

TROUBLE AT WORK

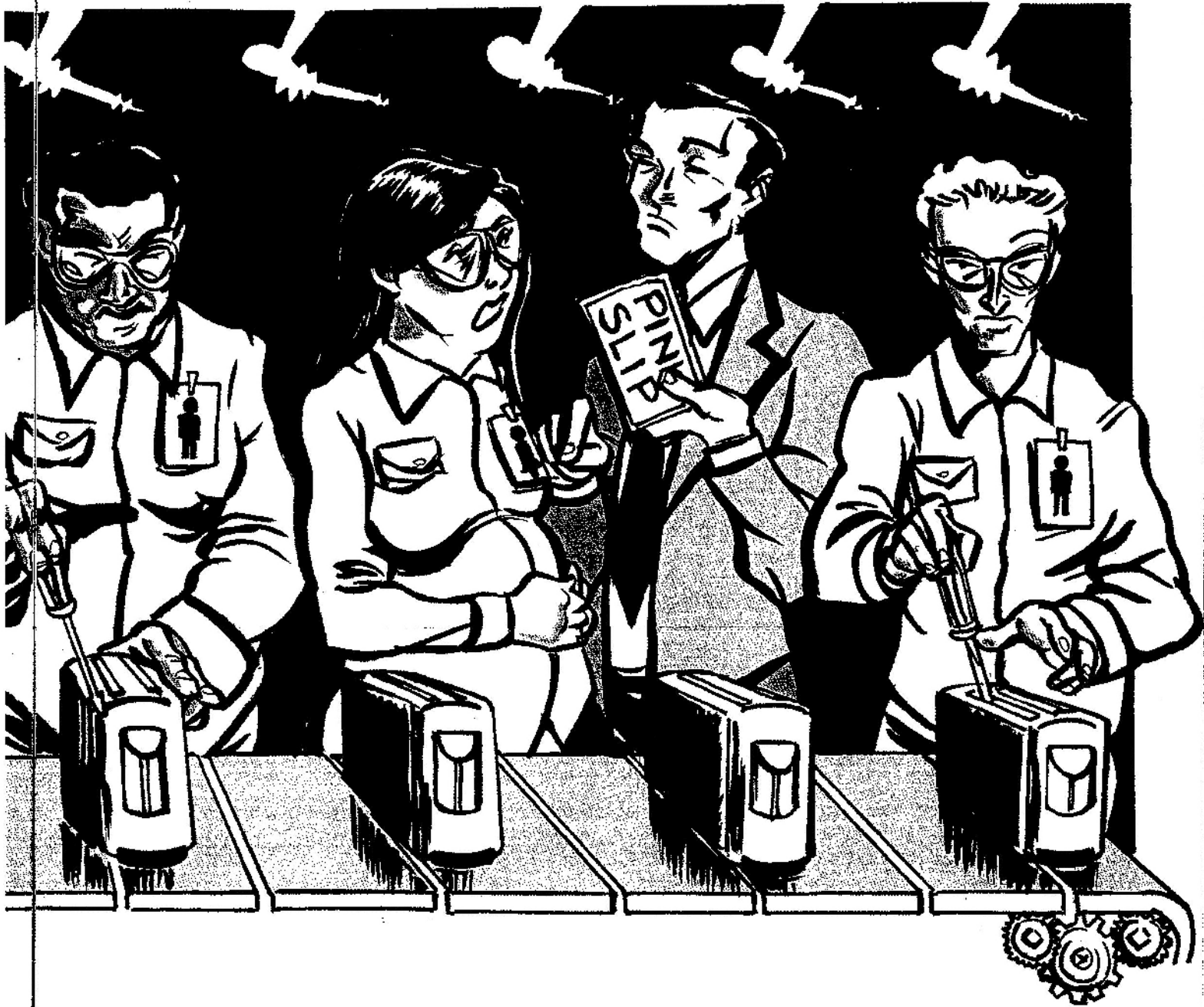
Your boss calls you “babe” and a jerky co-worker keeps grabbing your ass. Stand up for yourself without putting your job on the line BY CHRISTINE HART

About two and a half years ago, Sabrina was fired from her job while on maternity leave. Sabrina, who lives in a small town in northwestern B.C., worked at the front desk of a car dealership when she became pregnant. She was 17 at the time, and had been there for about a year and a half.

“During the beginning of my pregnancy, I became quite sick,” says Sabrina, who is now 19. “I occasionally had to go home. Because of this my employer threatened to fire me.” Then, when she had about three months

left on her year of leave, Sabrina went for lunch with her supervisor, who was also a good friend. Before the meal came, she handed Sabrina a letter from her boss. It said she was being fired due to “restructuring.”

“It was quite a blow because all of a sudden I had no job to go back to,” Sabrina says. According to labour laws, Sabrina’s boss was required to give her a job with equal wages, duties and benefits when her leave ended. Instead, her job was split between two different people and no



longer existed. "It was kind of scary at a time when you really don't need to be dealing with that," she says

Sabrina is just one of thousands of girls in the Canadian workforce dealing with job-related problems.

A 1998 Statistics Canada survey reported that more than 387,000 high school and post-secondary-aged young women had jobs. Many of them were working more than 15 hours per week, making the job an important factor in their lives. And there are more young women in the workforce today than ever before. So what happens when you're treated unfairly at work?

Young women often deal with rights violations on the job because they are young, because they are women, or both. Patriarchal guidelines, unspoken and unwritten, still subtly enforce the idea that women aren't as strong, smart, tough or industrious as men. Youth often face the same arbitrary dismissal of their abilities.

Single moms, students, at-risk and poor women often feel like they

have no choice but to get and keep any job they can. Many managers, supervisors, co-workers and customers know this --- and can take advantage of it.

Under the Canadian Human Rights Act, it is illegal for an employer to discriminate on the basis of race, national or ethnic origin, religion, age, sex, sexual orientation, marital status, family status, physical or mental disability, or being pardoned for a criminal conviction.

Cynthia Petersen, a partner at a Toronto human rights and labour law firm, says that some of the most common rights violations against women in the workplace relate to pregnancy. But they don't stop there.

The problems young women deal with at work can range from a boss who doesn't pay overtime to a customer who thinks it's okay to pat her ass. Comments such as "Just sit there and look pretty" are inappropriate and far too common. When they happen one at a time, incidents like these don't always seem substantial. But if you're being called "baby" every time you go to work, it quickly becomes a problem.

Patrick O'Rourke, Acting Director of the Canadian Human Rights Commission, says that rights violations can sometimes be discreet. "Over the years, acts of discrimination have gone from direct to covert."

There was a time when a woman interested in a promotion might have been told that women weren't good with numbers. She may now just be informed that the company "went with someone else" when a man with no clear additional merit receives the promotion.

Because many young women want to do their jobs well, they will sometimes rationalize violations away. They may think that it's okay for servers to be grabbed at and hit on, and that female workers should expect to get called "babe" and "sweetie." A lot of male customers and co-workers act like this because they aren't interested in a woman's rights — and they think some workplaces are just for men.

"Young women may be vulnerable in the sense that they are just coming into the workforce," says O'Rourke. Know that you are legally entitled to workplace rights, whether you've been working for one week or one year, whether you live in British Columbia or Nunavut.

Also know that employment standards differ from province to province. Consult the employment standards branch in your area for information about wages, hours, safety and more.

Regulations around uniforms and equipment vary in each province, too. In any job, however, an employer can legally tell you what to wear — and what not to.

Uniforms and dress codes can feel like imposed conformity, but employers are allowed to insist on a certain look, whether it's something that resembles a costume or just not wearing jeans. In most cases, an employer will tell you if you need to change your hair colour or remove a piercing at work. Realistically, to avoid having this conversation, most employers try to determine whether you will be a good fit for the company during your interview. Sometimes employers can be flexible about what you can wear.

Occasionally, a selective job search is called for. For example, some people choose not to be employed by stores that sell sneakers produced by child labour. Likewise, electing to avoid companies that require bland haircuts, removal of piercings or a somewhat embarrassing hat can also be a personal statement.

Of course, there's no getting around the helmets, goggles, steel-toed boots and other safety gear that come with some jobs.

Many people believe that young workers are injured on the job because they are careless and take unnecessary risks. In reality, a lot of youth are hurt on the job because of inadequate training, improper supervision or unsafe conditions



When she was 21, Candace Carnahan lost her leg from the knee down due to unsafe work conditions. "I walked across a conveyor belt and put my foot down in the wrong place at the wrong time," she says. She was pulled into the belt and caught for half an hour.

As a summer student at a paper mill in Miramichi, New Brunswick, Candace often watched her supervisors take a shortcut across the conveyor belt system that ran through the mill. Since her supervisors were doing it, she assumed it was safe.

It was her third summer working at the mill and she had received safety training. Candace thought she was prepared. "I wish I had known it wasn't safe. No one felt, as students, that we would have been allowed to work there if it wasn't safe."

As always, knowledge is power, and knowing the law and relevant

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employment standards is critical.

O'Rourke recommends research as an initial step for anyone who may be experiencing rights violations. Check out a website on Canadian human rights. Talk to a supervisor or a union rep (if your workplace is unionized) about your problem.

"Find out whether or not the place where you work has a human rights policy," says Petersen.

Complaints can be resolved internally if a company has procedures to deal with inappropriate behaviour. If your boss ignores your concerns, it may be time to start collecting evidence.

"Cases are often built up through circumstantial evidence," says Petersen. "You have to raise enough suspicion about what happened."

She says that women experiencing harassment or discrimination should

document everything: "Keep a journal and date it. If notes are written very close to when an event occurs, they can be used as evidence."

Anyone who feels they may have been fired unjustly should seek legal advice immediately, since there are time limits for filing complaints. Depending on financial circumstances, many young women may qualify for legal aid.

Federal and provincial government organizations can field complaints and initiate investigations based on unsafe conditions, discrimination, harassment and failure to comply with employment standards.

Sabrina and Candace decided to take action, despite the stress and pressure they were feeling. For their own peace of mind, and for the benefit of the communities around them, both girls spoke up.

After she was fired, Sabrina phoned the British Columbia Labour Relations Board, who confirmed that her employer did, in fact, have to provide her with a job when she returned from maternity leave. She decided not to go back to that employer and chose to pursue severance pay instead.

It took some time and an official warning, but she finally received her wages and is now employed as a youth group leader and an insurance clerk. Despite a new-found wariness, she says this experience hasn't soured her on work.

Sabrina's advice to girls who are facing rights violations is to do something about it.

"If you're not sure where you stand, phone the labour board. It's way easier to stand up for yourself when you actually know your rights. I did explore my options and take action, but I'm sure there are other people out there in the same situation who do not."

Candace also encourages young workers to know their rights. "You have a right to ask questions. Never stop asking until you get an answer that makes sense to you," she says. "You have to take care of you. Don't worry about offending or being rude."

After receiving community support during her recovery, Candace decided to focus on what she had instead of what she lost. She is now a spokesperson for workplace safety through a program called Passport to Safety.

Like Sabrina and Candace, many young women will feel their rights have been infringed upon at work at some point. Unfortunately, this is not likely to stop any time soon. But every time a young woman stands up for her rights in the workplace, all women in the workforce benefit. So get informed and speak up! **S**

Christine Hart works at a youth career centre in Vernon, B.C. Her background includes positions at non-profit organizations and several years of freelance writing. Check her out at <http://ca.geocities.com/staenhca>.