

## ABSTRACT

Sexual harassment has been a major source of concern for both Canadian and U.S. companies. U.S. companies have spent a considerable amount of time and money litigating sexual harassment claims. The literature does not specify whether Canadian firms are encountering the same kind of expense in defending similar suits. Both management and labor express confusion about what exactly constitutes sexual harassment. Since Canada and the U.S. have such frequent interactions and strong trade agreements, it is extremely important that both countries be very familiar with the laws and practices of the other to avoid serious misunderstandings and breeches of the law. Sexual harassment violates both Canadian and U.S. law, however, there are differences in the legal and administrative requirements imposed upon the corporations.

It is the purpose of this study to identify 1) differences in Canadian and U.S. legal definitions of sexual harassment; 2) whether Canadian and U.S. employees hold differing perspectives as to what behaviors constitute sexual harassment and whether the source of the harassment (supervisor, co-worker; subordinate) as any effect on whether a behavior is labeled as being sexually harassing; 3) what responsibilities does each country place on corporations in terms of sexual harassment policies; and 4) Canadian and U.S. remedies for sexual harassment. This study attempts to investigate these differences and to explain the possible difficulties that US companies may face in Canada regarding sexual harassment and vice-versa. By thoroughly understanding the legal obligations in each country, it is more likely that companies can avoid charges of sexual harassment.

The results indicated that respondents in both countries recognize potentially harassing behaviors; work in companies that have sexual harassment policies that are effective in reducing sexual harassment; have experienced training on sexual harassment; and have not personally experienced sexual harassment. There is a minority of respondents primarily from the Canadian firms who have experienced harassment and who have felt uncomfortable in reporting their experiences due to the fear that they would not be believed, fear of retaliation, or fear that the company would not respond to their complaint.