



Human Rights & Equity: Frequently Asked Questions

What Should I Do if I Feel I'm Being Discriminated Against/Harassed on the Basis of My Race?

The following is a checklist of what you should do if you feel you are being discriminated against/harassed on the basis of your race:

1. Trust your instincts.

If something makes you uncomfortable, there is a reason. Every comment or gesture may not turn into harassment and you may want to see if it happens again.

2. If possible, speak or write to the harasser about her or his behaviour and explain that you find it offensive.

Take someone with you when you speak to the person or deliver the written message (with a witness, the harasser will not be able to claim that she or he was unaware that the behaviour was offensive to you). Stay calm and give the harasser the opportunity to change the behaviour.

3. Seek support from someone you trust.

You don't need to deal with harassment alone. ONA is here to assist you. There are persons within your bargaining unit who will offer support. Contact your bargaining unit Human Rights and Equity (HR&E) Representative, Bargaining Unit President or Grievance Chair.

4. Know your options.

Know your workplace policies. Know whom you can contact for information. The bargaining unit HR&E representative can assist you in finding the necessary information on how to deal with your harasser, employer and others you may need to approach.

5. Keep a journal of your experiences and what you have done to try to stop the harassment (add to your notes, "Prepared for Lawyer," ONA's Critical Incident Policy 14.10).

Include dates, times, details and gestures of your experience, names and contact information of witnesses. Document your emotional and physical reactions at the time of the incident and afterwards. Add dated entries of each step you took to stop the harassment.

6. Keep anything the harasser gives you.

That includes letters, memos and voice mail messages. Keep a record of your performance appraisals and/or notes of praise regarding your work.

What can I expect from my ONA representative?

The ONA representative (bargaining unit HR&E Representative, Bargaining Unit President or Grievance Chair) will provide you with support and conduct an effective investigation into the facts. Support will include:

- Providing you with a “safe environment” in which to raise/discuss your issues (ensuring both privacy and confidentiality).
- Establishing the fact situation for each allegation.
- Reviewing employer policies, practice and procedures for consistency.
- Determining whether the same standards applied equally and consistently to others in the last two years. Did the standards or requirements change before or after the action against the complainant? Are the standards valid and essential?
- Comparing the action against you (termination, failure to award job posting, discipline, failure to grant a request) to similar actions against others in the last two years.
- Providing you with support throughout the grievance arbitration process and or filing a complaint under the employer’s harassment /discrimination policy.

What are some resources that can help?

- Employer harassment and discrimination policies.
- ONA Constitution and Statement of Beliefs (found in the secure Member Section of ONA’s website at www.ona.org, under “Publications”).
- ONA Policy Manual (found in the Member Section of ONA’s website under “Forms”).
- ONA collective agreement, central and Local issues (found in the Member Section of ONA’s website under “Publications”).
- ONA’s Human Rights and Equity Guide (found in the Member Section of ONA’s website under “Human Rights and Equity”).
- Ontario Human Rights Code.

Contact your Bargaining Unit Human Rights and Equity Representative, Bargaining Unit President and /or your servicing Labour Relations Officer for further advice/support.