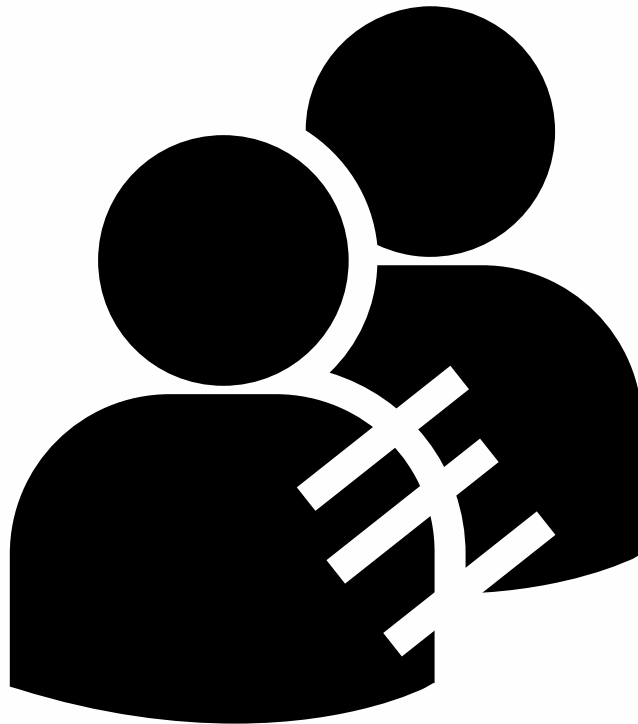




Type of law:  
**CRIMINAL LAW**  
**CIVIL LAW**  
**HUMAN**  
**RIGHTS LAW**


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# HARASSMENT



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A 2023 Alberta Guide to the Law

 **Student Legal**  
**Services**  
of Edmonton

The logo consists of four vertical bars of varying heights, each topped with a small circle, representing stylized figures or a bar chart.

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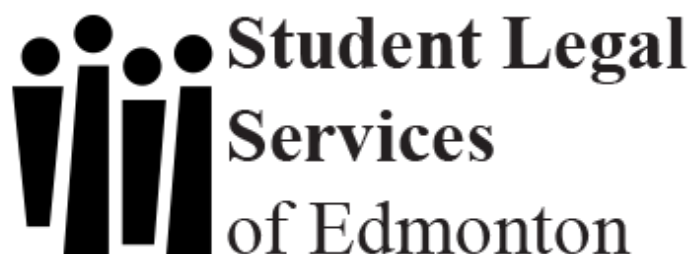
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# HARASSMENT



## CRIMINAL HARASSMENT

According to the Criminal Code:

S. 264

1. The accused must engage in at least one of the **prohibited forms of conduct** without lawful authority
2. The accused must cause the complainant to **reasonably fear for their safety or the safety of another person** who the complainant knows, and
3. The accused must know, be reckless to, or be willfully blind to the fact that their actions caused another person to be harassed.

## WORKPLACE HARASSMENT

Harassment occurs in the workplace when a person is subjected to **unwelcome verbal or physical conduct used to intimidate, offend, degrade, or humiliate a person or group**. It can include inappropriate or sexually explicit:

- comments
- jokes
- name-calling
- images
- emails
- social media
- sexual advances
- touching
- unwelcome behaviour
- insults & threats

## HARRASMENT AS DISCRIMINATION

You are protected within the **Alberta Human Rights Act** if you are discriminated against or harassed based on protected grounds.

You cannot be discriminated against for your race, religious beliefs, colour, gender (includes sexual harassment), gender identity, gender expression, physical disability, mental disability, ancestry, age, place of origin, marital status, source of income, family status, and sexual orientation.

**The Occupational Health and Safety Act prohibits against harassment in the workplace**

## PROHIBITED CONDUCT

- repeatedly following a person, or anyone known to them, from place to place
- repeatedly communicating with a person, or anyone known to them (either directly or indirectly)
- watching the person, or anyone known to them, at the place where they live, work, or happen to be; and
- engaging in threatening conduct directed towards a person or any member of the family.

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# WHAT IS HARRASMENT



Harassment is a form of discrimination. It involves any **unwanted physical or verbal behaviour that offends or humiliates you.**

Generally, harassment is a behaviour that persists over time. Serious one-time incidents can also sometimes be considered harassment.

## CRIMINAL LAW

Seeks to determine proof of guilty and, if so, punish people who break the law and prevent dangerous harassment from continuing.



Criminal law seeks to penalize wrongdoers. **If you think that your harasser is extremely dangerous, the harassment is severe, and it has happened repeatedly, this might be an option for you.**

**However, be aware that the criminal law focuses on determining whether an offence has been proven beyond a reasonable doubt and, only then, punishing your harasser.** If the police lay charges you will not be the opposing party in the case. The court case would be between your harasser and the government.

**If you are looking for personal compensation, then the criminal law might not be a good option for you.** Further, due to the criminal law standard of proof, harassment will be the most difficult to prove using criminal law.

## HUMAN RIGHTS LAW

Protects you under the Human Rights Act if you are harassed because of your membership to a particular group described in the Act.



**Human rights law seeks to ensure that you are not harassed or targeted because of your membership to a particular group.**

The Alberta Human Rights Act protects you from discrimination based on fifteen enumerated grounds.

**If you choose to proceed under human rights law, the Alberta Human Rights Commission will resolve your complaint.**

## CIVIL/ TORT LAW

Allows you to take someone to court for harassment and ask the judge for a remedy to compensate you.



**Civil law seeks to compensate the person who has been wronged.** This could be in the form of monetary compensation.

**Civil law is private and the court case would be between you and the accused person (unlike criminal law).**

However, be aware that conducting a trial and hiring a lawyer is expensive. **The costs that add up throughout this process may not be worth the compensation that you receive.**

Also, if you do not win, you may have to pay the court fees of the person you brought to court.

## HARASSMENT IN CRIMINAL LAW



Section 264 of the Criminal Code prohibits criminal harassment. **Criminal harassment always includes conduct that causes someone to reasonably fear for their safety, or the safety of another person known to them.**

### **In order for a person to be convicted of criminal harassment:**

1. They must engage in at least **one of the prohibited forms of conduct** (listed below) without lawful authority,
2. They must cause someone else to **reasonably** (considering all the circumstances) **fear for his/her safety or the safety of another person known to them**, and
3. They must know, be reckless to, or be willfully blind to the fact that his/her actions caused another person to be harassed.
  - To be willfully blind means the person saw the need to make further inquiries about the situation but chose not to.

When someone is harassed, they may feel tormented, troubled, chronically worried, plagued, or badgered because of someone else doing prohibited conduct.

## PROHIBITED CONDUCT INCLUDES:

- repeatedly following a person, or anyone known to them, from place to place;
- repeatedly communicating with a person, or anyone known to them (either directly or indirectly);
- watching the person, or anyone known to them, at the place where they live, work, or happen to be; and
- engaging in threatening conduct directed towards a person or any member of their family.

## ACTIONS THAT COULD BE CRIMINAL HARASSMENT:

- stalking someone;
- spying on someone;
- sending threatening letters, emails, gifts, text messages, or phone calls to someone;
- threatening to assault someone;
- scaring someone;
- making rude or threatening gestures to someone;
- chasing someone; and
- cyberbullying

Sometimes harassment can violate other laws as well, such as if the accused breached an emergency protection order or if they uttered threats, for example.

## HARASSMENT VIA TELECOMMUNICATION

S. 372(2)

Section 372(2) of the Criminal Code also prohibits sending indecent communications to a person with intent to alarm or annoy a person by means of telecommunication (phone, text, email, social media, etc).

S. 372(3)

Section 372(3) prohibits repeated communications through telecommunication without a lawful excuse and with the intent to harass a person.



Communications sent to someone else other than the complainant may also constitute criminal harassment.

# WHAT OPTIONS ARE AVAILABLE TO VICTIMS OF CRIMINAL HARASSMENT?



If you are being criminally harassed, there are several options you can take to put the harassment to a stop. You do not have to tolerate harassment, whether in the workplace or in any other environment.

## PRESSING CHARGES

If the offender will not stop bothering you, you can call the police. **The police will investigate to find out what happened before they lay charges.** You will be asked to give the police a statement explaining the situation. Usually, the police will lay a charge if they believe there is enough evidence.



## PRESSING CHARGES YOURSELF

If the police do not lay a charge and you want to continue the matter, you can press charges yourself. **To do so, you must call the Provincial Court - Criminal Division Clerk's Office and tell them that you want to "lay a private information" for Criminal Harassment.**

**The Clerk's Office will set up an appointment for you to speak to a Justice of the Peace.**

During that meeting, you will get to tell your side of the story and the Justice of the Peace will decide whether there are reasonable and probable grounds to lay a charge of Criminal Harassment.



**It is essential that everything told to the Justice of the Peace is honest and accurate. You may be charged if you lay a false information.**

If the Justice of the Peace allows you to proceed, they will forward your complaint to the Crown Prosecutor's Office. **The Prosecutor's Office will then decide if there is enough evidence to go ahead with the charge and whether the prosecution would be in the public interest. If so, they will proceed with the case, and you will be a witness in the case.**



**It is important to understand that the Crown is the lawyer for the government, and is therefore not your lawyer – this means that they have the right to make decisions you may disagree with, including withdrawing the charge, resolving the case in a certain way, and so forth.**

**Documenting evidence of the harassment can help prove that you reasonably feared for your safety.** It would also help show that the person bothering you had knowledge of, or was reckless to, whether his or her conduct was harassing.



It can help to record the details of every incident, including time, date, place, who was involved, and what was said or done. **Keep letters, notes, voicemail messages, emails, texts, instant messages, social media, and internet posts.** Give copies of them to the police.

## **GETTING A PEACE BOND**

A standard peace bond is a protection order made by a court. **It is used in situations where a person has caused another to fear for their own safety or the safety of their spouse, common-law partner, child or property, or that the person’s intimate images will be distributed without their consent.**

### **A peace bond requires that the individual:**

- **Keep the peace**
- **Be of good behaviour**
- **Follow any other conditions for the period of time the court believes is necessary to ensure the victim’s safety (up to a maximum of one year).**
  - A common condition is that the person bound by the peace bond stay away from the applicant and not have any contact with them



**Once a peace bond expires, an application for a new one can be brought.**

# GETTING A PEACE BOND IN EDMONTON

A person can get a peace bond in much the same way that they lay a private information. A peace bond is free of charge and does not require hiring a lawyer.

## **1. Start by calling the Provincial Court- Criminal Division Clerk's Office.**

- Tell them that you need to make an appointment with a Justice of the Peace to request a peace bond.
- Or you can go to your local police station to make the request. If you go to the police, you must receive a file number.

## **2. The Justice of the Peace or police will take down the details of your complaint and will forward the information to the Crown Prosecutor's Office to be dealt with if there are grounds for a peace bond.**

## **3. If the court believes the situation requires further inquiry, they will provide you with a court date.**

## **4. At this court date, you will have to explain why the peace bond should be issued (that you reasonably feared the accused would harm you, your family, or your property, or distribute your intimate images without your consent.)**

- The other party will be served with a summons to appear in court so they can also tell their side of the story.
- If the other party does not show up in court on the set date after being served with a summons, the peace bond might be issued ex parte, which means in the offender's absence.
- To successfully argue your case, it can be helpful to present evidence that supports your fears.
- Peace Bond hearings often occur 2 to 3 months after the requested date. A temporary term may be made in the meantime in some circumstances.

## **5. If the peace bond is issued, the person will be required to follow certain conditions for the duration of the peace bond (up to one year). If they break any of the conditions, they can be arrested and charged with a criminal offence.**

## GETTING A RESTRAINING ORDER

A restraining order is issued from the Court of Queen's Bench and you may need a lawyer to help you get a restraining order. **It is a no contact order requiring the abusive person to stay away from any place you attend frequently and to stop harassing you.**

**You can apply for a restraining order against a person who has made you afraid for your safety through injury, property damage, intimidation, failure to provide food, shelter, or medical attention, forced confinement, forced sexual contact, and stalking or harassment.**



**A restraining order can be attached to another action like a divorce or a civil action for assault or can be ordered on its own.** It can be helpful to consult a lawyer, since your restraining order must be very carefully worded to make sure that you get the protection that you need.

## EX PARTE RESTRAINING ORDER

**Restraining orders may be granted without notice of the hearing to the person you are seeking to get a restraining order against. This happens if the situation is urgent, or your safety is at risk.**

However, they must be served with a copy of the order and there is an automatic review of the order within two weeks at the Court of Queen's Bench. At this hearing, the Judge will decide if the order will remain in effect.

**The person you are seeking a restraining order against (called the respondent) and you (called the applicant) will likely have to be present at this hearing.**

# FILING A RESTRAINING ORDER (WITHOUT NOTICE)

1

## **FILL OUT THE FORM BASED ON YOUR SITUATION**

You do not have to use your own address or phone number if you think it will put you in danger.

- if your situation involves family members, you can fill out the Application for a Restraining Order Without Notice in a Family Law Situation
- if your situation does not involve family law, you can fill out the Restraining Order Without Notice form.

2

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## **Declare your application before a Commissioner for Oaths**

Declare before the court date and bring a copy of the application with you to court. A clerk at the Court of Queen's Bench can serve as a Commissioner for Oaths.

3

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## **File your application. Make three copies of it.**

The Court of Queen's Bench will stamp and keep the original copy and give you two (one for you and one for the respondent)

4

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## **Attend Court.**

The Court of Queen's Bench will give you a court date. Bring a copy of your application for a Restraining Order to court.

5

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## **Serve the respondent with the Restraining Order.**

Get a friend, family member, or a Process Server to deliver the documents for you.

- The person serving the documents must swear an Affidavit of Service before a Commissioner for Oaths to prove to the judge that the Respondent was notified.

6

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## **Deliver the order to the police.**

Bring a copy of the Order, a filed copy of the Affidavit of Service, and a Statement of Description.

7

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## **Attend the review date. This usually takes place within 2 weeks to allow the respondent an opportunity to respond**

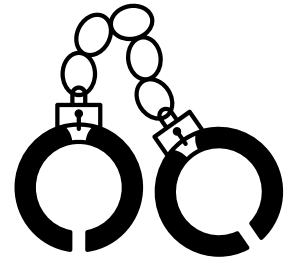
- Here, the judge will hear both sides to see if the Restraining Order should be renewed. If it is renewed and the respondent did not attend court, you must serve them with the new Restraining Order.

# IMPORTANT CONSIDERATIONS WHEN DRAFTING YOUR RESTRAINING ORDER:

## Ask for a police enforcement clause

This clause will ensure that the police have the authority to make an arrest if the order is being violated.

**A police enforcement clause is a section of the order that says the police shall make an arrest if the respondent does not follow the conditions of the restraining order.**



## Make sure that the restraining order mentions all places you can be contacted or followed.

You may want to have them prohibited from coming near you at your home, your place of work, and anywhere else you spend time on a consistent basis (like your parent's house).

If your order also prohibits them from seeing your children, make sure that their schools and/or daycares are listed as well. You may also want your order to prohibit them from contacting you by telephone, mail or email.



## If the person you are seeking a Restraining Order against is going to have visitation rights with your children, a separate parenting order can clearly dictate the times they are able to see the children.

When filing your affidavit, you can state what contact the respondent should have with the children. Restraining Orders are not used to settle parenting disputes.



**A Restraining Order does not have a specified time limit and you may ask for however long you believe will be necessary (1 month - 1 year is common). If necessary, the order may be extended.**

By keeping a copy of your order with you at all times, you can show it to the police if the order is violated.

In addition, the restraining order should be registered with the police and given a case number. This will enable the police to have immediate access to the order's provisions.

**Sanctions for breaching a restraining order may include arrest or fines.**



# WHAT HAPPENS IF YOU ARE CONVICTED OF CRIMINAL HARASSMENT?

**Criminal harassment is an offence where the case may be prosecuted either summarily or by indictment.**

**Generally, summary offences are minor crimes while indictable offences are more serious crimes.** The power to choose under which class the offence will be tried rests with the Crown.

- If the Crown proceeds by **indictment**, the maximum sentence is 10 years imprisonment.
- If the Crown decides it is a **summary offence**, then the maximum penalty is either a fine or 18 months in jail, or both.

**If an offender was already subject to a peace bond, recognizance, or any other court order at the time of the offence, the court may consider that an aggravating factor for sentencing purposes.**

If the court decides not to give effect to the aggravating factor in sentencing, then it must explain why.

**Generally, the court will give an offender a harsher sentence for criminal harassment if the offender already had a court order to stay away from the victim at the time of the harassment.**

In such a case, the offender could also be convicted for breaching the initial court order on top of being convicted for criminal harassment.



# HARASSMENT: A CIVIL/TORT LAW ISSUE



**Civil law deals with private relations between individuals or institutions. Tort law provides compensation for complainants who have been injured by the wrongdoing of others.**

## **TORT LAW:**

The purpose of tort law is not to punish wrongdoers but to provide damages or compensation to victims in order to compensate their losses. In tort law, financial settlements are usually used to help complainants.

The complainant in a civil suit must prove, on a balance of probabilities, that the incident(s) happened. This means that the victim must show that it is more likely that the harassment took place than that it did not. In other words, the judge must think that it is at least 51% likely that the victim is right.

This “standard of proof” is different from criminal cases where it must be proved “beyond a reasonable doubt” that the accused is guilty.

Intentional torts are the most serious. They are deliberate acts intended to injure others or to interfere with another person’s rights. Individuals in Alberta can seek compensation through the common law tort of harassment. Harassment occurs where four elements are met. **First**, the defendant must have engaged in repeated communications, threats, insults, stalking or other harassing behavior in person or through other means. **Second**, they must have known or ought to have known that this behaviour was unwelcome. **Third**, the defendant’s unwelcome behaviour must either a) challenge the dignity of the plaintiff, b) cause a reasonable person to fear for the plaintiff’s safety or the safety of the plaintiff’s loved ones, or c) foreseeably cause emotional distress. **Fourth**, this behaviour must cause harm.

There are other torts available to those who have experienced harassment. For example:

### **Intentional Inflection of Mental Suffering**

The defendant has done an act, which is clearly meant to cause a reaction in the victim, and the reaction is in fact caused by the act.

- This tort can be difficult to establish but has been successfully argued and can apply in employment relationships.
- The complainant must show that the defendant’s actions have caused visible physical symptoms such as migraine headaches, ulcers, or other known illnesses.

## Assault

When a person threatens or tries to hurt someone.

## Battery

A tort law term and is used when a person applies force to another person without consent.

**You can sue a person in civil court in addition to them having charges pressed against them by yourself or the police.**

**To start a civil action, it can be wise to hire a lawyer, especially if the damages you want are large.**

- If the amount of money you seek is too large for Civil Provincial Court (over \$50,000) you may wish to seek legal advice.
- If the complainant wins, they may be compensated for any losses caused by the harassment, including lost wages, medical expenses, counselling expenses, and/or pain and suffering.

**Civil actions can be very costly if you choose to hire a lawyer. As it is often difficult to prove that a person's behavior caused tangible damages, the time and effort of pursuing a civil claim will sometimes outweigh any remedy awarded to the complainant.**

# HARASSMENT AND DISCRIMINATION IN HUMAN RIGHTS LAW



The descriptions below are not legal definitions. For more information about protected grounds, contact the Alberta Human Rights Commission or Student Legal Service's Human Rights Project.

**You are protected within the Alberta Human Rights Act if you are discriminated against or harassed based on the following protected grounds:**

## Race

Belonging to a group of people, usually of a common descent, who may share common physical characteristics like skin colour.

## Colour

- The colour of a person's skin.
- This includes, but is not limited to, racial slurs, jokes, stereotyping, and verbal and physical harassment.



# PROTECTED GROUNDS CONTINUED

## Religious Beliefs

System of beliefs, worship, and conduct.

## Gender Identity

- A person's internal and individual experience of gender; their sense of being a woman, a man, both, neither, or anywhere along the gender spectrum.
- It may be the same as or different from a person's birth-assigned sex.
- It is fundamentally different from a person's sexual orientation.

## Physical Disability

- Any degree of physical disability, deformity, malformation, or disfigurement that is caused by injury, birth defect or illness.
- This includes, but is not limited to, epilepsy, paralysis, amputation, lack of physical coordination, visual, hearing and speech impediments, and physical reliance on a guide dog, wheelchair or other remedial appliance or device.

## Gender

- Being male, female, transgender or two-spirited.
- Also protected under gender are pregnancy and sexual harassment.

## Gender Expression

- How a person expresses their gender.
- Gender expression can include behaviour and outward appearance such as dress, hair, makeup, voice and body language.
- A person's chosen name and pronoun are also common ways of expressing gender.

## Mental Disability

Any mental disorder, developmental disorder or learning disorder regardless of the cause or duration of the disorder.

# PROTECTED GROUNDS CONTINUED

## Ancestry

Belonging to a group of people related by a common heritage.

## Family Status

Being related to another person by blood, marriage, or adoption.

## Place of origin

Includes place of birth and typically refers to a country or province.

## Marital Status

The state of being married, single, widowed, divorced, separated, or living with a person in a conjugal relationship outside marriage.

## Source of Income

- Source of income is defined in the Act as lawful source of income.
- The protected ground of source of income includes any income that attracts a social stigma to its recipients (e.g., social assistance, disability pension, and income supplements for seniors). Income that does not result in social stigma would not be included in this ground

## Age

- Age is defined in the Act as “18 years or older.”
- Persons who are 18 years or older can make complaints on the ground of age in all of these areas:
  - statements, publications, notices, signs, symbols, emblems, or other representations that are published, issued or displayed before the public;
  - employment practices;
  - employment applications or advertisements;
  - membership in trade unions, employers’ organizations, or occupational associations;
- Persons under the age of 18 can make complaints on all grounds except the ground of age. For example, a 16-year-old can make a complaint of discrimination in the areas of employment, tenancy, employment practices, etc. based on the grounds of physical disability, race, gender, etc. but not on the ground of age.

## **Sexual Orientation**

This ground includes protection from differential treatment based on a person's actual or presumed sexual orientation, whether homosexual, heterosexual, bisexual or asexual.

**In addition to the areas and grounds discussed above, the Act protects Albertans in the area of equal pay. When employees of any gender (female, male, or transgender) perform the same or substantially similar work, they must be paid at the same rate.**

## **WHAT OPTIONS ARE AVAILABLE FOR VICTIMS OF DISCRIMINATORY HARASSMENT?**

If you believe that you may have been subject to harassment as a form of discrimination, **the first step you can take is to record the time, place, nature of the behaviour, and names of all people involved.** Keep this record in a safe place. This documentation may be very useful later, and it will help you clarify what happened.

If, and only if, you feel safe in doing so, you can speak respectfully but directly to the person whose behaviour is affecting you.

## **YOU CAN MAKE A COMPLAINT TO THE ALBERTA HUMAN RIGHTS COMMISSION**

**A complaint must be made to the Commission within one year after the alleged incident of discrimination.** The one-year period starts the day after the date on which the incident occurred.

**For further information, you can call the Alberta Human Rights Confidential Inquiry Line at 780-427-7661. To call toll-free within Alberta, dial 310-0000.**

If you meet their income guidelines, the Student Legal Services' Human Rights Project can assist in making human rights complaints.

If you are a student and you have been discriminated against and/or harassed by a teacher or a fellow student, you can seek advice from a support service at the institution at which you study as well.

**If you need legal help, Student Legal Services offers free legal representation and information to University of Alberta Students with a valid OneCard.**

**At the University of Alberta, students can discuss their concerns with an advisor at:**

- The Student OmbudService (780-492-4689)
- The Sexual Assault Centre (780-492-9771)
- The Office of Safe Disclosure and Human Rights (780-492-7325)

**Advisors can help students consider:**

- whether the matter meets the definition of harassment or discrimination,
- whether the student can or should approach the person directly and how to best broach the topic,
- whether anyone else should be made aware of the complaint, and
- whether the matter should be brought forward through the informal or formal resolution process.

If the discriminatory harassment has occurred at your workplace, you may also consider writing a letter of complaint to senior management, your personnel department, or your union representative.

# HARASSMENT IN THE WORKPLACE

**Harassment occurs in the workplace when a person is subjected to unwelcome verbal or physical conduct used to intimidate, offend, degrade, or humiliate a person or group.**

It can include inappropriate or sexually explicit comments, questions, jokes, name-calling, images, emails, social media, sexual advances, touching and other unwelcome and ongoing behaviours that insult, demean, harm, or threaten a person in some way.



Minor disagreements between coworkers are generally not considered to be workplace harassment.

If the **harassment is based on one or more of the 15 protected grounds** listed on pages 12-14, then **it is a form of discrimination and is contrary to the Alberta Human Rights Act**. Harassment that is not based on a protected ground is not contrary to the AHR Act.

Workplace harassment and violence is also defined in Alberta's Occupational Health and Safety Act:

## **Alberta's Occupational Health and Safety Act: "Workplace Harassment and Violence"**

“any single incident or repeated incidents of objectionable or unwelcome conduct, comment, bullying or action by a person that the person knows or ought reasonably to know will or would cause offence or humiliation to a worker, or adversely affects the worker’s health and safety.”

This Act also requires employers to investigate incidents of violence and harassment and take corrective action, to develop separate violence and harassment prevention plans and review at least one every three years, and finally, requires employers to advise workers of their options if they are harmed by violence or harassment.

Under this law, workers are entitled to wages and benefits while attending treatment programs. Workers affected by harassment must be offered support by employers.

Examples of this include being advised to consult a health professional of the employee's choice and advised of services and resources through an employee assistance program if one exists.



**If you feel you are subject to harassment at work and your employer is not complying with occupational health and safety standards, you can contact Alberta Occupational Health and Safety at 780-415-8690.**

## **SEXUAL HARASSMENT IN THE WORKPLACE**

Sexual harassment is discrimination on the basis of gender, which is prohibited under the Alberta Human Rights Act. **It is any unwelcome sexual behaviour that may affect, or threaten to affect, a person's job security, prospects for promotions or earnings, or working conditions.** Sexual harassment may also prevent a person from getting a job, living accommodations, or any kind of public service.

**In Alberta, it is an employer's responsibility to maintain a work environment free from sexual harassment for all employees, customers, and clients.**

**A supervisor or employer who neglects to follow up on a complaint of sexual harassment may be liable under the Alberta Human Rights Act for failing to take prompt and appropriate action.**

## **Sexual harassment can be done by anyone:**

- a supervisor
- a co-worker
- a customer
- a landlord
- a service provider
- or anyone else



All individuals can experience sexual harassment, regardless of the gender of the victim or perpetrator. It often involves one person trying to exert power over another.

**Sexual harassment in the workplace violates an individual's right to work without worrying about any kind of sexual pressure. It is emotionally abusive and fosters an unhealthy and unproductive work environment.**

Sexual harassment is not workplace romance or flirting or that both parties consent to. If the behaviour feels uncomfortable, humiliating or offensive to you then that is a sign it may be considered sexual harassment.

## **Key elements of sexual harassment include:**

- behaviour that has a sexual element;
- behaviour that is not welcomed by the person at whom it is directed; and
- behaviour that could reasonably offend, humiliate or intimidate someone else.

## **Actions that could be sexual harassment:**

- suggestive remarks, jokes, or invitations;
- verbal abuse;
- talk about sexual activities;
- displaying suggestive images;
- leering or whistling;
- unwanted physical contact or closeness;
- demands for sexual favours;
- physical assault;

# What can be done about sexual harassment?

- Document each experience with the date, time, names of witnesses, the location, and describe the incident.
- Tell the harasser to stop either in person or in writing. Keep copies of what you say and write.
- Report the incident(s) to your employer. Your employer may have a policy that tells you how to report these incidents. If not, choose a supervisor to report to – it does not have to be your own. Provide documentation.



**If the harassment continues, you can make a complaint to the Alberta Human Rights Commission.**

- Remember that any complaints made to the Alberta Human Rights Commission must be made within one year of the event.
- It is against the law for your employer to take action against you for making a good faith complaint.



**If you believe your safety is at risk or if the harasser threatens or commits physical assault, call the police.**

780-427-7661 Edmonton

403-297-6571 Calgary

310-0000 toll free, and enter the 10-digit regional office number after the prompt.

**You can call the Alberta Human Rights Commission's Confidential Inquiry Line at: 1-800-232-7215**



# WHO CAN I CALL FOR MORE HELP OR INFORMATION



## **Alberta Human Rights Commission**

Ph: 780-427-7661

[www.albertahumanrights.ab.ca](http://www.albertahumanrights.ab.ca)

#800 10405 Jasper Avenue NW  
Edmonton, AB T5J 4R7

The Alberta Human Rights Commission is where you can file human rights abuse complaints.

## **Centre for Public Legal Education**

Ph: 780-451-8764

<http://www.cplea.ca/>

Webpage regarding workplace harassment:

<http://www.cplea.ca/rightsatwork/questions-about-discrimination-and-bullying/>

## **Crime and Trauma-Informed Support Services**

Ph: 780-421-2217

Email:

[ctss@edmontonpolice.ca](mailto:ctss@edmontonpolice.ca)

Helps those impacted by crime, trauma, and tragic events navigate the criminal justice system and further support to manage victimization.

## **Edmonton John Howard Society**

Ph: 780-428-7590

<http://johnhoward.org>

#401 10010 105 St NW  
Edmonton, AB T5J 1C4

The John Howard Society provides assistance and support through the court process such as preparation to testify as a witness, court orientation, accompaniment, and release planning.

## **Elizabeth Fry Society of Northern Alberta**

Ph: 780-421-1175

<https://www.efrynorthernalberta.com/>

#900 10242 105 Street  
Edmonton, AB T5J 3L5

For women and girls in the criminal justice system. Court workers explain court procedure and terminology, provide legal referrals, and offer practical assistance and support to those appearing in court.

## **Labour Canada**

Ph: 1-800-641-4049  
<http://www.labour.gc.ca>

Website with the federal labour standards in Canada and information on making complaints if you work in a federally regulated industry or workplace.

## **Lawyer Referral Service**

Ph: 1-800-661-1095

When an individual calls, they will speak to an operator and describe the nature of their issue. The operator will then provide them with the contact information for up to three lawyers who may be able to assist them. When contacting these referred lawyers, the first half hour of the conversation will be free since they were referred by lawyer referral service.

## **Legal Aid**

Ph: 1-866-845-3425  
[www.legalaid.ab.ca](http://www.legalaid.ab.ca)

Edmonton Law Courts

Sir Winston Churchill Square

Provides affordable legal services in family violence matters, youth and adult criminal defense, and more. Eligibility is subject to income requirements.

## **Native Counselling Services of Alberta**

Ph: 780-451-4002  
[www.ncsa.ca](http://www.ncsa.ca)

14904 121a Ave NW

Edmonton, Alberta T5V 1A3

Native Counselling Services can help guide individuals through the court process, provide emotional support, and legal help.

## **Occupational Health and Safety**

Ph: 780-415-8690  
<https://www.alberta.ca/file-complaint-online.aspx>

Occupational Health and Safety enforces Occupational Health and Safety laws to establish minimum standards for safe and healthy workplaces in Alberta. You can file a complaint online or by calling the contact centre.

**Student Legal Services:**  
**Civil Project**

Ph: 780-492-8244  
www.slsedmonton.com

11036 88 Ave NW  
Edmonton, AB T6G 0Z2

Law students able to provide free legal information on the civil court process and provide representation for some civil matters if you meet their income guidelines.

**Student Legal Services:**  
**Criminal Project**

Ph: 780-425-3356  
www.slsedmonton.com

#100, 9924 106 St  
Edmonton, AB T5K 1C4

Law students able to provide free legal information and may be able to assist you in court if you have been charged with a criminal offence depending on your income and the circumstances of the offence.

**Student Legal Services:**  
**Human Rights Project**

Ph: 780-492-8287  
www.slsedmonton.com

11036 88 Ave NW  
Edmonton, AB T6G 0Z2

Law students able to provide free legal information and may be able to assist you with human rights claims and responses under the Alberta Human Rights Act and act as an individual's agent before the Alberta Human Rights Commission.

# NOTES

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