

Online Harassment: A Guide for Faculty, Staff & Students

CENTRE FOR HUMAN RIGHTS, EQUITY & INCLUSION (CHREI)



Background

Students, staff, and faculty at York now work, learn, teach, and collaborate online and in virtual spaces on a regular basis. Many forms of unacceptable behaviour, including personal harassment and harassment based on the grounds listed in the Human Rights Code (Ontario) (which includes sexual harassment), can take place online much the same as they might take place in person. If you believe you are experiencing harassment online or in virtual spaces, you have options for taking action to end the harassing behaviour as well as to hold York Community members accountable for their conduct or comments. This guide is for students, faculty and staff and provides an overview on the policies that apply to cases of online harassment, the protections that apply, where those protections are codified, what type of harassment is at issue, and the resources available at York.

In the Course of Duties

Faculty, students and staff members can still be acting in the course of their duties even when they are not physically present on campus.


This can include:

- While engaged in remote teaching, whether by video, phone, message board, internet chat, or some other mode of communication;
- When corresponding with York Community members including: students, faculty, or staff, whether by email or another method, electronic or otherwise;
- When attending Zoom or Skype video meetings or calls with students, colleagues, or staff;
- When using Moodle or other similar online learning platforms;
- At conferences or other off-campus events or meetings;
- While at working lunches or dinners.

The common feature of the examples listed above is that there is some real connection to the faculty or staff member's work for York University at the time and in the context when the alleged harassment occurred.

Who is a Community Member?

The alleged harasser (the person(s) you believe is harassing you) must be a York Community member. A “York Community member” is a broadly defined but generally refers to students, staff and faculty. There are other categories of people, who have special and unique relationships to York, that may also be covered by some or all of these policies. If you are uncertain you may consult the Centre for Human Rights Equity and Inclusion.

	<p>York Community Members are generally</p> <ul style="list-style-type: none">› Students› Faculty› Staff	<p>Some individuals may have a special and unique relationship to York that may still cover them under York’s policies.</p>
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Law & Policy

Alleged harassment taking place in any of these virtual or off-campus work contexts may be defined and prohibited under the following laws or policies:

- Human Rights Code (Ontario)
- Occupational Health and Safety Act (Ontario)
- Collective Agreements (where applicable)
- Human Rights Policy (York University)
- Workplace Harassment Prevention Policy and Workplace Violence Prevention Policy (York University)
- Code of Student Rights and Responsibilities (York University)
- Policy on Sexual Violence (York University)

You may wish to consult the policies above to confirm the specific definition of harassment which might apply to your situation. [Visit the YU Secretariat Policies page to view all of these related policies.](#)

Two Kinds of Harassment

The law recognizes two kinds of harassment, and there are some differences in policy and procedure depending on what is happening.

“Personal harassment” refers to harassing conduct or comments generally.

“Code-based harassment” is specific to harassing conduct or comments in which a person’s protected identity or characteristics are a factor which is defined by the Human Rights Code (Ontario).

> **“Sexual harassment”** is a type of Code-based harassment, but for public policy reasons, it is addressed in a separate and specific policy and by a dedicated office at all Ontario universities, including York University. At York University this is the Policy on Sexual Violence and the Centre for Sexual Violence Support, Resources and Education (“the Centre”).

For purposes of identifying your next steps, it is advisable to give some thought to which kind of harassment you are experiencing. If you are unsure, the Centre for Human Rights Equity and Inclusion can provide guidance and our case advisors may help clarify the question for you.

Resources Available at York

Depending on the context and their level of comfort, those who experience harassment may opt to either report the behaviour to a person in charge (whether a supervisor, manager, department head, instructor, professor or coach) approach the union representative, seek counseling support, or look for guidance on the complaints policy, or a combination of all or any of these. YU Community members experiencing harassing behavior have the following resources available to them:

Counseling and related Mental health supports

[The Centre for Sexual Violence Response, Support & Education \(known as the Centre\)](#)

The Centre offers support and resources if you or someone you know has experienced or been impacted by any form of sexual or gender-based violence – regardless of where or when it took place. The Centre also provides crisis counseling, safety planning etc. These services are available to all students, faculty and staff.

See also: [Handout on Health & Well-being Resources at YU](#)

Case Advising and support

The Centre for Human Rights, Equity & Inclusion (CHREI) supports students, faculty and staff in the fair resolution of human rights related conflicts and complaints. The CHREI case advisors provide free and confidential consultation, support for YU community members who are parties to a complaint, as well as complaint resolution. You may contact CHREI at rights@yorku.ca and visit the [CHREI website](#) for more information.