

## Maintaining Effective Relations with your Supervisor

### Part 8 – Recognizing the Red Zone

**The most important thing** that I want you to remember is that you don't have to know whether behaviour qualifies as harassment or discrimination to determine that it falls in the Red Zone. If behavior is having a negative impact on you...  
**SEEK HELP!**

**The Ontario Human Rights Code** protects all residents of Ontario from harassment and discrimination based on a protected ground in a protected social area.

<http://www.ohrc.on.ca/en/ontario-human-rights-code>

#### Protected social areas:

- Accommodation (housing)
- Contracts
- Employment
- Goods, services and facilities
- Membership in unions, trade or professional associations.

#### Protected grounds:

- Age
- Ancestry, colour, race
- Citizenship
- Ethnic origin
- Place of origin
- Creed
- Disability
- Family status
- Marital status (including single status)
- Gender identity, gender expression
- Receipt of public assistance (in housing only)
- Record of offences (in employment only)
- Sex (including pregnancy and breastfeeding)
- Sexual orientation

**Discrimination** is described as “unfair treatment” that does not give a person credit for their own unique merits, capacities and circumstances, makes stereotypical assumptions, has the impact of excluding persons, denying benefits or imposing burdens.

**Intent vs. Impact** - “Many people wrongly think that discrimination does not exist if the impact was not intended, or if there were other factors that could explain a particular situation. In fact, discrimination often takes place without any intent to do harm.

<http://www.ohrc.on.ca/en/iii-principles-and-concepts/2-what-discrimination>

**Harassment** - a course of vexatious comment or conduct where a person knows or ought reasonably to have known the behaviour is unwelcome.

### **The Ontario Occupational Health and Safety Act**

- applies to workers, supervisors, and employers in Ontario.
- sets out roles and responsibilities of workplace parties with respect to workplace violence and workplace harassment, including developing and implementing policies and programs and providing information and instruction on these.

**Workplace Harassment** - a course of vexatious comment or conduct against a worker in the workplace that is known or ought reasonably to be known to be to be unwelcome.

### **Workplace Sexual Harassment**

- engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome.
- making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

### **What does not qualify as harassment?**

A reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

[http://www.ontla.on.ca/web/bills/bills\\_detail.do?locale=en&BillID=3535](http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=3535)

This means that ....

- It is not harassment if an employer asks their employee to redo work that was not done well.
- It is not harassment if an employer provides their employee with negative feedback once or repeatedly as long as it is provided in a respectful and reasonable way.

## **ONLINE MODULE: Harassment and Discrimination in the Workplace: A primer for Waterloo employees**

This online learning module has been prepared in order to ensure that every employee of the University of Waterloo:

- is able to identify behaviours that may be considered harassment or discrimination,
- understands what resources and supports are in place for those concerned about harassment and discrimination on campus, and
- is prepared to respond effectively if someone comes to them with concerns related to harassment and discrimination on campus.

**This online module is available at anytime.**

### **Step 1 - To enroll in the training module:**

- Log into LEARN.
- Select "Self-Registration" (top middle of the LEARN homepage)
- Search through the listings for the training title, "**Harassment and Discrimination in the Workplace**" and select it.
- Select "Register"
- The training module will then be available to start
- If the login fails contact [learnhelp@uwaterloo.ca](mailto:learnhelp@uwaterloo.ca) for assistance

### **Step 2 – To begin the module:**

- Ensure you are logged into LEARN
- Under the "Courses and Communities" heading on the main LEARN site, select "**Harassment and Discrimination in the Workplace: A Primer for UW Employees**".
- Open the "Content" tab at the top of the page.
- Open the "Harassment and Discrimination in the Workplace Landing Page"

### **Step 3 – To enroll in the appropriate training group:**

- On the Landing Page, you will see that there are 7 different modules for seven different groups of employees on campus:
  - UW Teaching Assistants
  - UW Residence Life and Student Development Staff
  - UW Staff (no supervisory responsibilities)
  - UW Supervisory Staff
  - UW CUPE Staff (no supervisory responsibilities)
  - UW CUPE Supervisory Staff
  - UW Faculty, Post doctoral Fellows and Research Assistants
- To begin your training, make sure you start by enrolling in the group that best fits your role on campus.
- Then select the training track that matches the group in which you enrolled