

## FROM THE “Did You Know?” E-MAIL SERIES PROVIDED BY THE NOVA SCOTIA UNION OF PUBLIC & PRIVATE EMPLOYEES

### Workplace Harassment

There are no jokes to be made about workplace harassment. It can seriously affect the health and well-being of an employee and poison an entire workplace. It's everyone's responsibility to prevent and stop harassment at work.

But what is workplace harassment? It's a difficult question. One arbitrator struggling with the question said,

*"...every act by which a person causes some form of anxiety to another could be labelled as harassment. But if this is so, there can be no safe interaction between human beings. Sadly, we are not perfect. All of us, on occasion, are stupid, heedless, thoughtless and insensitive. The question then is, when are we guilty of harassment?"*

Arbitrators determining whether harassment has occurred will weigh the conduct that offends employees against the employer's right to supervise the workforce. A clear distinction must be made between workplace tensions and personality clashes and conduct that amounts to harassment. For harassment to be found to have occurred, there must be concrete evidence of something more than stupid, clumsy, heavy-handed or just plain bad management on the part of a supervisor. It must be something that most people looking at objectively would see as "over the top".

Sometimes a single incident won't amount to harassment but a series of incidents will. NSUPE often advises members who think they're being harassed to keep a log of the incidents, including the date, witnesses and circumstances.

Workplace harassment can be stopped. Some collective agreements have provisions prohibiting personal harassment. For example, see Article 4.02 in Local 14's contract or Article 5.04 in Local 13's contract. Some workplaces, such as Halifax Regional Municipality, provide employees with a workplace rights procedure. In still other workplaces, harassment issues are dealt with under occupational health and safety. Sometimes, just a letter of complaint is needed to stop the harassing conduct.

If you or someone you know is the target of harassment at work, call the union. Together we can make the workplace a safer environment.

NOTE: The Did You Know? series is general information only. For advice specific to your workplace or personal circumstances, please contact a union representative. Comments are welcome at [nsupe@ns.sympatico.ca](mailto:nsupe@ns.sympatico.ca). For back issues of Did You Know, look under "General News" on the NSUPE website: [www.nsupe.ca](http://www.nsupe.ca).