

CIVIL COURT CLAIMS FOR WORKPLACE SEXUAL HARASSMENT: OVERVIEW

WHAT IS CIVIL COURT?

“Civil” court refers means going to court to get compensation (money) if you have been harmed.

WHO CAN MAKE A CIVIL COURT CLAIM?

If you have experienced **sexual harassment** at work, you can make a claim in civil court in these situations:

- **Wrongful dismissal:** If you were laid off or fired without good reason, and without enough notice.
- **Constructive dismissal:** If you had to leave your job due to sexual harassment.
- **Constructive dismissal:** If your employer changed important conditions of your work (like hours or pay).
- **Privacy Act or Personal Information Protection Act claim:** If someone shared personal photos or information about you without consent or conducted unlawful surveillance or eavesdropping.
- **Breach of Fiduciary Duty:** If you were highly vulnerable to your employer (such as being a live-in worker or a migrant worker), and your employer abused their power over you.

CLAIMING FOR WORKPLACE INJURIES

If you were injured at work, you may be unable to make a claim in court because you must use the WorkSafe BC claim process instead. This area of the law is complex and you should get legal advice.

WHEN DO I NEED TO START A CLAIM?

Usually, you need to start a claim **within 2 years of the date you became aware of the harm or the breach of contract by your employer**. This time limit is called a **limitation period**.

THREE DIFFERENT PLACES TO MAKE A CLAIM

Depending on the amount of compensation (remedy), you can start your claim at one of the three places below:

1. Civil Resolution Tribunal for claims under \$5000;
2. British Columbia Small Claims Court for claims between \$5000 and \$35,000; and
3. British Columbia Supreme Court for claims over \$35,000.

FURTHER INFORMATION AND FREE LEGAL ADVICE

Detailed process guides on Civil Claims and other topics are available at: [Stand Informed Resources](#).

You can get free legal advice at:

Access Pro Bono: This program provides free summary advice from a lawyer, as well as several other legal assistance programs. Call: 604-878-7400 or 1-877-762-6664; Email: appointments@accessprobono.ca; Website: <https://accessprobono.ca>

Amici Curiae Program: This program provides free help with filling out court forms. Website: <https://www.legalformsbc.ca>

Law Students' Legal Advice Program (LSLAP): This program provides free legal advice and representation (by supervised law students) in the Lower Mainland. Call: 604-822-5791; Website: <https://www.lslap.bc.ca>

University of Victoria - The Law Centre: This program provides free legal advice and representation (by supervised UVic law students) in Victoria, BC for civil court claims. Call: 250-385-1221; Email: reception@thelawcentre.ca; Website: <https://www.uvic.ca/law/about/centre/services/humanrightsclinic.php>

You can also **find advocates** across BC by using PovNet's "Find an Advocate" Tool, available online: <https://www.povnet.org/find-an-advocate>.