

What is Harassment?

Harassment is offensive or hostile behaviour that a reasonable person would consider unwelcome. It can be based on a person's race, sex, sexual orientation, disability, gender identity, gender expression, age, religion, or other reasons set out in human rights laws, or on personal dislike.

Harassment can take the form of:

- Behaviour that is direct or indirect, obvious or subtle, active or passive
- Written, verbal, physical, electronic or any other form of expression
- Physical and/or psychological attack
- A series of incidents or, in some cases, a single incident with a significant impact on the target
- Offensive words and jokes all the way to physical violence
- Excluding or isolating someone

Society has become less tolerant of direct harassment. But subtle harassment continues and can be:

- In the form of jokes or other humour – “I was just kidding! Lighten up!”
- Disguised as simple curiosity – “When did you come to Canada?” or “I didn't know you people did that!”
- Covered up by the harasser's innocence or ignorance – “I didn't mean to offend”, “I didn't know that you were _____” or “But my best friend is from that group and we say that to each other all the time”

Whether an action is harassment or not depends on its **impact** on the target, **not on the intent** of the harasser.

No matter what form it takes, harassment weakens solidarity amongst union members. It has a negative effect on member engagement and loyalty and prevents the full diversity of voices within the Union from being heard. Steelworkers want to increase member participation and build solidarity amongst union members. That's why we want to prevent harassment.

Preventing Sexual Harassment in the Union

Sexual harassment is:

Behaviours of a sexual nature that:

- 1) Target a person's sex, or
- 2) Put sexual conditions on a member's access to union events or opportunities, or
- 3) Create an intimidating, unwelcome, hostile or offensive environment.

So can I. . . .

- Share intimate stories about my ex-spouse with other union members at union-run events? **No, you can't.**
- Keep asking a fellow union member out on dates, even though they always say "no"? **No, you can't.**
- Hug a union member without getting their permission first or give my opinions on their appearance or clothing? **No, you can't.**

Preventing Racial Harassment in the Union

Racial harassment is:

Words or actions which show disrespect or cause humiliation to another person because of their race, colour, nationality, language, religion, creed,

ancestry, place of origin or ethnic origin. Whether subtle or overt, these acts of harassment are offensive, demeaning, embarrassing and hurtful.

Three of the most common forms of racism in Canada today are:

Islamophobia: Aimed at people who practise the Muslim faith and at those mistakenly perceived to be Muslims

Anti-Black racism: Aimed at people of African and Afro-Caribbean descent

Indigenous racism: Aimed at people who are First Nations, Métis, or Inuit

So can I. . . . :

Refuse to participate in union events or meetings with someone of the Muslim faith and talk to other union members about my fears of terrorism?

No, you can't.

Give white union members access to conferences or training opportunities ahead of Black union members? **No, you can't.**

Give credit to white union members for their good ideas but ignore good ideas from Indigenous union members? **No, you can't.**

Preventing Harassment in the Union Based on Sexual Orientation, Gender Identity and Gender Expression

Many union members who are gay, lesbian, bisexual, transgender, queer and two-spirited, etc. (LGBTQ2SIA+) may not feel safe from harassment in our union. Yet, our LGBTQ2SIA+ members are entitled to participate fully in our union without harassment or discrimination.

What is sexual orientation? Each person's sexual orientation is based on the gender of the people they are sexually and/or romantically attracted to.

What is gender identity? How each of us defines our gender. It is each person's internal and individual experience of gender, their sense of being

a woman, a man, both, neither, or anywhere on the gender spectrum. (Our gender identity may not “match up with” how we express our gender.)

What is gender expression? The way a person presents or communicates their gender, through dress, hairstyle, body language, speech, emphasis or de-emphasis of bodily characteristics, mannerisms, etc.

So can I. . . . :

Keep calling a transgender union member “Bob” and “he”, instead of “Bella” and “she”, even when she keeps reminding me? **No, you can’t.**

Never invite a lesbian union member to take part in union social events because I’m afraid she’ll hit on me? **No, you can’t.**

Preventing Harassment In Our Union Based on Physical and Mental Disability

People living with physical and mental disabilities are entitled to participate fully in the life of our union. In order to ensure that they can do so, we have an obligation to look at how changes to union structures and processes can be made to help accommodate our members who live with mental and physical disabilities.

What are physical disabilities?

Physical disabilities include physiological, functional and mobility impairments of the body. In some cases, the disability is “visible” and can be “seen” by others, but in other cases it can be invisible. Physical disabilities can be permanent, temporary or worsen over time. They can exist from birth or occur due to physical injuries at any time.

What are mental disabilities?

Mental disabilities—including mental illnesses, mental injuries, and intellectual disabilities—can be thought of as “invisible” because they cannot be “seen.”

Mental disabilities can be permanent, temporary or worsen over time. They can exist from birth or occur due to physical injuries at any time.

So can I. . . . :

Complain that a union member who is being accommodated at a union event or meeting is getting “special treatment” and should “make do like the rest of us”? **No, you can’t.**

Use derogatory words like “crazy”, “mental” and “gimp” in conversation? **No, you can’t.**

What is Personal or Psychological Harassment?

Personal or psychological harassment is offensive, unwelcome behaviour that does not appear to be based on a person’s race or other characteristic protected by human rights legislation. Sometimes we refer to it as “bullying”. Whatever the label, it undermines a person’s dignity and creates a hostile environment.

We used to think that only kids picked on one another, but now we understand that adults can do it, too.

Personal or psychological harassment is still an attempt by one person to exercise power over another. It can be repeated or a single serious incident, and can be:

- Physical: such as hitting, pushing or making threats to use physical force
- Verbal: using words to verbally attack someone, such as name-calling

- Social: trying to hurt someone by excluding them, spreading rumours or ignoring them
- Online (also known as cyberbullying): using electronic media to threaten, embarrass, intimidate or exclude someone, or to damage their reputation, such as sending threatening text messages.

So can I :

Regularly play practical jokes on other union members, because it helps makes an educational course or union conference go by faster? **No, you can't.**

Yell at this one union member whenever they speak up at a union meeting and chew them out in front of everyone else? **No, you can't.**

How Should We Address Harassment in Our Locals?

Adopt the Anti-Harassment Policy and Apply It

The USW Anti-Harassment Policy for locals contains:

- A statement of purpose, confirming the local's commitment to providing a harassment-free environment for members;
- An explanation of the behavior prohibited by the Policy;
- The process for filing a complaint where harassment occurs at a local-sponsored meeting or event, including who the complaint should be given to;
- How a complaint will be investigated, the timeline for completing the investigation, and how the results of the investigation will be reported to the complainant and the respondent(s);
- An assurance of confidentiality;
- A ban on reprisals against those who file a complaint or participate in an investigation;
- A statement setting out the potential consequences for those found to have engaged in harassment.

It is important to note that the USW Anti-Harassment Policy for locals is written to address complaints by a local member AND complaints by an employee of the local.

The process for handling complaints under the Policy is the same whether a complaint is raised by a local member or by an employee of the local.

If you have a question about the Policy as it applies to a harassment complaint made by an employee of the local, please contact your Staff Representative.

Educate

Once the local has adopted an Anti-Harassment Policy, it is essential that local union officers and members be trained on the Policy. Contact your Staff Representative or District Education Co-ordinator to discuss how to provide this training.

Once local union officers have been trained on how the Policy operates, make sure that the Yellow Sheet Summary is read out, or the Policy itself is distributed, at the start of all local union meetings and events.

Make sure that union members attending union meetings and events know who to speak with if they have a complaint.

Remove Barriers to Reporting

Harassment, of all kinds, still happens far too often--including within our union. Research tells us that the least common response to harassment is to report it. Why is that?

Individuals fear they will:

- Not be believed
- Be blamed for causing the offending action(s)
- Suffer retaliation, including being ostracized by others.

Given these fears, it is not surprising that so few harassment complaints are filed.

Instead, the targets of harassment are forced to deal with the issue themselves, often by:

- Avoiding the harasser
- Denying or downplaying the gravity of the situation, including not defining the behaviour as harassment
- Attempting to ignore, forget or put up with the behaviour
- Blaming themselves

What Should Local Officers Do When a Member Reports Harassment by Another Member?

1. Assure the member reporting harassment that you take their complaint seriously and that the complaint will be kept confidential. (“Confidential” does not mean “anonymous”, but does mean that information is only shared with those few as and when they need to know in order to process the complaint or grievance.) Let them know that you are aware of how difficult it is to come forward with a complaint. Be a listener, not a judge.
2. Offer emotional support and referrals to appropriate resources in our union and in the community to the member making the complaint.
3. Apply the local’s Anti-Harassment Policy and ensure that a timely investigation is conducted into the complaint. This means that as soon as you receive a complaint, you should speak with your Staff Representative and ask to have a trained investigator assigned to the complaint. Depending on the circumstances of the case, that assigned investigator may be a union member, a USW staff member trained to conduct such investigations, or a qualified investigator from outside our Union.

4. Once the investigator reports their findings on the complaint, take appropriate action promptly. Where a complaint is upheld, “appropriate action” means actions in keeping with the spirit and intent of the Anti-Harassment Policy and consistent with the findings of the report.
5. Appropriate action may include prohibiting the harasser from attending certain local, district or international union events. It may include laying charges against the harasser under the USW Constitution, which, if upheld by a local trial committee, could deny the harasser the right to be a candidate or hold office or a position within the local, remove the harasser from any office or position within the local they currently hold, declare the harasser to be a member not in good standing, or result in a fine. Consult with your staff representative, if necessary, about what action is appropriate in the circumstances of each case.
6. Once the local has decided on appropriate action, write to the complainant and the respondent(s), summarizing the findings of the investigator and the action (if any) taken by the local in response to the report.
7. Keep good records of the actions taken by the local in response to the complaint, including copies of any correspondence with the individuals involved in the complaint, communications with the investigator and a copy of the investigation report.

What Can We Do as Individual Members?

If you experience harassment at a local union meeting or event:

- Document the time, date, and names of any witnesses and detailed information about the nature of the incident.
- If possible, tell the harasser to stop the unwelcome behaviour.

- If you are uncomfortable about doing that on your own, seek support from a fellow union member, or from committee members from the health and safety committee or human rights committee if they are available.
- If you feel comfortable doing so, report the incident to the person designated by the local to deal with harassment complaints. If no one has been designated, or you're not sure who has been named, speak to your local president or staff representative. (If you are attending an event hosted by a group other than the local, such as a District or International event or meeting, speak with the person designated by that group to deal with harassment complaints.)

If you see or hear a union member being harassed at a union meeting or event, speak up and assist the target:

- Offer support. Targets of harassment often feel isolated and alone. They also tend to blame themselves for the harassment. So you could say: "I noticed that happened. Are you okay with that?"
- Reassure them by telling them: "This isn't your fault. You didn't do anything wrong".
- If they want to take action, offer to accompany them to speak with a local officer or the person designated to deal with harassment complaints at the local event or meeting.

If you see or hear a union member being harassed at a union meeting or event, speak up and take action toward the harasser:

- **The best thing to do:** Tell the harasser to stop. Explain why their behaviour is unwelcome. Point out that they are responsible for the impact of the harassment, and that their intention doesn't matter. Ask them to change their behaviour in the future.
- **Or:** Approach the harasser and say something like, "That joke wasn't funny" or "Hey, that's not cool".

If speaking up in the moment is difficult, try to interrupt the conversation (for example, by asking to speak with the target in another room) or change the subject.

- Rather than make accusations, you could try:
 - Asking a question. For example: “Were you aware of how you came off in that conversation?” rather than “You’re a sexual harasser”.
 - Disarming the person by assuming they were being sarcastic or trying for humour. For example, “I know you were just trying to be funny, but did you know that some people really think women like those awful comments?”
 - Connecting yourself to the target of the harassment. For example, “I was bullied like that in school so those comments make me feel really uncomfortable.”ⁱ
- You can also talk to the harasser at a later time, after you’ve had a chance to digest what you’ve heard or seen.

If others were present when the harassment occurred, talk with them about what you all witnessed or heard. Ask: “Did you notice that? Am I the only one who sees it this way?”

Be a model of good behaviour in your local:

- Treat your fellow union members with respect.
- Refuse to join in conversations or laugh at jokes that degrade others. And voice your disapproval.
- Say “no” if anyone tries to share offensive posts or texts or photos they’ve received.
- Do small acts of civility by, for example, praising good work, not interrupting and giving union members your full attention when they are talking to you.

Preventing and Dealing with Harassment in Our Union

Our union stands squarely against harassment. Despite our best efforts, harassment can still occur during union activities and events. Here are some best practices for all Steelworkers to avoid engaging in harassment:

- Don't hold one-on-one meetings in personal hotel rooms (i.e., the room you sleep in).
- Don't touch or hug others without asking if they consent. Think about whether your position in our union allows for free consent; if it doesn't, then don't touch or hug at all.
- Don't comment on someone's appearance.
- Don't ask about someone's relationship status.
- Don't initiate or take part in conversations about sex.
- Don't ask members or staff over whom you have power (or perceived power) for a date. And if you do and they say "no", don't ask again.
- If someone is drunk, they cannot consent to you or to anyone else who may also be trying something. Your union brother, sister, or comrade is your responsibility, so say something and intervene.
- Don't get defensive when you get called out. If someone tells you that you crossed a line or made a mistake, that will probably make you feel bad, but don't put it on them to make you feel better. Apologize without qualification and don't repeat the behaviour.
- Don't use your power to get anyone's attention, company or sexual favours.
- Do talk to any Steelworker who makes questionable comments or engages in harassing behaviour. Tell them that their behaviour makes you uncomfortable. Don't stay silent.

Things We Can Do to Create a Better Union Cultureⁱⁱ

- Be aware of your power relative to other Steelworkers, because of your seniority, elected office or connections within our union. Use it to build equality and respect within our union. Use it to educate, especially by talking to other Steelworkers about their behaviour.
- If you are asked to be on a panel or committee and you see that it's all men or all white people, say something. Maybe even refuse the spot!
- Recruit, mentor and promote women, racialized people, Indigenous people, LGBTQ2SIA+ people and people living with disabilities. Without expectation of reward.
- Share the space with Steelworkers from marginalized groups. Apply these examples about women to all Steelworkers from marginalized groups:
 - Don't talk over women.
 - When you notice another man talking over a woman, say: "Hey, she was saying something."
 - When you hear a woman offer a good idea or good analysis, say: "I like that" rather than rephrasing it or adding to it. Let it stand as her idea or analysis.
- Rather than talking about how "not like those other guys" or "not like other white people" you are, just show it in your behaviour.
- Practice how not to "mansplain": when men explain things to women in regards to the women's own expertise or lived experiences – as if the men know more about the women's own lives than the women themselves. (Also avoid "whitesplaining" and other variations of this offensive behaviour.)
- Do the work yourself to find out why women (or racialized people or any other marginalized group member) consider something

objectionable (or homophobic or cultural appropriation). Don't ask them to educate you about what they have to deal with in their lives.

- Don't get defensive if you make a wrong step and someone calls you on it. Apologize, learn, and keep working.
- Don't minimize the problem by saying things like "Not all men..." or "Not all straight people..." or "Other racialized people don't feel that way." Maybe those statements are true AND harassment still exists.

This document is from the updated "Not in Our Union! United Steelworkers Guide to Preventing and Dealing with Harassment." The updated version will be available to locals soon.

ⁱ Six Tips for Speaking Up Against Bad Behaviour, Catherine A. Sanderson, *Greater Good Magazine*, September 30, 2020, https://greatergood.berkeley.edu/article/item/six_tips_for_speaking_up_against_bad_behavior?utm_source=pocket-newtab.

ⁱⁱ Based on Nicole Silverberg's "Men, You Want to Treat Women Better? Here's a List to Start With", *The Guardian*, October 16, 2017, https://www.theguardian.com/lifeandstyle/2017/oct/16/a-simple-list-of-things-men-can-do-to-change-our-work-and-life-culture?CMP=share_btn_fb and Melissa A. Fabello's "5 Simple Ways Men Can Better Respect Women", *Everyday Feminism Magazine*, June 8, 2014, <https://everydayfeminism.com/2014/07/5-ways-men-can-respect-women>