Waitress/Non-Employee Can Sue Franchise for Sex Harassment



The sex harassment complaint filed by a waitress at a Blenz coffee shop in Vancouver was pretty standard. What makes the case significant is that she filed it against not just shop owner/franchisee but the Blenz franchise itself. Blenz tried to get the case thrown out since it wasn't the waitress's employer. But the BC Human Rights Tribunal refused, noting that the waitress had twice contacted Blenz with her concerns and never got a return call. An employee doesn't have to be employed by the franchise to sue it for sex harassment, the Tribunal concluded [*Chárthaigh v. Blenz,* 2012 BCHRT 264, Aug. 2, 2012].