

Steward News...

A PUBLICATION FOR CUPE ACTIVISTS IN ALBERTA

VOLUME 3, NUMBER 2

Stewards help members deal with workplace problems.

Stewards also help the union executive communicate with and respond to the concerns and priorities of the members they represent.

Stewards play many roles: problem solvers, grievance handlers, organizers, educators, leaders and communicators.



In this issue:

how stewards can say no to harassment and keep it out of the workplace

STEWARDS AS PROBLEM SOLVERS

What is harassment?

Harassment occurs when someone is subjected to conduct or behaviour that is unwanted or unwelcome. Harassment is conduct or comment or behaviour which a reasonable person knows, or ought to know, is unwelcome.

In Alberta, the Human Rights, Citizen and Multiculturalism Act protects employees against harassment in the workplace, where the incidents occur in connection with work.

Harassment is:

Unwanted or unwelcome physical contact, attention, demands, remarks, jokes or insults are harassment when they occur under any of the areas protected by the Human Rights Act.

The protected areas are:

Race
Religious Beliefs
Colour
Gender
Physical or mental disability
Age

Ancestry
Place of origin
Marital status
Source of Income
Family Status
Sexual Orientation

Harassment on the basis of any of the above listed grounds is a form of discrimination. The law says employers are responsible to ensure our workplaces are safe and free from harassment.



HARASSMENT HURTS EVERYONE. AN INJURY TO ONE IS AN INJURY TO ALL.

The effects on those targeted include:

- fear and anxiety, dread of coming to work
- nausea, sleeplessness and other physical effects
- loss of self esteem
- stress and depression
- poor job performance which might lead to quitting or being fired
- feelings of isolation

Personal Harassment is:

Not related to grounds covered in the legislation, such as gender, race or sexual orientation. Personal harassment is unwanted or unwelcome conduct or behaviour about a person's intelligence, competence, physical appearance or other characteristics.

All harassment is demeaning, offensive, intimidating, embarrassing and hurtful. Harassment will interfere with a person's work performance and/or create an intimidating or hostile work environment.

It is the effect of harassment on the person being harassed that counts, rather than whether or not the harasser intended to do harm.

Harassment usually is a course or several incidents of abusive and unwelcome conduct or comment. However, a single incident can be considered harassment if it has a severe impact on the person being harassed.

The harasser may be a supervisor, a co-workers or a member of the public, such as a client, patient or student.

So what is member to member harassment?

Although co-workers don't have the power to deny workplace benefits, they do have the power to make the workplace intolerable.

Unions have a legal duty to represent fairly everyone in the bargaining unit. Therefore, in a case of co-worker harassment the union must represent the complainant and the alleged harasser. Both parties have the right to request union representation. If disciplined, the harasser has the right to file a grievance.

Co-worker harassment destroys solidarity in the workplace and in the union.

Prevent it From Happening

- ▶ make a concerted effort to build workplace solidarity
- ▶ raise awareness about discrimination and harassment
- ▶ educate, educate, educate

THE STEWARD'S RESPONSIBILITIES

Harassment goes against the key union principle that each member has the right to dignity and respect.

The Steward may be the one who first deals with a member who is concerned about harassment.

WHAT ARE THE FIRST STEPS?

- 1 Listen: Check out what you hear. Be open and supportive.
- 2 Determine why the behaviour is harassment.
- 3 Try to identify what type of harassment it is.
- 4 Discuss Options: What does the member want?

Here are some guidelines:

Is it possible for the member to inform the harasser that the conduct is unwelcome and unwanted?

Build a case: Investigate and take notes
Find out what happened, where, when and who was involved.

Find witnesses. Are there others with similar experiences?

Maintain Confidentiality: Members being harassed often are afraid of repercussions. All parts of a harassment investigation must be treated carefully and privately.

File a grievance: If informal resolution is not possible or advisable, you may consider filing a grievance.

If applicable, use the "no discrimination" clause.
File a Human Rights Complaint: In addition to filing a grievance, the union and the complainant may also wish to file a complaint with the Human Rights Commission.

Steward News

PREVENTING HARASSMENT

- ▶ Negotiate strong no discrimination and anti-harassment contract language.
- ▶ Negotiate a joint policy with the employer to deal with harassment in the workplace.
- ▶ Provide membership education on harassment, discrimination and human rights.
- ▶ Check with the employer about offering jointly sponsored workshops.
- ▶ Make sure all members are aware of their right to work in a workplace free from harassment, actions they can take, and how the union can help them in cases of harassment.
- ▶ Visibly challenge discriminatory attitudes and encourage support for workers who are targets of harassment.
- ▶ Be pro-active. Remove offensive material immediately before there is a complaint.
- ▶ When a complaint occurs, ensure that it's dealt with swiftly and fairly.
- ▶ Ensure harassers are discouraged from repeating the harassment. Work with harassers who are union members to change attitudes and let them know that the bottom line is the union will not tolerate harassing behaviour.
- ▶ Integrate human rights and equality issues into the local's priorities, activities and publications.
- ▶ Lobby to strengthen legislative protection against harassment and for safety at work.



Please send your comments and/or ideas for future workshops and topics for upcoming Steward News to:

Josey Finley
CUPE Education Rep
306, 809 Manning Road
Calgary, AB T2E 7M9
403-235-6955

Stewards can learn more about harassment by:

- ▶ getting a copy and reading "Stop Harassment: A Guide for CUPE Locals"
- ▶ attending a workshop on "Saying No Harassment"

Don't Miss
CUPE Alberta Weeklong School

May 5-10
Red Deer College

Courses:

Communicating CUPE
Introduction to Pensions
Global Trade and Direct Action
Workplace Literacy

For more information call Josey Finley
(403) 235-6955 or e-mail jfinley@cupe.ca