

Bullying and Harassment in the Workplace

Contact Us

- **Occupational Health and Safety**

Phone	800-567-7233 (1-800-567-SAFE)
Email	ohs.general@gov.sk.ca

Everyone has the right to a healthy and safe work environment.

[The Saskatchewan Employment Act](#) outlines the rights and responsibilities of employers and workers to ensure Saskatchewan workplaces are free of harassment.

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1. What is harassment

There are three types of harassment defined in the Act:

1. Harassment based on prohibited grounds.
2. Personal harassment.
3. Sexual harassment.

All workers, including independent and dependent contractors, secondary and post-secondary students being trained by an employer, and volunteers performing work or services are protected by harassment provisions of the Act.

Harassment based on prohibited grounds

Harassment based on prohibited grounds includes any inappropriate conduct, comment, display, action or gesture by a person that:

- is made on any prohibited grounds defined in [The Saskatchewan Human Rights Code, 2018](#), or physical weight or size; and
- constitutes a threat to the health or safety of the worker.

Certain types of conduct not specifically directed at an individual, such as displaying a poster or making comments that are overheard by another worker, can be considered harassment based on prohibited grounds.

Video – Prohibited Grounds and the Saskatchewan Employment Act:

<https://www.youtube.com/watch?v=562v-e60Fv0&t=4s>

Personal Harassment

Personal harassment is sometimes referred to as bullying. It includes any inappropriate conduct, comment, display, action or gesture by a person that:

- adversely affects a worker's psychological or physical well-being;
- the perpetrator knows, or should know, would cause the worker to be humiliated or intimidated; and
- constitutes a threat to the health and safety of a worker.

Typically, personal harassment involves repeat occurrences. A single incident may also constitute personal harassment if serious or severe and is shown to have a lasting harmful effect on a worker.

Personal harassment may include:

- verbal or written abuse or threats;
- insulting, derogatory or degrading comments, jokes or gestures;
- personal ridicule or malicious gossip;
- malicious or unjustifiable interference with another's work;
- work sabotage;
- refusing to work or co-operate with others; or
- interference with, or vandalism of personal property.

All incidents of inappropriate conduct should be appropriately addressed to ensure the workplace remains respectful and harassment free.

Video – Personal Harassment and the Saskatchewan Employment Act:

<https://www.youtube.com/watch?v=P9Z64bLKL94>

Video – Young Worker Harassment and the Saskatchewan Employment Act:

<https://www.youtube.com/watch?v=rpjWi2trjpc>

Sexual harassment

Sexual harassment may be verbal, physical or visual. It may be one incident or a series of incidents. It is always unsolicited and unwelcome behaviour, and can take many forms, including but not limited to:

- sexual remarks;
- "jokes" with sexual overtones;
- a sexual advance or invitation;
- displaying offensive pictures or photographs;
- threats;
- leering;
- physical contact like touching, patting, pinching or brushing against; or
- sexual and physical assault.

Video – Sexual Harassment and the Saskatchewan Employment Act:

<https://www.youtube.com/watch?v=49CUNAHl5Yc>

2. Creating a harassment-free workplace

Creating and maintaining a harassment-free workplace takes commitment. Good management practices can help create a respectful workplace, including:

- providing clear direction on roles, tasks and expectations to avoid misunderstandings;
- demonstrating leadership in conflict management;
- promoting respect in the workplace;
- developing and implementing a harassment policy;
- acting promptly to end harassment;
- hosting information meetings and training on harassment prevention; and
- investigating all incidents of harassment in the workplace.

Implementing a harassment policy

[The Saskatchewan Employment Act](#) requires all employers to develop and implement a harassment policy and investigate all incidents of harassment within their workplace.

The [Harassment Prevention Guide](#) shows employers:

- how to develop a harassment policy;
- what needs to be included in a harassment policy;
- best practices to use when dealing with harassment;
- information on duties and responsibilities of workplace parties, including the duty to investigate incidents of harassment; and
- sample harassment policies, forms and statements.

Prevention Training and Resources

Awareness and commitment to harassment-free workplaces can be encouraged in a variety of ways. Employers should promote awareness through information meetings and training on harassment prevention. Training can include:

- rights and responsibilities workers have under the Act;
- behaviours prohibited by the harassment policy including behaviours by third parties that will not be tolerated;
- tips for helping create a respectful workplace;
- the process for investigating incidents of harassment;
- videos, publications and reference materials on harassment prevention.

3. Reporting harassment

If you have experienced or observed harassment in your workplace, you must report it to your employer first to try to resolve the issue internally. Refer to the organization's harassment policy for information on reporting options and investigation process.

If your employer has failed to take reasonable steps to address the harassment, as a worker you can request the assistance of the Ministry of Labour Relations and Workplace Safety's Occupational Health and Safety Branch.

If you are not able to resolve the issue internally, you can make an initial harassment complaint by calling Occupational Health and Safety at 1-800-567-7233, or by completing an initial harassment complaint form.

You can also download a [fillable complaint form](#). The completed fillable form can be returned by email to ohs.harassment@gov.sk.ca. or via mail to:

Ministry of Labour Relations and Workplace Safety
Occupational Health and Safety
Attention: Harassment and Discriminatory Action Prevention Unit
300-1870 Albert Street
Regina, SK S4P 4W1

You will be contacted by an officer after submitting this form to determine how to proceed. The information shared in this form will not be shared with your employer without your knowledge and agreement.

4. Responsibilities of employers and workers

All workers, including independent contractors, secondary and post-secondary students, and volunteers have a responsibility to ensure appropriate conduct in the workplace.

Workers are required to refrain from causing or participating in the harassment of another worker. They must also co-operate with harassment complaint investigations.

Employers also have the responsibility to ensure the workplace is harassment-free. By law, an employer must:

- develop and implement a written harassment policy that meets the requirements of the law;
- ensure, as much as reasonably practicable, that workers are not exposed to harassment in the workplace. This may include harassment that occurs outside of regular work hours and locations (i.e., employer-sponsored social event or conference) or is perpetrated by a third-party (i.e., customer or client); and,
- ensure processes and procedures are in place to ensure investigations of all incidents of harassment.

5. What is not harassment

Day-to-day management or supervisory decisions are not considered to be harassment even if they sometimes involve unpleasant consequences. These include:

- work assignments;
- job assessments and evaluations;
- workplace inspections;
- implementation of appropriate dress codes; and
- disciplinary actions.

Managerial actions must be carried out in a manner that is reasonable and not abusive.