

## VIOLENCE AND HARASSMENT AND THE WORKPLACE



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### Domestic Violence and the Workplace

**38%** of people who experienced domestic violence (DV) reported that it affected their ability to get to work, or to get to work on time.

**53.5%** of people who reported experiencing DV said that at least one type of abusive act occurred at or near the workplace through phone calls, text messages, email and/or stalking.

**82%** of people who reported experiencing DV said it negatively affected their work performance due to their being distracted, tired and/or feeling unwell.

**9%** reported that they caused or almost caused a work accident as a result of being distracted or preoccupied by DV issues.

**8.5%** of people reported losing their job due to DV.

**37%** reported that their co-workers were also affected by the DV.

Source: [Can Work Be Safe When Home Isn't? Initial Findings of a Pan-Canadian Survey on DV and the Workplace](#) (2014)

According to the World Health Organization (2017), more than 1 in 3 women worldwide experience either physical or sexual violence at the hands of their intimate partner, or sexual violence at the hands of someone else.

The “Me Too” movement that gained momentum in November of 2017 shed light on the pervasiveness of violence against women in the workplace. While the movement was driven by Hollywood movie stars calling out men in the business, violence in the workplace spans all races, all income levels, all occupations, and all corners of the globe. While gender-based violence in the workplace is nothing new, women are finding their voices and gathering strength to call out men in power who take advantage of the vulnerabilities of inequality.

According to Employment and Social Development Canada, 75% of Canadians who experienced harassment or violence took action – but 41% of them reported that no attempt was made to resolve the issue. This needs to change.

*“Anytime you go to a job and you’re upset and you think you can try to leave things at home it just doesn’t always work, especially when you have such a steady diet [of abuse] on a sometimes daily basis. So your mind is thinking, I’ve got to do this, I’ve got a job to do, but you can’t concentrate fully on what you’re doing.”*

- a woman who experienced IPV

### Sexual Assault/Harassment in the Workplace

**52%** of Canadian women say they have been subjected to sexual harassment in the workplace.

**28%** of Canadian women say that they have been subjected to unwanted sexual touching at work. ([angus Reid.org/me-too/](http://angus Reid.org/me-too/))

*The social costs of violence against women – including healthcare for victims, criminal justice, social services and lost productivity – are estimated in the billions of dollars. However, the psychological impacts on victims, their families and friends cannot be measured in dollars.*

Statistics Canada. Measuring Violence Against Women: Statistical Trends 2006

## WORKPLACE LEGISLATION

### WORKERS COMPENSATION ACT

**ALL** BC employers have a legal duty to protect workers from violence at their place of employment. If an employer learns about a “hazard” such as an intimate partner violence situation that puts anyone at the workplace at risk, the employer must:

1. Assess the risk
2. Eliminate or minimize the risk
3. Instruct their workers of a hazard
4. Respond to any incidents.

Anti-violence workers can support clients through this process by helping to establish safety plans and advocating for **workplace accommodations**. Possible accommodations might include a change in work hours, work location and/or workload; a safer parking spot; an escort into and out of the building; time off to attend court or appointments, or a temporary leave.

There is currently a private member’s bill, Bill M 220, before the BC Legislature to amend the Employment Standards Act to allow for up to 10 days of paid and 17 days of unpaid “Escaping Domestic Violence Leave”.

Employers are also required to have workplace bullying and harassment policies, including policies around sexual harassment, and to establish procedures for reporting and investigating incidents.

For more information on sexual harassment, refer to this Dial-A-Law script: <https://www.cbabc.org/For-the-Public/Dial-A-Law/Scripts/Employment-and-Social-Benefits/271>

### HUMAN RIGHTS CODE

Sexual harassment and discrimination may also constitute a violation of human rights under the **BC Human Rights Code**. Treating someone badly or denying them a benefit because of pregnancy or on the basis of their gender identity (e.g.: male, female, intersex, transgender) amounts to discrimination. The BC Human Rights Tribunal handles discrimination complaints under provincial laws.

## FEDERAL LEGISLATION

The **Canadian Human Rights Act** covers businesses and activities regulated by federal law, including banks, airlines and airports, phone companies, and the federal government.

The federal government recently introduced Bill C-65, which would amend the **Canada Labour Code** to ensure employers prevent and protect workers from violence and harassment in the workplace. Employers will also be required to provide support and accommodations to affected employees. The Code only applies to federal employees and federally regulated industries, but it is hoped additional legislation will be passed to extend these protections to all workers.

### CRIMINAL CODE OF CANADA (CCC)

Sexual or physical assault will also fall under sections of the CCC, and may result in criminal charges.

#### Additional Resources:

*Toward a Respectful Workplace: A Handbook on Preventing and Addressing Workplace Bullying and Harassment* WorkSafeBC

<https://www.worksafebc.com/en/resources/health-safety/books-guides/a-handbook-on-preventing-and-addressing-workplace-bullying-and-harassment?lang=en>

*Addressing Domestic Violence in the Workplace: a Handbook for Employers* WorkSafeBC

<https://www.worksafebc.com/en/resources/health-safety/books-guides/addressing-domestic-violence-in-the-workplace-a-handbook-for-employers?lang=en>

*Human Rights in British Columbia: Sex Discrimination and Sexual Harassment* BC Human Rights Clinic

<https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/human-rights/human-rights-protection/sex-discrimination-harassment.pdf>