



***NATIONAL UNION OF PUBLIC  
AND GENERAL EMPLOYEES***

B. C. Government and Service Employees' Union  
Health Sciences Association of British Columbia  
Health Sciences Association of Alberta  
Saskatchewan Government and General Employees' Union  
Manitoba Government and General Employees' Union  
Ontario Public Service Employees Union  
Canadian Union of Brewery and General Workers  
New Brunswick Union of Public and Private Employees  
Nova Scotia Government and General Employees Union  
PEI Union of Public Sector Employees  
Newfoundland & Labrador Association  
of Public and Private Employees

■ 15 AURIGA DRIVE  
NEPEAN, ONTARIO  
CANADA / K2E 1B7

■ [613] 228-9800  
FAX [613] 228-9801

■ [www.nupge.ca](http://www.nupge.ca)

■ [national@nupge.ca](mailto:national@nupge.ca)

# Collective Bargaining Series for Women

---

## #1 Sexual Harrassment



## BARGAINING A WORKPLACE FREE OF SEXUAL HARASSMENT

Since you asked.

This is why a workplace free  
of sexual harassment is  
important.

EVERYONE HAS the right to respect in the workplace. Sexual harassment is a serious violation of this right. No one should ever have to put up with this kind of discrimination. It's now widely recognized that sexual harassment is a trade union issue. It affects working conditions, health and safety at work and the fundamental rights of women and men to equal treatment.

Sexual harassment is an issue faced by both men and women, however, it's overwhelmingly women that experience sexual harassment. Sexual harassment can make a woman feel threatened, humiliated and degraded. It can be a serious drain on her confidence. The stress that results from sexual harassment can lead to depression and other stress-related illnesses. All of this will likely have a negative impact on her job performance and therefore her career prospects.

Sexual harassment is not something that any worker should have to cope with. Unions should negotiate collective agreement provisions which support a worker's right to a workplace environment free from this kind of intimidation.

### PUT IT ON THE TABLE

Fighting sexual harassment. Effective contract language makes the difference.

Collective Agreement between the Legal Services Society of British Columbia and the British Columbia Government and Service Employees' Union (BCGEU / NUPGE):

**National Union RESEARCH**  
[www.nupge.ca](http://www.nupge.ca)

*(1) (a) The union and the employer recognize the right of employees to work in an environment free from sexual harassment, and the employer undertakes to discipline any person employed by the employer engaging in the sexual harassment of another employee.*

*(b) Sexual harassment shall be defined as:*

*(i) inappropriate touching, including touching which is expressed to be unwanted;*

*(ii) suggestive remarks or other verbal abuse with a sexual connotation;*

*(iii) compromising invitations;*

*(iv) repeated or persistent leering at a person's body;*

*(v) demands for sexual favours;*

*(vi) sexual assault.*

*(c) In cases of sexual harassment, the employee being harassed has the right to discontinue contact with the alleged harasser without incurring any penalty, pending determination of the grievance. In cases where sexual harassment may result in the transfer of an employee, where possible, it shall be the harasser who is transferred. The employee who is harassed will not be transferred against her will.*

*(d) An employee may initiate a grievance under this clause at any step of the grievance procedure. Grievances under this clause will be handled with all possible confidentiality and dispatch.*

*(e) An alleged offender under this clause shall be entitled:*

*(i) to be given notice of the substance of a grievance under this clause;*

*(ii) to be given notice of and to attend, participate in and be represented at any arbitration hearing which is held as a grievance under this clause.*

*(f) An arbitrator, hearing a grievance under this clause, shall have authority to:*

*(i) dismiss the grievance;*

*(ii) determine the appropriate level of discipline; and*

*(iii) make such further order as may be necessary provide a final and conclusive settlement of the grievance.*

*(g) An alleged offender under this clause shall not be entitled to grieve disciplinary action taken by the employer which is consistent with the award of the arbitrator.*

### THE NATIONAL WAY

Helping you set the table. Helping you get a better deal at work.

• Describing why it's necessary.

Your National Union researches, analyzes and challenges the reasons for bargaining this issue. We look at possible alternative approaches which might be preferable or more beneficial to our members. The National Union and its Working Groups are in touch with our members' needs, explore various options for addressing these needs, and track national and provincial developments in this area.

• Communicating your rights province-by-province.

Connecting with its members about their rights at work is a big part of what your National Union does. Publications. Leaflets. Posters. Buttons. Videos. We produce a stream of these materials. What you need to know about your rights. When you need to know it. We're always ready to help.

• Providing union education and training.

Working with our component education officers, the National Union develops and delivers union education and training courses designed to deepen our members' understanding of issues like this one. These courses provide advice and support to frontline workers who must deal with issues like this on a day-to-day basis in their workplace.

• Campaigning: from silence to voice.

Your National Union is a campaigning union. We coordinate national campaigns on vital workplace issues like this one. We work with other national and provincial organizations active in this field to identify and distribute resource material to workplaces. We work hard to make sure your voice is heard by the larger policy community.

• Negotiating a strong deal.

Everything your National Union does is characterized by its commitment to the development and furthering of our main organizational goal of ensuring that strong collective agreements are negotiated and enforced on your behalf. We help our components develop the best negotiating resource materials, contract language, and strategies to defend our members and the services they provide.

### GET OTHER IMPORTANT INFORMATION

More information is just one click or call away. Check it out.

In October 2000, women from National Union components marched shoulder-to-shoulder with their sisters from 157 countries through the main streets of New York during the World March of Women. They presented their demands to end sexual harassment, violence against women, poverty, and other demands to provide women opportunities for a better standard of living. We have produced a pamphlet outlining the activities of National Union women during the World March called, **The Time for Change is Now!**

As well, several National Union components have education courses that provide information on types of sexual harassment and its consequences. We have developed a **Catalogue of Union Education Courses** which describes these and other courses and this catalogue is available to everyone.

To obtain copies of this material, the BCGEU/NUPGE Collective Agreement, or if you need further information please contact the National Union at:

- [www.nupge.ca](http://www.nupge.ca)
- phone: 1-613-228-9800 Fax: 1-613-228-9801
- [national@nupge.ca](mailto:national@nupge.ca)
- 15 Auriga Dr., Nepean, Ontario K2E 1B7

**National Union RESEARCH**  
[www.nupge.ca](http://www.nupge.ca)