



## News Release: The Manitoba Human Rights Commission

June 24, 2014

For Immediate release

### **Managers and executives sent for human rights harassment education.**

A human rights adjudicator, appointed by the government, has found that a young man was sexually harassed by his female supervisor and that his former employer did not take reasonable steps to deal with the problem.

In a recent decision Adjudicator Lawrence Pinsky referred to the employer's lack of action as "anemic and inappropriate efforts to address the harassment." At the time the young man was 21 years old while his harasser was 41.

The young man had a troubled youth, including previous addiction issues. Despite the employer's argument that the young man (the Complainant) had been dishonest in his past, Adjudicator Pinsky accepted that he had been sexually harassed in his workplace. In his decision he wrote, that the Complainant "...was harassed as defined by the Code, and that (his) employer knowingly permitted or failed to take reasonable steps to terminate the harassment..."

Adjudicator Pinsky used his broad remedial authority to order the harasser, as well as all the managers, assistant managers and executives employed by the employer to attend an educational seminar dealing with harassment in the workplace within three months of his decision. Also a policy dealing with harassment generally and sexual harassment in particular, would need to be written and approved by the Human Rights Commission within the same time period.

The young man was awarded compensation for injury to his dignity, self respect and feelings as a result of the harassment, but those amounts were set off against costs that the Adjudicator awarded against him.

This case affirms the recognition that everyone including individuals with problems are protected from sexual harassment under *The Human Rights Code*.

"It is important to recognize that discrimination can take place whether the subject of that discrimination is vulnerable or strong. Protections from sexual harassment exist even if you are a troubled person" said Azim Jiwa of the Manitoba Human Rights Commission. "We are however, somewhat perplexed that an award of costs was used to offset compensation for injury to the complainant's dignity because of the harassment."

The staff of the Manitoba Human Rights Commission receives, mediates and investigates complaints of discrimination as outlined in the *Human Rights code*. The Board of Commissioners decides, after reviewing the investigative report, whether or not there is enough evidence to take the complaint forward and let an independent Adjudicator make a decision. Counsel for the Human Rights Commission then presents the case in the public interest to an independent adjudicator, appointed by the Government of Manitoba.

The complete decision can be found on the Commissions website [www.manitobahumanrights.ca](http://www.manitobahumanrights.ca).

For more information please contact:

Patricia Knipe  
Communications Director  
Manitoba Human Rights Commission  
204-945-5112 (Direct Line)  
1-888-8848681 (Toll Free)