

Harassment and Discrimination in the Recruiting Process and in the Workplace

Smith's Career Advancement Centre (CAC) has developed this tip sheet for students to assist with your preparation for the recruiting season including networking events and interviews. We hope the information will empower students to recognize discrimination and harassment when it occurs, to understand there are actions that can be taken in response to such incidents, and that support is available to assist in determining the best path forward. This includes those who may have witnessed harassment or discrimination. Through intent and action, we all must be part of the effort to eliminate all forms of racism, discrimination and harassment.

What is Discrimination?

Discrimination is the differential treatment of a person by policy or practice. It is an unwelcome and often repeated action, including non-verbal, verbal, and physical behaviours. Differential treatment can be made in the following basis:

- Race
- Ancestry
- Place of origin
- Colour
- Ethnic origin
- Citizenship
- Creed
- Sex
- Sexual orientation
- Gender identity
- Gender expression
- Age
- Marital status
- Family status
- Disability
- Receipt of public assistance
- Record of offences (employment context only)¹

Discrimination can be unintentional and/or indirect so a discriminatory conduct is not determined by a person, a practice, or a policy's intentions.

What is Harassment?

Harassment is an unwelcome comment or conduct and can cause insecurity, discomfort, offence, or humiliation of the targeted person. Harassment can include:

- Racial or religious slurs
- Homophobic/transphobic slurs
- Mocking a person's disability or accent
- Sexual harassment²

The most common form of sexual harassment is seen in inappropriate behaviour from men to women, but can occur across all gender and sexual identity spectrums. Sexual harassment may include:

¹ <http://www.dhcounsel.on.ca/faqs.html>
<https://www.queensu.ca/studentaffairs/harassment-and-discrimination>

² <http://www.dhcounsel.on.ca/faqs.html>

- Inappropriate comments about appearance
- Sexual overtures
- Demands for sexual favours
- Sexually suggestive gestures
- Uninvited sexual touching

Racial harassment can also occur through slurs, remarks, insinuating gestures, jokes, and innuendoes about someone's racial or ethnic background, skin colour, citizenship and culture. Derogatory and offensive pictures and materials relating to race, refusing to speak to people of a certain racial background, and denying services on the basis of race is also harassment.

What should you do about it?

Dealing with discrimination and harassment alone can be difficult. The following is a practical list of suggested steps you may consider if you have encountered or witnessed discrimination and harassment during a networking event, coffee chat, interview, or any recruitment event, or if someone has informed you of such an incident during the recruiting process.

1. **Take notes** - write down the name, time, location, and nature of the discrimination and/or harassment and keep it in a safe place. The more details you can recall and write down, the better evidence it can become.
2. **Talk to a person you can trust about it** – you could choose to talk to family, friends, or a trusted advisor at Smith. If you want to report any matter related to discrimination, harassment or improper behaviour in the context of recruitment by external organizations, please contact Mary Elms at Smith's Career Advancement Centre at mary.elms@queensu.ca.
3. **Think carefully** before choosing to confront the source of discrimination or harassment by yourself. Discrimination and harassment are sensitive topics where people's reactions may be unpredictable.
4. **University resources** - In addition to speaking with a person you trust, you may want to seek help from the university Ombudsperson or contact the Human Rights and Equity Office. They may provide information regarding complaint procedures outside the university.

If you have encountered or witnessed discrimination or harassment while participating in a company internship opportunity, or in a full-time job after graduating, please familiarize yourself with the organization's workplace harassment policy to understand your rights and options. If you want to report an incident to the School, the employer's policies would apply, but the School would certainly have an interest in knowing about the incident, your well-being including providing information about resources available through the university, and whether there is a need to review the School's relationship with the company. Please contact Mary Elms at Smith's Career Advancement Centre at mary.elms@queensu.ca.

Illegal or inappropriate interview questions³

Did you know that an interviewer cannot legally ask you certain questions when you're applying for a job? Certain topics are off-limits in order to prevent discrimination based on prohibited grounds.

³<https://www.thebalancecareers.com/how-to-answer-inappropriate-interview-questions-2061334>

Questions about race, gender, religion, and other personal aspects of your life are prohibited by both provincial and federal laws.

To protect yourself from potential harassing questions, you need to understand these illegal or inappropriate inquiries while searching for a job. Certain questions may not only be against the law but can be a key sign that the company is not a good fit for you.

Employers are NOT permitted to inquire about your:

- Race, place of origin, or ethnic origin
- Religion
- Sexual orientation
- Age
- Marital and family status
- Disability
- Financial situation ³

According to the Ontario Human Rights Code, employers MUST accommodate applicants' needs related to Code grounds for any part of the interview or hiring process, including tests. The employer must provide appropriate accommodation for job candidates and employees subject to the test of undue hardship.

How should I handle Inappropriate Questions?

Beyond the prohibited questions, there may be other inappropriate questions that get too personal, or probe your outside life in ways not related to the job, and leave you feeling violated. Sometimes they are still discriminatory though asked in a less direct way. The best advice is to remain calm. You have control over what happens next and what you are comfortable in sharing. Bottom line, legally, you do not have to provide an answer to an inappropriate question. If you chose to answer the question, keep it short, relevant to the role and not disclose personal/private information.

Don't let a prospective employer bully you into disclosing something that makes you feel uncomfortable. Protect your personal boundaries with grace and confidence. Aim to diffuse the situation and use this as an opportunity to showcase your interpersonal skills.

For questions or guidance on recruiting preparation: contact any member of the CAC coaching team

For support with reporting incidents: contact Mary Elms at mary.elms@queensu.ca