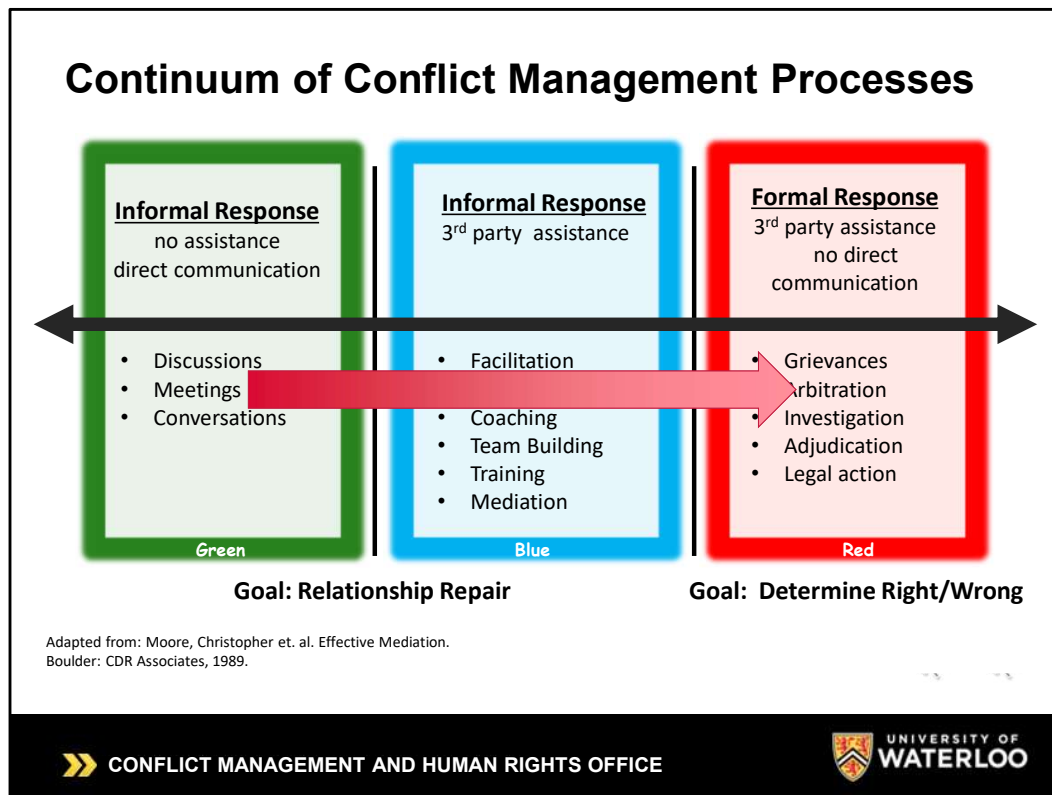


Welcome to Maintaining Effective Relations with your Supervisor for Graduate Students, Part 8: Recognizing the Red Zone. This is the eighth module in a series of short recordings designed to provide you with tools and resources to help you respond effectively when tension arises in work or academic relationships.

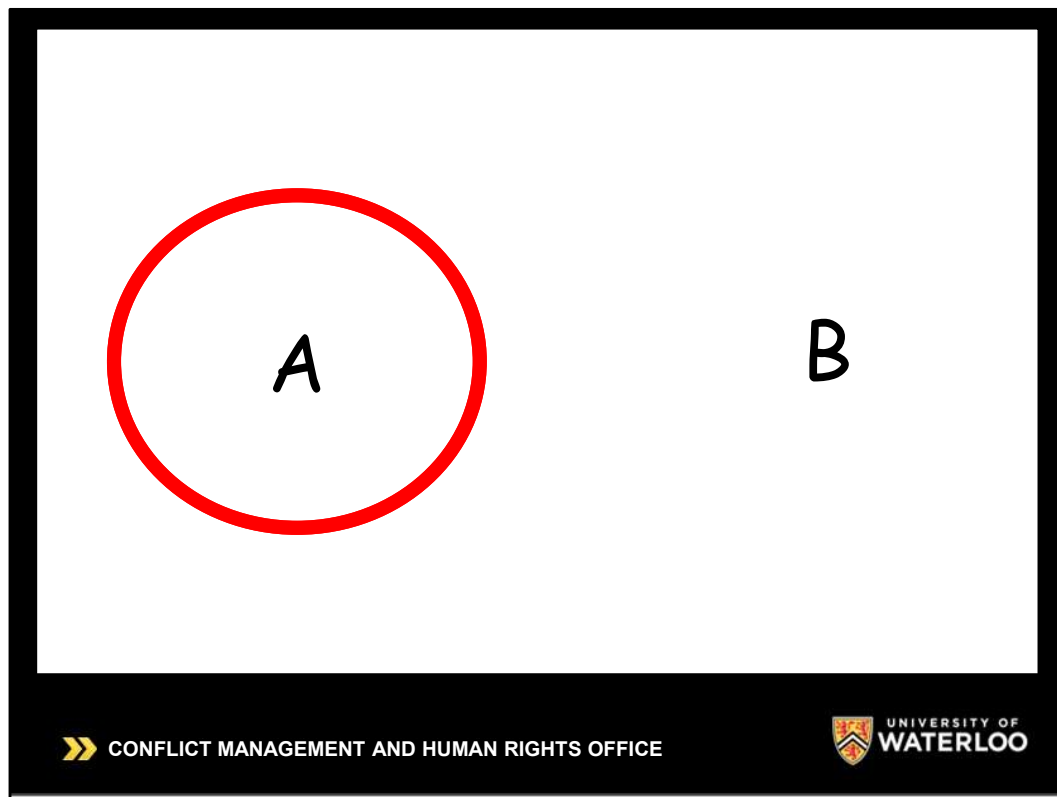
If you have not yet viewed Parts 1 through 7, please take the time to do so as the content of this module builds on what was learned in the earlier modules.

Before we begin, pause the video and take time to download the worksheet associated with this module so that you can jot down your thoughts as we go along.



In previous modules we have discussed tools for responding to situations fall within the Green and Blue Zones, we have also talked about how situations may change over time potentially pushing the situation down the continuum from the Green Zone to the Blue Zone and even into the Red Zone. We also highlighted the importance of reassessing the situation and adjusting your response as needed.

Remember, Red Zone situations are situations that have a severe emotional impact on you and/or the other person. Although relationship repair is the goal when responding to Green and Blue Zone situations, a different kind of response is merited when dealing with Red Zone scenarios. It is, therefore, worthwhile to discuss how situations change over time and what to consider when assessing whether a situation has moved into the Red Zone.



Let's consider a situation involving persons A and B that starts off in the Green Zone.

B is a new graduate student who has come to work in the same lab as A
B sees A and thinks, "I'd like to get to know A better. So, B tells A a joke.

Note that the red circle around A represents A's comfort zone. This is a protective bubble of space around each of us. Things that fall outside the circle are things with which we feel comfortable. Things that fall inside the circle make us nervous and uncomfortable. We may even find them irritating or offensive.

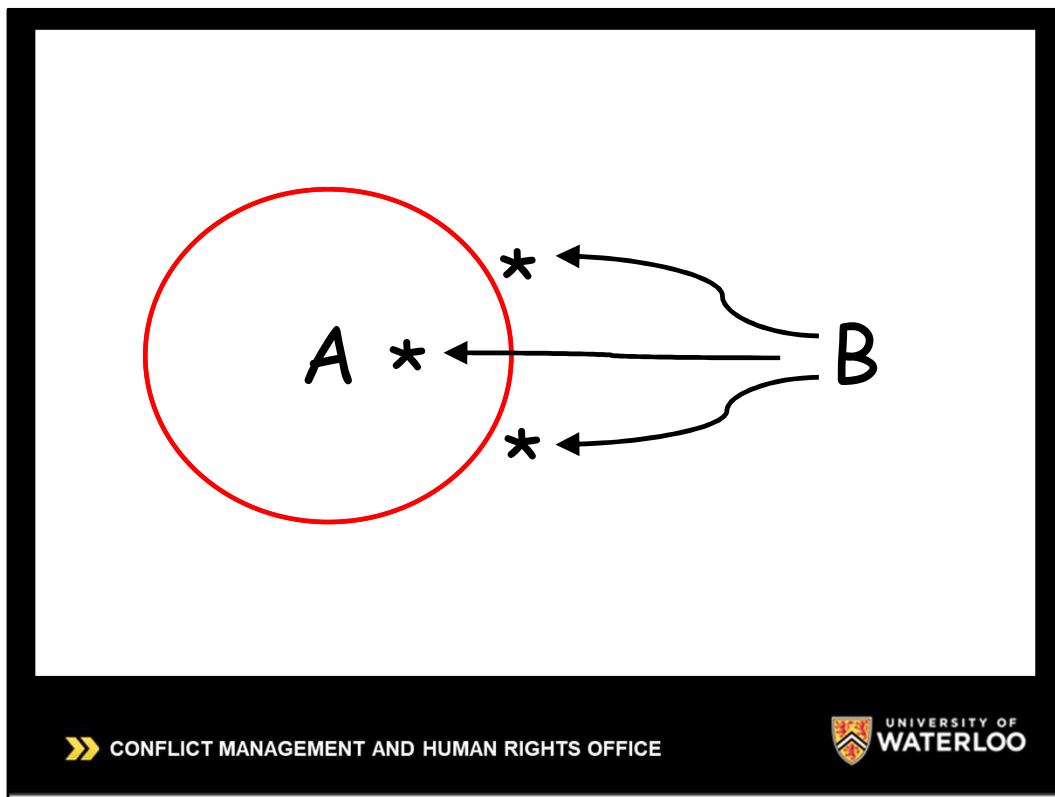
It's important to remember that this circle is invisible and its size & shape constantly changing. The two factors that primarily contribute to this change are context and relationship.

- A comment or behavior that might feel perfectly acceptable in a group setting, can feel much less comfortable when you are alone with another person. In this case, the context has changed.
- A comment that feels perfectly acceptable coming from your life partner would likely feel way out of bounds coming from your supervisor at work. In this case, the relationship has changed.

As B is preparing to tell A this joke does B know where the line defining A's comfort zone is? No. It is invisible and may change unexpectedly. **B may know what kind of**

comments or conduct might reasonably be considered to be acceptable and unoffensive in their workplace generally, but since B does not know A, B can't know exactly where A's comfort zone begins and ends.

So, back to B's joke. B tells A a joke

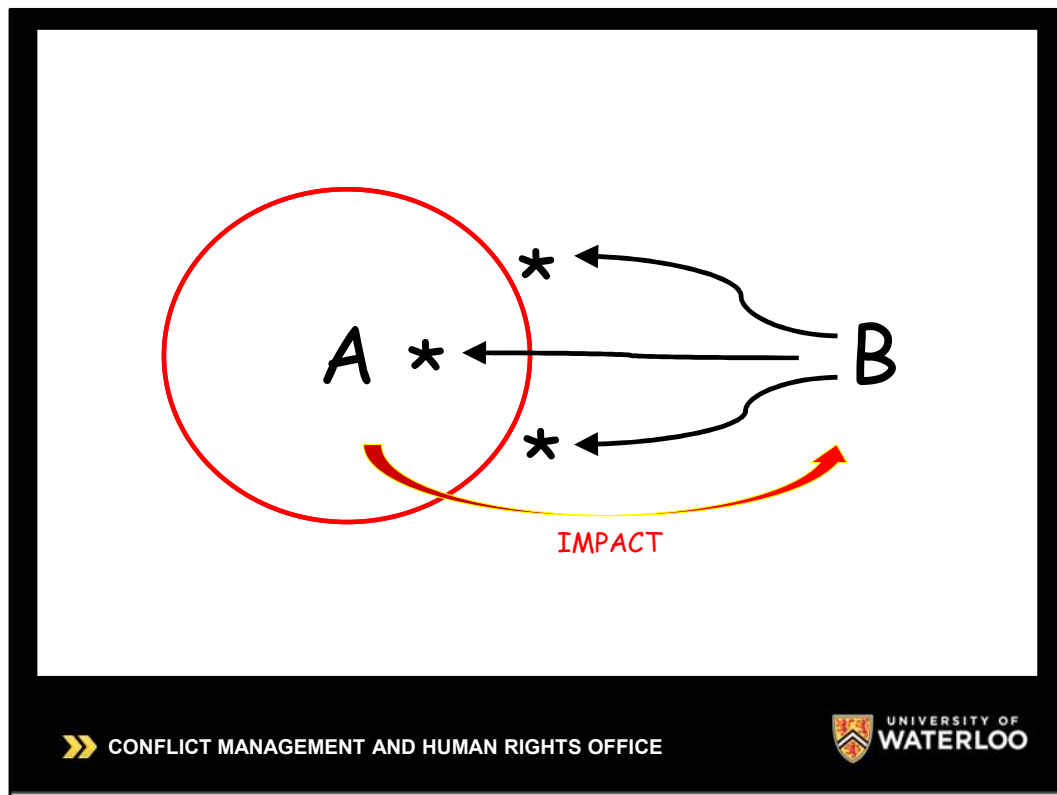


The joke landed outside the red circle. A considers it to be a good joke. A likes the joke and laughs.

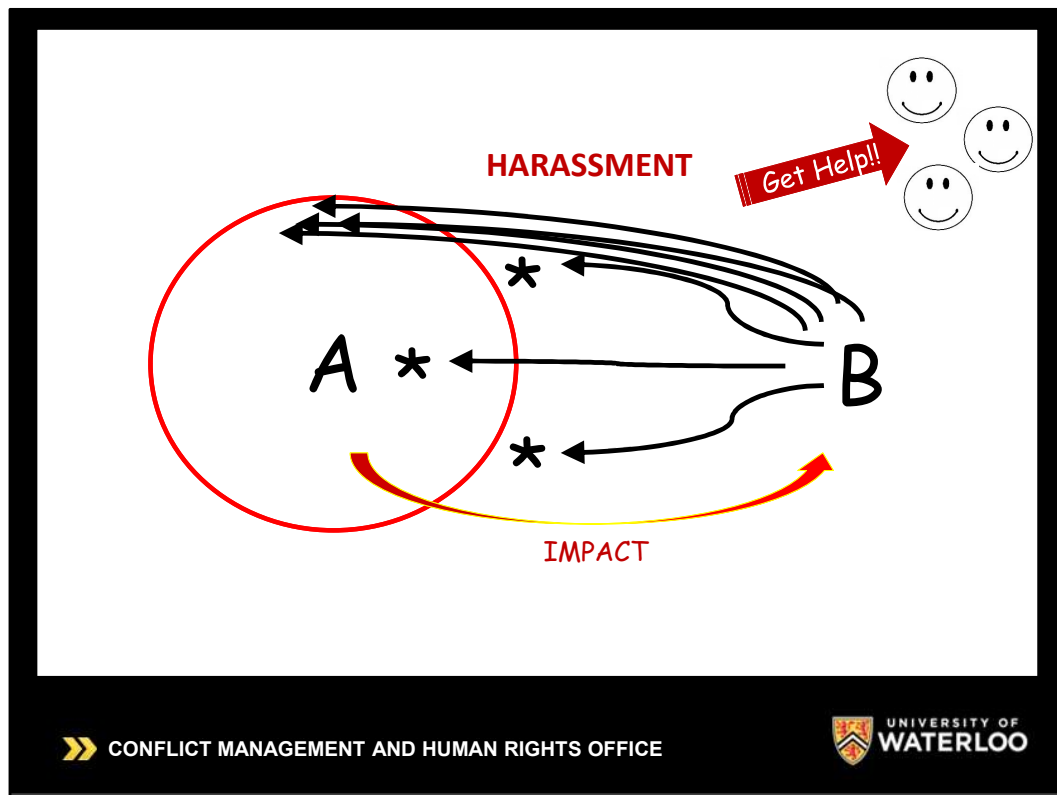
So, the next day, B tells A another joke. Is it a good joke? Yes. A is comfortable with the joke. A laughs. B thinks, “Hey, I’m on a role”.

So, the next day B pays A a compliment, but that does not go as well. The compliment has crossed the comfort zone and has made A uncomfortable. What can A do?

A has some choices: A could tell B off, call B a jerk or a harasser and storm away. What would that accomplish? Would that deal with the issue in a way that will allow A and B to work together effectively? No. What could A do instead?



A could communicate impact. A could explain to B that the compliment made them uncomfortable. In all likelihood, once A communicates impact, the behavior will stop. B's intention was not to offend. B just wanted to get to know A. Most people do not want their behavior to have a negative impact and will stop when they realize it has. But there also may be times when the other person does not respond reasonably.



If, after A communicates impact, B responds with “Well, you didn’t like that? Well, take this

... and this... and this... and this... and this...”

That would qualify as harassment and it would mean that it is time to get help.

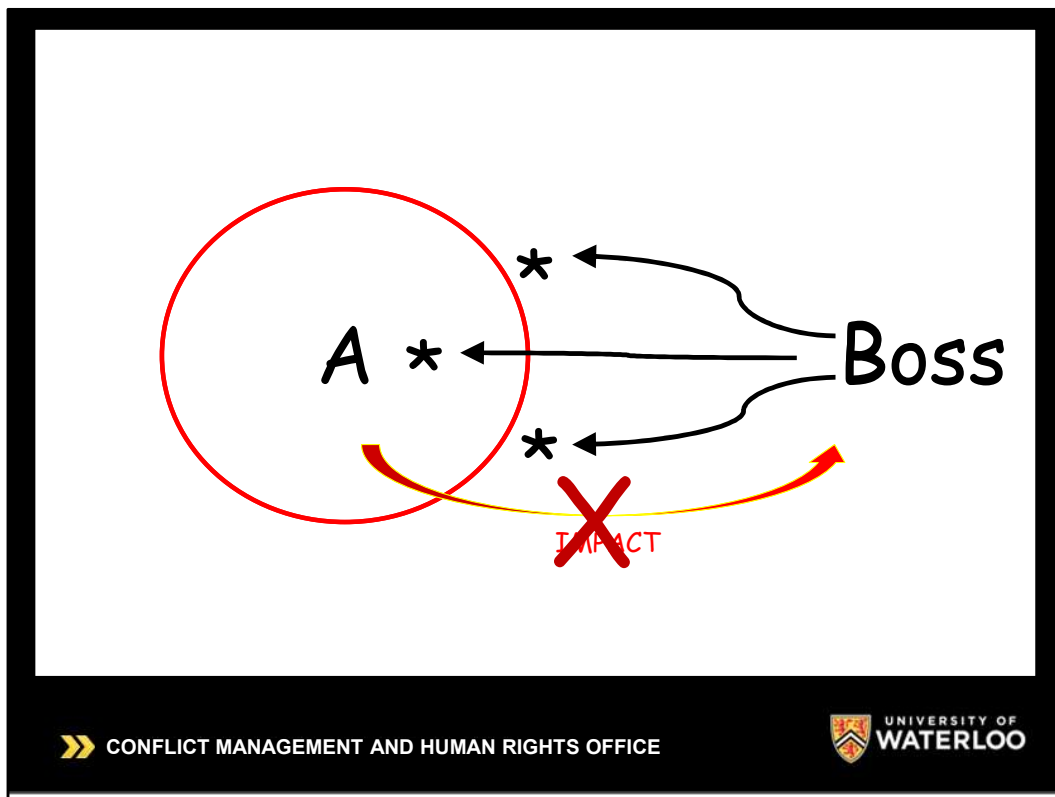
Get Help!



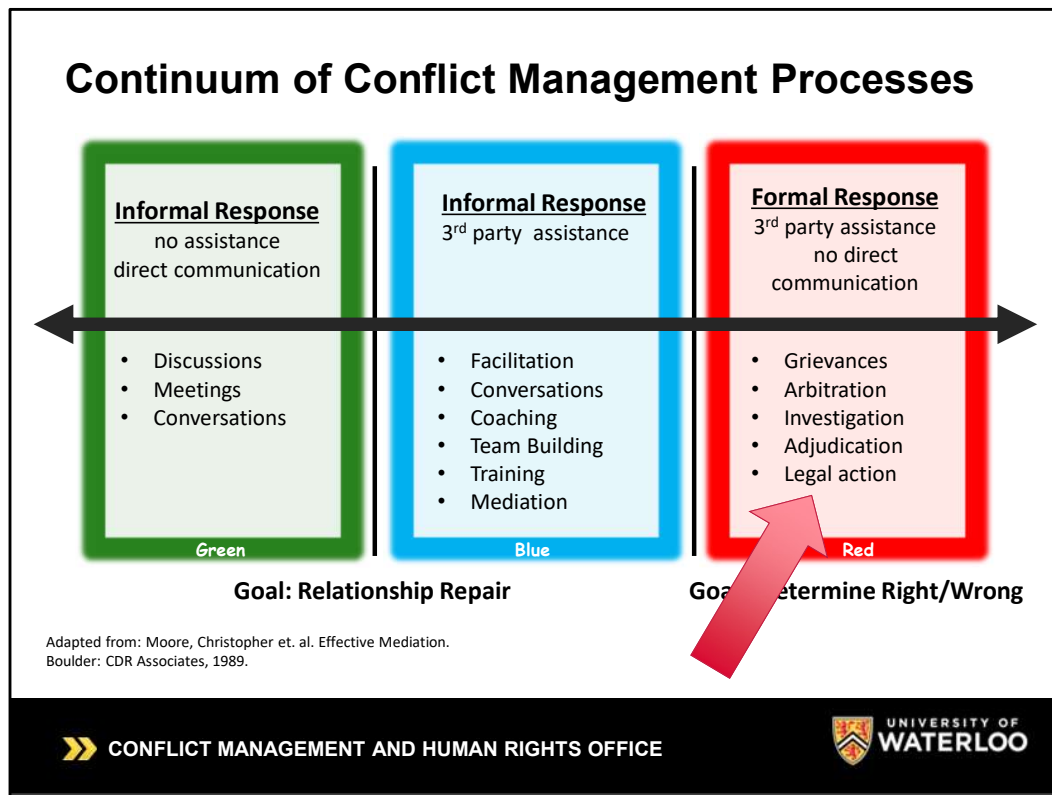
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There are a variety of places where A could get help including a supervisor, department head, Human Resources, the GSA, CMAHRO or, if they are feeling unsafe in any way, Police Services.



Another reason to get help may be if B stands for Boss. The presence of a power imbalance can significantly increase the emotional impact of a situation and push it into the Red Zone much sooner. If B stands for Boss, you may not even feel comfortable communicating impact and that is okay.



Harassment is one type of behavior that falls within the Red Zone so is discrimination. Let's talk about these behaviors a bit more.

Two pieces of legislation:

1. Ontario Human Rights Code

- protects all residents of Ontario

2. Occupational Health & Safety Act

- applies to workers, supervisors, & employers in Ontario.

Harassment and Discrimination in the Workplace: A primer for Waterloo employees



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There are two pieces of legislation that protect Ontario residents from harassment and discrimination:

- The Ontario Human Rights Code protects all residents of Ontario from harassment and discrimination.
- The Occupational Health and Safety Act focuses on the workplace and protects workers, supervisors, & employers in Ontario from harassment and discrimination.

I am going to provide a brief overview of what these have to say but there is a much more in-depth online module available to you if you want to know more. It is called “Harassment and Discrimination in the Workplace: A primer for Waterloo employees”. There is a version of this module tailor made for Teaching Assistants and another for Research Assistants. They contain a variety of scenarios and real-life examples.

They will also explain what policies and procedures exist on campus related to harassment and discrimination as well as the responsibilities of supervisors and the organization in responding to such concerns. You can self-enroll in this training in LEARN. Instructions are in your handout.

ONTARIO HUMAN RIGHTS CODE

Every person has a right to equal treatment with respect to:

- Employment and contracts
- Services, goods and facilities
- Accommodation (housing)
- Association and union memberships

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The Ontario Human Rights Code guarantees that “Every person has a right to equal treatment in five areas:

- Employment
- Contracts
- Services, goods and facilities
- Accommodation (housing)
- Association and union memberships

and it prohibits discrimination and harassment in these areas based on a number of prohibited grounds...

ONTARIO HUMAN RIGHTS CODE

Prohibited Grounds ...

- Age
- Ancestry, colour, race
- Citizenship
- Ethnic origin
- Place of origin
- Creed
- Disability
- Family 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
- Marital status

...including sex, age, race, gender identify and gender expression and more.

DISCRIMINATION

“unfair treatment”

- 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”

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

The Ontario Human Rights Commission, describes discrimination as “unfair treatment” that

does not give a person credit for their own unique “merits, capacities and circumstances ”;
makes “stereotypical assumptions”; and
impacts the person by excluding them, denying benefits or imposing burdens.

INTENT VS. IMPACT



“Many people wrongly think that discrimination does not exist if the impact was not intended”

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Photo by Inzmam Khan: <https://www.pexels.com/photo/man-in-black-shirt-and-gray-denim-pants-sitting-on-gray-padded-bench-1134204/>

It is important to note that the Ontario Human Rights Commission mentions the importance of “impact” in defining discriminatory behavior.

Discrimination can be intentional or unintentional. When determining whether behavior is discriminatory or harassing it is the impact, not the intent of the behavior that must be considered. The Ontario Human Rights Commission says, “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
that is known or ought reasonably to be
known to be to be unwelcome”**

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The Ontario Human Rights Code defines harassment as a course of vexatious comment or conduct, where a person knows or ought reasonably to have known the behaviour is unwelcome. This definition of harassment has 3 key components:

- 1) It involves behavior that is vexatious meaning irritating, annoying or having a negative impact.
- 2) It involves a course of conduct. Typically, harassment is behavior that is ongoing or repeated but, if the behavior is serious enough, a single event can be considered harassment.
- 3) Harassment involves behavior which the person knows or ought reasonable to know is unwelcome. This means that we are expected to be paying attention to how our behavior is impacting the people around us. It also means that if someone tells us that our behavior is unwelcome, we are expected to listen and to stop the behavior.

Sexual Harassment



Quid Pro Quo

“One thing in return for another.”

“A person in a position of authority using their authority to bribe or coerce another person into performing sexual favours”



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One specific kind of sexual harassment is Quid Pro Quo which is a Latin term meaning “this for that” or “one thing in return for another”. Quid Pro Quo involves “A person in a position of authority using their authority to bribe or coerce another person into performing sexual favours”.

Quid Pro Quo:

Sexual Bribery

Promises or suggestions of promotion or special favours if a person complies with sexual advances.

Sexual Coercion

Threats or suggestions of

- demotion
- loss of employment
- any negative consequences

if a person does not comply.

Quid Pro Quo includes:

- sexual bribery which involves promises or suggestions of promotion or special favours if a person complies with sexual advances, and
- sexual coercion which may involve threats or suggestions of demotion, loss of employment, or other negative consequences if a person does not comply.

» Occupational Health and Safety Act

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;

The Occupational Health and Safety Act speaks specifically to sexual harassment in the workplace and provides two definitions of workplace sexual harassment. One of them defines it as “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”.

» Occupational Health and Safety Act

WORKPLACE SEXUAL HARASSMENT

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.

The second definition provided by the Occupational Health and Safety Act highlights the significance of a power imbalance in situations involving sexual harassment. Workplace sexual harassment involves “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”. Note that this definition acknowledges that, simply being in a position to grant benefits or deny advancement, magnifies the impact of the behavior even if those promises or threats are never made.

» Occupational Health and Safety Act :

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”

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Ongoing negative behavior in the workplace that is not based on a prohibited ground can still be considered harassment as defined by the Occupational Health and Safety Act. This kind of behavior is referred to as workplace harassment but can also be considered workplace bullying. Workplace harassment is simply “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”. No prohibited grounds are referenced by this legislation so all negative and disrespectful behavior that occurs against a worker in the workplace can be considered to potentially fall within the scope of this definition.

WHAT IS NOT CONSIDERED HARASSMENT?

Occupational Health and Safety Act:

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

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The Occupational Health and Safety Act also clarifies for us what does not qualify as harassment. It says that “a reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.”

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.

Harassment and Discrimination in the Workplace: A primer for Waterloo employees

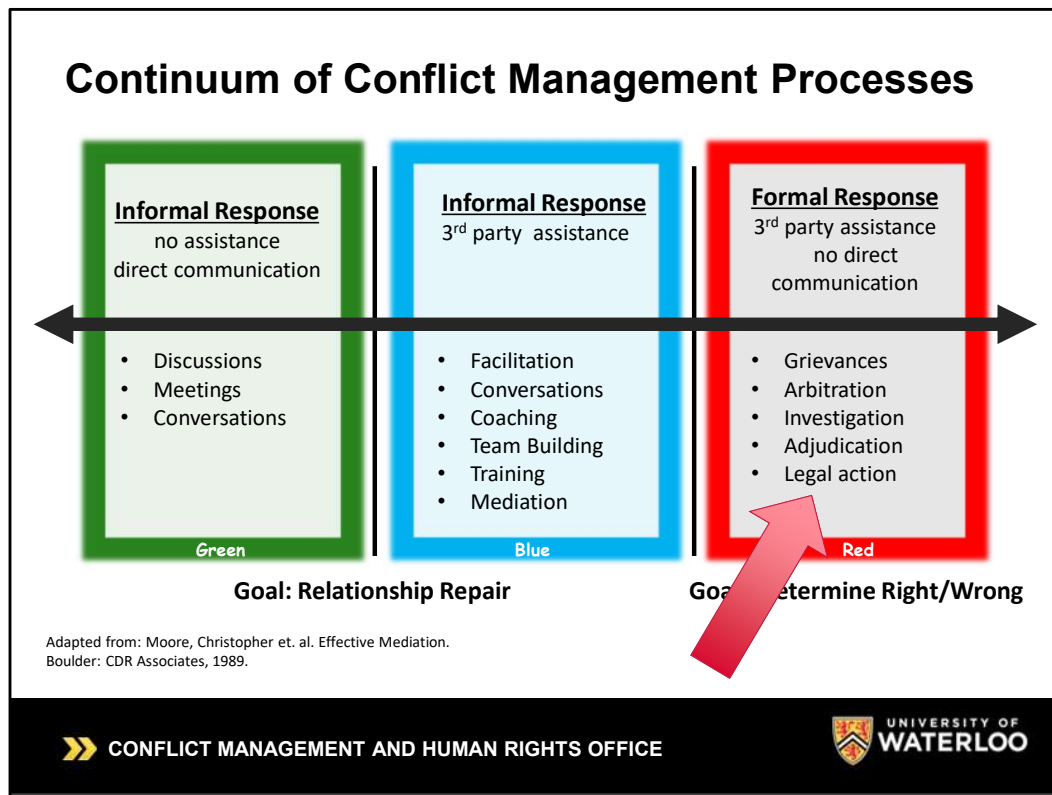


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As I mentioned, you can learn more in the Harassment and Discrimination in the Workplace module on LEARN.



In the meantime, 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 determined that it falls in the Red Zone. If behavior is having a negative impact on you...
SEEK HELP!

Get Help!

Supervisor

Department
Head

Human
Resources

GSA



Conflict Management and
Human Rights Office

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There are lots of places to go for help. Choose the one that feels the most comfortable and appropriate given your circumstances. We are here to support you.



Jeremy de Boer

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Photo by Olya Kobruseva: <https://www.pexels.com/photo/question-marks-on-paper-crafts-5428836/>

And remember, If you have any questions or concerns or if you would like to access any of the services offered by our office, contact Jeremy de Boer.

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