

# BC Public Service Harassment Definitions

All employees have the right to work in an environment free from discrimination, bullying and harassment. Below is an outline of some forms of harassment prohibited under BC Public Service policies.

## Cyberbullying and online harassment

Defined as any inappropriate comment or conduct online by a person towards or about an employee that the person knew or reasonably ought to have known would cause that employee to be humiliated or intimidated.

Online includes, but is not limited to, private or public messages on social media (Facebook, Twitter, Instagram, blogs, etc.), other websites, emails and instant or text messaging. Frequency and severity are both factors in whether the behaviour would constitute cyberbullying and online harassment.

Examples of cyberbullying and online harassment may include, but are not limited to:

- Sending or forwarding threatening, intimidating, humiliating, offensive, insulting or disrespectful online communications
- Spreading misinformation or rumours online
- Impersonating an employee or other individual online for the purpose of humiliation or intimidation
- Sending or forwarding offensive content, such as pornography and other graphic material
- Intentionally sending a computer virus to an employee
- Publicly disclosing sensitive personal information about an employee online without that employee's consent (e.g., home address, financial information, workplace interactions)
- Non-consensual distribution of intimate images (see Criminal Code of Canada)

Cyberbullying and online harassment may include incidents occurring at or away from the workplace, during or outside working hours, provided the acts are committed within the course of the employment relationship.

## Gender harassment

A form of discrimination defined as any unwelcome comment or conduct of a non-sexual nature aimed at another person's sex, sexual orientation or gender identity or expression that may detrimentally affect the work environment or lead to adverse job-related consequences for the victim of the harassment. It is often based on hostility and frequently used to pressure individuals to follow traditional sex stereotypes. It can also be used as a bullying tactic, including between members of the same sex. The prohibited conduct, as determined by a reasonable person, may be verbal, non-verbal, physical, deliberate or unintended. It may be one incident or a series of incidents.

Examples of gender harassment include, but are not limited to, the following behaviours exhibited in relation to another person's sex, sexual orientation, gender identity or expression:

- Teasing, singling out or exclusion
- Inappropriate displays of material, such as an insulting comic, poster or other type of visual content
- Comments or remarks that are offensive, especially if directed at a particular person or group of persons, such as jokes disparaging of women
- Insults or derogatory actions directed towards a person, such as gendered offensive language, transphobic or homophobic actions or insults
- Remarks continuing to be made even after the person has requested them to stop, or has indicated to the alleged harasser the remarks are offensive
- Physical contact or assault
- Labeling an individual with a gender-offensive nickname relating to how the individual self-identifies.

Gender harassment may include incidents occurring at or away from the workplace, during or outside working hours, provided the acts are committed within the course of the employment relationship.

## Racial harassment

A form of discrimination, defined as any unwelcome comment or conduct relating to a person's race, colour, ancestry, place of origin or Indigenous identity that may detrimentally affect the work environment or lead to adverse job-related consequences for the victim of the harassment. Racial harassment may involve stereotyping which, when acted upon, can result in unequal or adverse treatment for the victim of the harassment. Racial harassment may involve overt prejudice or more subtle forms of discrimination. The prohibited conduct, as determined by a reasonable person, may be verbal, non-verbal, physical, deliberate or unintended. It may be one incident or a series of incidents.

Examples of racial harassment include, but are not limited to, the following behaviours exhibited in relation to another person's race, colour, ancestry, place of origin or Indigenous identity:

- Teasing, singling out or exclusion
- Inappropriate displays of material, such as a racially insulting comic, poster or other type of visual content
- Comments or remarks that are offensive, especially if directed at a particular person or group of persons, such as a disparaging, racially-based joke or nickname
- Insults or derogatory actions directed towards a person
- Remarks continuing to be made, even after the person has requested them to stop, or has indicated to the alleged harasser the remarks are offensive
- Physical contact or assault

Racial harassment may include incidents occurring at or away from the workplace, during or outside working hours, provided the acts are committed within the course of the employment relationship.

## Sexual harassment

A form of discrimination defined as any unwelcome comment or conduct of a sexual nature that may detrimentally affect the work environment or lead to adverse job-related consequences for the victim of the harassment. The prohibited conduct may be verbal, non-verbal, physical, deliberate or unintended, unsolicited or unwelcome, as would be determined by a reasonable person. It may be one incident or a series of incidents.

Examples of sexual harassment include, but are not limited to:

- A person in authority asking an employee for sexual favours in return for being hired or receiving promotions or other employment benefits
- Sexual advances with actual or implied work-related consequences
- Unwelcome remarks, questions, jokes or innuendo of a sexual nature, including sexist comments or sexual invitations
- Verbal abuse, intimidation or threats of a sexual nature
- Leering, staring or making sexual gestures
- Displays of pornographic or other sexual materials
- Offensive pictures, graffiti, cartoons or sayings
- Unwanted physical contact, such as touching, patting, pinching or hugging
- Physical assault of a sexual nature

Sexual harassment may include incidents occurring at or away from the workplace, during or outside working hours, provided the acts are committed within the course of the employment relationship.

The definition of sexual harassment is not meant to inhibit interactions or relationships based on mutual consent or normal social contact between employees.