always having to make your life easier" when a student with a learning disability asks if it’s possible to have a private room to write a final exam
- A department chair who regularly schedules meetings when it is known that a professor will be absent, and then accuses the professor of not participating in departmental activities
- A student whose ex-boyfriend follows her to her apartment, waits in front of her classes, and calls her constantly when she’s asked him not to
- A student who sends threatening emails to his professor after receiving low marks on papers
- A supervisor who frequently “jokes” to his foreign-born employees that if they don’t like the rules here, they can “go back where they came from”
- An administrator who has been overhearing numerous hostile comments about herself ever since she announced that she was pregnant again and taking maternity leave for the second time in three years
- A worker who continues to put up daily screensavers containing sexually suggestive images of women in bikinis on his office computer, even though several of his colleagues have asked him to stop