Understanding Harassment

Definition

Harassment is any vexatious behaviour that affects the dignity, psychological or physical integrity of a person and that results in a harmful environment for such an individual. It may take the form of repeated hostile or unwanted conduct, verbal comments, actions or gestures directed toward an individual. Harassment exceeds what the person considers to be appropriate and reasonable. It demeans, belittles, and causes personal humiliation and embarrassment to targeted individuals; it is threatening and intimidating, and creates a state of domination, fear, and insecurity.

While the majority of harassment cases are repetitive in nature, it is important to note that in the employment context, even a single serious incident of such behaviour may constitute harassment.

Forms of Harassment

Psychological harassment is any vexatious behaviour that manifests itself in the form of conduct, verbal comments, actions or gestures which are repetitive, hostile or unwanted, affect the person’s dignity or psychological integrity, and result in a harmful work environment. Psychological harassment is prohibited under the Quebec Labour Standards Act.

Discriminatory harassment is any harassment based on one or more of the prohibited grounds of discrimination enumerated in s. 10 of the Quebec Charter of Human Rights and Freedoms. The prohibited grounds of discrimination include age, social condition, civil status, pregnancy, disability (or means to palliate a disability), language, sexual orientation, race, colour, ethnic or national origin, political convictions, religion and gender.

Sexual harassment is uninvited and unwanted sexual attention, including physical touching, sexual innuendos, and suggestive staring, where it is known or ought reasonably to be known that the conduct is unwelcome. Sexual harassment also includes any conduct of a sexual nature that makes sexual activity an explicit or implicit term or condition of:

- An individual’s employment or their status in a course, program, or activity, or;
- Educational or hiring decisions affecting an individual.

Criminal harassment violates human rights legislation and criminal law and includes stalking as well as physical and sexual assault. These forms of harassment are prohibited under sections 264-278 of the Criminal Code of Canada.

Resources

McGill Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law

McGill Assessors
Assessors are members of the McGill Community that investigate complaints under the Policy by any member of the McGill Community that feels that they have been harassed or discriminated against.

Contact information.

Office of the Ombudsperson
A McGill Student Service that provides confidential and neutral dispute resolution services, advice, and referrals to students. Visit the website or call (514) 398-7059.

Employee Assistance Program
A confidential information, counseling and referral service for staff that provides assistance for a broad range of personal and work-related concerns. Visit the website or call (514) 843-7009.

Other Resources

Sexual Assault Centre of McGill Students’ Society (SACOMSS)
A volunteer-run organization that lends support to survivors of sexual assault and their allies. More information can be found on the SACOMSS website.

Student Advocacy
The Student Advocacy Program is part of the Legal Information Clinic at McGill. It provides free and confidential advice and representation in cases where McGill students are going through disciplinary, grievance or appeals processes. Visit the website or call (514) 398-4384.

Quebec Labour Standards Website