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## How to Respond to Workplace Harassment Allegations in Canada

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Workplace harassment is perhaps one serious issue an employee and/or his employer would go through. Thus, response to harassment issues arising in the workplace in an orderly and timely manner holds significance in making sure that an appropriate productive and safe atmosphere persists at workplaces. Know how allegations should be dealt with and how it is of extreme importance to both employers and their employees. What to do if an allegation arises: a more detailed description of what should be done to make sure the process is fair, legal, and respectful to all parties concerned.

### Understanding Workplace Harassment in Canada

In the Canadian context, workplace harassment can be defined as an act that degrades a person or makes the work environment intimidating. These may include different unwanted physical contacts, verbal assault, bullying, and discrimination according to race, gender, disability, etc. The Canadian legislation federal and provincial law provides the rights under Canadian Human Rights Act and in numerous provincial employment standards act for employees to work without harassment. Employers have a duty of care to ensure that workers enjoy a work environment free from harassment; failure to do so may attract severe legal sanctions.

### Importance of Speedy Action

Employers must act as quickly as possible once an allegation of harassment has been made to investigate and take the necessary action. Delays can escalate tension, foster further harassment, and damage the company's reputation. Taking immediate action proves that the employer is committed to respect and safety in the workplace. A fair investigation should be objective and complete, and it should be assigned to an external investigator or **employment lawyer Calgary**, if necessary. The job of the investigator is to uncover facts, interview all parties to the incident, and not to make judgments without substantiation. Documentation of each step provides transparency and accountability. The process should be as discreet as possible to ensure no further harm is committed.

### Principle of Confidentiality

Investigation processes call for confidentiality. The complainant and the accused should be informed that the matter will be treated as confidential, to the extent possible, with the

understanding that certain details must be shared with others in order to ensure a fair process. Employees should be assured of privacy and protection against reprisals for reporting a complaint. A breach of confidentiality during the investigation process is likely to cause more hurt to the parties concerned, and may even expose your employer to legal liabilities.

### **Offering Support to All Parties**

All parties should be supported during an investigation process. A complainant in a case should be let to talk freely about his or her concerns and given the assurance of the seriousness of his or her complaint. Meanwhile, the accused is also entitled to fairness because he has the right to say something in relation to allegations against him and be allowed an opportunity to defend himself. The employer may offer counseling or other supportive services to the parties, especially if the claim deals with sensitive issues.

### **Taking Appropriate Action Based on Findings**

After the investigation is complete, the employer has to analyze the evidence and make a determination of whether harassment has occurred. If the findings substantiate the allegations, corrective action should be taken. This may also involve disciplinary actions, like counseling, training, and even termination of service based on the severity of harassment. In some cases, mediation might be applied or other forms of conflict resolution that may be relevant to resolving the issue to prevent recurrence. Conversely, if the investigation deems no merit exists, this too should be clearly delineated for all parties concerned, while the employer must take any further steps to preclude whatever potential harm there might be in the workplace environment.

### **Compliance with Legal Requirements**

Employers must also remain aware of the many obligations imposed on them by statute, under both federal and provincial enactments, regarding harassment claims. Failure to take the steps imposed by **employment laws** may result in an employer being exposed to possible litigation or complaints to human rights tribunals. The investigation may show that, depending upon the severity of the harassment or as part of a series of events, additional measures expected may include reporting the occurrence to the appropriate government authority or compensating the impacted employee. Employers should always consult with legal counsel to ensure they are meeting all of their obligations and that their actions are legally sound in the steps they are taking.

### **Preventing Future Harassment**

Once a resolution has been reached, proactive steps to prevent future incidents should occur. This may include company policy review and additional employee training on how to prevent harassment, creating a respectful workplace culture where bullying will not be tolerated. Employers are also to ensure that employees understand the procedure for reporting harassment, as well as have the confidence in the system so the complaint is handled effectively and fairly. Ongoing education and a commitment to keeping the workplace free from harassment will go a long way toward preventing future problems and making the workplace productive for all employees.

Any response to allegations of on-the-job harassment in Canada has to be characterized by a sense of detail, fair process, and consideration for safety and respect in employment. The way is paved through prompt addressing of complaints, thorough investigations, and follow-up actions by

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finding their bases. Employers can thus foster a workplace environment that does not accommodate harassment of any kind while opening an opportunity for success for one and all.

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