



Workplace Sexual Harassment

Workplace sexual harassment is unwelcome conduct or comment that leads to adverse job-related consequences for an employee and detrimentally affects the work environment. It can involve unwelcome sexual solicitation or advances. Sexual harassment is a form of discrimination based on sex, gender, gender identity, gender or sexual expression.

Workplace Sexual Violence

Workplace sexual violence is the act, attempt or threat of physical or psychological injury or harm to a person based on sex or gender. It can involve chargeable offences such as domestic violence or sexual assault.

Poisoned Work Environment

One of the effects of workplace sexual harassment or violence is the creation of a poisoned work environment. A workplace may become poisoned when harassment creates a hostile, negative, intolerable workplace, becoming a term or condition of employment.

Occupational Health and Safety Legislation		CAN	BC*	AB	SK	MB	ON	QC	NB	NS*	PE	NL	YT	NT	NU
POLICY	Entitles workers to a workplace free of harassment and/or violence	☐		☐	☐	△		☐	☐			△	☐	△	☐
	Involves harassment and/or violence	☐	△	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	△	☐
	Involves domestic violence	○		○	○		○	○	○			○	○		
	Develop prevention policy	☐		☐	☐	☐	☐		☐		○	○	☐	△	☐
	Post harassment/violence prevention policy	☐			☐	△	☐		△					△	☐
	Review policy regularly	☐			○		☐		☐				☐		○
PROGRAM	Develop prevention program	☐		☐	☐	☐	☐	☐	☐		○	☐	☐	☐	☐
	Review program regularly	☐		☐			△					△	☐		
	Develop procedures	☐		☐	☐	☐	☐	☐	☐		○	☐	☐	△	☐
	Train workers	☐		☐	○	☐	☐	☐	☐			△	☐	△	☐
	Assess hazards	☐	☐	○	○		○		○	☐	○	☐	☐		○
	Includes reporting guidance for subjects and/or witnesses	☐		☐	☐	△	☐	△	☐		○	△	☐	△	△
INVESTIGATION	Requires investigation appropriate to incident(s)	☐	△	☐	☐	△	☐		☐		○	△	☐	△	☐
	Provide assistive support/guidance/referral	☐		☐	☐	☐	☐		○					△	☐
	Maintain confidentiality of partners involved in the complaint	☐		☐	☐	△	☐		☐			☐	☐	☐	△
	Includes guidance on how to share investigation results to the target/source of harassment	☐	△	☐	△	△	△		☐			△	☐	△	△

Legend: ☐ Sexual Harassment & Violence / △ Sexual Harassment / ○ Violence

*BC and NS exclude mining from general occupational health and safety violence and harassment provisions. Human rights, labour code, employment standards and, in BC, mine-specific occupational health and safety offer limited protections.

Associated Risks

Risks to individuals and organizations include:

- Physical/psychological health effects, trauma, financial and professional adversities for subjects.
- Progressive discipline, legal liabilities/costs including potential criminal charges and reputational damage for harasser.
- Poisoned work environment, low morale, employee disengagement, HR challenges, including recruitment, retention, absenteeism.
- Exposure to legal liabilities, reputational damage and financial costs, including potential investment losses.

Prevention Opportunities

Prevention opportunities include the following:

- Diversifying the workforce, pursuing gender balance, equity and inclusion.
- Engaging men as allies.
- Challenging stereotypes and bias.
- Robust policy making and program development.
- Establishing a culture of positive reporting.
- Aligning actions with the principles of Environmental, Social, and Governance, the Canadian Minerals and Metals Plan, Towards Sustainable Mining and lessons learned from other countries.

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