

PRESIDENT

Jeremy Favre

SECRETARY - TREASURER

Brad Alexander

BUSINESS MANAGER

Ron Wickett



Machinists' Fitters & Helpers Industrial Union

Local No. 3

Phone: (250) 384-8611
Fax: (250) 384-0287
3-802 Esquimalt Road,
Victoria, B.C. V9A 3M4

AFFILIATED WITH
S.G.W.F. OF B.C.
AND C.L.C.

Preventing Harassment: the Shop Steward's Role

Harassment is an expression of perceived power and superiority by the harasser over another person or group, usually for reasons of race, ethnicity, sex, age, sexual orientation, disability, family or marital status, social or economic class, political or religious affiliation, or language.

Harassment is unwelcome, unwanted, and uninvited. It may be expressed verbally or physically. It can occur as a single incident or on a repeated basis. It involves actions, attitudes, language or gestures which the harasser knows or reasonably ought to know are abusive, unwelcome and wrong.

The resulting effect, not the intent, determines whether something is harassment or not. It does not matter if the harasser intends the comment or action to be amusing. If the person on the receiving end feels threatened or belittled by it, then it is harassment.

Harassment comes in many forms. Unwanted comments, jokes, pictures, taunts, innuendoes, insulting gestures, unnecessary physical contact, and physical assault are some of its ugly faces. But in the end, harassment isn't about sex or race or religion; it is about power.

If the harasser is the boss, the power issues are job security. The person being harassed fears the loss of position or even of employment if they don't put up with the harassment. If the harasser is a co-worker, the power game is more subtle, but the results are the same. The victim may find the situation so intolerable that they simply quit.

As Union members, we would like to believe that in most cases of harassment, management is the bad guy. However, studies have shown that in fact significant harassment exists between co-workers. When this happens, it can create a hostile, intimidating, and poisoned work environment in which stress takes a personal toll on the victim and on those who witness the harassment.

This is why harassment is an issue for the Machinists, Fitters & Helpers Local 3 as a whole. Harassment eats away at the solidarity of union members. Because of this, it is the Shop Steward's role to stop harassment and then work to heal the divisions it causes. To do this, you must work hard to educate all members about what harassment is and that it will not be tolerated.

When a Member Complains of Harassment:

1. Take the complaint seriously. It takes a lot of courage to come forward with a complaint against either management or co-workers. The victim already feels uncomfortable and unsure. If you make light of the matter, they may think the Union condones the actions of the harasser. The person who is being harassed may then feel that their only recourse is to turn to management for help, if the harasser is a co-worker, or to give up entirely if it is the boss doing the harassing.
2. Speak calmly and try to soothe some of the tension the member is feeling. You may point out that you know discussing the incident(s) are difficult for them, but that harassment is not just a personal problem when it poisons the workplace and threatens a Union member's dignity and health.
3. Don't cross-examine the member. Avoid asking questions that make the victim feel as though they are to blame. But encourage them to be as specific as possible when discussing the who, what, when, where, and how of the incident(s). Suggest that the member make detailed notes of past and future incidents.
4. Assure the person who is being harassed that the Union is fully behind them and that everything possible will be done to stop this behaviour.
5. Help them say no to the harasser. It is important that the harasser be told clearly that their actions or remarks are not welcome. This allows them to realize their mistake and change their behaviour or, if they continue, it sets the stage for filing formal charges against them. If the victim does not feel comfortable speaking to the harasser on their own, offer to accompany them. Afterwards, document what was said.
6. Ask the member what further steps they would like taken. What would make them feel safe in the workplace? Do they need time off work? Would they like to speak to a counsellor?

When Management is doing the Harassing:

After getting the facts from the victim, request a meeting with the harasser's boss. Tell that higher management representative that one of their subordinates is engaging in behaviour that could place the company in serious trouble. Harassment is illegal. Name the harasser but do not name the member. Often a member will suffer further abuse when a management representative knows that a complaint has been lodged.

Stay in regular contact with the victim and make sure they report any further abuse. Inform management that if the harasser's behaviour does not change, the Union will file a grievance. If the company has a reliable, formal policy for filing harassment complaints, encourage the member to make use of it, too.

When a Co-Worker is doing the Harassing:

This is always a difficult situation for any steward to deal with. You will likely know and be on good terms with everyone in the workplace. But your first obligation is to the one who is being harassed. This overrides all ties of friendship. As a leader and Union representative, all members must feel confident that they can come to you with their problems and that you will do whatever you can to help.

If you receive a complaint, or if you see someone exhibiting abusive or harassing behaviour or actions, arrange to speak privately with the harasser. Be firm. Tell the member involved that the behaviour will not be tolerated. Explain that, if they continue, they will be in serious trouble because harassment is illegal.

If there is no improvement in the harasser's behaviour, you and the Union must take further action. Most collective agreements contain "no discrimination" or health and safety provisions. A grievance can be filed based on these articles. If the company has a reliable, formal procedure for filing harassment complaints, that can also be an option.

If the grievance results in management disciplining the harasser, the harasser may legitimately ask to file a grievance, particularly if the discipline is considered excessive. In these cases, consult with the Union office immediately, being sure not to exceed the time limits for filing a grievance. The harasser must be offered representation by a shop steward or staff representative not involved in the original complaint.

Machinists, Fitters & Helpers Local 3 Policy on Harassment

The Machinists, Fitters & Helpers Local 3 wants to provide a harassment-free environment at all its activities. The Union must create an environment in which every member is valued equally, and believes her or himself to be valued equally. The Machinists, Fitters & Helpers Local 3 believes that every individual has the right to dignity, respect, and the right to be treated fairly both within the Union and in the workplace.

Harassment can be defined as any unwelcome action – whether verbal or physical – on a single or repeated basis which humiliates, insults, or degrades. Unwelcome means any action which the harasser knows or ought reasonably to know is not desired by the victim of the harassment.

Harassment is a serious form of discrimination which creates feelings of uneasiness, humiliation, and discomfort and strikes at the heart of the Union. As trade unionists, we must work and socialize together in an atmosphere of mutual respect.

The Machinists, Fitters & Helpers Local 3 will take prompt and appropriate action to investigate and resolve any alleged or suspected incidents of harassment.

If you believe you are being harassed contact your Shop Steward, Union Executive or Business Agent immediately and ask for their help.

Harassment is not welcome, not mutual, and not equal.

Definitions

Personal Harassment: repeated, intentional, offensive comments and/or actions deliberately designed to demean and belittle an individual and/or cause personal humiliation.

Sexual Harassment: is any unwanted attention of a sexual nature such as remarks about appearance, personal life, sexual identity or sexual orientation, offensive written or visual actions like graffiti or degrading pictures, physical contact of any kind, or sexual demands. It can be either on a one-time basis or in a continuous series of incidents, however minor. Sexual harassment is coercive and one-sided and both males and females can be victims.

Racial Harassment: engaging in a course of comment or conduct that is known or ought reasonable to be known to be unwelcome where such comment or conduct consists of words or action which disrespects or causes humiliation to a member because of his or her race, colour, creed, ancestry, place of origin or ethnic origin.

Resolution and Complaint Procedure:

Within the Union

A person who believes that she or he is the victim of harassment should take immediate corrective action.

Make it clear that the attention or offensive behaviour is not welcome. You can do this either on your own or through a third party, verbally or in writing. Warn him or her that if the behaviour continues, you will pursue the matter. It may be the individual is unaware that the behaviour is offensive.

If the inappropriate behaviour persists, the complainant shall approach one of the designated representatives and ask him or her to act on their behalf. If at all possible, member-to-member harassment is best resolved through informal resolution with the confidentiality of all involved parties respected.

Should the harassment fail to be resolved by the informal process, a complainant may wish to make a formal complaint. This complaint will be fully investigated by the designated representative, who will report to the Executive Committee. The Executive Committee will consider the report and take appropriate action. Every effort should be made to resolve harassment within the Union.

There may be situations, however, where a victim of harassment may wish to consider external alternatives. Complaints may be taken to the appropriate Human Rights Commission. Charges may be laid under the Criminal Code.

Within the Workplace

When harassment takes place within the workplace, complainants may use this procedure, the employer procedure, and/or the grievance procedure.

Policy reviewed and updated June 2015.