

Sexual harassment and/or gender-based violence in mining in Canada and internationally

Sexual harassment and workplace violence happen in workplaces around the world and at all levels of employment. Actual numbers are difficult to obtain because incidents of harassment and workplace violence tend to be under-reported. National data sets for specific employment sectors are typically not available. Nevertheless, there are some sources that may be useful below, particularly as relate to gender and other intersecting identity factors.

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Examples from Canada

1. Indigenous Communities and Industrial Camps

"In research conducted in the Fort St. James area (Shandro et al. 2014), data from the local RCMP showed a 38 per cent increase in sexual assaults during the first year of the construction phase of an industrial project, as well as an increase in sex work in areas where there is an increase in industrial traffic (Shandro et al. 2014). Indigenous women are particularly vulnerable to being victimized by sexual assault (Department of Justice 2015), and particularly so when industrial camps are located near remote communities" p. 22.

From: Gibson, G., K. Yung, L. Chisholm, and H. Quinn with Lake Babine Nation and Nak'azdli Whut'en. 2017. Indigenous Communities and Industrial Camps: Promoting healthy communities in settings of industrial change. Victoria, B.C.: The Firelight Group
http://www.thefirelightgroup.com/firelightmaterials/wp-content/uploads/2016/03/Firelight-work-camps-Feb-8-2017_FINAL.pdf

2. Indigenous Gender-based Analysis

"Violence-related deaths among Indigenous women is five times higher than the national average for Canadian women."⁸⁵ The risk of sexual violence, substance abuse and sexually transmitted infections due to rape and sex trafficking is particularly high for Indigenous women and girls in proximity to industrial camps."⁸⁶Indigenous women are disproportionately affected by the negative socio-economic effects of development and are less likely to benefit from employment opportunities."⁸⁷"Though limited data is available on the experience of gender-diverse Indigenous peoples in the mining industry, one study found that 43% of gender-diverse Indigenous participants in Ontario had experienced physical or sexual violence and 67% had been forced to move as a result of their gender identity."⁸⁸

⁸⁵ Kuokkanen, supra note 19, at p 288.

⁸⁶ Gibson et al., Supra note 52, at p 7-8.

⁸⁷ Dalseg, supra note 39, at p 139.

⁸⁸ Scheim, supra note 52, at p 115.

From: Bond, A., and Quinlan, L. 2018. Indigenous Gender based Analysis for Informing the Canadian Minerals and Metals Plan. Native Women's Association of Canada. Akwesasne, ON. P. 24

3. Women in Canadian Mining

In 2018, Peltier-Huntley conducted an on-line questionnaire survey of employees working in management positions within mining and those who had left mining occupations. Of 540 who responded (please note the points below are direct quotes from the document):

- 214 (39%) respondents shared 251 stories of their experiences with (n = 109 or 43%) or observations of (n = 96 or 37%) discrimination (n = 116 or 46%) and harassment (n = 117 or 47%) incidents in the mining industry. (p.90)
- The most common aggressors were identified as male or men (n = 33 or 21%), supervisor (n = 30 or 19%), worker (n = 18 or 12%), manager (n = 16 or 10%), and senior (n = 12 or 8%). P.91
- Aggressors were often in a position of power (n = 75 or 48%), such as a client, supervisors, or manager. The receivers were most often identified as: I (n = 56), indicative of a first-hand account or by their gender: female or women (n = 52). There were a few accounts of women being the aggressor (n = 4) toward other women or men, or men being the receiver of aggressions (n = 7) from other men. The term “bullying” was used most often when men received inappropriate behaviour from other men. (p. 91)
- Harassment (n = 116) included the attacks which were personal in nature, overt, and may have occurred on multiple occasions, such as bullying. Discrimination (n = 117) incidents were more general, less personal, and often subtle in nature. Some incidents (n = 18 or 7%) were described in such a way that it was not possible to determine the severity of the action. The method of administering the offence was described in terms of involving physical contact (n = 16 or 6%) or comments (n = 107 or 43%). Comments could include texting, emailing, or verbal communication. The nature of the offences was identified in 161 (64%) cases. The nature of offences were deemed to be sexual and/or sexist (n = 144 or 89%), racist (n = 11 or 7%), religious (n = 4 or 2%), or homophobic (n = 2 or 1%). All of the 16 incidents involving physical contact were also sexual in nature. Of the 251 incidents, 109 (43%) involved first hand experiences; the vast majority (n = 98 or 84%) of those at the receiving end of the incident were women. A further 46 (18%) incidents were witnessed by the survey respondent, where 60% (n = 28) of the witnesses were men. 78% (n = 36) of the survey participant who were confided in after the incident occurred (n = 46 or 18%) were male. (pp. 92-93)
- The setting in which these incidents occurred were mainly at the workplace (n = 184 or 73%). Some incidents occurred off-site, such as at a conference, or after work hours (n = 16 or 6%). Thirty-seven (17%) of the 214 respondents who shared their experiences with harassment and discrimination in the Canadian mining industry indicated they had multiple examples of inappropriate behaviour to share. (p. 93)

From: Peltier-Huntley, Jocelyn. 2019. Closing The Gender Gap In Canadian Mining: An Interdisciplinary Mixed Methods Study. Unpublished Msc Thesis. Saskatoon: University of Saskatchewan. (available from the online University repository)

In a tool kit for oil, gas and mining companies provided by the International Finance Corporation (2016)

“30–50 percent of women in Latin America, Japan, Malaysia, Philippines, and South Korea reported experiencing some form of workplace sexual harassment. A South African study of working women placed the figure at 77 percent. The report cites a survey of women in the European Union, which found that 75 percent of female respondents in top management and

74 per-cent of female respondents in professional occupations had experienced sexual harassment, compared to 44 percent of female respondents who self-reported as skilled manual workers.” P.10

From: International Finance Corporation (2018). *Unlocking Opportunities for Women in Business: A Toolkit of Actions and Strategies for Oil, Gas, and Mining Companies*. Washington, DC: World Bank Group. P. 10. Available at: <https://www.commdev.org/wp-content/uploads/2018/05/Unlocking Opportunities for Women and Business IFC-2.pdf>

The above report also cites: International Finance Corporation. 2016. *SheWorks: Putting Gender Smart Commitments into Practice*, Washington, DC: IFC.

Other sources include:

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Jayasundara, D. S., Legerski, E. M., Danis, F. S., & Ruddell, R. 2018. Oil Development and Intimate Partner Violence: Implementation of Section 8 Housing Policies in the Bakken Region of North Dakota and Montana. *Journal of Interpersonal Violence*, 33(21), 3388–3416. <https://doi.org/10.1177/0886260518798359>

Kemp, D. & Keenan, J. 2009. *Why Gender Matters: A resource guide for integrating gender considerations into Communities work at Rio Tinto*. Melbourne (Australia): Rio Tinto. Retrieved from https://www.riotinto.com/documents/ReportsPublications/Rio_Tinto_gender_guide.pdf

Kuokkanen, R. 2011. “From Indigenous Economies to Market-Based Self-Governance: a feminist Political Economic Analysis” *Journal of Political Science*, 44(2), 275.

Noble, B.F., and Bronson, J.E. 2005. “Integrating Human Health into Environmental Impact Assessment: Case Studies of Canada’s Northern Mining Resource Sector”, *Arctic*, 58: 395-405.

Shandro, J., Jokinen, L., Kerr, K., Sam, A.M., Scoble, M., and Ostry, A. 2014. “Ten Steps Ahead: Community Health and Safety in the Nak’al Bun/Stuart Lake Region During the Construction Phase of the Mount Milligan Mine” Victoria: University of Victoria. Available at: <http://www.piplinks.org/system/files/Nak'al+Bun-Stuart+Lake+Mount+Milligan+Construction+Phase+Report+December+2014.pdf>

Shandro, J., Veiga, M.M., Shoveller, J., Scoble, M., and Koehoorn, M. 2011. “Perspectives on Community Health Issues and the Mining Boom-Bust Cycle” *Resources Policy* 36 (2), 178–86.

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