

Managing conflicts while they are still at an early stage helps to prevent situations from degenerating and leading to psychological harassment.

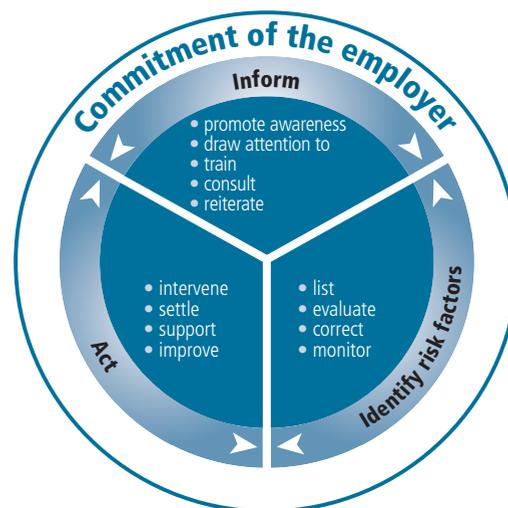
How to take appropriate action

When the employer is informed of a psychological harassment situation, it is suggested that he:

- **intervene** diligently and adequately to take stock of the situation and resolve it. The type of intervention will take into account the nature of the situation being experienced and its state of evolution, etc. The types of intervention include mediation and conducting an investigation. In the event that the employer must impose disciplinary measures, he should refer to the usual rules applicable in such situations;
- **support**, through various measures and according to the circumstances, the persons concerned by the psychological harassment situation. These measures are: an indemnity for sick leave, a progressive return to work whether or not following sick leave and reintegration in the workplace, leave of a specified duration with or without pay, or financial compensation for psychotherapy consultations. Moreover, other measures may be taken concerning the organization of work or sound management practices.

Carried out discreetly, the employer's intervention is impartial, respectful and fair to the persons concerned. The employer will not penalize a person who, acting in good faith, has asked him to intervene. Each person has the right to be assisted or counseled by the person of his choice. The effect of an intervention is not to deprive the person of his recourses under existing legislation or his collective agreement.

Action plan



Do you have questions about psychological harassment or labour standards in Québec?

Contact customer services at the Commission des normes du travail to obtain the publications on psychological harassment. You can also consult the section of our web site dealing with psychological harassment.

Customer services

Montréal area
(514) 873-7061

Elsewhere in Québec, dial toll free
1 800 265-1414

Internet
www.cnt.gouv.qc.ca

In this document, the masculine gender designates both women and men. No discrimination is intended.

Version française disponible sur demande.



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Preventing psychological harassment is everyone's business!



Commission
des normes
du travail

Québec 

Québec 

It is in the interest of everyone, both employers and employees, to have a harmonious work environment that is free from psychological harassment.

All employers of Québec, whether they belong to the private sector or the public sector, are covered by the new provisions of the Act respecting labour standards, the objective of which is to ensure that the workplace is free from psychological harassment. Employers are required to take reasonable steps to prevent and put a stop to psychological harassment when they are informed of such a situation.

With the exception of employees who work in an undertaking under federal jurisdiction, this right applies to unionized employees and non-unionized employees, whatever the hierarchical level, including senior managerial personnel.

How to recognize psychological harassment at work

Psychological harassment is vexatious behaviour that manifests itself by incidences of behaviour, comments, actions or gestures that are repetitive, hostile or unwanted. This behaviour affects the employee's dignity or his psychological or physical integrity, and leads to a harmful work environment for the employee.

One serious incidence of harassment may also constitute psychological harassment. It is then necessary to show that this behaviour produced a lasting harmful effect on the employee and that it affected his dignity or his psychological or physical integrity.

An approach geared to prevention

The Commission des normes du travail considers that prevention is the approach that should be favoured to rid the workplace of psychological harassment. In that way, it is possible to settle at the source situations that may lead to psychological harassment and to limit the negative effects on individuals and the undertaking.

Prevention involves talking openly about psychological harassment.

It is suggested that the employer:

- **learn about** what psychological harassment is;
- **inform** employees of his commitment to combat and put a stop to psychological harassment;
- **make employees aware** of their individual responsibility for ensuring that their workplace is free from psychological harassment;
- **offer adequate training to** managers and intervening parties;
- **consult** with employees to prevent psychological harassment;
- **promote awareness** among the persons with whom the employer interacts (customers, suppliers, users, visitors, etc.) regarding the fact that steps have been taken to prevent and put an end to psychological harassment in the workplace.

It also involves detecting risk factors and implementing appropriate measures to ensure that such risk factors do not lead to psychological harassment.

A few examples of risk factors:

- lack of respect between persons;
- conflicts that are poorly managed or not managed;
- excessive competition;
- absence of communication between the employer and employees, and among employees;
- ambiguity concerning the tasks that are to be performed;
- lack of training or coaching when technological changes are made;
- envy, jealousy or rivalry.

A clear and verifiable commitment

The commitment made by the employer to prevent and put an end to psychological harassment will be known to all staff members and will be reiterated at regular intervals. The employer can express this commitment in a statement or policy of the undertaking.

A procedure that is simple, effective and known to all

The employer puts in place a procedure to be informed of a psychological harassment situation. It allows an individual who believes that he is the victim of harassment to inform his employer, if he is able to do so, either informally or formally by lodging a complaint. Obviously, the employer will act discreetly to resolve the situation that is revealed to him. He will require confidentiality on the part of those persons who, in one capacity or another, will be involved in resolving the situation.

