

Sexual Harassment on the Job

Compte rendu d'une étude présentée au comité des
droits de la femme de la Fédération du travail de la Colombie britannique.

Sexual harassment is a ubiquitous and agonizing private experience. It affects the vast majority of working women but women keep it bottled up inside themselves, according to a study¹ on this topic presented at a 'first-ever' conference held by the British Columbia Federation of Labour's Women's Rights Committee from May 30 to June 1, 1980 in Vancouver.

In her opening address to the conference, Maureen Headly of the British Columbia Government Employees' Union (BCGEU) — a union of 44,000 (mostly women) workers — stated clearly that sexual remarks were neither dirty nor immoral, thereby setting a sex-positive tone which was shared by the majority of the 150 (mostly female) participants. The issue was not sexuality vs. non-sexuality, but the right of women to choose whether to be involved in a sexual interaction and their unconditional right to refuse such an encounter. Thus, the identified problems—from the subtle harassment of innuendos and dirty jokes, to the more overt problems of nude pictures and outright sexual aggression—were consistently posed in terms of women's rights to work in an atmosphere free of unwanted sexual overtones.

Discussion at the conference specified three different types of relationships in which women face sexual harassment: (1) between boss and employee; (2) among fellow workers; and (3) between employee and client. The first day of the conference was devoted largely to the definition of the problems and the attitude of the labour movement towards them. While, as Headly commented, 'When you're dealing with supervisors you've got trouble with a capital "T",' much discussion focused on problems with fellow workers and union members. As the participants pointed out repeatedly, if these men colluded in sexual harassment, the union itself could not adequately defend its women workers. It left women feeling particularly helpless and oppressed, even if there were formal commitments to tackling the problems on paper.

With respect to the boss/employee conflict, discussion focused on the plight of the non-unionized as well as the unionized woman, and the need for legislation to protect women from sexual harassment—especially in the absence of a supportive union. Val Embree of the B.C. Human Rights Branch outlined current precedents and legislation on the issue in Canada.

The working definition being used by human rights commissions at present, according to Embree, is the

following: 'Any repeated unwanted sexual comment, look, suggestion or physical contact you find objectionable, offensive, or discomfiting.' This draft definition is being used within the context of a precedent on discriminatory working conditions established by the Keith Sims case in Toronto: comments made by fellow workers and supervisors were deemed to be of a racist character and therefore deemed to have created 'different and unfavourable' working conditions for Mr. Sims. Such working conditions can legally be judged discriminatory against the worker in question (whether black or female), and the employer may be prosecuted under equal opportunity legislation.

In workshop discussions following Embree's presentation, however, most participants stressed the problems with current legislation, enforcement practices, and human rights commissions: the expense of legal procedures; the general pattern of blaming the women in court (the parallel to rape cases was drawn by Embree herself); the pathetically minimal penalties imposed on employers found guilty; the time, red tape, and humiliation that most women faced if they attempt to enforce their rights. While there was general consensus that laws protecting women's rights to work free of harassment should be codified, agreement was also widespread that such laws would only carry weight if women themselves were organized to fight back, and if the labour movement as a whole took leadership and gave this issue the priority it deserved.

Final recommendations to the plenary session reflected these conclusions.² They stressed the importance of women's committees in the unions at the local and regional level; they called for an extended inter-union educational campaign, including the production of material for shop steward training, and exemplary wording for contract negotiations; and they urged collaboration between the labour movement, the women's movement, and such agencies as human rights commissions.³

¹ B.C. Federation of Labour Women's Rights Committee and the Vancouver Women's Research Centre, *Sexual Harassment in the Workplace* (Vancouver, 1980).

² These recommendations plus a video entitled *The Hidden Cost*, produced by the B.C. Federation of Labour's Women's Rights Committee, will be available in July 1980.

Varda Burstyn