

STAND INFORMED AND SHARP WORKPLACES CASE SCENARIOS

JULY 8, 2025

SCENARIO FOR PRESENTATION DISCUSSION

Rosalie

Rosalie is young woman and temporary worker from Vietnam who has worked for a little over a year as a line cook and server at Friendly's, a franchise restaurant in Smalltown, BC, that sponsored her work permit. The head cook Don often makes comments about how Rosalie looks. He says things like "just because you're in an apron doesn't mean you shouldn't still try hard", or "even in those baggy clothes I can tell you have a nice body." Don is the childhood friend of the franchise owner Tom, and Don's brother is an RCMP officer. Rosalie feels uncomfortable with the attention from Don and just wants to be treated like everyone else. The rest of the line cooks are guys, and it feels like Don doesn't take her as seriously. One evening after other line cooks have left, it's just Don and Rosalie cleaning up in the kitchen. While Rosalie is putting away some containers, Don follows her, grabs her hips and tries to kiss her. Rosalie is frozen at first but then pushes away Don, who laughs and walks away.

Rosalie goes home and calls a friend in Bigtown, BC, who advises Rosalie to tell Tom. Rosalie is afraid to complain to Tom as Don is his childhood friend and fears that he will not believe her. Rosalie's friend reminds Rosalie that the restaurant has CCTV including inside the kitchen. The next day, Rosalie tells Tom about Don's behaviour, that she feels unsafe working there with Don and Tom can see the video surveillance. Tom watches the recording with Rosalie and the office administrator Helen. While watching the video Rosalie takes screenshots. Tom tells Rosalie to take a couple of days off while he investigates the situation.

On her second day off, Helen calls Rosalie and asks her to come into the office in the afternoon. When Rosalie arrives, Helen and Tom are there. Tom gives Rosalie two-weeks' worth paycheque and tells her she is being let go as they've had complaints about her from the other line cooks and customers. In the parking lot, Don accosts Rosalie and tells her that if she complains to the police about him then his RCMP brother will make sure she can never live or work in Canada. Rosalie leaves Smalltown, BC, overnight by bus and moves in with her friend in Bigtown, BC, who connects her to a women's community health organization who tell her about Stand Informed and SHARP Workplaces. Rosalie is very traumatized and worried about not being able to send money to her child or mother.

Subsequent Facts:

Rosalie applies for EI but is denied as Friendly's said that Rosalie was fired with just cause as she sexually harassed Don.

FOR SMALL GROUP WORK

Instructions: In your groups you will discuss a case study and consider the discussion questions. Please identify someone to report back on the discussions in plenary.

1. Scenario 1: Shelia

Sheila is a health and safety officer for a large company owned by Pete. She has worked for Pete for 14 years. Pete's company is working on several large construction projects throughout the lower mainland.

There is a lot of joking and banter between workers within the office and at the sites, including sexual comments. Sheila jokes around and has a reputation that she can "give as good as she gets." Ray, owner and driver for Steely Dan Construction that frequently contracts with Pete's company, often makes jokes with all employees as he makes deliveries of construction materials. He calls all the women, including Sheila "sweetheart" and has joked that she should "be careful not to get dirty" and he "likes it when she tells him where to go."

One day as his truck was being unloaded; Ray snuck up behind Sheila and put his arms around Sheila across her chest. Sheila jumped turned and found him and a couple other workers who were watching laughing. She said "It's not funny" and then started to cry. Ray and the others were surprised and said they were only joking she should "lighten up."

Sheila walked off the site and the next day called Barbara the HR Manager to report what had happened. Barbara told her the only way she can do anything about it is if Sheila files a formal complaint. Barbara sends her the form but she doesn't know how to proceed or if she should.

Sheila has been off work for two weeks. Four years ago, Sheila was sexually assaulted by another worker at a different work site. She didn't tell anyone at the time. With the recent incident Sheila has been feeling angry, crying on and off, has trouble sleeping and jumpy when there are noises.

Sheila is a single mom and is concerned about her finances as things are tight.

Part 1 Discussion Questions:

1. Is this sexual harassment? Why or why not?
2. Is this sexual assault? Why or why not?
3. What are Sheila's legal options?
4. Discuss the advantages and challenges of each option.

Part 2 Subsequent Facts for Discussion:

After the consultation, Sheila files a formal complaint with her employer with a letter that you helped draft that she not be at the same work site as Ray during his deliveries. After a week, Barbara informs Sheila that Pete has spoken with Ray, and Ray has said that he will not repeat his behaviour when both are on the same site. Barbara says Sheila can return to work as Ray will keep his distance.

What advice do you give Shelia?

2. Scenario 2: Kennedy

Kennedy is an international student who recently came to BC to attend university. While at a party, Kennedy meets Alex, who goes to the same university and in the same major as Kennedy. Kennedy thinks Alex is funny and attractive. They joke around; some jokes have sexual innuendos. They are both having shots and cocktails. Alex begins to invade Kennedy's personal space; makes comments about Kennedy's body while grabbing Kennedy's waist and hips. Kennedy tries to walk away but Alex keeps following. The situation ends with Alex groping Kennedy's chest and buttocks area and kissing Kennedy when Kennedy goes to the bathroom, and Kennedy pushing Alex away and saying "stop!" Alex apologizes to Kennedy and says they must've drunk too much. Kennedy leaves the party but Alex starts following Kennedy so Kennedy calls an uber and goes home. This event has shaken Kennedy causing anxiety. Kennedy is unable to return to part-time work or school. Kennedy is afraid that if they fail their semester, they will be unable to remain in BC as an international student.

Part 1 Discussion Questions:

1. Is this sexual harassment? Why or why not?
2. Is this sexual assault? Why or why not?
3. What are Kennedy's legal options?
4. Discuss the advantages and challenges of each option.

Part 2 Subsequent Facts for Discussion:

Kennedy goes to file a police report, but the police officer on duty Constable John Doe does not take Kennedy's complaint seriously. Instead, Constable John Doe asks Kennedy about their gender, makes remarks, and says that looks like Kennedy consented and invited Alex's touching and kissing. And as both were drunk, Kennedy likely does not remember what really happened.

What advice to you give Kennedy?

3. Scenario 3: Min Joon

Min Joon, a 29-year-old welder, working in a full-time unionized job at Vancouver International Airport. They started this job eight months ago, and almost all of their colleagues are men. Since starting work, Min Joon noticed a culture of sexism among some of them, with a lot of jokes about women and frequent explicit sexual talk about women, as well as sharing porn gifs over Whatsapp group chats while on break. At first, Min Joon just tried to ignore it, but eventually Min Joon started speaking up – they would tell their colleagues they were being sexist and that they didn't want to hear it or respond to chats by sending feminist critiques. Min Joon has also been turned down for vacation days and preferred shifts, and this never used to be a problem even though they are new.

A couple of Min Joon's colleagues are suggesting that Min Joon is not capable of doing the work because of their "bleeding heart" and subjecting them to homophobic slurs and chat messages on a regular basis.

Min Joon has become increasingly alienated at work because of the continuing harassing behavior. They are stressed at work, anxious and unable to sleep. Min Joon wants to know what are the legal options.

Part 1 Discussion questions:

1. Is this sexual harassment? Why or why not?
2. Is this sexual harassment? Why or why not?
3. What are Min Joon's legal options?
4. Discuss the advantages and challenges of each option.

Part 2 Subsequent Facts for Discussion:

Min Joon files a human rights complaint on their own in January 2025 after the legal consultation. Min Joon contacts you soon after that they received a letter from the Human Rights Tribunal saying the employer's counsel initiated an Application to Dismiss.

What advice do you give Min Joon?