

Lead Hand Was Sexually Harassed but Pay Differential Not Sex-Based



A female lead hand claimed she was sexually harassed and paid less than male colleagues in the same position. The BC Human Rights Tribunal agreed that she was harassed and fired, in part, because of her sex. But while it awarded her damages, including \$4,000 for injury to dignity and self-respected, it refused to reinstate her. It also rejected her pay discrimination claim, reasoning that she was paid less because of her status as a casual employee not because she was a woman. The court upheld the ruling as reasonable—although it said the Tribunal was wrong to slash her notice 50% for failure to “mitigate,” i.e., look for a new job [*JJ v. School Dist. 43(Coquitlam)*, [2012] B.C.J. No. 710, April 12, 2012].