

## ***J.D v. C.N o/a M. and C.A.G of C***

### [COMPLETE DECISION PDF](#)

#### SUMMARY

The complainant filed a complaint against her former employer under section 19 of *The Human Rights Code* alleging that she was sexually harassed by her supervisor.

The complainant alleged that rather than taking reasonable steps to end the harassment, the respondent terminated her employment. She alleged that she was subjected to a sexual solicitation and advance by her supervisor and that when she rejected him, he began to treat her differently. She notified the owner of the company of the situation who told her to "wait and see". Ultimately, the respondent owner terminated the complainant's employment informing her that her complaint of harassment was one of the reasons for the termination.

The Adjudicator found that text message exchanged between the complainant and her supervisor might have given the supervisor reason to believe that his sexual advance would be welcome, however his subsequent advance and his punitive conduct after his advance was rejected, amounted to harassment. The Adjudicator found that the respondent did not definitively deal with the complaint of harassment, and that he terminated the complainant's employment because she was "threatening" to make a human rights complaint.

Remedy: The complainant was awarded \$3,250 as compensation for lost wages and \$1,500 for injury to dignity.