



This guide intended to provide a brief overview of the legal options available to people who have experienced workplace sexual harassment. It is not legal advice, and should be used for informational purposes only. Information on how to access free legal advice is available at the end of this document.

Legal Option	Time Limit	Who is Covered?	Available Solutions	Process
Human Rights Complaint	One year from the last incident	Anyone who has experienced: Workplace discrimination on the basis of sex, sexual orientation, gender identity and gender expression (including sexual harassment)	Financial compensation for injury to dignity and lost wages Reinstatement to your job Orders for the employer to make new policies or have training	File a complaint with the BC Human Rights Tribunal (if you have a provincial employer) File a complaint with the Canadian Human Rights Commission (if you have a federal employer)
Workers' Compensation Claim	One year from the date of injury	Anyone who has experienced: Workplace harassment or bullying that caused or worsened an injury or illness (physical or mental)	Financial compensation for lost wages Health care and rehabilitation services	File a claim with WorkSafeBC
Occupational Health and Safety Complaint	No specific timeline but sooner is better	Anyone who has experienced: Workplace harassment or bullying	An investigation to see if the employer has sufficient harassment policies	Make a report to the WorkSafe BC Prevention Line

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<p>Employment Standards Claim (provincial employers)</p> <p>or</p> <p>Canada Labour Code Claim (federal employers)</p>	<p>Six months from the end of employment or the date of the problem.</p> <p>**90 days in certain circumstances for federal employers</p>	<p>Anyone who has experienced:</p> <p>Unpaid wages, unpaid overtime and unpaid vacation pay</p> <p>Being laid off without notice or compensation</p> <p>Being laid off while you were on allowed leave (such as leave to deal with sexual abuse)</p>	<p>Repayment of unpaid wages, overtime, and vacation pay</p> <p>A small amount for compensation if you have been laid off</p> <p>Reinstatement in certain circumstances</p>	<p>File a complaint with the Employment Standards Branch</p> <p>or</p> <p>File a complaint with Employment and Social Development Canada (Labour Program)</p>
<p>Union Grievance (only for unionized workers)</p>	<p>Depends on the collective agreement</p>	<p>Anyone who has experienced:</p> <p>Violations of their collective agreement (can include harassment, being disciplined, being fired etc)</p> <p>Employment standards and human rights issues can also be dealt with here</p>	<p>Compensation for wage loss or other wages owing</p> <p>Compensation for injury to dignity</p> <p>Reinstatement</p>	<p>Contact your union and ask them to start a grievance</p>

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<p>Civil Lawsuit (Employment)</p> <p>**It is very important to get legal advice to help with a civil lawsuit.</p> <p>(see below for free legal advice options)</p>	<p>2 years from the date of termination</p>	<p>Anyone who has experienced:</p> <p>Being laid off with no notice or payment</p> <p>Significantly reduced hours or pay</p> <p>Being unable to work because of sexual harassment</p> <p>Being laid off in a humiliating manner</p>	<p>Compensation for failure to give you notice of termination</p> <p>Compensation for humiliating or other seriously harmful behaviour by the employer</p>	<p>Depends on the amount:</p> <p>Under \$5000: Start a case with the Civil Resolution Tribunal</p> <p>\$5001-\$35,000: Start a claim in British Columbia Small Claims Court</p> <p>More than \$35,000: Start a claim in British Columbia Supreme Court</p>
<p>Civil Lawsuit (Personal Injury)</p> <p>**It is very important to get legal advice to help with a civil lawsuit.</p> <p>(see below for free legal advice options)</p>	<p>2 years from the date you became aware you were injured</p> <p>*if you were sexually assaulted, there may be a longer time limit</p>	<p>Anyone who has experienced:</p> <p>Being sexually harassed or assaulted and it resulted in an injury (mental or physical)</p>	<p>Compensation for the injury</p> <p>Compensation for medical costs</p> <p>Compensation for lost earnings</p>	<p>Depends on the amount:</p> <p>Under \$5000: Start a case with the Civil Resolution Tribunal</p> <p>\$5001-\$35,000: Start a claim in British Columbia Small Claims Court</p> <p>More than \$35,000: Start a claim in British Columbia Supreme Court</p>

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<p>Civil Lawsuit (Privacy Act)</p> <p>**It is very important to get legal advice to help with a civil lawsuit.</p> <p>(see below for free legal advice options)</p>	2 years from the date you became aware of the privacy breach	<p>Anyone who has experienced:</p> <ul style="list-style-type: none"> -sharing of your emails, images of you, or other private information without your consent 	Compensation for the breach of privacy	<p>Depends on the amount:</p> <p>Under \$5000: Start a case with the Civil Resolution Tribunal</p> <p>\$5001-\$35,000: Start a claim in British Columbia Small Claims Court</p> <p>More than \$35,000: Start a claim in British Columbia Supreme Court</p>
<p>Privacy Complaint (for provincially regulated employers)</p>	No time limit, but sooner is better	<p>Anyone who has experienced:</p> <ul style="list-style-type: none"> -an employer sharing private information about you without consent -an employer failing to protect your private information -an employer failing to correct inaccurate information about you -an employer failing to provide you with your own records on request -an employer punishing you for exercising privacy rights or making a complaint 	<p>An investigation of the employer's actions with regard to your information</p> <p>Orders for the employer to change the way they are dealing with your information</p>	Start a complaint with the B.C. Office of the Information and Privacy Commissioner

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Privacy Complaint (for federally regulated employers)	No time limit, but sooner is better	Anyone who has experienced: -an employer sharing private information about you without consent -an employer failing to protect your private information -an employer failing to correct inaccurate information about you -an employer failing to provide you with your own records on request	An investigation of the employer's actions with regard to your information Orders for the employer to change the way they are dealing with your information	Start a complaint with the Office of the Privacy Commissioner of Canada
Criminal Charge **It can be helpful to get an advocate to help, if you are dealing with police (see below for how to find an advocate in B.C.)	No time limit, but minor offences may not be charged if more than 6 months have passed since the incident	Anyone who has experienced: Being assaulted, sexually assaulted (including unwanted sexual touching), threatened, stalked, or harassed	Protection measures for you (no contact orders, etc) Penalties on the abuser (fines, house arrest, jail) Victim compensation	File a report with the police

Provincially or federally regulated employer? This distinction matters because different legal options will be available depending on whether your employer is provincially or federally regulated. Most employers in British Columbia are provincially regulated, but some important exceptions include some Indigenous community organizations, band councils, airlines, telecommunication, banks, and postal work. You can get legal advice to find out what type of employer you have.

Free legal advice: SHARP Workplaces Legal Clinic at CLAS
Email: SHARPWorkplaces@clasbc.net
Phone Number: 604 673 3143
Toll-free in BC Number: 1 888 685 6222
For referrals to support services after 5 pm: VictimLinkBC 1 800 563 0808

Find an advocate: POVNET
Website: <https://www.povnet.org/index>
Phone Number: 604-876-8638
(Please do not contact for direct support)