WHAT IS SEXUAL HARASSMENT?

Sexual harassment refers to a broad range of *unwelcome* conduct of a sexual nature, which negatively affects the school/work environment OR leads to adverse professional consequences for the victim of the harassment.

Sexual harassment is considered discrimination on the basis of sex in BC, and is prohibited by the BC Human Rights Code and Canadian Human Rights Act.

Sexual harassment **may** constitute a **criminal offence** under the **Criminal Code**.



RESOURCES

Making a Human Rights Complaint:

• The University of Victoria Law Centre

Tel: 250-385-1221

• BC Human Rights Clinic

Tel: 604-622-1100

Counseling/Support:

- Victoria Sexual Assault Centre
 - Trans, Two-Spirit and Gender Diverse inclusive
 - o Tel: 250-383-3232
- Men's Therapy Centre
 - Cis, gay, bi-sexual, trans, non-binary, 2spirit, queer, gender fluid+ inclusive
 - o Tel: 250-381-6367
- TransLifeline
 - Trans-led organization
 - o Tel: 1-877-330-6366
- Vancouver Island Crisis Line
 - o Tel: 1-888-494-3888
- Sexualized Violence Resource Office
 - o Tel: 250-721-8786
- University of Victoria Counselling Services
 - Offers Indigenous counselling
 - o Tel: 250-721-8341

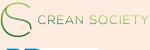
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SEXUAL HARASSMENT:

A GUIDE FOR SURVIVORS IN EDUCATIONAL INSTITUTIONS AND THE WORKPLACE

Including resources, options for reporting, information on the court process, and definitions of sexual harassment

Prepared by PBSC students at the University of Victoria for Coastal Research, Education, and Advocacy Network (CREAN)





WHAT IS SEXUAL HARASSMENT?

Sexual harassment includes unwelcome comments, gestures, contact and jokes of a sexual nature, and discriminatory comments about someone's gender identity or expression.

- Silence or not explicitly saying "stop" does NOT mean that a person welcomed the harassment.
- A person's sexual history and/or manner of dress is NOT an invitation to harassment.
- Sexual harassment is NOT harmless "flirting." Sexual harassment is prohibited by human rights law in Canada.
- Any person can be the victim of sexual harassment. The harasser does NOT have to be in a position of authority for the unwelcome conduct to constitute sexual harassment.

REPORTING OPTIONS

Internal Complaint Process

- Post-secondary institutions and unionized/non-unionized workplaces will generally have policies or resolution mechanisms through which you can report the harassment.
- Using an internal complaints
 process does not usually replace
 your right to file a human rights
 claim or take other legal actions.

Other Legal Recourses

- If the harassment took place at work, you can make a complaint under the Workers Compensation Act.
- You can make a complaint to the BC Human Rights Tribunal. The University of Victoria Law Centre can assist you with making a human rights complaint - see "Resources."
- You can file a civil lawsuit or criminal complaint - see "Court Process Options."

COURT **PROCESS OPTIONS Criminal** Civil **Process Process** 1) A police 1) A lawsuit will begin after you file investigation will commence after a Notice of Civil **Claim or Petition** you file a police report 2) The defendant 2) The prosecution will will reply to the Notice and can start decide if criminal a counterclaim charges will be laid 3) A a judge/jury 3) A judge will will decide if the award you damages accused is guilty if your claim is successful