

Employer Must Answer for Not Controlling Sexually Harassing Client



A nursery worker filed a discrimination complaint against her employer for not protecting her against sex harassment from a client. The nursery denied knowing anything about the situation, noting that while the worker had complained to co-workers she never filed a formal complaint with HR. But the Human Rights Tribunal refused to dismiss the case. The she-never-told-us argument was a total non-starter. The nursery didn't have a sex harassment policy or complaint procedure and didn't train its workers on responding to harassment. So, any confusion on the worker's part was the nursery's fault. Result: She had a valid claim for sex harassment and deserved the chance to prove it in court [*Beharrell v. EVL Nursery*, 2018 BCHRT 62 (CanLII), March 14, 2018].