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Adjudicator Finds Northern Hotel Didn't Stop Egregious Harassment

Human Rights Adjudicator Lawrence Pinsky has found that the owners of the Gillam Motor Inn did not take reasonable steps to deal with harassment in their workplace, contrary to *The Human Rights Code*.

Wanda Ross, a woman of African and First Nations descent worked as a waitress for 4888970 Manitoba Ltd., a company that operates more than 10 hotels in Northern Manitoba and North-western Ontario. During her employment she was repeatedly subjected to racial slurs and discriminatory comments by two individuals, one of whom was the general manager. When she reported the harassment to one of the owners she was told she was “imagining things” and was forced to tolerate the harassing conduct.

Adjudicator Pinsky’s order is against the co-owner of the company as well as the corporation and payment of \$15,000 to Ms Ross in compensation for the injury to her dignity caused by the harassment.

“Racial attacks and insults about a person’s ancestry cut to the very core of a person’s identity...Left unremedied the corrosive effect of this type of working environment on the individual is heinous. There are also negative effects on society as a whole of permitting such comments to subsist. Permitting such commentary, if not normalizing it, creates or enables an environment in which decency, kindness, civility, productivity, and humanity are sacrificed”, stated Pinsky.

The numbered company, now operating as Kettle River Inn & Suites, must pay an additional \$2000 for the recklessness of their conduct in ignoring her appeals for assistance and \$500 for failing to participate in the Human Rights Commission’s investigative process, and must work with the Commission to develop a policy or program to address discriminatory conduct in its workplaces.

“I am very relieved, but this isn’t just going to go away. I have to live with this every day of my life. More has to be done to make sure people aren’t treated this way”, said Ross.

The Commission relies on decisions like this one to educate businesses about the significance of their obligation under *The Human Rights Code* to maintain a harassment-free work environment. “The decision also signals to employers that their employees, including those managed remotely, must be held to standards of dignity and

respect in the workplace. Especially now, with the increased attention on harassment in the workplace, it is important for businesses to take a good look at what mechanisms they have in place to make sure their employees are included and respected”, stated Commission Chairperson Brenlee Carrington Trepel.

The full decision may be found at www.manitobahumanrights.ca/v1/decisions/index.html

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