HOW TO FILE COMPLAINTS *OUTSIDE* YOUR EMPLOYER ABOUT WORKPLACE SEXUAL HARASSMENT

This guide explains how to report sexual harassment to external bodies outside of your employer, and provides information on the different human rights and workplace safety bodies to report to. It's for general information only and is not legal advice.

Note: Legal processes can be expensive if you choose to hire a lawyer and they can also take a lot of time. Generally, workplace safety bodies claims are the easiest to do without a lawyer, human rights claims often have the option of turning to legal aid lawyers or pro bono/low cost legal clinics, and legal actions in civil court are the most expensive, often requiring lawyers to navigate the system due to being complicated. Timelines vary, but usually workplace safety bodies' processes are the fastest, while human rights bodies and courts take a long time to move complaints through the system to get to a hearing (it can take years).

Most Accessible to Least Accessible:

1. **Workplace safety complaints**
2. **Human rights complaints**
3. **Civil actions**

Note: If you have signed documents with your employer if you were fired where you agreed to not pursue any legal action against them, you may not be able to file these claims. But, there may be exceptions to that in specific cases so get legal advice on that.

If your employer doesn't investigate, doesn't provide safety measures, or runs an unfair/flawed investigation, you can file complaints with human rights and occupational health and safety bodies.

HUMAN RIGHTS COMPLAINTS

Sexual harassment is a type of discrimination based on sex or gender, and it is protected under human rights laws. Human rights bodies recognize intersectionality, which means your complaint can explain how your race, religion, gender, and sex together affected the harassment you experienced. Most human rights complaints follow these steps:

1. Submit a complaint form with details of the incident, the grounds for discrimination (like sex or gender), and the area of life affected (such as work).
2. The human rights body reviews your form, asks for changes if needed, and shares it with your employer.
3. Your employer files their response.
4. Both sides submit evidence and documents for investigation.
5. Some human rights bodies may reject the complaint at this stage or decide not to send it to a hearing if it doesn't have merit, or if the employer requests it.
6. Some human rights bodies may offer free voluntary resolution or mediation.
7. A hearing is held to hear both sides.
8. A decision is issued by the human rights body. Outcomes you could get are compensation for lost wages, monetary damages for harm to your dignity, and orders requiring your employer to create policies/training, apologize, or rehire you.

WORKPLACE SAFETY COMPLAINTS

Sexual harassment is considered workplace violence and is illegal under health and safety laws. You may also be able to claim workers' compensation benefits for sexual harassment if you sustained psychological harm. How occupational health and safety (OHS) harassment complaints usually work:

1. Submit a complaint describing the sexual harassment, explaining how it's a safety hazard, who you reported it to, how your employer responded (if at all), and any harm or loss you suffered. Most OHS bodies only focus on complaints about how harassment reports were mishandled by employers.
2. The OHS body will investigate the complaint.
3. During the investigation, the OHS can order your employer to create or update sexual harassment policies, reporting procedures, and investigation processes if the current measures aren't enough.
4. The OHS body may also order your employer to investigate or re-investigate your report and provide compensation for lost wages or medical/mental health costs.

FOR ALL HUMAN RIGHTS BODIES:

- Remember intersectionality: Explain how your race, religion, sex, and gender all played a role in your experience of sexual harassment.
- Human rights bodies have limits on how long you have to submit a complaint after harassment occurs.
- You cannot complain of incidents that do not meet the deadline unless:
  - the harassment is ongoing or all the incidents of harassment are connected in time,
  - there's a good reason for the delay and no one is harmed (e.g., witnesses or documents are still available), or
  - it's in the public interest, such as systemic harassment affecting multiple people.

FEDERALLY REGULATED EMPLOYEES

Note: A federally regulated employee in Canada is someone who works in certain industries that are governed by the federal government's labour laws (the Canada Labour Code) instead of provincial laws. These industries include air transportation, radio/television broadcasting, shipping, banking (e.g., CIBC, RBC), interprovincial trucking/railways, and pipelines, etc.

HUMAN RIGHTS COMPLAINTS

- First, report to the Canadian Human Rights Commission. If they cannot resolve it, the Commission will send your complaint to the Canadian Human Rights Tribunal.
- Law: Canadian Human Rights Act
  - Section 3 makes sex and gender discrimination illegal.
  - Intersectionality: Explain how your race, religion, sex, and gender all played a role in your experience of sexual harassment.
- Deadline to file: You must submit your complaint within 12 months of the last incident of sexual harassment.

WORKPLACE SAFETY COMPLAINTS

- Report to the Federal Labour Program.
- Law: Canada Labour Code and Work Place Harassment and Violence Prevention Regulations
  - Division XV.1 of Part III of the Code makes sexual harassment illegal and requires employers to provide an environment free of sexual harassment
- Deadline to file: Within 6 months of you becoming aware of the sexual harassment. If you no longer work for your employer, you need to file 90 days after the end of your employment.

HUMAN RIGHTS COMPLAINTS FOR PROVINCIAL/TERRITORIAL REGULATED EMPLOYEES

Human Rights Body	Law	Deadline to File
Ontario Human Rights Tribunal	*Ontario Human Rights Code* (section 7(2) makes sexual harassment illegal)	12 months from the date of the last incident
Alberta Human Rights Commission	*Alberta Human Rights Act* (section 7 makes sex and discrimination illegal)	12 months from the date of the last incident
British Columbia Human Rights Tribunal	*BC Human Rights Code* (section 13 makes sex and gender discrimination illegal)	12 months from the date of the last incident
Manitoba Human Rights Commission	*Manitoba Human Rights Code* (section 19 makes sexual harassment illegal)	12 months from the date of the last incident
New Brunswick Human Rights Commission	*New Brunswick Human Rights Act* (section 10 makes sexual harassment illegal)	12 months from the date of the last incident
Newfoundland and Labrador Human Rights Commission	*Newfoundland and Labrador Human Rights Act* (section 9 makes sex and gender discrimination illegal; also section 18 makes specific forms of sexual harassment illegal)	12 months from the date of the last incident
Northwest Territories Human Rights Commission	*NWT Human Rights Act* (section 5 makes sex and gender discrimination illegal)	24 months from the date of the last incident

Human Rights Body	Law	Deadline to File
Nova Scotia Human Rights Commission	*Nova Scotia Human Rights Act* (section 5 makes sex and gender discrimination illegal; section 3 also has a specific definition of sexual harassment)	12 months from the date of the last incident, though extensions can be granted to 24 months from the last incident
Nunavut Human Rights Tribunal	*Nunavut Human Rights Act* (section 7 makes sex and gender discrimination illegal)	24 months from the date of the last incident
Prince Edward Island Human Rights Commission	*PEI Human Rights Act* (the preamble makes sex and gender discrimination illegal)	12 months from the date of the last incident
Quebec: Commission des droits de la personne et des droits de la jeunesse (CDPDJ) first gets the complaint and then it decides to send it to **Quebec Human Rights Tribunal**	*The Quebec Charter of Human Rights and Freedoms* (sections 10, 10.1, 46 makes sexual harassment illegal as a form of discriminatory harassment based on sex or gender)	Generally within 3 years of the event, or 6 months for municipal/police issues
Saskatchewan Human Rights Commission	*The Saskatchewan Human Rights Code* (the preamble makes sex and gender discrimination illegal)	12 months from the date of the last incident
Yukon Human Rights Commission	*Yukon Human Rights Act* (section 14 makes discriminatory harassment based on protected grounds, which includes sex and gender, illegal)	18 months from the date of the last incident

PROVINCIAL/TERRITORIAL WORKPLACE SAFETY BODIES

Provincial/territorial body	Law	Deadline to File
Ontario For employer not investigating or not properly investigating and sexual harassment being an unsafe working condition, you go to **the Ontario Ministry of Labour** For psychological injury claims from the harassment, you go to **Workplace Safety and Insurance Board**	*Occupational Health and Safety Act* *Workplace Safety and Insurance Act*	No deadline for Ontario Ministry Labour 6 months from the date aware of psychological injury for Workplace Safety and Insurance Board
Alberta For employer not investigating or not properly investigating and sexual harassment being an unsafe working condition, you go to **Occupational Health and Safety** For reporting a psychological injury from sexual harassment, **Workers' Compensation Board**	*Occupational Health and Safety (OHS) Act* *Occupational Health and Safety Code* *Workers' Compensation Act*	No deadline for Occupational Health and Safety 24 months from the date aware of psychological injury for Workers' Compensation Board
British Columbia **WorkSafeBC**	*The Workers Compensation Act* *Occupational Health and Safety Regulation*	12 months from the date aware of the harassment or psychological injury

Provincial/territorial body	Law	Deadline to File
Manitoba For employer not investigating or not properly investigating and sexual harassment being an unsafe working condition, **Workplace Safety and Health** For reporting psychological injury from sexual harassment, **Workers' Compensation Board of Manitoba**	*Workplace Safety and Health Act* *Workplace Safety and Health Regulation* *Workers' Compensation Act*	60 days from the date of the last incident for Workplace Safety and Health 30 days from the date of being aware of psychological injury for Workers' Compensation Board of Manitoba
New Brunswick **WorkSafeNB**	*Occupational Health and Safety Act* *New Brunswick Regulation 91-191* *Workers' Compensation Act*	12 months from the date aware of harassment or psychological injury
Newfoundland and Labrador **WorkplaceNL**	*Newfoundland and Labrador Occupational Health and Safety (OHS) Act* *Occupational Health and Safety Regulations* *Workplace Health, Safety and Compensation Act*	12 months from date of last incident of sexual harassment for reporting harassment Within 30 days of being aware of psychological injury if claiming for psychological injury
Northwest Territories **Workers' Safety and Compensation Commission**	*The Northwest Territories Safety Act (Consolidation)* *The Occupational Health and Safety Regulations (Consolidation)* *Harassment Code of Practice* *Workers' Compensation Act*	No specific deadline for reporting harassment but recommend within 6-12 months of last incident As early as possible for psychological injury

Provincial/territorial body	Law	Deadline to File
Nova Scotia For employer not investigating or not properly investigating and sexual harassment being an unsafe working condition, **Department of Labour, Skills and Immigration, Occupational Health and Safety Division** For reporting psychological injury from harassment, **Workers' Compensation Board of NS**	*Occupational Health and Safety Act* *Occupational Safety General Regulations, NS Reg 44/99* *Violence in the Workplace Regulations, NS Reg 209/2007* *Workplace Health and Safety Regulations, NS Reg 52/2013* *Workers' Compensation Act*	Within 6 months of last incident of sexual harassment for Department of Labour, Skills and Immigration, Occupational Health and Safety Division Within 12 months of being aware of psychological injury for, Workers' Compensation Board of NS
Nunavut **Workers' Safety and Compensation Commission**	*Nunavut Safety Act (Consolidation)* *Occupational Health and Safety Regulations (Consolidation)* *Workers' Compensation Act*	Within 6 months of last incident of sexual harassment for reporting harassment Within 60 days of being aware of psychological injury for psychological injury
Prince Edward Island **Workers's Compensation Board of PEI**	*Occupational Health and Safety (OHS) Act* *Occupational Health and Safety Act General Regulations* *Workplace Harassment Regulations* *Workers Compensation Act*	No deadline for reporting sexual harassment as a hazard 6 months from the date aware of psychological injury for reporting psychological injury from sexual harassment

Provincial/territorial body	Law	Deadline to File
Quebec **Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST)**	*Act Respecting Labour Standards* *Act Respecting Occupational Health and Safety*	Within 24 months of last incident for reporting sexual harassment Within 6 months of being aware of psychological injury, for psychological injury claim
Saskatchewan For employer not investigating or not properly investigating and sexual harassment being an unsafe working condition, **OHS Harassment and Discriminatory Action Prevention Unit** For reporting psychological injury from sexual harassment, **Workers' Compensation Board of Saskatchewan**	*Saskatchewan Employment Act (Consolidation)* *Workers' Compensation Act*	Within 12 months of last incident for OHS Harassment and Discriminatory Action Prevention Unit Within 5 days of becoming aware of injury for psychological injury
Yukon **Workers' Safety and Compensation Board**	*The Workers' Safety and Compensation Act* *Workplace Health and Safety Regulations*	Within 12 months of last incident of sexual harassment or becoming aware of the psychological injury

For more information:
Visit our website: ccmw.com/wish

Developed by the Canadian Council of Muslim Women (CCMW) as part of the Workplace Interventions on Sexual Harassment (WISH) Project.
This resource provides general legal information and is not legal advice.
Funded by the Department of Justice Canada.
© CCMW 2026 | Updated: March 2026

Canadian Council of Muslim Women (CCMW)
Le conseil canadien des femmes musulmanes (CCFM)

Department of Justice Canada
Ministère de la Justice Canada