

# Workplace Harassment: The Experience of Non- Unionized Workers

Research presented by  
*Le Groupe d'aide et  
d'information sur le  
harcèlement sexuel au  
travail de la province  
de Québec inc.(GAIHST)*

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# I. Introduction

Our work environment is an important place in our lives, especially considering all the time we spend there. In 2014, a Canadian in the labour market spent approximately 1 704 hours at his job, about 33 hours per week (Organization for economic cooperation and development, 2015). Considering the important amount of time spent at work every week, working people are at risk of exposure to acts of violence. *The General Social Survey on Victimization* reveals that, in 2004, 17% of the self-reported incidents of violent victimization happened at work. This means that about 356 000 violent incidents have happened in a working environment this year, in Canada. (Statistics Canada, 2008.) These incidents can include thefts, assaults and sexual assaults. The same inquiry done again in 2009 revealed that the rate of violent incidents were similar to those of the 2004 inquiry. (Perreault and Brennan, 2009.) In Quebec, the *Commission de la santé et de la sécurité du travail* (CSST) states it received, in 2014, 1 996 insurance claims for assaults and acts of violence that happened at work (Blouin, Provencher and Barbeau, 2015).

Despite the large number of people, victims of violent criminal acts at their workplace and other types of actions uncategorized as criminal, are also leaving behind victims. As a matter of fact, some inappropriate behaviour can affect people in their work environment. More

specifically, psychological harassment and sexual harassment are two forms of violence that can have detrimental effects as much on the victims as on the work environment. These forms of violence do not fall under the scope of the Criminal Code, but are within the purview of the Act respecting Labour Standards and the Charter of Human Rights and Freedoms.

It therefore seems important to define these two forms of harassment in order to understand them better.



## One reality, many definitions



Psychological harassment can be expressed through various behaviours, such as insults, seclusion, intimidation and psychological abuse (Ariza-Montes, Muniz, Leal-Rodriguez and Leal-Millan, 2014). In Quebec, the Act respecting Labour Standards (LNT) gives us a better definition of psychological harassment:

“Any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects an employee’s dignity or psychological or physical integrity and that results in a harmful work environment for the employee.” (Act respecting labour standards, clause 81.18, 2002).

As specified by this section of the law, psychological harassment experienced at work can have a negative impact on the victims, but also on their work environment. Flannery, Hanson and Penck (1995) claim that this type of violence, particularly in its verbal form, can generate psychological distress just as much as physical violence and with the same intensity.

It is important to mention that the employer has the legal obligation, as per the Act respecting Labour Standards to use any reasonable methods to prevent psychological harassment and to make it stop whenever he is informed of such behaviour (Act respecting Labour Standards, clause 81.19, 2002). Hence, a complaint filed based on this section of the law is made against the employer who did not discharge his/her duty and not against the alleged harasser.

The *Commission des normes, de l'équité, de la santé et de la sécurité du travail* (CNESST) is the organization responsible for enforcing the Act respecting Labour Standards. Established on January 1, 2016, it corresponds to the fusion of three other organizations: the *Commission des normes du travail* (CNT), the *Commission de l'équité salariale* (CES) and the *Commission de la santé et de la sécurité du travail* (CSST). Therefore, this is the organization that mainly receives the complaints regarding harassment in the workplace.

The *Commission des droits de la personne et des droits de la jeunesse du Québec* (CDPDJ) also deals with harassment in the workplace complaints when they have a discriminatory nature prohibited by the Charter of Human Rights and Freedoms. There are numerous motives prohibited by the Charter, to name a few: age, gender, religion, sexual orientation, language, etc. The CDPDJ's definition of workplace

harassment is very similar to the one from the LNT:

“A person’s behaviour undermines the dignity and psychological or physical well-being of another person or persons. It can involve offensive, disparaging, hostile or unwanted remarks or behaviour directed at a person or a group of persons. A single serious incident that has a lasting harmful effect on the targeted person may also constitute harassment.” (*Commission des droits de la personne et des droits de la jeunesse du Québec*, s.d.).

To have a good comprehension of the concept of sexual harassment, it is important to examine the definition given by two organizations from the province of Quebec, who are dealing with cases related to sexual harassment at work. It is also important to provide a more detailed description of its components.

For the CDPDJ, sexual harassment is considered a form of discriminatory harassment based on gender. In a statement from 1987, this organization defined sexual harassment at work as

“Any vexatious behaviour in the form of repeated and hostile or unwanted conduct, **verbal comments, actions or gestures**, that affects an employee’s dignity or psychological or physical integrity and that results in a harmful work environment for the employee.” (*Commission des droits de la personne du Québec*, 1987).

The second organization dealing with sexual harassment in the workplace is the CNESST. For this organization, psychological harassment, as defined by

the clause 81.18 of the previously LNT, covers the concept of sexual harassment. Esq. Anne-Marie Plouffe of the CNT returns to a decision of the *Commission des relations du travail*, the administrative tribunal to which the CNESST refers to, to explain this orientation.

“When the incidents mentioned by the worker are proven to be of a sexual nature, it is understood that they are established as psychological harassment within the meaning of the clause 81.18.” (Guillaume St-Hilaire-Gravel c. 9165-8526 Québec inc. [2008] C.R.T., Québec, 0364, <http://www.cnt.gouv.qc.ca/>).

Sexual harassment can take many forms. *Le Groupe d'aide et d'information sur le harcèlement sexuel au travail de la province de Québec inc.* (GAIHST) created a definition to enable a better understanding of the extent and the diversity of sexual harassment in the workplace. The Centre based its definition both around its experience with handling the cases of its clients, and on the definitions already provided by the statutes mentioned previously. It is important to mention that this definition has no legal value.

“Sexual harassment is a **sexually oriented attention** experienced in the workplace that creates discomfort or threatens one’s well-being or functioning.

It can range from leering, patting, touching, verbal comments, jokes, the display of pornographic material as well as any form of sexual violence.



The harasser could be your employer, employee, supervisor, co-worker, client or customer.

Sexual harassment is a form of discrimination, an abuse of power and constitutes violence against workers.”

*(Le Groupe d'aide et d'information sur le harcèlement sexuel au travail de la province de Québec inc. n.d.).*

This definition shows that sexual harassment can happen in many ways, like sexist jokes, comments on a person's physique, light contacts or even a sexual assault. It also shows that this kind of harassment can be done by workers from all kinds of standing in the company (*Le Groupe d'aide et d'information sur le harcèlement sexuel au travail de la province de Québec inc., n.d.*).

### Important Data

In Quebec, psychological and sexual harassment has an impact on many workers. The authors of the *Enquête québécoise sur des conditions de travail, d'emploi et de santé et sécurité du travail* (ECQOTESST) estimate that 528 000 workers have been victims of psychological harassment at their main employment in 2010 (Lippel and al., 2011). When it comes to official complaints filed to the CNT, nearly 3 000 complaints for psychological harassment are closed every year (Jarvis et Pronovost, 2014). For example, during the fiscal year 2014-2015, the CNT processed 3 266 files of this kind and 95 % have been resolved without a legal intervention (CNT, 2015).

It is important to note that studies show that most victims do not formally denounce their situation. This can explain the difference between the number of people claiming to have experienced psychological harassment in the workplace and the number of complaints filed to the CNT (Thomassin, 2000). Using a large sample of workers from Switzerland and Norway, a study determined that the average duration of exposure to psychological harassment in the workplace varies between 15 and 18 months (Zapf, Einarsen, Hoel and Vartia, 2003).

In 2014, a survey from the *Angus Reid Institute*, completed by 1 504 Canadians, revealed that almost half of the women (43 %) said they have experienced sexual harassment at work, while it was 12 % for the men (*Angus Reid Institute*, 2014). This study indicates that one in three workers will be sexually harassed in the workplace during their professional lives and that women are approximately 3.6 times more at risk than men. It is important to note that these statistics only reveal the tip of the iceberg, since this form of violence is rarely denounced by the victims (*Angus Reid Institute*, 2014). In that sense, in 1976, the *Redbook*, one of the most popular women's magazines of the United States, published a study about sexual harassment in the workplace. The results it obtained are insightful: 88 % of the 9 000 volunteer respondents claimed having dealt with this kind of situation at least once. In fact, GAIHST's actual estimates, based on all its experience while

intervening with this population since its creation in 1980, appears to be closer to the results obtained by the *Redbook (Le Groupe d'aide et d'information sur le harcèlement sexuel au travail de la province de Québec inc., 2015)*.

Furthermore, the consequences of these two types of harassment are quite varied. In a systematic review of the literature published by Lanctôt and Guay (2014), the results of 68 studies about the consequences of violence in the workplace, including psychological and sexual harassment, have been analyzed. Numerous consequences have been observed: physical, psychological, emotional, social, and financial, as well as consequences concerning functioning at work, relationships with the patients and the quality of the care.

Various psychological consequences can be observed among the victims of harassment in the workplace, for example, irritability (Menckel, Carter and Viitassara, 2000), a decrease in self-esteem (Jeanneau, 2014), difficulties concentrating (Flannery, Hanson and Penck, 1995; Jeanneau, 2014), anxiety (Jeanneau, 2014), hypervigilance (AbuAlRub and Al-Asmar, 2011), a high level of psychological distress (Lippel & al., 2011), burnout syndrome (O'Connell, Young, Brooks, Hutchings and Lofthouse, 2000) and symptoms of depression (Hansen & al., 2006; Jeanneau, 2014).

Thus, the consequences that the victims of harassment can experience in the workplace are quite diverse and harmful.

## Engagement and common goals

Considering the important impact of psychological and sexual harassment in the workplace throughout the province of Quebec, various organizations are required to take action and enlighten people who are victims of harassment in the workplace. This is how the *Front de défense des non-syndiqués*, a gathering of organizations with the purpose of improving the life and work circumstances of non-unionized workers, decided to create a working committee whose goal would be to consider the issue of harassment in the workplace. This committee is comprised of the following organizations: *Le Groupe d'aide et d'information sur le harcèlement sexuel au travail de la province de Québec inc.* (GAIHST), *Au bas de l'échelle*, *le Carrefour d'aide aux non-syndiqués inc.*, *Illusion Emploi de l'Estrie* and the *Conseil régional FTQ Montréal métropolitain* (CRFTQMM).

This committee's members decided to undertake a qualitative study with their clients, seeking to document in detail the lives of the workers who avail themselves of the resources provided by legislation when it comes to psychological harassment. This study's goals are to identify: what improvements could be brought to the treatment the victims who have denounced harassment in the



workplace experience, how the organizations handle the complaints they receive and how the law is enforced.

In this current report, the experience of the victims of harassment in the workplace and their perceptions of the various procedures they had to go through will be examined. The main goal of this research is to offer an overall picture of the situation of the non-unionized workers who experienced psychological or sexual harassment in the workplace and who filed a complaint about their situation. This way, it will be possible to establish recommendations for the various groups involved with the victims of workplace harassment and who might have to make decisions about this.

To reach this goal, four significant aspects related to the experience of these victims will be addressed. Firstly, the work environment in which the harassment occurred, and the characteristics of the victimization events will be discussed. This part will allow a better understanding of the circumstances where it is possible to observe harassment in the workplace.

Secondly, the nature of the internal complaint will be explored, that is the internal resources available in the victim's company and the manner in which the complaint is handled. This part will let us observe and evaluate the central points that are revealed and the possible improvements to the treatment of an internal complaint that can be conveyed to the company.

Thirdly, the progress of the external resources initiated by victims of harassment in the workplace will be observed. This part will highlight any significant points and any areas for improvement for the organizations in charge of enforcing the law, and this, according to the point of view of the persons who needed the help of those organizations. Thus, it will be possible to make recommendations to achieve a better handling of complaints and a better implementation of the law.

Finally, the consequences of the experienced harassment and the received support will be addressed for a better understanding of the needs of the victims of this kind of violence.

## II. Methodology

This section introduces the data collection method, the data analysis procedures and the different themes handled in the analysis.

### Data collection

The data collection took place as semi-structured interviews. All these interviews have been recorded by an audio system. The participation of victims of psychological and sexual harassment in the workplace has been sought to observe the reality of these situations' complaints. The type of harassment experienced won't be considered in this analysis.

The victims of harassment in the workplace have been contacted by the members of the organizations of the FDNS's *Comité de travail sur le harcèlement psychologique au travail*. The recruiting was done among the client base of these various organizations. Every person approached was informed about the study and its objectives. Once they were certain they wanted to participate to the study, they signed a consent form. The signature of this form happened before the interview.

Thirteen victims of harassment in the workplace have been interviewed: nine have experienced psychological harassment and four have experienced sexual harassment.

The interviews, which lasted between 1 and 2 hours, have been realized by a professor of the Organization and Human Resources Department from the Université du Québec à Montréal (UQAM). These interviews happened in the location that was best suited to the interviewed person. Hence, most of these interviews happened on the premises of the various organizations previously mentioned, at UQAM or in the interviewed person's home.

### Qualitative Data Analysis

All the interviews have been completely transcribed. First, a vertical analysis of the *verbatim* was realized to bring out the themes found in each one of these interviews. Then, a cross-sectional analysis was done to compare all the interviews and bring out their commonalities, but also to bring out their differences. This type of analysis allows a study of both the common and distinct experiences of individuals. To guarantee the trustworthiness of the interview grid and to be able to adjust it depending on the unexpected themes that might emerge in the interviews, as well as evaluate it, the vertical analysis has been carried out progressively while the interviews were in progress. Please note that the data collection is finished when the saturation is reached, when there are no new or contradictory elements appearing during later interviews.

In the cross-sectional analysis, the sentences, or parts of sentences,

expressing an experience related to the harassment are highlighted and described depending on both the context and how each person lived this experience. This analysis allows the identification of discrepancies or convergences in the statements and the experiences of the participants. This allows a better extraction and structuring of the data, to better understand the overall experience surrounding the issues of harassment in the workplace. In other words, we want to know if a common view exists for the various concepts related to this subject.

The themes covered in the interviews have been manually codified. An interim agreement has been completed in view of the codification of two meetings and it has been established that the judges' codification matched 9 times out of 10, which appears as satisfactory.

### Semi-structured interview, themes and sub-themes

The starting directive was: "What can you tell me about the harassment you've experienced?"

The main themes covered during the interview were: the experienced harassment, the complaint about the situation, the initiated claims and the effects of harassment on the victim.

Hence, many themes and sub-themes progressively became obvious during the interviews.

The highlights of the participants' experience have been extracted throughout the codification. These highlights are: the employment, the experienced harassment, the internal complaint's progression, the external claims initiated, the consequences of the harassment and the received support. Thus, this categorization let us bring together the concepts to observe if the participants had the same opinion about every theme addressed.

The project received the approval from the *Comité harcèlement psychologique au travail* of the FDNS. Every document used for this study was presented and approved by the *Comité* (research protocols, consent forms and interview grid).

### III. Analysis

The analysis of thirteen interviews has been done to expose the situation non-unionized workers who experienced harassment in the workplace and who made a complaint about the harassment they have suffered through. We have discovered that various elements stood out from this analysis and we classified them under different themes. Notably, it appears that four aspects have been highlighted by the participants: the internal complaint, the steps undertaken by external resources, the harassment in the workplace's consequences and the received support. In the first place, it seems important to discuss the sample's description and the events they experienced to offer an overview of this problem. To protect confidentiality and to facilitate comprehension, fictitious names have been allocated to the participants. A description table of these participants can be found in Appendix 1.

#### 1. Description of the sample, the workplace and the experienced harassment

Concerning the features of the sample, all the participants were women who were on average 46 years old. The youngest participant was 37 years old and the oldest was 58. Eight participants had a partner and five were single or divorced. They had one child on average.

To better understand the conditions experienced by victims of harassment in the workplace, it seems important to display the work environment of these workers, as well as some of the characteristics related to this experience.

#### 1.1 The job and the work environment

It is without any surprise that the results obtained reveal that the harassment happened with employers of various workplaces. Eight participants were working in different private sector companies, four were working for a non-profit organization and a participant was working in a union. Every participant held a different position, from director to a cashier, to technician or advocacy.

Despite the diversity of the work environments and employment held by each participant, they all have a common attitude when it comes to their work. As a matter of fact, all the participants affirm that they have a deep enjoyment of their jobs. Èva claimed that she liked her work.

"I've always liked it. It's always been my element. [...] It's an environment I like." (Èva)

Anita thinks the same way as the previous participant, mentioning her enjoyment of her employment.

"I love my job, it's a mission. Everything... [...] My job is something exciting, gratifying, that has an impact too... [...] It has value for me." (Anita)

Zoé clarifies her statement, saying that she was happy at work when she wasn't experiencing harassment.

“When it's going well, I love my job. I love doing media relations.” (Zoé)

Simone further explains the link between the incidents experienced and the enjoyment of the employment. She enjoyed her tasks and her job when she wasn't being harassed.

“It was great. Well, I mean I liked it... If it had not been of these people, I would have been happy to settle there.” (Simone)

In short, all the participants were happy at their workplace and they appreciated their job. However, the harassment they experienced affected their enjoyment of their work environment negatively.

## 1.2 The experienced harassment

As specified earlier, two types of harassment have been observed for this study: sexual harassment and psychological harassment. These concepts are not mutually exclusive. In the studied sample, the 13 participants reported experiencing psychological harassment, while four also reported experiencing sexual harassment. As a matter of fact, the files of sexual harassment in the workplace all contain elements of psychological harassment, which is inversely not the case. After a complaint of sexual harassment is made, it is common that the person who was a victim of it starts to experience psychological harassment from

the presumed harasser, which constitutes reprisals.

### 1.2.1 Manifestations of the experienced harassment

Psychological harassment is often characterized by denigration in front of colleagues, derogatory comments about work and offensive remarks aimed directly at a person. It seems important to show some examples of psychological harassment experienced by the participants in order to properly understand the conditions which lead to the complaint.

Gabriella explains that her supervisor told her, in front of others, that she was incompetent and invited her colleagues to insult her.

“It went as far as making me lose my assistant position. They told me it was because I was incompetent, unable to count that I was being hysterical. [...] Once, she made them all come to me one after the other and she said to them: “Well, tell her [Gabriella] to her face that you don't like her, that she is boring.”” (Gabriella)

Olivia declares that her supervisor would make negative comments about the quality of her French.

“She told me: “The way you speak French, you will never be director.”” (Olivia)

Mélody explains that her supervisor communicated aggressively with her and made racist remarks about her.

« But the supervisor also talked to me aggressively, because he was always angry. [...] He asked me how I managed to be in this position. Because that's a position for someone who speaks Québécois, for a person from Quebec.” (Mélody)

Zoé reports that her superior was denigrating her work in front of her co-workers.

“He got up in front of everybody and he took the document and was crossed it out all in red. He shouted at me that it was crap and that I couldn’t do that.” (Zoé)

In short, the participants report that they have been denigrated in front of their co-workers, as well as receiving insults related to their work or themselves. Many among them have claimed that the presumed harasser would shout and be aggressive when they were addressing them.

When it comes to sexual harassment, Sharon reports that the presumed harasser made sexual comments, as well as having inappropriate non-verbal behaviour.

“He was undressing me with his eyes. [...] Later, he started saying: “Hum, I would like to make you feel good with my hands, give you a massage.” ” (Sharon)

Simone explains that the presumed harasser repeatedly invited her out, even if he knew she did not want to be invited, and he offered her gifts.

“There were invitations to the restaurant, invitations to shows, invitations to go on vacation.” [...] “Let’s go, we will go shopping, I’ll give you something. We will go out for supper.” [...] “I had always told him: “No, no, no, no, for me there is no discussion about that.” So, that time, “Let’s go, we’ll do something... you don’t want a gift?”; “No, I don’t want one! No, I don’t want it! I don’t want to go. I am tired.” It always ended with me not knowing what to say. Then, I went to my car and he followed me and when I sat in the car, he was holding the door and it was dark. I did not like this. Then, I was pulling on the door. I said: “Release the door”; “No, come to the restaurant!” ” (Simone)

As for Catherine, she explains that the presumed harasser was making improper compliments to her, giving her undesired gifts, kissed her by force and that he was constantly watching her.

“He was always telling me I was beautiful. That I had a beautiful body but that since I was too small, I had to eat more to have better forms. I had a beautiful mouth. [...] He was always looking at me. I was walking, and I could always feel a gaze following me. [...] He brought me back gifts. He started to bring me small things, chocolates, apples, bananas, anything. Anything he could get his hands on, he was bringing it to my office.”

[...]

“He called me, I turned around toward him, since he was sitting on the passenger’s seat. I didn’t even have the time to turn myself completely. [...] He took his hand, pulled me toward him by the neck and he started kissing me forcefully.”

[...]

“I was standing, he was sitting behind his desk [...] I said what I had to, and I was about to leave... it’s unbelievable how fast he left his chair, preceded me to the door, closed it while I was almost at it, tackled me against the wall and tried to kiss me again.” (Catherine)

In short, the participants, who experienced sexual harassment, report that it took the form of sexual comments, improper gestures and undesired repeated invitations and gifts.

### 1.2.2 Duration of the harassment

The harassment experienced by the participants lasted on average two years; from three months to a length of eight years.



### 1.2.3 Profile of the presumed harasser



Regarding the profile of the presumed harasser, eleven participants report that they were harassed by a superior and two participants claim to have been harassed by a colleague of the same hierarchical level. It is interesting to mention that a participant reported to have been harassed both by a superior and by a colleague.

In short, the participants have mostly been harassed by a superior for many months, some even for years, before internally complaining about the situation.

## 2. Internal complaint

The internal complaint to the human resources, to the superior or to the employer constitutes the first step of a complaint that can be realized by the persons who think they are experiencing harassment in the workplace. The complaint and the handling of the complaint changes depending on the in-house resources and the internal policy linked to harassment in the workplace. So, it seems relevant to look into three particular aspects of the internal complaint to better understand what the participants experienced when they faced this procedure: the in-house resources and the outcome of the complaint.

### 2.1 In-house resources

Two different realities came out of the interviews when it comes to in-house resources. The first one, reported by eight participants, raises the fact that there was no policy related to harassment in the workplace. The second situation, experienced by four participants, shows the presence of a complete policy about this subject. One participant preferred not to answer this question. That's how Olivia shares that there was a policy, many memos posted at her workplace and that a seminar had been given to the employees.

“We even had a seminar on psychological harassment. It was a video, he came to show us this and there was a lecturer. [...] He also explained what the differences between managerial right and psychological harassment were. [...] Us, we had all the placards of the Labour Standards, in colours [...] displayed everywhere...” (Olivia)

Anaïs reports that there was a clear procedure to follow at her workplace and that they had an Employee Assistance Program (EAP).

“Yes, of course [...] we had a very, very, very well laid down procedure. [...] In a second step, I asked to have the help of the EAP.” (Anaïs)

What Sharon mentions goes in the same direction as the two previous participants; there was the presence of a policy targeting harassment, as well as an annual seminar on this subject for the employees.

“They talk about harassment and there were seminars on harassment every year.” (Sharon)

In other words, the majority of the participants mentioned that there was no policy on harassment at their workplace,

while a third mentioned that there was such a policy in place. It will be interesting to observe if the presence of a policy will affect the results of the internal complaint and how it is processed since it clearly could not prevent harassment in the workplace for the participants.

## 2.2 The complaint and how it is processed

That there is the presence of an internal policy on harassment in the workplace or not, all the participants internally complained about their situation. The thirteen participants have denounced their situation verbally and four among them also denounced it in writing.

Most of the participants report having difficulties with everything surrounding this procedure. As a matter of fact, eight of the thirteen participants feared reprisals after their complaint. Anaïs summarizes well the thoughts of the participants about this subject, by mentioning the fear of losing her job if she complained about the situation.

“And at the same time, there is all the “well I don’t want to lose my job either!” [...] I was the one responsible for the family, well, monetarily.” (Anaïs)

Catherine also explains that she was afraid of losing her job or suffering reprisals, but she adds that she was afraid that the complaint would affect the office atmosphere.

“I have always taken into consideration my employment and I closed my eyes for a long time, which I should never have done. I did not want to

lose my job. [...] I was very shy, and I was afraid that the atmosphere, that the vibe would change and then he would find an excuse to fire me or to belittle me or something.” (Catherine)

As well as experiencing the fear of reprisals, many participants report that they were afraid they would not be believed, not be helped or even be perceived as the core of the problem. In the end, many participants claimed that these fears proved to be well founded. Èva reports that she should have gone to see the administrative council directly, because she thinks the director did not tell them the truth about the events of harassment.

“I should have talked to the A.C., but I am sure that [the director] did not tell the truth to the A.C., that she was hiding a lot of things.” (Èva)

Mélody feels the same way as Èva, mentioning that the alleged harasser denied everything she was saying and that instead he claimed it was Mélody who did not understand his statements.

“I called the Human Resources. I told them what was going on [...] but him, he said, “No, no, no it’s not true, she misunderstood me, she is too sensitive.”” (Mélody)

As for Simone, she reports that she was not taken seriously, because her superiors claimed they had their own problems.

“Often, I asked my boss for help. The boss, well him, he was always getting shouted at and he was being disrespected, so it was: “Me, I have enough problems,” that he told me, “Help yourself.” With the son, it was the same way: “Me, I have enough problems, do it yourself.”” (Simone)

When it comes to the fear of not being believed, Anita stresses that her employer

minimized what she was experiencing, and he was not convinced that it was harassment.

“I felt extremely lonely with my [employer] in relation his belief that I was going through something. They were not convinced that I was experiencing harassment and that in reality “You just have to laugh it off, just laugh it off.”” (Anita)

In short, the participants have reported fearing reprisals, for example being fired after the complaint. They also reported fearing would not be believed or taken seriously by their employer.

### 2.3 The outcome of the complaint

All the participants pointed out that, after their internal complaint, their employer did not manage to put an end to the harassment they were going through. In fact, only five of the thirteen concerned employers tried to make the harassment stop: two of the four employers who had a policy in place and three of the nine employers who had no policy. Despite these employers’ attempt, the harassment did not stop. As a first step, it would be interesting to observe the results of the internal complaint for the participants and as a second step, to look more into the actions taken by the employers who had a policy against harassment in the workplace.

#### 2.3.1 The results of the complaint

According to the analysis of the interviews, two possible situations can emerge after an internal complaint. The first situation, reported by seven

participants, happens when the harassment continues. In that sense, Olivia reports that despite the complaint she made to her employer, the alleged harasser didn’t change her attitude.

“I went to see [a member of the Administrative Council] who was on site. I told her “There look, me, I’m in a situation I am sure is psychological harassment in the workplace, I would like you to take action. “She said, “It’s okay”, she added, “I will talk to the President.” [...] So then, when we came back from the Easter break, well then something else happened.” (Olivia)

Simone says the same as Olivia, mentioning that even after writing an email to set up a meeting to discuss the situation, the harassment went on anyway.

“I wrote, and I said: “Now, we need a meeting, everyone. I am sick and now we will decide together what we’ll do, because me, I can’t take it anymore.” [...] First, it was to ask them to stop and two, despite everything they did, and I do not regret it anyway. [...] So that’s it, I wrote an email, there’s been a meeting and then I saw that it would still not work. I was wasting my time, so I asked for help.” (Simone)

The events reported by Anaïs support Simone and Olivia’s declarations. This participant explains that the harassment continued after she made an internal complaint and that the alleged harasser came to meet her after having heard from the employer the complaint was about her.

“At 12:30 pm, [the alleged harasser] said to me: “The bosses told me that we needed to go eat at a restaurant together and that they are paying.” I said, “Ah yes.” So, we are at the restaurant and suddenly she told me, “The bosses met me this morning because you made a formal complaint about me saying that my attitude toward you wasn’t appropriate.” Then, she took out the envelope and told me: “You can read it, it’s written in the letter, and your name is there.” I say: “Me, I have a new job, I have family responsibilities and a work that

is calling us. Now, what we are going to do, we will show the direction that we are adults, that we are responsible, that we know we have a job to do.” [...] So, we go back to the office, I send an email to the direction saying: “OK, it’s good, we met.” But then it continued. The weeks go on, it continues.” (Anaïs)

In short, after the complaint, seven participants claim that the harassment continued.

The second situation which stands out from the interviews is the occurrence of reprisals after the complaint, as raised by six participants. A first example of reprisal is reported by Sabrina. She explains that, after the complaint, the employer used the work schedule to penalize her by imposing her presence at work earlier than for the other employees.

“He says: “You do not even ask me the time you are starting tomorrow?” I said: “Well yeah, you told me earlier.” He says: “What time did I tell you?” I answer him: “You told me at 9:00 am.” He says: “No. For you now, it’s 8:00 am.” “What?” I said: “It is 6:30 pm I’m not yet at home, now you tell me it is 8:00 am?” “He says: « Yes, it’s 8: am.”” (Sabrina)

Another type of reprisal raised by four participants is the dismissal. Gabriella explains that few days after her complaint, her superior fired her.

“When we entered the store, she took her head in her hands and told me: “You get on my nerves I can’t handle you anymore, I can’t put up with you anymore. Take your things and get out. “I said: “Am I fired?” She told me: “No, you are going to reflection.” Like a kid. I said: “I am going to reflection.” I said: “That’s good.” [Monday morning], when I came up at work, I presented myself and when she saw me come in, she told me: “What are you doing here?” She says: “I thought that you had quit.” But I said: “No, it’s you who asked me to go to reflect at home.” [...] She says: “Tabarnak.” So, she took the phone, she went

outside, and I was fired on the next day.” (Gabriella)

Mélody claims to have experienced similar reprisals to those experienced by Gabriella, as she was also fired after her complaint.

“I made a complaint to the Human Resources. After that, he said that he was sorry and everything. But he was always angry with me because I did not agree with his method. [...] But after he gave me a letter... And when he gave me my dismissal letter, I asked him why, he answered me that... I said: “Daniel it’s because I don’t speak French, huh? It’s my French that’s bothering you? “He said yes. I said: “Ok. And in the letter, I would like you to write that the cause of my dismissal is my French. “He told me, “No I can’t do that because it’s illegal.” I answered: “But that’s the true reason.” He said: “But I can’t write that.”” (Mélody)

In short, six participants report having received reprisals, which went as far as a dismissal, after the internal complaint. More than half of the participants (7/13) report that the harassment continued after the complaint.

### 2.3.2 Actions taken by the employers who had a policy against harassment and the results

As mentioned earlier, four of the thirteen employers had a policy to counter harassment in the workplace. However, none of them managed to put an end to the harassment. Olivia’s employer made no follow-up after she made her complaint and the harassment continued. She then had to be put on medical leave by her physician to protect her health.

“Monday evening, me, I left. I’ve had no news from no one, none, you know, [of the superior] who could have called me to tell me: “Listen [the

president] is on vacation” or I don’t know “We haven’t forgotten you” or... They did not get back to me. [...] I went to the doctor. He put me on medical leave.” (Olivia)

When it comes to Mélody, as mentioned earlier, she was fired after the complaint.

“I made a complaint to the Human Resources. [...] But after that he gave me a letter [...] of dismissal.” (Mélody)

Anaïs reports that her employer met with the alleged harasser after her complaint, but the harassment still went on after that. Then, she complained about the situation again and the alleged harasser received a suspension without pay for three days. However, Anaïs’s colleagues stopped talking to her after this.

“And then they gave her three days of suspension without pay [...] The next day I arrived at work, no one talked to me [...] so I talk to them and no one was answering me. I went back to the office and there, I called my superiors to tell them that it was far from being enjoyable, so then, they told me: “Well, your colleague probably shared with them what happened.” And then, somehow, I was able to finish my day.” (Anaïs)

Sharon reports receiving reprisals from the alleged harasser after the complaint. The employer had forbidden him to go near Sharon, and when she complained because he was violating this rule, the alleged harasser retaliated in numerous ways, including putting screws in the tires of her car.

“I was going to see the director to tell him: “Ah! He just passed behind me, and I don’t like it and he isn’t supposed to.” “Ah... I will talk to him.” Two weeks later, he was doing it again. So, it was always stressful when he was passing behind and in front of me. And then, then he started doing some...I was making a complaint because he was

passing in front of me and the next Saturday he was putting screws in... he cut my tires.” (Sharon)

In short, these four participants report that their employers didn’t take the situation seriously and didn’t fulfil their obligation to put in place the necessary means to try to put an end to the harassment, and this, despite the presence of an internal policy. It is important to note that despite the intervention of two of the employers, none of them managed to stop the harassment. It got even worse in Sharon’s case (criminal misdeeds on her car) and it spread to her work team in Anaïs’s case (isolation from her colleagues). That’s how all the participants, in view of the continuation of the harassment or the appearance of reprisals after the complaint, decided to undertake proceedings with one or several organizations to assert their rights. These organizations are : the *Commission des normes du travail* (CNT), la *Commission de la santé et de la sécurité du travail* (CSST) et la *Commission des droits de la personne et des droits de la jeunesse du Québec* (CDPDJ). As mentioned earlier, an administrative fusion of the CNT, the CSST and the *Commission de l’équité salariale* (CES) happened on January 1<sup>st</sup>, 2016. This new organization is called the *Commission de l’équité, des normes, de la santé et de la sécurité du travail* (CNESST). However, this organization is comprised of three distinct divisions: the *Labour Standards* division, the *Pay Equity* division and the *Occupational Health and Safety* division and they all act independently, the same way the CNT, the

CES and the CSST were acting before the fusion.

### 3. External resources

As they did not obtain the results they wanted with the internal complaint, the participants turned to external resources to assert their rights. Thus, twelve participants made a complaint for harassment to the CNT, seven participants made an indemnity claim for employment injury to the CSST and three participants made a complaint to the CDPDJ for discriminatory harassment. It is important to note that, given the fact that few participants used the services of the CDPDJ and that all the complaints that were made there were rejected, the complaints procedure of that organization won't be analyzed in this study. These complaints did not continue further as they were addressed more quickly at the CNT or the CSST. This section will address the outcome of the redresses to the various government agencies, the problems encountered and pertinent points for each of the redresses, as well as recommendations made by the participants specific to each organization. Afterward, the reasons that caused the participants to drop one or more procedures, as well as the general difficulties they met among the external resources will be addressed. Finally, the next section will observe if, after their experience, the participants would make another complaint for harassment in the workplace should they be confronted with that problem again.

Furthermore, we will examine the general recommendations issued by the participants after their experience with external organizations.

#### 3.1 The redresses to the *Commission des normes du travail*

Three important aspects concerning the redresses to this organization must be analyzed to better understand the experience of those applying to it: the outcome of the redresses, the problems encountered and the pertinent points as well as the recommendations specific to this organization made by the participants.

##### 3.1.1 The outcome of the recourses to the *Commission des normes du travail*

Of the twelve complaints for psychological harassment made to the CNT, nine have been accepted. Of the nine accepted complaints, seven have been settled by an out-of-court agreement and one went to a court hearing. As the CNT's investigation was positive, the participant had access to a lawyer free of charge. The last complaint was under investigation during the interview. Of the twelve participants, three decided to drop their procedure after their complaint had been denied admissibility.

##### 3.1.2 The difficulties and the pertinent points raised by the participants

Nine of the twelve participants who made a complaint to the CNT gave us their comments on this organization. Seven of these participants report difficulties that



can be put in two categories: the difficulties linked to the interaction with the CNT's agents and the difficulties linked to the mediation. Sabrina expresses that she found this organization's staff were cold. Simone supports this statement by claiming that the CNT's staff was cold and not very receptive.

"The first [time] that I talked to the man, I found him to be very distant. Then, he said to me: 'I have a lot of cases, now I don't know.' He said: 'listen...I've read two, three lines...' [...] he added: 'Listen, I will study this' and he said: 'It is not, I am not the only one who decides all this.' " (Sabrina)

"I came upon an agent who had no conviviality, no patience, no humanity I'd say. And then, it's because he... me, I had done my declaration and then I received a letter stating I hadn't done it right, that it was not done correctly and that I had ten days to remake it. I had not done it the way it should've been done. Then, I'm calling to tell him, 'Look, I cannot do this in ten days.' So then, him, very harsh, very cold, he tells me: 'Madam, if you don't do it in ten days, we will close your file.' [...] I know that I can't do it in ten days. [...] Him, he started to be mean and all that and 'We will close your file and it is too bad for you.' " (Simone)

Gabriella deplores the lack of support and information provided by the CNT's agents.

"What I found difficult was the lack of support in all this. To have no help. In the sense that, when I called the Labour Standards, at the start them, well, they told me roughly what it was. They asked me to do some research on the Internet, what I did by the way. And I asked them, I said: 'But where can I find help?' I said: 'I understand the mediations, I find myself in front of my employer and all that.' But I said: 'What will I gain from this? I've been fired.' And them, they answer: 'During a mediation you can ask for anything you want. 'I said: 'Anything I want that's wide.' I added: 'That's very broad, so up to what can I ask? '[The mediator] said: 'This is a whole other story now.' And it wasn't even money, it wasn't even that. I wanted answers to my questions.' " (Gabriella)

Other participants express more their disappointment with the mediator's actions in their case. Elsa deplores the attitude and the unavailability of her case's mediator.

"But she was often missing. The mediation was in April, because she could not before. She talked with Mrs. the owner and she said she wanted the mediation to happen in English. Then, the mediator called me to tell me that the mediation would be in English. I said no. The mediation, it will be in French. Me, I don't speak English, so we will do the mediation in French. [...] But the owner did not want to set a date. Every time that she called me to tell me the date, the owner was saying no, I can't, I can't. We changed the date four times. Finally, during the mediation, she wasn't there, the mediator. She was missing. One of her colleagues, it's him... I felt that he absolutely didn't know what he was saying. Because he wasn't responsible for my case. It was the other woman. But the woman never came, so he told me: 'Sorry, she could not come today, so it's me who's going to do the mediation.' " (Elsa)

Following the same idea, Anaïs expresses that she felt like a number with the mediator. She did not feel understood or supported by her, she felt a lack of empathy, as well as refusing her to hire a lawyer.

"Until I received the phone call from a mediator. *My god*, they also need to make an examination of their conscience. They are not dealing with file numbers, they are human beings who were hurt, well it's the case for me, in the deepest part of their individuality. And then, I felt like I was being treated like a number. [...] So, my employer had free schedules between this or that date, her own free schedules were between this and that date, and me, well I had to find an availability date among those they had chosen. I was telling myself, 'I am the victim ... me, I am the victim, and I have to adjust myself for my employer, who doesn't hear a thing, doesn't do a thing, I have to adjust myself for the Labour Standards' responder.' Because she was going on vacation [...] then I said: 'I would like to be accompanied. I want to inform you that, and I will be accompanied by a lawyer.'; 'You don't have the right'; I say: 'Why don't I have the

right? I have the right to be accompanied by anyone.”; “Madam [Anaïs] if you want to be accompanied by a lawyer, I’m telling you right now, I am closing your file and I’m sending it to the administrative tribunal.” [...] She tells me, “I tell you, if you arrive with a lawyer, I am transferring your file.” [...] I’m terrorized to go sit down with a mediator who has no sensibility toward what I’m expressing.” (Anaïs)

Anita thinks that the mediator showed too much flexibility toward the employer and applied too much pressure on her to accept her employer’s offer, to quickly close the case.

“I thought that she was not at all rigorous toward the employer’s representative. He made delays, delays... She was telling him things, he was not applying them. [...] Then, at one time she was losing ... she was losing patience, but she was often giving them too many chances. The Labour Standards representative. The mediator in person. Really, I think that she was playing the sensitive game with me. You know... “You know, I receive a lot of pressure to close the files. I can take it, I will elongate, but in early December then... do you think that...” And then, I felt guilty.” (Anita)

Sharon rather expresses a lack of empathy from her case’s investigator.

“He was interviewing me to find out what happened, to know if really there was... qualified to continue a trial [...] and the Sir told me: “Maybe it’s you who provoked him.” ” (Sharon)

In short, seven participants report that the CNT’s agents who intervened in their cases showed a lack of empathy toward them, which was expressed in various ways, such as indifference, a lack of cooperation and a lack of support and information.

Regarding the mediation, two participants reported not being satisfied by it. Elsa mentions that the mediation did not fulfill

her expectations, because the employer listened to her version of events, but refused to expose his version and the mediator did not react.

“Because I think that the mediation has to be fair for both parties. If a party has already spoken, already told her version of the events, the other party must tell it. Because, like, they listened to everything I said, but I could not listen to the things they said. It was not balanced. The mediator should say: “Hey Madam, she already told it. Why did you not tell us you did not want to talk in front of her son before she gave her version of the events? “He should say: “If she already spoke, excuse me madam, but you have to do it too.” It was like not serious... The person who was in charge, the mediator, she was never there. I was seeing how unimportant the mediation was. I was like: We must do it because it’s the first step.” (Elsa)

Furthermore, Elsa explains that it was very difficult to be in front of the alleged harasser during the mediation, because she was the owner of the company.

“Me, to have in front of me the owner, to talk of... she was seeing me like this. When she was saying: “Hey, listen. Me, I’m here... Me, I was not doing this. I’m not afraid. I know I’m telling the truth.” And this, it’s very complicated. It takes a lot of energy.” (Elsa)

Gabriella explains that she had difficulties making the employer uphold the agreement determined during the mediation and when she communicated with the case’s mediator, he refused to contact the employer to make a follow-up to assure the agreement’s implementation. He told her that it was her responsibility to contact her employer.

“So, [a lawyer she had consulted] told me: “Look, the less expensive solution would be to call the mediator. In reality, it would be up to the mediator to make the call and close this file.” So, I said okay. [...] I call the mediator, he says to me, I was

very angry on that day, he tells me: “It is not my job to do these procedures.” I said: “Ah, no? So, who has to do these procedures?” He answers: “It’s you.” But I said: “What the...I have to call my employer myself to ask him to uphold the agreement?” So, he tells me: “Yes, it’s up to you to do it.”” (Gabriella)

Inversely, of all these participants, two of them report having a positive experience with the CNT’s agents. Èva explains that she got very kind agents from this organization and that the investigator for her case was very empathetic.

“I got agents from the labour standards that were very nice. The agent who had my file... Firstly, I was happy to be heard. [...] I had a three-hour-long meeting with her, at the Standard’s office. She asked me to tell my story. I felt a lot of compassion and empathy.” (Èva)

Zoé found that it was easy to communicate with the CNT and she appreciated having an assigned agent for her case, instead of having a new one at every call. Furthermore, she added being very satisfied with the mediation that unfolded at this organization.

“I’ve had no problem with the *Commission des normes du travail*. I could easily talk to my counsellor there. When I called, I could easily talk to someone. I did not change advisor 10 times. Well, sometimes, it can also happen with the government. But no, I’ve had no problem. The contact was quickly established over the phone. I wasn’t put on hold for 2 hours. They did not lose my file. I did not move from one advisor to the next. Then, for the mediation, it also went well. We had a sympathetic mediator who could explain to everyone what was going on.” (Zoé)

In short, these two participants report having a good reception at the CNT and that they were satisfied with their case’s treatment, while seven participants show the contrary.

### 3.1.3 The recommendations to the CNT given by the participants

Of the nine participants who made comments on this organization, four of them also made some recommendations on the CNT. First, Sabrina explains that it would be helpful for the CNT’s agents to give more information to their clients because they don’t always understand how the organization is working. Furthermore, she explains that it would be appreciated if the agents could be more compassionate toward their clients.

“Take the time to talk to me, take the time to explain things to me, because for me, it’s the first time that I make a complaint to the Labour Standards.”

[...]

“And that’s it, I would like the persons we talk at the labour standards with to be more compassionate toward us and for them to take the time... to not only be doing their job. That they think they have humans in front of themselves and that those humans just went through something difficult, really not easy. So, for them to be more receptive to what we are experiencing. We need to be more supported in our progression, our journey.” (Sabrina)

Zoé adds that the agents should give more advice.

“It is clear that for the *Commission des normes du travail*, there’s a lack when it comes to the given advice, in fact.” (Zoé)

As for Gabriella she suggests a first-hand meeting to be done when the complaint is made to help provide a better reception.

“In fact, I would say maybe the possibility, already at the start, when it comes to the labour standards, when we go there, at least to be able to meet

someone. [...] We feel so diminished already at this moment, so talking to a phone you ask yourself, “Is the person... How is reacting the other person... Does she even care... Is she currently eating?” (Laughs) You can imagine anything. You hope for the best that it isn't just a job she's doing by filling papers, something like that.” (Gabriella)

Elsa suggests changes in the terms of the mediation, by proposing not to be put in front of the employer when he also is the alleged harasser and that, when the mediation doesn't work, the mediator could make a report to the investigator about how the mediation was conducted, for him to take it into account in his evaluation.

“I think that the mediation, it should be done separately. You can't be in front of the harasser [...] There is no report [after the mediation]. The mediator only says: “The mediation didn't work, we continue.” What's the point of a mediator? Ok, to reach an agreement, but in my opinion, he should have the obligation to give all the information to the investigator.” (Elsa)

In short, these participants explain that the CNT would improve its services quality by adopting more human measures in their way of treating the people who are making complaints.

### 3.2 The redresses to the *Commission de la santé et de la sécurité du travail*

Just like for the CNT, three important aspects of the redresses made to this organization must be analyzed: the outcome of the redresses, the difficulties encountered and the pertinent points, and the recommendations of the participants for this organization.

#### 3.2.1 The outcome of the redresses to the Commission de la santé et de la sécurité du travail

On the seven claims that were made to the CSST for employment injury after the harassment, six were rejected. Of those six files, one has been settled by an out-of-court agreement and three won their case at the *Commission des lésions professionnelles*, the administrative tribunal who was called to judge the objections to the decisions made by the CSST until January 1<sup>st</sup>, 2016. The two other participants who saw their claim rejected by the CSST abandoned this redress. One of them because she didn't know she could appeal the decision of rejection and the other one because she could profit from a disability insurance after the CSST's rejection.

#### 3.2.2 The difficulties and the pertinent points raised by the participants

Five of the seven participants who made a request to the CSST raised some difficulties or pertinent points about their hearing with this organization. Four of these five participants reported having met more difficulties at the CSST than at the CNT, either when it came to the cases' treatment, or when it came to the reception. Simone deplores the lack of confidentiality in this organization. In her opinion, this way of operating is not appropriate for cases of harassment, especially when the employer is the one being accused.

“What I found horrible and not very brilliant was that they told me: “Now, you will make a claim and then, you will be careful what you are writing, because your employer will receive a copy.” Kudos. Maybe in case of a broken leg, it's okay. We are talking about harassment. There are some who do not understand what harassment is and how far it can go. You do not give information to a harasser.” (Simone)

Furthermore, she added that she felt manipulated by the CSST.

“At the CSST, I felt manipulated, they lied to me. And we are only numbers in the end. I find that, humanly, we are numbers.” (Simone)

Just like Simone, Anna deplores the lack of confidentiality of this organization.

“Then I realize that the CSST took my file, made a photocopy and gave it to my abuser. That, it destroyed me. I tell myself nothing worse can exist, it's impossible.” (Anna)

On another note, Catherine explains that she had a sense of misunderstanding during her communications with the CSST and a sense of having to justify herself every time.

“What's tiring is to always talk to an agent and to explain to him your case while the CSST can directly get through a physician. I would like to have Sir or Madam's report... Not to contact the patient or to contact the employee directly and contact the health professional and contact me to know how I feel. If my physician gave you a report about me, why do you want me to confirm it with me? That's what I didn't like. I was tired, I did not want to justify myself every time, I feel like I have to give a debriefing to someone [...] And I often feel like there are trick questions, that often, I can't find answers, I don't even know what to say.” (Catherine)

Catherine adds that her first contact with a CSST agent had been very negative.

“She was very cold, no pity, no sympathy, no empathy, nothing at all. [...] This, it's the first contact I had with the CSST.” (Catherine)

Sharon also deplores the reception at the CSST when it's about a claim for harassment in the workplace.

“When it's harassment, no, no reception. We make things up, we invent, we only want to have days off, it's not possible. [...] It's a service they offer to the employees who were victims of work injuries and it's always trying to find a flaw, so they can refuse it.” (Sharon)

Contrarily to these four participants, Èva reports that her file's agent at this organization was very patient and kind.

“I had an agent, I don't know what her title is, but she was very kind, also, she called me: “[Miss Èva], I will not call you back now. I can't call you back, it's already been three times that I've told you that you need to file it.” I thought that she was kind and patient and that she was good.” (Èva)

In short, Èva reports having appreciated how she was treated at the CSST, while four participants report they did not appreciate the interaction they had with this organization.

### 3.2.3 The recommendations offered by the participants for the CSST

Three participants offered some recommendations for the CSST. Simone suggests that the transmitted documents should be confidential.

“The CSST, I would not give my employer the opportunity to have access to everything.” (Simone)

Anna thinks the same as Simone, mentioning her discomfort with the fact that her employer has access to her entire file.

“The CSST sends your entire file to your employer, so... [...] I've always said to my clients, the only

way to stop violence, it is to denounce it, not in terms of psychological harassment in the workplace, I won't do... because I'm someone strong, and I don't know how often I wanted to stop ... the employer has all the means now [...] She's got them all the examples, she knows who my witnesses are. So that, it weakens us even more." (Anna)

Sharon expresses that, maybe, it would be better to create an organization that would only handle cases of work accidents of a psychological nature, since these types of accidents are different from the usual files the CSST receives.

"There should be a completely different organization from the CSST. CSST physical work accident and CSST psychological work accident. So, maybe people would be more apt to resolve the cases versus... because the physical you can see it, psychological you don't see it." (Sharon)

In short, these three participants recommend to the CSST to treat cases of harassment in the workplace differently, because they possess features distinct from work accidents of a physical nature and because the experience of these persons requires a suitable intervention.

### 3.3 Why did the participants abandon one or more actions?

It is important to consider the reasons that drove some participants to abandon one or more of their redress to understand the experience of these persons better. Three of the four participants who had to abandon at least one of their redress reports that they did it out of self-respect, whether it is because of a lack of energy or because of financial difficulties. Thus, Olivia explains that she didn't have the energy to fight anymore and that she

couldn't afford the cost of a lawyer, which forced her to abandon her complaint at the CNT.

"I've done nothing. I had no energy left, I had nothing. [...] I felt like I would have wasted my time and my money. [...] No. I stopped there. Because then, I would have had to hire a lawyer." (Olivia)

In the same way, Èva explains that she withdrew one of her complaints, because she did not have energy left to fight.

"I made the decision to withdraw the complaint. I do not have the energy to fight anymore." (Èva)

Anaïs reports that she withdrew a complaint, because she also felt the need to take care of herself, but also because she became disillusioned with the system.

"I accepted going back, I accepted revisiting these trails, that were known, but that I had put very far behind me, and I benefited from this platform to take care of myself as much as possible. [...] Well... because I lost faith in the system. I did not believe in the system anymore." (Anaïs)

The fourth participant, Anna, explains that she abandoned one of her complaints because the rejection by the CSST allowed her to benefit from her disability insurance, so she didn't need to contest the decision.

"As soon as the CSST rejected me, my insurances began paying me." (Anna)

In brief, the majority of the participants who abandoned some redress did it to take care of themselves and because they had no more energy.



### 3.4 General difficulties caused by the external resources

The participants raised various difficulties that do not fall under a specific organization. The first difficulty concerns the contact with the various organizations, as well as their operations. Olivia reports that after she met with the CNT and CSST's agents, she had the feeling that they did not consider the events she described as serious and this greatly affected her.

"Yes, and it's as if it were not serious. It's as if they had the right to say whatever they wanted and it's no big deal. You know, they demolished me, they drove me over, I was shattered. I only feel good enough to fold panties at Wal-Mart now." (Olivia)

Mélody resents that she cannot communicate with the organizations in her first language, Spanish, and that the organizations ask her to write the documents in French.

"The most difficult part for me, also, is when it's time to fill out the form. Me, I have a lot of difficulty to... In French. [...] In Spanish, I can explain well, exactly what I'm feeling, what has happened, but in another language..." (Mélody)

Catherine expresses her discontent with the various agents who were hard to get hold of and lacked empathy toward her, which showed in their attitude when she contacted them for more information.

"Like I tell you, they are working agents. They look like robots. They start at 8:30 am, they take a break at 12:00 pm, come back at 1:00 pm and finish at 4:30 pm. And even during these hours, they don't have time to explain anything to you. They don't have the time. [...] How many times have I called them for information? They told me:

"Ah, because now you have a lawyer, we cannot communicate with you directly." "I'm the person concerned, can you explain something to me?"; "No." (Catherine)

Anna particularly deplores the lack of communication between the government agencies, which forces people to repeatedly prove themselves.

"Then, Labour Standards does not talk to the CSST who does not talk to *Revenu Québec*, who does not talk to Employment Insurance... They do not talk to one another. So, you must do... you are the victim, and, in addition, you always have to prove yourself." (Anna)

In brief, the participants cite many difficulties related to the operation of government agencies and their dealings with their agents, such as the lack of empathy of these agents, the lack of information they provide and the lack of communication between these organizations.

The second difficulty raised by the participants concerns the fact that they had to tell and put on paper what they experienced multiple times to different persons, forcing them to re-live those painful memories again and again. Gabriella explains that it is difficult to relate the events she experienced multiple times for each complaint made, because it forces her to relive the psychological harassment she experienced.

"When we make the complaints at first and we must finally tell our stories or anything, you have to relive continuously. What I found difficult, it was to relive, I would say continuously, the harassment." (Gabriella)

Sabrina thinks the same as Gabriella and she adds that it is humiliating for her to be emotional and to cry in front of people when she tells her experience.

“And it’s stressful to know you must always repeat and talk about it, and talk about it. I find it difficult. I find it humiliating also, to cry in front of people.” (Sabrina)

Three participants talk more about the difficulties surrounding the drafting of the complaint and of the statement of the facts.

“Preparing the case, it is something, because you’re all emotional, all that. You think of everything, you try to remember all the events, all that.” (Olivia)

“Firstly, I wasn’t ready. My claim, it was miserable. I was crying, crying, crying. I couldn’t concentrate. Anyway, it’s badly written, it’s badly told, but there are a lot of things I haven’t written.” (Simone)

“But... someone sitting alone at home, while filling this out, it’s enough to take away your motivation to make that damn complaint. You need support. You need help. It’s a tedious exercise. I didn’t like it.” (Anaïs)

Anna explains that the fact of having to repeat her experience multiple times is an additional form of victimization.

“The victim is re-victimized during all the procedures. You have to deal with lots of governmental strata who never communicate between themselves.” (Anna)

In short, it has been difficult for the participants to remember again and again the events of the harassment they experienced and to write them down, as well as repeat them to agents of various organizations.

The third difficulty raised by the participants concerns the delays. Olivia

reports the anger she felt when it came to the length of the organizations’ response time.

“The waiting. Really. Damn it was long, really. This, it plays on your life, it will give you a sense of what is going to come. Will you receive help or will you not?” (Olivia)

Sabrina says the same by mentioning that it is difficult to wait so long in uncertainty.

“[What I found difficult is] the wait. The uncertainty that your cause will be granted.” (Sabrina)

Catherine also found the delays very long.

“[What I found difficult] were the delays. It was very, very long. The procedure is really long.” (Catherine)

The fourth difficulty brought to light by the participants is related more to the legislation addressing harassment in the workplace. In that sense, Elsa explains that it is very difficult to prove harassment in the workplace.

“The most difficult thing is to show what harassment in the workplace is. It’s the most difficult, because I know the consequences on my health and in my life, but to prove to others what really happened, it’s not easy.” (Elsa)

Olivia specifies that the problem with the legislation would be the interpretation of the events done by many agents, which would harm the enforcement of various laws. She also mentions that every individual has their own tolerance limit of what they can put up with as unhealthy behaviour, which makes law enforcement tricky in that context.

“It’s something that is too subjective, that’s what’s going on. It’s really the negotiator who will analyze it, is it this or is it that? That’s it. Then, what is difficult, it depends on each person. Everyone, we have our fragility and we can also take more or fewer things, depending on the context too.” (Olivia)

So, these participants express that it is difficult to prove the harassment experienced in the workplace and that this could be caused by the fact that the interpretation of the laws made by various agents from the organizations would be too subjective, and that the tolerance limit changes from one person to another.

The fifth difficulty expressed by the participants concerns the work environment during the external procedures, while the person is still employed or during the return to work after a medical leave. This way, Zoé explains that given that she was always at her employment during her procedure with the external resources, the relations with the human resources were much more difficult.

“That means that from the moment when I made my complaint, the human resources would come see me and tried to know if... At first, they were very nice, so they tried to know if I had searched for a new job, if I wanted to quit, what were my intentions.” (Zoé)

Èva regrets the abandonment by her coworkers after she made a complaint.

“[What I found difficult] is the abandonment by all these people which was... I felt really abandoned by the gang of girls with whom I had worked and with whom we had big challenges [to reach in our career], who abandoned me as if I had never done anything.” (Èva)

In short, the relationship with their coworkers, after the external submission of a complaint has been more difficult according to these participants.

Despite the difficulties encountered during the various external procedures, Èva explains that the biggest difficulty related to the external procedures comes from the state which the persons are in as a result of experiencing harassment, which corresponds to the moment they must make the complaint.

“I would say that it’s not the procedure that is complicated. I would say that it’s the state in which we are that requires us a lot of efforts.” (Èva)

In brief, the participants report having experienced many difficulties related to the external redresses, and that, in many aspects such as the contact with the various agents, the delays, the remembering of the experienced events caused by the repetitions of the facts to the various organizations, the legislation on workplace harassment, the relations with the coworkers after the complaint was made and the psychological and physical state in which the persons can be during the procedures.

Considering these difficulties, it would be interesting to see if the participants would make another complaint to the various organizations in the case they were to experience harassment in the workplace again.

### 3.5 Would they file a complaint of workplace harassment?

After their experience, six of the thirteen participants answered that they would make a complaint again, if another situation of harassment in the workplace were to happen, while three answered they would not and four were uncertain.

The participants made some slight recommendations for the various organizations working with people who experienced harassment in the workplace and which could improve their services.

### 3.6 General recommendations for the actors involved with the victims of workplace harassment

Four main recommendation categories have been documented after the analysis of the interviews: the recommendations about the operation of the government agencies, those about the study on the services provided by the external recourses' organizations, those about the lack of awareness and the recommendations that are not related to the external recourses' resources.

#### 3.6.1 Recommendations for the organizations providing legal recourse

Many recommendations for the handling of the cases of harassment in the workplace have been made by the participants. Olivia suggests not restricting a complaint to an individual level, but to check the business's overall situation.

"Me, what I find unfortunate, it's that it is treated all individually and they do not look at the overview of the company's situation. Y'know, because there are people who do not complain, there are people who just leave, but for those who stay, it changes nothing. It stays the same. Change needs to be brought somewhere." (Olivia)

According to Mélody, what would be important to establish for the organizations is a way to be able to participate to the procedures in her first language and particularly to be able to tell what she experienced in that language during the mediation.

"But as I told you, the day of the mediation, it's me who had to talk, but I wasn't able to talk. Because of the language. Because I was very nervous. [...] But for me, it's the language always, as an immigrant." (Mélody)

Sabrina explains that it is imperative that the delays be shortened.

"Oh my God. For the waiting to be shorter. That for the first contact, the persons give us the benefit of the doubt." (Sabrina)

Catherine expresses two recommendations for the government agencies. The first one is that the agents should provide a more humane treatment of the people who use their services.

"It's like, as harassed people, we are considered like files, not like humans. We are scowled upon by some. What I would like maybe, if I would like things to change, is to put more understanding, less mean, agents on the phone. Agents that explain to you the procedure instead of telling you: "Go on Internet, you will find everything." [...] That these organizations take the time to explain, take the time to understand and to relieve the pain of this person, even if she is rejected later on." (Catherine)

The second recommendation of this participant would be for these

organizations to make a follow-up to ensure that the situation won't happen again under the employer against whom there's been a complaint.

"It's to put the employer back to its place, to explain to him or her that it doesn't work that way. It's to apply the laws and above all to come back later and see if the employer enforces these laws. It's not to give him a pile of documents: "There, that's how it works, OK, thank you, goodbye." It's to make a follow-up, it's a thing that's not being done in Quebec. There's no follow-up." (Catherine)

Anita thinks the same as Catherine by mentioning the usefulness of a follow-up during and after the complaint.

"An improvement of the legislation, precisely to ensure that during all the time of the complaint and after, there is a monitoring, because it's nice to make an agreement, but after, make sure that it is being followed." (Anita)

Anita adds that better protection against reprisals from the alleged harasser should be provided after a complaint and the submission of an external complaint.

"It should be written and that the others defending themselves, the harassers, they should not have the right to damage the reputation of this person, because it would aggravate their case. It would be held against them if they came to attack the person. Infringements in his working conditions, it would aggravate their case." (Anita)

In short, the participants have many recommendations about the operation of the external recourse's organizations, such as offering better protection against reprisals, making a follow-up with the companies concerned after decisions that have been taken and provide a more humane treatment of the people using their services.

### 3.6.2 Recommendations about the study of the services provided by the external recourse's organizations

Anaïs suggests creating a committee to investigate the treatment of the victims of harassment in the workplace, on the abilities of the mediators from the various organizations and on the use of these organizations' resources.

"The reality is how much are these directors earning per year? How much are the heads of the unit earning? How much are the mediators earning, and what are their tasks? Because it's, more humanized, these are just numbers, so me yes, I would create one committee by saying: "Us here, on our side, we are being evaluated only on the last 10 years, that's what is standing out from the victims." And now it continues, it's still as present as it was two years ago, and that it was at the time of my stepfather, 60 years ago. It boggles my mind to have heard that. And I would make a comparison with the profits they've earned this year, what have they not paid to the administrative tribunal that they kept in their wallet? What is that used for?"

[...]

"So yes, me, I would make a fact-finding committee. I would force the Labour Standards that, after 10 years well, it's like every other thing, maybe we can update, maybe we can revise some laws, we can maybe revise some decisions." (Anaïs)

Thus, this participant claims that it could be useful to create an organization or a fact-finding committee to elaborate on the operation of the administrative bodies to ensure that they provide a proper service to the people using their services.

### 3.6.3 Recommendations about the prevention

Catherine raises two recommendations about the awareness surrounding

harassment in the workplace. According to this participant, the first type of sensitization that should be done should be among the population in general, because very few people know about harassment in the workplace and their rights concerning that problem.

“It’s more in the procedure, to explain more to the people, to give maybe more leaflets to the LCSC, for example, to teach people what harassment is. There are some who experience harassment, they don’t even know that it’s harassment. It’s to give information and to make a follow-up, that’s what I would like to do.” (Catherine)

The second type of sensitization suggested by this participant is aimed at the employers. To do this, she suggests that the organizations systematically provide to all the employers some reminders that they have an obligation to provide to their employees a work environment free of harassment.

“Do not wait for harassment to happen in your company, do this at least once a year, send documents, send a reminder to every company, send, I don’t know, anything, a website, anything. Remind the employers that the harassment exists, that the harassment is forbidden.” (Catherine)

To do this, this participant expresses the importance of increasing the awareness toward harassment in the workplace, and this, as much as for the population in general as for the employers who have the obligation to provide their employees with a work environment without harassment.

#### 3.6.4 Recommendation unrelated to the external recourse’s organizations

A last recommendation expressed by Anita would be to provide more subsidies for the

groups defending the rights of workers, because these organizations help the victims, whether or not they win their recourse.

“I would increase the funding sources for groups like the GAIHST, who really come and take action... really, they have nothing to gain. It gives them nothing whether you win or you lose. But they help the victims.” (Anita)

In short, the participants have brought to light many recommendations aimed at improving the operation of the external resources, a better understanding of harassment in the workplace and a more adaptive approach to the victims of harassment. To better understand the importance of these recommendations for the participants, it would be useful to examine further the consequences they suffered after the experienced events, as well as the support they have received to go through the various steps they undertook.

### 4. The consequences of harassment in the workplace and the received support

The participants report having experienced various major consequences after the harassment they endured at work and having received support from various sources to pull through. Thus, it seems important to look further into these consequences and identify who supported the participants.



## 4.1 The consequences of harassment

The consequences raised by the participants can be divided into five categories: the psychological, physical, professional, relational and financial consequences.

### 4.1.1 The psychological consequences

The participants reported various psychological consequences. Some of these consequences can include a drop in self-esteem, insomnia or anxiety. It is important to notice the diversity of the psychological consequences for each participant, because every one of them experienced their own situation.

Olivia explains that she was very anxious when she was thinking of the events she experienced, which was happening as soon as she was not busy, and that she made arrangements to always have something else in mind not to think about the events.

“I smoked weed, a high amount of weed, and I got involved in lots of projects because I wasn’t able to think, I was too anxious. (Cries) I made a lot of renovations, I made the kitchen, the living room and the bathroom in three weeks, I think. The ceramic, the painting, everything. I was starting projects everywhere because as soon as I was taking a break, I anguished. I started to think to all that and I couldn’t realize... I felt, like, really startled to be treated this way after everything I’d done.” (Olivia)

Gabriella explains that for her, the psychological consequences were more experienced as an extremely low morale and physical exhaustion.

“I slept, I couldn’t stay up, I was exhausted, in spirits and physically. Simply making myself

breakfast, to pour myself a bowl of cereals, it took everything, I was exhausted, exhausted, exhausted, exhausted, exhausted.” (Gabriella)

As for her, Èva explains that she was diagnosed with a severe depression with symptoms such as: hypersomnia, a depressed mood and suicidal thoughts.

“I got into a major depression. I wasn’t functional. I was doing nothing, I was sleeping, I was crying, I got really low, to the point of having suicidal thoughts. I was in a state of total distress.” (Èva)

Mélody reports that she was really devastated after the events and that she was very depressed.

“Because me, I was like devastated, because I couldn’t realize that it really came to that [...] I felt bad, it was really affecting me. [...] The most important, it was because I was depressed. I was falling into depression. (Cries)” (Mélody)

Sabrina was also diagnosed with depression after the experienced events. She was showing, among other things, a depressed mood, insomnia and nightmares.

“When I went back to work, I was crying a lot and then I went to see the doctor and then I told him that I couldn’t take it anymore. I had trouble sleeping, I was crying a lot. He said no, this makes no sense. So then, he put me in medical leave. He said that it was a depression. [...] I wake up around 4:00 am, 5:00 am and then I can’t go back to sleep. I only think and think.” (Sabrina)

Simone reports that she had, on a psychological level, severe fatigue and suicidal thoughts after the events.

“It’s that, I found it was worth it, and for one thing, I was tired. I had no energy anymore. [...] It was that I wanted to sleep. The only thing I was thinking about was sleeping. I only wanted to relax. [...] The doctor asked me if I had suicidal thoughts. And I said yes and everything.” (Simone)

Zoé expresses that her self-esteem took a drop after the events and that she was very anxious when her director came to talk to her.

“Want it or not, your confidence is also affected. I realized that I was speaking up less. Things like that, details... I was speaking up less; I wasn’t defending my ideas as much. As soon as my director came to talk to me, I was completely stressed out. I was telling myself, “He will fire me, he will shout at me, what have I done?” ” (Zoé)

Elsa expresses that she was very tired, that she was crying a lot and that she had a loss of interest toward different activities.

“I was tired; I didn’t have the desire to do things. That’s why my husband said to me: “We will look for activities or things to do.” Because I was now so exhausted and, like, sick. What do I want to do? It tires me so much to cry. It saps my energy and me, I was crying a lot.” (Elsa)

Anaïs reports that she was very affected by the events. She said she felt she had been violated every time she talked about the events that she was more irritable and that the events caused an anorexic recurrence.

“I had the impression that every time we were talking about this, I was being violated again. Not attacked, not assaulted, violated. As if it was all throughout my body, all the way to the bone, it was not, it was not pleasant. [...] Then, I feel, I was more and more irritable, less and less patient. [...] Me, I’m anorexic, so it’s sure that this event ensured no food would enter my mouth. I had nausea as soon as something solid was going down my throat, so I only consumed liquids.” (Anaïs)

Anna says she became particularly tired after the events and the symptoms could be related to a major depression disorder.

“So, health problems, lots of fatigue, me I think it looks like a depression.” (Anna)

For Catherine, the psychological consequences have been diverse: feelings of self-blame, anxiety, feelings of being dirty, eating disorders and sleep disturbances.

“This is why I reproach myself today. I accepted a lot. I have never been able to tell him to stop being around me all the time and to just concentrate on work. I always put the blame on me. [...] I felt dirty with myself. I felt like his property. [...] I was starting to fall into depression; the anxiety is present all the time, the anger. I wasn’t eating anymore, I wasn’t sleeping anymore.” (Catherine)

When it comes to Sharon, she explains that she developed an enormous fear of the alleged harasser, besides the various symptoms related to psychological disorders that have been diagnosed by a health professional.

“When I was going out, I checked... we bought chimes for outside, with a camera. So when we checked in, we could see who was outside. So if someone were to ring, we push the doorbell and we can see who it is. I was pressing on the doorbell to see if there was anyone in the surroundings before going out. I was scared of being followed every time. [...] I still have anxiety; a bit of adjustment disorder... the shock ... the post-traumatic shock, insomnia, so I still take medications for this. I am still in counselling.” (Sharon)

Anita also reports various difficulties, such as suicidal thoughts, shame, culpability, a fear of her alleged harasser, and the emergence of nightmares related to him.

“Then, I normalized myself a lot with that, because sometimes, I felt ashamed. You know, well... of course... “It’s me who’s attracting this on me.” And I blamed myself.”

[...]

“I was watching my windows. I was scared that he would eventually snap and come attack me. [...]

Then, for the holidays, precisely, I had nightmares that I was being hit by him.”

[...]

“I often wanted to die. Then, I thought about suicide.” (Anita)

In short, all of the participants claim to have suffered psychological consequences after the harassment they experienced at work, including feelings of shame or culpability, sleep disturbances, eating disorders, a drop in self-esteem, suicidal thoughts and many other things.

#### 4.1.2 The physical consequences

Besides the psychological consequences, some participants also experienced consequences on a physical level. Anaïs describes a loss of energy, and suffering from anemia and from arrhythmia.

“So well, you don’t eat, you have trouble sleeping, you have less energy, you have anemia, in short, all that sleeping stuff. [...] The Friday morning, then it was worse than worse. Now it didn’t make any sense, y’know people sometimes they don’t need to talk, they only have to, to make feel and now, now I felt very bad, I had arrhythmia.” (Anaïs)

Anita reports that after the events, she had headaches; she gained weight, as well as having troubles related to an increase in her blood pressure.

“Well, I always gain a lot of weight since... [the alleged harasser] is there. [...] Now, my physician is worried because I really have high pressure problems and all that. [...] So, from that moment, I had headaches.” (Anita)

In brief, the participants report consequences with their physical health from the harassment, such as headaches, anemia, fatigue and a loss of energy.

#### 4.1.3 The professional consequences

Besides the consequences on their psychological and physical health, the participants raised many professional consequences related to harassment. A first possible professional consequence reported by the participants, including Olivia, is the difficulty surrounding the search for a job after the harassment.

“So then, I send applications, I go to interviews. The references that she gives me, I’ve got no idea what it is, I shit my pants every time. [...] [Also when he] asks: “Why did you leave your last job?” ” (Olivia)

A second difficulty related to the professional life after the harassment is the reassessment of the professional proficiency. In that sense, Elsa started to doubt her abilities as a worker.

“I started to look for a job, but... As soon as I was going out, I was afraid and I asked myself if it was me... Is it me who’s not a good employee?” (Elsa)

Anaïs also expresses the appearance of doubt in her professional proficiency.

“So then, I was questioning if I was competent and adequate.” (Anaïs)

A third and last consequence on a professional level can be the career change caused by the harassment experience. Sabrina explains that she lost interest in her work field after the events.

“You don’t feel like working in that field anymore, because you tell yourself that it is crap, it’s always the same.” (Sabrina)

Simone thinks the same way, mentioning that it is now too difficult for her to stay in her professional field.

“I find it too difficult and now I just can’t anymore. Me, for sure I don’t know what I will do in life, but I’m not going back to accounting. I can’t do it anymore.” (Simone)

Thus, a type of harassment’s consequence raised by the participants is related to the professional life and can include difficulties with the job search, a reassessment of one’s professional proficiency and a change in career.

#### 4.1.4 The relational consequences

The harassment in the workplace also had various consequences on a relational level for the participants. Gabriella reports that this situation affected her relationship negatively.

“Somewhat, it has been the destruction of a couple’s happiness, then I would tell you devastation. Yes, I was destroyed, yes I was down, I wasn’t moving, but I always had someone at my side.” (Gabriella)

For Sabrina, the events also affected her daughter, whom she was confiding in.

“My daughter a lot, because, I was talking with her a lot. I was calling her in tears almost every day. So, yes, her, it affected her a lot.” (Sabrina)

For Zoé, the events triggered many difficulties and it prevented her from spending time with her friends.

“I have been very sick. All kinds of problems. It had consequences on my social life. In the sense where, when I was sick, I couldn’t see my friends as often. I was tired, sick, and very anxious; I had lots of sleep disturbances. So, logically, my social life took a hit.” (Zoé)

Anna expresses that the situation had an impact on her family, including her children who were worried for their mother.

“The children were saying: “Mommy, you cry all the time. You are always angry. What is going on?””(Anna)

Anaïs explains that the situation and its consequences harmed her family and social relationships.

“There were no family activities. I didn’t have relationships with external friends anymore either. I wasn’t in an antisocial phase or phobic then, it was just that I couldn’t be with others well, because I wasn’t well with myself.” (Anaïs)

For Catherine, the events she experienced at work completely changed her world view and now she doesn’t trust other people anymore. Hence, she doesn’t maintain relationships with friends anymore.

“I don’t trust people like before. Interpersonal skills, I don’t have them anymore. Before, I was so sociable and what people, when I was talking with friends or just acquaintances, what they were telling me about their life was interesting to me. Today, nothing interests me. A discussion for me, it’s a waste of time, it tires me. I am not interested at all by humans. [...] I have no friends, I don’t want any friends. I have no social life. I simply don’t have any life anymore. This is my life today.” (Catherine)

In short, half of the participants report that the events had harmful consequences on their couple, their family and their social life.

#### 4.1.5 The financial consequences

The last but not least category when it comes to the consequences of harassment

in the workplace is the financial consequences. Indeed, the participants reported that they had a loss of income caused by a medical leave or the loss of their employment. This is exactly what Mélody explains.

“A bit of the cost-effective way also. The money... It’s not the same money when you work as it is when you do not work.” (Mélody)

Anaïs adds that the financial problems can be even longer, since the employment insurance can take many weeks before being granted to the victim.

“I experienced the wait for unemployment, which took eight weeks, and then me, if I don’t have any backup... Well, I received phone calls: “Well, we will shut down the phone now.”” (Anaïs)

Olivia explains that she had to put her house up for sale because of her decrease in revenue.

“We had to put the house up for sale then, because we can’t make ends meet. That’s it. Now, I have to find a job as soon as possible.” (Olivia)

As for her, Anna reports that a change in career after the experienced harassment can also have negative financial consequences.

“On a salary level, it’s much less profitable to be a technician than to be a counselor.” (Anna)

A last example of financial consequences is reported by Catherine. She raises the fact that, as of today, she still consults a psychologist at least once every two weeks, which involves financial costs.

“I still see a psychologist, once every two weeks...” (Catherine)

In short, the participants raised various consequences of the events they experienced at work, such as psychological consequences (decrease in self-esteem, sleep disorders, eating disorders, etc.), physical consequences (headaches, anemia, etc.), professional consequences (reassessment of the professional proficiency, difficulties related to the search for employment, etc.), negative relational consequences at every level, and financial consequences (revenue’s decrease, additional costs for medical consultations, etc.). In view of the importance of the consequences endured by the participants, it seems important to look more closely at the support they received.

## 4.2 From whom have they received support?

The support received varies greatly from one participant to another, some having received support from various actors and others that only received support from one specific actor. Depending on the answers given by the participants, five actors’ categories assisted them: family, friends, coworkers, health professionals and community organizations.

More precisely, eight of the thirteen claim to have received assistance from at least one of their close family members, for example from a spouse or a child. Anna received help from her family, and particularly from her spouse, but her family members showed exhaustion after a

certain time and they were not in a position to support her anymore.

“He was very supportive at the start, but it’s very long huh. The procedure is very long, so I don’t think there are families that can maintain their support during the entire process.” (Anna)

With regard to the friends, three of the thirteen participants claim to have received support from them. Anita explains the importance of feeling listened to and believed by them.

“People believed me. So they were... they were supporting me. Really, I’ve been lucky.” (Anita)

As for the support received from colleagues, six of the thirteen participants claim to have received some. For Olivia, the support from her colleagues was translated into the fact that she could talk of what she experienced with a former colleague and that she kept in touch with other coworkers.

“My former colleague, the old cook. At some point, I met her and she read my complaint. I asked her what she thought about it, to see if I had forgotten anything or something. [...] I talk on the phone with past colleagues too.” (Olivia)

For Sabrina, the support received from her colleague was what convinced her to make her complaint.

“She says: “Listen, I stopped working for him, I couldn’t handle it anymore.” She adds: “Me, I want to make a complaint to the Labour Standards. I said: “What? You really want to make a complaint?” Then, she tells me: “Yes. “Well, I said: “Perfect, me, I’m going to do like you.” ” (Sabrina)

Four of the thirteen participants report having received good support from health professionals, but the results varied

according to the professionals consulted. In that sense, Èva explains that she received a good support from her family physician, but that her psychologist wasn’t able to recognize the source of her problem.

“It’s my family physician who told me: “You, you are sick. You have a depression. You have this, you have that...” How come the psychologist, he wasn’t asking me how it was going at work? Me, I was not thinking about mentioning that. I was in distress, I was crying. I was crying at every session. How come he didn’t see I was in depression?” (Èva)

To finish, twelve of the thirteen participants said that they had received support from a community organization to get help in their procedure or to obtain moral support. Four participants have received help from *Au bas de l’échelle*. Olivia explains that the organization contacted her many times to make follow-ups with her.

“They often contacted me to make follow-ups: “And, your case, how is it going?” And this and that.” (Olivia)

Gabriella reports that the counselors from these organizations are excellent and that they show an extraordinary humanity.

“*Au bas de l’échelle*, I found it very helpful. [The counselor], was pleasant, such a charm. They all are. I know they all have an extraordinary humanity and that, I loved it. And the time I spent there and at least the answers I could get for my questions.” (Gabriella)

In short, the participants who dealt with this organization were very satisfied with the services and the reception they received.



A second organization that supported the participants is *Le Groupe d'aide et d'information sur le harcèlement sexuel au travail de la province de Québec inc.* (GAIHST) which came to the aid of eight of the thirteen participants. Zoé, among others, explains that she received a lot of help from the GAIHST and that she was very happy with the service she received.

“I was accompanied here by the GAIHST. So I had a lot of support. Here, I had the appropriate support. They did not question the allegations. [...] Yes, I was well prepared [for the mediation], but because I had the appropriate support here. I don't know the people who do not seek support or who do not call the association, how much they are prepared. [...] In fact, there is no one who is concerned with the present and future psychological repercussions except yourself, and GAIHST.” (Zoé)

Anaïs adds that the organization was present to help her during the various stages of the CNT's procedure.

“The complaint has been granted, it has been accepted, GAIHST supported me in these procedures. They always have been present.” (Anaïs)

Catherine explains that the assistance received from this organization is invaluable for her and that she is particularly moved that the organization services are free.

“I found GAIHST precisely; it's my sister who looked for help on the Internet, because I told her of my situation. GAIHST, I have so much respect for them. If this group hadn't been there at the right moment in my life, I would probably be dead, or I would've done something not... I was nothing, I was finished then GAIHST helped me to... it's her [the counselor] who made my first claim to the CSST. Me, I was doing nothing, seriously, they did everything for me, everything. I have not paid one penny to those people, it still touches me now,

because they were not doing this for the money.” (Catherine)

In brief, the participants report having received support from some family members and some of their friends, from some health professionals and particularly from community organizations assisting victims.

## IV. Discussion

Given the analysis, many elements stand out when it comes to the experience of the victims of harassment in the workplace and their perception of the various procedures they had to go through.

A first observation establishes itself: there doesn't seem to be a work-type environment where the risks of harassment would be higher. Indeed, the participants all came from different environments. However, it is apparent from the interviews that most of the participants are linked with the alleged harasser by a subordinate relationship, the alleged harasser being in a position of authority toward the participants. The fact that the respondent is a superior in approximately 85% of the cases, as revealed in this study, reflects the data collected between 2004 and 2014 on the complaints made to the CNT (Belzile and Caron, 2014.).

Three important observations about the internal complaint procedure and the handling of the complaints within the companies stand out in this analysis. The first one is about the fact that there was an

internal policy about harassment. Two thirds of the participants have reported that there was no policy about this in their work environment, despite the fact that the *Act respecting Labour Standards* stipulates that the employers have the obligation to manage in a way that prevents psychological harassment. The section of the law in this regard implies that the operator of a small business has to inform all of his staff on this subject and that he has to give frequent reminders, while the employer in a large corporation has to establish measures in his internal policy for this purpose (CNESST, n.d.). It is therefore apparent in this analysis that the employers do not seem to respect this obligation, in view of the participants' proportion who report not to have been sensitized about harassment in the workplace at their job.

The second observation about the internal complaint revolves more specifically around the results obtained. It is consistent that none of the employers managed to stop the harassment in the context of this study that was aiming to observe, among other things, the course alongside the CNT and the CSST. Despite this, it is a cause for concern that six of the thirteen participants suffered from reprisals after making the complaint, of which four have been terminated. It thus seems like the reaction of the employers after an internal complaint for harassment is an issue. It would be necessary to have a framework regarding the reprisals after a complaint is made. Although a measure of reprisal

could be the object of a complaint for a practice prohibited by the *Act respecting Labour Standards*, it can be difficult for the people only complaining about the situation verbally, like nine out of the thirteen participants of this study have done, to have the necessary proofs to support such a complaint. These supervisory measures would require a consultation between the various actors working with the victims of harassment in the workplace to determine the best measures to put in place. For example, the introduction of costly punitive damages for the employers who subject the employees who complain about situations of harassment in the workplace to reprisals, or for those who do not take appropriate measures about the reprisals coming from other employees.

The third observation about the internal complaint concerns the measures taken by the employers possessing a policy against harassment in the workplace and the obtained results. Indeed, despite the presence of a policy, two of the four participants report that the employers did not act after the complaint, while the complaints of the two others resulted in a reprisal from the employer for one, and reprisals from the alleged harasser for the other. It is thus clear that the presence of an internal policy against harassment is not enough, because the employers do not respect it. In that sense, it seems essential to better support employers so that they can adopt a clear policy, but also to ensure that they really apply it to guarantee that

the handling of the complaints is done as indicated in their policies and so that no one will experience reprisals.

For the procedures alongside the various government agencies, it seems important to address the recourse issue, as well as the encountered difficulties and significant points raised by the participants. When it comes to the CNT, nine complaints have been made there and seven of them have been settled in mediation, while two have continued the judicial process. It is thus interesting to note that most of the complaints have been settled quickly, without the intervention of the court. As this study didn't investigate the harassment cases going to the *Tribunal administratif du travail* (TAT), division of Labour relations, a review of the judgments produced at this court has been carried out to observe the tendency.<sup>1</sup> The identified decisions only concern complaints from non-unionized workers, since the cases of union employees are judged by a grievance adjudicator and not in front of the TAT. Thus, 22 complaints for psychological harassment have been heard at this court between January 1<sup>st</sup> and August 8, 2016. Of these complaints, sixteen have been rejected and six have been accepted. It is essential to note that the only complaint for sexual harassment that was submitted on this level during this

period has been accepted. It could be relevant for a future study to investigate the complaint handling at this court to generate a portrait of the reality that the non-unionized face when their complaint for harassment in the workplace is not settled on the CNT's level. In this regard, remember that approximately only 5% of the harassment in the workplace's complaints made to the CNT is deferred to the TAT (CNT, 2015).

Regarding the issue of the recourse to the CSST as part of this research, six of the seven claims that have been made there have been rejected. The only complaint accepted was about a situation of sexual harassment with physical evidence. Of the six claims rejected by the CSST, one was settled out of court and three won their case at the tribunal after the challenge process. The last two participants did not make a review application for various reasons. What stands out of these results is that the CSST rejects practically the entirety of the complaints made for employment injury after experiencing harassment in the workplace. However, it appears that all the participants that contested the CSST's decision in front of the court finally won their case. We believe that this situation could come from the definition of an employment injury. As a matter of fact, to meet the acceptance criteria, the event that caused the employment injury must fit the description of an employment injury, which is "an event that occurs suddenly and that happens unexpectedly" (CSST, n.d.). In

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<sup>1</sup> See Appendix 2 for a compilation of these decisions

that sense, even though harassment in the workplace is considered as a potential cause of employment injury, it seems difficult for the CSST's agents to accept the claims, as the harassment's files do not meet this criterion since it is a repetition of events. It is thus logical to deduce that this criterion of the *Act respecting industrial accidents and occupational diseases* (LATMP) is not adapted to the specific characteristics of harassment in the workplace.

A second aspect standing out of the CSST's recourse lies on the court's decision level. It seems relevant to verify if the tendency observed in this study about the ratio of cases won in this body reflects the reality. In that sense, a review of the judgments produced for the harassment in the workplace's cases at this court, between January 1<sup>st</sup> and August 8, 2016, has been realized.<sup>2</sup> It must be noted that this review includes files of both union and non-unionized workers, because the procedures at the CSST and at the *Tribunal administratif du travail* (occupational health and safety division) are the same in both cases. During this period, 34 appeals of refused decisions from the CSST have been treated; 9 have been granted and 25 have been rejected. It is interesting to observe that the tribunal accepts more than 25% of the cases for employment injury after harassment in the

workplace, even though the CSST's agents had deemed that there was no employment injury at the reception of the claim and during the revision. Hence, it stands out from this review, just like in this current study, that the CSST has more effort to make on this subject. However, the proportion of claims granted at the court differs from the one obtained in this study, because all the claims had been received there. Various reasons can explain this, such as the limited number of participants who made it to the hearing and the fact that this study's participants have been supported by different organizations like the GAIHST and *Au bas de l'échelle*, and that they were able to benefit from their expertise. It would be relevant, as part of a future study, to focus on the treatment of these claims in terms of the court to offer a better overview on this level.

Concerning the encountered difficulties and pertinent points raised about the CNT and the CSST, some observations stand out in the analysis. One of these affects both organizations: most of the participants had difficulties with the reception agents, as well as with the various agents that worked on their file, such as the mediator or the investigator. However, one participant found her contact with the agents to be very positive. The participants reported that these agents showed an attitude lacking in empathy, demonstrated by indifference, a lack of cooperation and a lack of information on their behalf. A second difficulty raised by the participants is the lack of

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<sup>2</sup> See Appendix 3 for a compilation of these decisions

communication between the CNT and the CSST, forcing them to repeat many times what they experienced, a situation very difficult for the victims. A third difficulty raised by many participants targets the waiting time at these organizations that can seem very long for a person living in a difficult situation. In fact, it is possible to notice that the treatment of a complaint at the CSST can take from many weeks to many months, while the waiting time before receiving a judgment pronounced by the *Tribunal administratif du travail*, *Occupational health and safety division* can take between many months to many years. This explains the participants' perception in that respect. A fourth difficulty highlighted in this study is the lack of confidentiality at the CSST. It is possible to understand the need for this organization to convey the information to the employer, so that he can give his own version of the facts on the events, as well as contest the facts reported, since the employer can incur fees after the acceptance of a claim. However, the lack of confidentiality remains a problem particularly important for the participants. Hence, it seems that a change in the handling of the files for psychological injuries after harassment needs to be established. Despite this, it is difficult to suggest an appropriate recommendation without consulting the CSST, since the objective is to find a suitable solution for both the employees and the employers. In that sense, it could be interesting, considering the results of this research that a meeting be organized between the

various actors working on harassment in the workplace, including the CNESST, the community organizations and the provincial government. The objective would be to find satisfying solutions for everyone. Furthermore, it could be useful to organize at least one meeting of this type per year to offer feedback on the services offered by the CNESST, as much for the occupational health and safety division as for the labour standards division. This would promote discussion between the various actors and would lead to an optimization of this organization's operation. A subject that could be discussed there is the difficulty for the person's victims of harassment to repeat multiple times their experience, since the multiplicity of resources they can have to face. To prevent new victimization, the various organizations should consult with each other to find a solution for this. Thus, these four difficulties can also be areas for improvement to explore for the CNESST.

A last observation standing out from the analysis concerns the abundance of consequences experienced by the participants. They suffered from psychological consequences, such as various depressive symptoms that went as far as suicidal thoughts, physical consequences, professional consequences, such as difficulties related to the search of a new employment, relational consequences and financial consequences. Taking into account the importance and the diversity of consequences of harassment in the workplace, it is clear

that these people need to receive an efficient and diversified support. Thus, it is important for the victims to have access to various groups and organizations that can assist them when they need it, as well as having an easy access to health professionals.

Lastly, the various observations standing out of this analysis bring us to formulate recommendations for the different actors called on to make decisions or to intervene for the victims of harassment in the workplace.

## V. Research findings

The recommendations standing out of this study are all addressed to three major actors: the *Commission des normes, de l'équité, de la santé et de la sécurité du travail* (CNESST), the provincial government, as well as to the various community organizations that have to intervene towards the people that experienced, or are experiencing, harassment in the workplace.

Four recommendations based on this study can be given regarding the CNESST. The first one concerns the reception agents, and this, as much for the Labour Standards division as for the occupational health and safety division. The participants have reported that these agents were very lacking in empathy during their first contacts on the phone, that they showed indifference and a lack of cooperation. In that sense, we recommend that these

agents should be trained to intervene with the victims, as well as in counselling. By providing a cordial welcome service, oriented on a helping relationship and focused on customer service, the relations with the individuals using the CNESST's services would be more positive, as well as fostering a good bond of trust. This change would be beneficial for all those resorting to this organization.

The second recommendation continues along the same lines as the first one. Hence, it seems necessary for the agents responsible for the files, such as the mediators and the investigators to also take a similar seminar to allow a more courteous and adaptive treatment of the people who need their services for harassment in the workplace, which would have the same positive effects as those previously mentioned. These agents also need to take into consideration that the people they are handling do not have their level of knowledge concerning the various laws, nor about the CNESST's complaint procedure. Thus, it would be important for them to give their clients the information they need and to do it while refraining from making a decision on the case or trying to dissuade the person from making a complaint. By acting like this, the clients would better understand the operation of this organization and the progression of their case, which would encourage a better contact with the agents and would probably reduce their level of anxiety and their worries.



The third recommendation concerns the lack of information provided to the people who make a complaint for harassment in the workplace to the CNESST. In that sense, it would be relevant for these people to have access to free legal advice, since they have limited financial resources. Hence, this would let them have a better overview of their recourses, to have an opinion on the validity of their complaint and thus to be able to make informed decisions for the rest of the procedures undertaken, and this, as early as their first contact with the CNESST.

The fourth recommendation concerns the waiting time, and this for both divisions. We understand the reasons behind these delays, but, according to this study, they clearly are a source of stress for the individuals in need of this organization's services. In this sense, a possible recommendation would be to keep the people better informed. Hence, by being aware of the delays and the actions taken in the handling of their case, they would more easily accept the waiting time for their procedure. Furthermore, it is important to note that decision-making for the occupational health and safety division is particularly long, which is understandable since the agents must perform a rigorous investigation. However, the people in need of this division's services are usually waiting for its answer to find out if they will be compensated financially, which, paired with a long waiting time, can be very stressful for them. Thus, it seems

important to recommend an improvement in the speed at which an agent is assigned to a case, so that he can at least contact the claimants to inform them of the procedures and, after that, of the developments. By not staying in the unknown, the claimant will have a more positive view of this organization.

On the governmental level, three recommendations stand out in this study. Firstly, the study demonstrates the almost systematic rejection of the complaints for employment injury at the occupation health and safety division when it comes to a psychological injury caused by harassment in the workplace. This reality can be attributable to the concept of the work accident, which requires an unexpected and sudden event, which is rarely the case with harassment, characterized more by a repetition of oppressive events. This situation lasts even though the judgments rendered by the *Tribunal administratif du travail*, *occupation health and safety division* state that an employment injury can be caused by a succession of repetitive injuries, which better applies to situations of harassment in the workplace (*Commission des lésions professionnelles*, 2011). It thus seems important to stress more the principle of repetitive injuries in the *Act respecting industrial accidents and occupational diseases* (LATMP). As this stipulation is found in the Law, it is thus strange not to observe its more systematic use in the decision-making of this organization's agents.

In finishing this recommendation, we suggest that, for cases of harassment in the workplace, and to offer a better treatment of them, the criterion of an “unexpected” and “sudden” event should be replaced primarily by the concept of repetitive injuries when it comes to harassment in the workplace. In addition to the inclusion of such a definition in the LATMP, a course for the CNESST’s agents, to master this concept and to ensure a strict application of it, is necessary. Furthermore, the *Tribunal administratif du travail, occupation health and safety division* regularly takes into consideration the definition of psychological harassment for the *Act respecting labour standards* (Fortin, 2013), which brings us to question the reasons that make the CSST’s agents not follow this example during their treatment of the complaints made for harassment in the workplace. Thus, it seems like there is also a flagrant lack of consistency between the treatment of these kinds of cases at the CSST and at the Administrative Tribunal to which it refers to.

The second recommendation on this subject concerns the funding. It seems important to augment the budget allocated to the CNESST. Indeed, a rise in the budget would facilitate the implementation of the previous recommendations. For example, hiring more employees would facilitate a quicker treatment of the cases and would thus allow a better operation of the organization, as well as allowing access to free legal services from the

beginning of the procedures. In that sense, it seems important to maintain the budget of this organization, but it seems even more essential to augment it to properly respond to the victims’ needs.

The third recommendation at the governmental level looks more into the collaboration of the various government departments with the community organizations helping people experiencing or who have experienced harassment in the workplace. As a matter of fact, we recommend that the departments continue supporting and augmenting their backing for the various organizations, financially, of course, but also in various other ways, such as providing them more information on the cases which they are working on. Furthermore, the consultation with the organizations should be to prioritize, as well as the allocation of resources for different projects, whether it is with documentation, with visibility or with financial support.

When it comes to the community organizations involved toward this population, it is apparent of this study that these organizations must continue offering their services to the people experiencing harassment in the workplace. Furthermore, we must keep in mind that a very important aspect for these people is to feel believed and to have the feeling that they are supported in what they are going through and in the steps they are undertaking. Hence, we recommend to the various community organizations to

continue their work in an effort to decrease the consequences experienced by the victims of harassment, but also not to hesitate to be a bridge between the people and the different government agencies with whom they must interact, so that they won't feel like they are alone against a complex and intimidating system.

In conclusion, this study has shown that harassment in the workplace has serious consequences on its victims, as much on a psychological level as on physical, professional, relational and financial levels. Furthermore, the external recourse to the CNESST's divisions of labour standards and occupational health and safety are difficult for the victims for various reasons. The treatment they go through there can make them experience a double victimization, which is a possible source of new consequences or can aggravate those already present. In that sense, a last recommendation can be made to all the actors working with these people to reduce the risks of harassment in the workplace, but also to reduce the use of external recourse's services. To do this, all the actors must mobilize themselves together to reach this first goal. Firstly, it is essential that the employers equip themselves with a clear and precise policy against psychological and sexual harassment in the workplace and that they make this a priority. To address this subject, it seems important to be able to directly name it and not to hide it under other terms, such as incivility at work or respect in the workplace. Harassment is

much more than a simple incivility. It is only by directly and clearly tackling the problem of harassment in the workplace that Quebec society will be able to solve it. To do this, one of the actions that could be taken by the CNESST would be to force the employers to put in place a policy against harassment in the workplace and to set sanctions if this obligation isn't observed. Furthermore, to foster the participation of the employers, it could be possible for the workers to make a complaint on the mere fact that the employer didn't fulfill this obligation.

Besides establishing this policy, the management and the executives of the companies must take this issue seriously and stick to their policy and to the resources put in place to intervene if a situation is brought to their attention. Prevention must be a priority regarding harassment in the workplace and the employees should feel that their superiors and the managers are really dealing with it. To support and oversee the employers, it is necessary that those community organizations, as well as the CNESST, are present to help the companies to put their policy in place, but also to inform them of the consequences of harassment on the victims, as well as informing them of the consequences these situations can have on their company. Regular training should also be suggested, perhaps even required, for the leaders and the managers as well as for the employees who also have to be sensitized to harassment in the workplace. A counselling service for the employers

about the management of the complaints of harassment could also be useful to promote a better treatment of the internal complaints. Finally, the employers should receive more significant penalties when they do not respect their internal policy and even more when there are reprisals from them or when they do not intervene when these reprisals originate from another employee. As mentioned earlier, these penalties could take form of exemplary monetary fines for these employers, but it would be relevant that the various organizations consult among themselves to decide upon the best actions to take to encourage the employers to be proactive in their procedures and thus, prevent the cases of reprisals.

In conclusion, harassment in the workplace is a problem with major consequences for the victims. It is possible to improve the services offered by external organizations, both on the way the people using their services are treated and on the handling of the cases themselves. However, we believe that the best solution to encourage a positive treatment of situations of harassment in the workplace is a professional intervention from the employers, fast and respectful, and directly made in the work environment. Such support would allow a diminution of consequences experienced by the victims, a decrease in the number of people having to undertake long procedures among various government agencies, as well as encourage a healthy work environment for

all the employees, because harassment in the workplace, « *it's not part of the job!* »<sup>3</sup>



<sup>3</sup>Groupe d'aide et d'information sur le harcèlement sexuel de la province de Québec inc., s.d.

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## Appendix 1: Participants list

Participant's number	Participant's fictitious name	Duration of employment	Experienced harassment	Duration of the harassment
1	Olivia	8 years	Psychological Harassment	5 months
2	Gabriella	6 years	Psychological Harassment	5 years
3	Èva	32 years	Psychological Harassment	1 year
4	Mélody	2 years	Psychological Harassment	1 year
5	Sabrina	3 months	Psychological Harassment	3 months
6	Simone	11 years	Sexual Harassment and Psychological Harassment	Sexual Harassment: 8 years Psychological Harassment: 3 years
7	Zoé	1 and a half year	Psychological Harassment	1 and a half year
8	Elsa	1 year and 8 months	Psychological Harassment	8 months
9	Anaïs	5 months	Psychological Harassment	5 months
10	Anna	7 years	Psychological Harassment	N/A
11	Catherine	About 2 years	Sexual Harassment and Psychological Harassment	About 2 years
12	Sharon	21 years	Sexual Harassment and Psychological Harassment	About 2 years
13	Anita	10 years	Psychological Harassment	4 years



Appendix 2: Compilation of the judgments produced for the harassment cases by the *Tribunal administratif du travail Labour relations division*, between January 1, 2016 and August 8, 2016

Breault c. Services Bombardier Aéronautiques Itée	2016-01-08	REJECTED
Zhang et Centre de la petite enfance Dorval	2016-01-29	REJECTED
Chavez Prado c. Université McGill	2016-02-05	REJECTED
Couture et Club de golf Boucherville	2016-02-25	REJECTED
A.G. et NCO Customer Management Ltd.	2016-03-01	REJECTED
Lacelle et Baie Transport inc.	2016-03-09	REJECTED
Bergeron et Caisse Desjardins de Brossard	2016-03-15	REJECTED
Mallouk et 9244-7010 Québec inc.	2016-03-15	ACCEPTED
Orantes Silva et 9009-1729 Québec inc.	2016-04-08	ACCEPTED
Jean et Cabinet de la 2e opposition de la Ville de Montréal	2016-04-22	REJECTED
Rusu et Bombardier inc. — Groupe aéronautique (Amérique du Nord)	2016-05-03	REJECTED
Labrie et ABP Location inc.	rectified 2016	ACCEPTED 2014
Faullem et Centre de développement d'entreprises technologiques	2016-06-03	ACCEPTED
Lachapelle-Welman et 3233430 Canada inc. (Portes et fenêtres ADG)	2016-06-14	ACCEPTED
Bisignano et Système électronique Rayco Itée	2016-06-27	REJECTED
Zhang et Centre de la petite enfance Dorval	2016-07-05	REJECTED
A.C. et Compagnie A	2016-07-07	ACCEPTED
Wang et Services Bombardier Aéronautique Itée	2016-07-08	REJECTED
Fiset et Compagnie Wal-Mart du Canada	2016-07-13	REJECTED
Lamarche et École nationale de théâtre du Canada	2016-07-22	REJECTED
Chavez Prado c. Université McGill	2016-08-02	REJECTED
Hrab et Restaurant La Savoie inc.	2016-08-04	REJECTED

**Appendix 3: Compilation of the judgments produced for the harassment cases by the *Tribunal administratif du travail Occupational health and safety division*, between January 1, 2016 and August 8, 2016**

Beauchemin et Caisse populaire de Beloeil	2016-01-11	Rejected
Rodier et Systèmes Urbains inc.	2016-01-13	Rejected
Brodeur et Société québécoise des infrastructures	2016-01-15	Rejected
Alexandre et Fondation UQÀM	2016-01-19	Rejected
Savard et Costco Ste-Foy (division entrepôt)	2016-02-05	Rejected
Marriott, Château Champlain et Bourdeau	2016-02-08	Accepted
D.B. et Ministère A	2016-02-22	Rejected
Paradis et Société canadienne des postes	2016-02-22	Accepted
F.C. et Compagnie A	2016-02-25	Rejected
Rousseau et Agropur St-Hyacinthe (DFF)	2016-03-01	Rejected
Parent et CISSS de Laval	2016-03-03	Rejected
Dion et Sephora Beauty Canada Inc.	2016-03-07	Rejected
Robert et Société des alcools du Québec	2016-03-15	Accepted
J.E. et Compagnie A	2016-03-17	Rejected
Bernier et Canada (Pêches et Océans)	2016-03-18	Rejected
Santos et Centre d'hébergement Champlain	2016-03-21	Accepted
A.G. et Compagnie A	2016-04-04	Rejected
Payant et Ressources inter. Spring 2 inc.	2016-04-04	Rejected
Sénéchal et Québec (Développement économique, Innovation, Exportation)	2016-05-05	Accepted
Reategui Escalante et Geep Ecosys inc.	2016-05-05	Rejected
Letendre et Refuge des jeunes de Montréal	2016-05-16	Rejected
D.C. et Compagnie A	2016-05-24	Rejected
J.L. et Compagnie A	2016-05-30	Rejected
St-Cyr et Commission scolaire crie	2016-06-07	Rejected
A.B. et Compagnie A	2016-06-10	Rejected
Gagné et Centre d'hébergement Harricana	2016-06-15	Rejected
Lessard et CISSS de la Gaspésie - réseau local de la Côte-de-Gaspé	2016-06-16	Rejected
M.H. et Compagnie B	2016-06-23	Rejected
Triassi et Traiteur Bon Appétit inc.	2016-06-23	Rejected
M.D. et Commission scolaire A	2016-06-23	Rejected
A et B	2016-06-28	Accepted
Adjibaba et Maax Bath inc. (Lachine)	2016-07-15	Accepted
Fex et St-Jérôme (Office municipal d'habitation de)	2016-07-15	Accepted
Rioux et Parc Campeurs Ste-Agathe-des-Monts	2016-07-26	Accepted

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